



Province of Alberta

The 29th Legislature  
Fourth Session

# Alberta Hansard

Wednesday afternoon, November 28, 2018

Day 55

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

Aheer, Leela Sharon, Chestermere-Rocky View (UCP),

Deputy Leader of the Official Opposition

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Babcock, Erin D., Stony Plain (NDP)

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Bilous, Hon. Deron, Edmonton-Beverly-Clareview (NDP)

Carlier, Hon. Oneil, Whitecourt-Ste. Anne (NDP)

Carson, Jonathon, Edmonton-Meadowlark (NDP)

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Clark, Greg, Calgary-Elbow (AP),

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

Cortes-Vargas, Estefania, Strathcona-Sherwood Park (NDP),

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Dach, Lorne, Edmonton-McClung (NDP)

Dang, Thomas, Edmonton-South West (NDP)

Dreeshen, Devin, Innisfail-Sylvan Lake (UCP)

Drever, Deborah, Calgary-Bow (NDP)

Drysdale, Wayne, Grande Prairie-Wapiti (UCP)

Eggen, Hon. David, Edmonton-Calder (NDP)

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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)

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New Democratic: 53 United Conservative: 26 Alberta Party: 3 Alberta Liberal: 1 Freedom Conservative: 1 Independent: 2 Progressive Conservative: 1

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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, November 28, 2018

[The Speaker in the chair]

**The Speaker:** Good afternoon. Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Member for Edmonton-South West.

**Mr. Dang:** Thank you, Mr. Speaker. It is really my pleasure today to rise and introduce to you and through you 28 brilliant students from the greatest constituency in the province. Honestly, I'm sorry I missed a photo with them because I was enjoying so much time here in this Chamber while they were trying to get their photo. Seated behind me from George P. Nicholson school are the students accompanied by their teacher, Mrs. Lorelei Campbell, along with their chaperones: Mrs. Kelly Miller, Mrs. Stephanie Pajo, Mr. Dennis Pajo, and Mrs. Nancy Mah. If they'd please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Welcome.

The hon. Member for St. Albert.

**Ms Renaud:** Thank you, Mr. Speaker. It's my pleasure to rise and to introduce to you and through you 48 students, the second group from Leo Nickerson elementary school in St. Albert. The students are accompanied by their teachers Dillon Knoll, Joel Wood, and Nacima Strader and their chaperones Carly Chalupa and Jenny Schroeder. I ask them all to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Welcome.

The hon. Member for Peace River.

**Ms Jabbour:** Thank you, Mr. Speaker. I rise today to introduce to the House a guest of yours seated in your gallery. Wayne Resch has been the acting president of Medicine Hat College since March of this year, but his history in the city and particularly at the college goes back nearly two decades. Wayne was a student athlete playing for the Medicine Hat College Rattlers volleyball team before joining the college's administration in 2003. He continued with the administration throughout the years, holding positions of manager of financial services, chief financial officer, vice-president of administration, and then was named acting president earlier this year. Wayne has been an invaluable asset not only to Medicine Hat College but the city as a whole. I would ask him now to please rise and accept the traditional warm welcome of this Assembly.

**The Speaker:** Welcome.

The hon. Minister of Agriculture and Forestry.

**Mr. Carlier:** Thank you, Mr. Speaker. I'd like to introduce to you and through you some dear family members by marriage. First off is a fine young lad named Manitoba Watson, who is with his dad, Daniel, and his mom, Geraldine, from Fillinges, France, a beautiful spot in the Alps that my wife and I had the chance to visit this summer. With them is Manitoba's grandmother, Sheryl Watson, from Devon, and Manitoba's great-grandmother, Anna Owen, from Edmonton. It is not often that we get the chance in this House to introduce four generations from one family, so I'd ask that my guests now rise and we give them a rousing traditional welcome.

**The Speaker:** Welcome.

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

**Mr. Nixon:** Well, thank you, Mr. Speaker. I rise today to introduce to you and through you to all members of the Assembly a friend of mine from Nordegg, Monica Ahlstrom, who, of course, is part of Ahlstrom helicopters in that area. She gets to live in one of the most beautiful places in the world. First of all, her family does a tremendous amount of work there, but she's also the president of Search and Rescue Alberta, so when you are in my backyard and you make a silly mistake or even if it wasn't so silly, she and her team are the ones coming to get you and get you back home. We had a great meeting with her today, and I would ask that she rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Welcome.

The hon. Member for Edmonton-Castle Downs.

**Ms Goehring:** Thank you, Mr. Speaker. It is my absolute privilege to introduce to you and through you to all members of the Assembly a group of leaders from the Lebanese community. Later today I will be speaking about the 75th anniversary of Lebanon's independence. I would ask my guests to rise as I call your names: Monsignor Charles Saad, Sheik Rabih Salamy, Father Issa Maamar, Joe Hak, Youssef Abou Rjeily, Bassam El-Ahmar, Joseph Rustom, Samir Bleibel, Marcelle Abou Rjeily, Nicolas Samia, and Tom Choucair. Thank you, all, for coming today and for your incredible leadership. I would ask that all members join me in extending the traditional warm welcome of the Assembly.

**The Speaker:** Welcome.

The hon. Member for Edmonton-Ellerslie.

**Loyola:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly Pat Garrett, who is the executive director of WINGS of Providence in Edmonton-Ellerslie. As we all know, November is Domestic Violence Awareness Month, and Wings offers a second-stage shelter and affordable housing for women with children who have experienced family violence. They address the social, psychological, and health issues affecting women and children, with inclusive programs for clients of all backgrounds. I had the privilege of visiting Wings alongside the Minister of Health last month and got the chance to tour their new youth room and visit with their families. I want to thank Pat and all of her staff for the amazing work that they do day in, day out not only for Edmonton-Ellerslie but for all Albertans there. Pat, please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Welcome.

The hon. Member for West Yellowhead.

**Mr. Rosendahl:** Well, thank you, Mr. Speaker. It's my pleasure to introduce to you and through you and to all members of the Assembly Mr. Neil Rieger, president of the Edson Rotary Club. Neil has been instrumental in the club's highway to Mexico project, where used vehicles and supplies are driven to Mexico and distributed to communities in the Mazatlán area. The Rotary clubs of Edson and Grande Prairie have donated over 60 vehicles since the start of the project. I will speak more about the highway to Mexico later today. I will ask Neil Rieger to now rise to receive the traditional welcome of the Assembly.

**The Speaker:** Welcome.

The hon. Member for Little Bow.

**Mr. Schneider:** Thank you, Mr. Speaker. It is my distinct privilege to introduce to you and through you to all members of the Assembly a group of stakeholders that are in the gallery today to watch as I introduce private member's Bill 211. This bill is a request to the government to look into establishing the mandatory underground infrastructure notification system. Over half of line strikes in Alberta last year were because no locate requests were sought out with Alberta One-Call. As I say your name, please rise: Michelle Tetreault, Alberta Common Ground Alliance; Sean Sullivan, Alberta Common Ground Alliance; Brian Bettis of Telus; Darcy Hurlock of Telus; Darwin Durnie of the Alberta Public Works Association; Mat Steppan, Association of Science and Engineering Technology Professionals; Iain Stables, ATCO; Melissa Pierce of Suncor; and Jonah Porter of Plains Midstream. They've already risen. Please accept the warm welcome of this Assembly.

**The Speaker:** Welcome.

The hon. Member for Chestermere-Rocky View.

**Mrs. Aheer:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all the members of the Assembly two amazing Alberta women, Christie Bergman and her mother, Jody Nicholson. Christie is heavily involved in politics – actually, I think that's probably an understatement – in the Leduc-Beaumont area. In fact, I had supper with her last week, and it was amazing to see the impact that she's had on her community and how much they love her and how much she has brought that community together. Jody is the executive director of VALID, an organization that supports persons with disabilities in Vegreville. These amazing, powerful ladies are both working to make Alberta a better place every day, and I am so grateful to them for that. Would you please rise, and let's give them the warm traditional welcome of the Assembly.

**The Speaker:** Welcome.

Hon. members, are there other guests to be introduced today? The hon. Member for Calgary-Acadia.

**Ms Payne:** Thank you, Mr. Speaker. I rise today to introduce to you and through you someone who is well known to the Calgary New Democrat MLAs, our NDP field organizer, Ryan Robinson. He joins us today from Calgary. It's actually his first time getting to come see our government in action, which is great because that means we're going to send him home with the inspiration to make sure that there are just as many if not more of us on this side of the House come 2019. On behalf of all the Calgary MLAs and everyone else we work with, we wanted to take a moment to say thank you to Mr. Robinson for his work supporting our local ridings and the work to ensure term 2 for this wonderful government, that's doing its best to make life better for all Albertans. I would ask that he now rise and receive the traditional warm welcome of the Assembly.

1:40

**The Speaker:** Welcome. Are there any other guests, hon. members? The hon. Minister of Advanced Education.

**Mr. Schmidt:** Thank you, Mr. Speaker. It's a pleasure to rise to introduce to the Assembly today a dedicated Albertan joining us all the way from Lethbridge. Kurt Schlachter serves as the chair of the board of governors at the University of Lethbridge. We met earlier today to discuss some of the initiatives that are being undertaken by that university. I am pleased to say that the new science building there is on track. Kurt told us those magic words that every minister wants to hear when it comes to an infrastructure project: on time and on budget. We're pleased to be opening that building in the very

near future. In recognition of his service to the university and our province I'd ask Kurt to please rise and accept the traditional warm welcome of this Assembly.

**The Speaker:** Welcome.

### Members' Statements

**The Speaker:** Hon. members, I'd just use this opportunity to remind all of you that there will an emergency testing taking place today at 1:55. That will be sent out to most cellphones. I'm sure there are no cellphones in here, but just in case there are, I kindly remind all of you to put your phones on silent.

The hon. Member for Chestermere-Rocky View.

### Female Genital Mutilation

**Mrs. Aheer:** Thank you, Mr. Speaker. November 25th marked the International Day for the Elimination of Violence against Women and launched 16 Days of Activism, a campaign to highlight the discussion around ending violence against women and girls world-wide. Even today 1 in 3 women world-wide experiences gender-based violence. This violence is not limited to faraway places with unstable political regimes. In fact, it's happening right here in our own backyard. Female genital mutilation, FGM, affects 200 million women and girls world-wide. A recent 2016 study found that FGM procedures have taken place on Canadian soil although the majority of FGM takes place when Canadian girls are sent abroad over their school breaks, a practice referred to as "vacation cutting."

Mr. Speaker, all of this is strictly illegal under the Canadian Criminal Code. Despite the prevalence of the practice, there has never been a criminal prosecution on FGM in Canada. In fact, last week in the United States I was heartbroken, absolutely heartbroken, to learn that a judge had dropped nearly all of the charges against a Michigan doctor accused of performing cutting on at least nine underage girls, claiming that the federal FGM law was unconstitutional. I am sickened that in this day and age, when we have the tools available to us to protect these girls, we have allowed them to be further victimized and this time by the justice system. It's unacceptable. This is an act of brutality that cannot continue.

Mr. Speaker, we must stand up and protect our girls. We have to take action. We have to talk about these issues no matter how horrific they are. We have to educate. We have to work with these communities. We need our governments at all levels to take accountability for putting an end to this practice.

As part of the 16 Days of Activism I promise to continue to use my voice to speak out against this horrific act and to do everything in my power to make sure that this despicable practice is a thing of the past.

**The Speaker:** The hon. Member for West Yellowhead.

### Rotary Club Highway to Mexico Project

**Mr. Rosendahl:** Thank you, Mr. Speaker. Today I recognize the Rotary clubs of Edson and Grande Prairie on a successful 16th year of the highway to Mexico project. Since the project's inception in 2002 the clubs have made the annual 5,000-kilometre journey from Edson to Mazatlán, Mexico, in used school buses, ambulances, and fire trucks. Upon arrival the vehicles are donated to a partner Rotary Club, who distributes them based on greatest need throughout Mazatlán and surrounding communities. This past year one fire truck, five buses, and one rescue unit were donated. So far in total 88 vehicles have been delivered since 2002. And a historic

landmark will be reached in 2019, when the project intends to deliver their 100th vehicle.

In addition to the vehicles, volunteers distribute much-needed goods, including school supplies, computers, firefighting equipment, first aid equipment, and wheelchairs. They also provide training and expertise to emergency workers. This allows local groups to protect the property and lives of the people in their communities. This project is truly an Alberta-wide effort, relying on the generosity of individuals, communities, and businesses from across the province. The city of Red Deer, MD of Greenview, Woodlands county, Mackenzie county, and the town of High Level as well as SemCams, Diesel Shop, Three Penguins Signs, Morad Communications, and Shell Canada have all generously donated to the cause.

Rotarians report that the extensive planning and gruelling week-long drive become immediately worth it after seeing the dramatic impact the project has on the quality of life for people in the Mazatlán region. To the Rotary representative with us today, Edson president Neil Rieger: thank you for your personal commitment.

### Carbon Levy and Agricultural Costs

**Mr. Cooper:** Today I'd like to recognize the thousands of hard-working farmers in our province. Unfortunately, it wasn't a great harvest year, mostly due to unco-operative weather, but working long hours and accepting these risks are just what our farmers do. I think I can speak for everyone here in the House that we all are so, so thankful for their hard work. You know, farming is a tough business, and when it comes to this business, so much of it is out of their control. They deserve for us to have their backs.

Over the past two years I've heard members in this Legislature declare that farmers are exempt from paying this government's carbon tax, but that's not exactly true. Farmers pay the carbon tax in a variety of ways, be it heat, electricity, fertilizer, grain drying, or rail transportation. Recently my office has learned of yet another way that this government is going after farmers, through local suppliers. I have a constituent who provides feed-grinding services for local beef producers. The government recently ordered him to switch from the farm fuel benefit program and register instead as a tax-exempt fuel user. What's the difference, you ask? Under the TEFU program he's expected to pay carbon taxes. But it's a shell game. At the end of the day, he'll be forced to pass these costs on to his customer, the farmer.

The bottom line is that the farmer who owns his feed-grinding equipment will pay less tax than the farmer who hires to have the work done. The same amount of work is being done, the same animals are fed, the same emissions are produced, so who benefits from this bureaucratic arbitration approach to taxation other than government bean-counters? No one. Taxing them is just another backdoor tax on our farmers and ranchers. All farmers and ranchers deserve better. But the good news is, Mr. Speaker, that better is on the way.

### Lebanese Community

**Ms Goehring:** Mr. Speaker, it is my honour to rise today and speak about the country of Lebanon and of the impact of Lebanese culture and heritage here in Alberta. In 1943 Lebanon gained its independence, and this past Thursday, on November 22, Lebanon celebrated its 75th year of independence. Lebanon is a diverse country, with a population of 6 million people and over 18 religious groups. It's home to beautiful scenery, a deep history, and very delicious cuisine, but most importantly Lebanon is home to a proud, generous, and hospitable people.

Alberta has seen this pride, generosity, and hospitality. Immigration to Canada started in 1882 and continues today. Lebanese-Canadians have succeeded as entrepreneurs, academics, politicians, athletes, actors, musicians, and soldiers. Many Lebanese-Canadians have served in the Canadian Armed Forces. With pride Joe Hak shared the story of his maternal ancestors that homesteaded in what is now Hanna, Alberta. Sam Hallaby and his two sons Stanley and Alex joined the Canadian Armed Forces in 1939. Sam and Alex returned, but Stanley and many of his brothers in the Canadian Armed Forces paid the ultimate sacrifice in the battle of Mount Cassino in Italy. As the government of Alberta's liaison to the Canadian Armed Forces I am grateful for this service and sacrifice.

My constituency of Edmonton-Castle Downs and north Edmonton are home to a vibrant and large Lebanese population. I attended high school at Queen E and fell in love with the Lebanese community, culture, and food. Across Alberta, Lebanese pride is visible throughout businesses, community associations, schools, mosques, and churches. Every day I am honoured to live in such a diverse and hospitable community and province. Every day I have the privilege to be a representative of this community as the MLA for Edmonton-Castle Downs, and I would like to thank Lebanese-Canadians for their contributions to Alberta.

Thank you, Mr. Speaker.

1:50

### Oral Question Period

**The Speaker:** The Leader of Her Majesty's Official Opposition.

### Oil Price Differentials

**Mr. Kenney:** Thank you, Mr. Speaker. One of the leading experts in Alberta's energy industry says that we are facing, quote, a financial catastrophe with the price differential. Another has referred to this situation as, quote, a five-alarm fire requiring immediate action to prevent a potentially serious recession from being triggered by this price crisis. Will the government join with us in supporting mandatory curtailment of oil production in Alberta so that we can begin getting a fair price for our energy?

**The Speaker:** The Deputy Premier.

**Ms Hoffman:** Thank you very much, Mr. Speaker. Certainly, we know that the price differential is very damaging. That's why we've been working with industry since day one. That's why we created a special envoy. We certainly have all options on the table. Why do we need those options on the table? Because while the member opposite sat in Ottawa for 20 years, 10 years around the federal cabinet table, he said that, quote, it wasn't his job to defend pipelines. I think most Albertans would be shocked to hear that. It's no wonder why we're in this situation, and certainly our Premier is working diligently to fix it. I wish the hon. member would have done something when he had the chance for 10 years around the federal cabinet table.

**Mr. Kenney:** Mr. Speaker, the minister just fabricated a statement I've not made.

Today I just did a news conference on an issue that relates to our vital economic interests and for 45 minutes did not utter a single criticism of the government because the future of jobs in this province is more important than partisan politics. I would ask the government for at least for a moment to rise above partisan chippiness, to actually think about Albertans who are facing job losses, and to join with us in calling for mandatory reductions in energy production so that . . .

**The Speaker:** Thank you, hon. member.

**Ms Hoffman:** I've said it previously, and I'll say it again: certainly, every option is on the table, Mr. Speaker, absolutely. Guess why? Because even though I'm Minister of Health, it's also my job to stand up for all Albertans and all of their jobs. Members of the federal House of Commons: it absolutely is their job, especially when they are minister of employment. To be minister of employment for two years and fail to say the word "pipelines" and pretend you're standing up for Alberta: the hypocrisy is astounding. I think most Albertans would be very disappointed and shocked to know that that's the hon. member's record. He should defend it, or he should revoke. I think we know what the answer is. He doesn't stand up for pipelines.

**Mr. Kenney:** Mr. Speaker, that kind of response does a disservice to the office of the Deputy Premier. I sat around a cabinet table that approved four major pipelines, that doubled pipeline capacity by 1.72 billion barrels a day, while members of the party opposite were attending protests against the same pipelines.

Will the government at least consider amending section 85 of the Mines and Minerals Act to include bitumen in the definition of petroleum to allow for production reductions to get a fair price for our oil?

**Ms Hoffman:** Mr. Speaker, I've said it before, and I'll say it again: we certainly have all options on the table. This morning our Premier announced that she will be investing, if it comes to that, if the federal government refuses to do so, to get 120,000 barrels per day on rail. Why? Because the member opposite, when he was responsible for employment, failed to get a pipeline to tidewater. I am responsible for Albertans. Every person in Alberta who's elected is responsible to stand up for Albertans. Enough of the hiding. Take responsibility for the fact that the member opposite was around the federal cabinet table for 10 years, two of those being responsible for employment, and failed to get the job done. We failed to get market access to tidewater, and we . . .

**The Speaker:** Thank you, hon. Deputy Premier.  
Second main question.

**Mr. Kenney:** Mr. Speaker, Albertans watching that performance will be disappointed to see a senior minister acting as though this is some kind of a high school debate. We are talking about the vital economic interests of Albertans. Industry leaders are saying that we may be facing a financial catastrophe with tens of thousands of job layoffs that cannot be addressed by additional rail capacity a year from now. Action is required today. Will the government join with us in acting immediately to seek reductions in energy output to stop the glut that is driving down prices and jeopardizing thousands of Alberta jobs?

**Ms Hoffman:** Mr. Speaker, again, the Premier is in Ottawa at this very moment continuing to champion our oil and gas industry. Why? Because when the member opposite was in Ottawa for 10 years as a federal minister, he said that it wasn't his job to do so. Our Premier will continue to do that. She will continue to accelerate rail capacity. She will continue to work to address the differential. All options are on the table, and she will continue to fight to get our product to tidewater because – guess what? – it's her job. It's every member of this government's job, and it certainly was the federal cabinet's job to make sure they got our product to tidewater when the member opposite had a decade of failure.

**The Speaker:** Thank you, hon. Deputy Premier.

**Mr. Kenney:** Mr. Speaker, instead of the Health minister angrily hurling partisan insults, perhaps I could actually ask the Energy minister to address this matter of the gravest importance to the workers and businesses in our energy sector. Does the minister not understand that if action is not taken immediately, companies are going to be slashing their capital budgets, shutting in, stopping drilling plans for this winter, that could have devastating effects in the service sector and in communities all across Alberta. Does the Minister of Energy understand this?

**The Speaker:** Thank you.  
The Deputy Premier.

**Ms Hoffman:** Thank you, Mr. Speaker. Of course, as I've articulated, the Premier is working to expand rail capacity diligently. She is working, through the envoy and with a number of stakeholders, directly with industry to make sure that we address the differential as expeditiously as possible and as legally as possible. All options are on the table, and she's continuing to fight for that pipeline. Now, will the Leader of the Official Opposition acknowledge that he had responsibility when he was at the federal cabinet table to stand up for Alberta jobs, when he was the minister of employment to fight for Alberta pipelines to tidewater? That's the question.

**Mr. Kenney:** Mr. Speaker, once again I will ask the Minister of Energy, whose responsibility this is, whether she will agree, at least as a preventative measure, to co-operate with the opposition in the adoption of an amendment to section 85 of the Mines and Minerals Act that would allow for production controls on bitumen as well as conventional oil so that we could see immediate price correction and then allow the market to come back into balance. Is the minister willing to commit to work with us in a nonpartisan way to achieve these measures to save Alberta jobs?

**The Speaker:** The hon. Deputy Premier.

**Ms Hoffman:** Thank you very much. Mr. Speaker, certainly, the Premier, the Deputy Premier, the Energy minister, and every member of our government knows that it's our job to stand up for Alberta jobs and to make sure that we are protecting those. No matter what our title is, all of us owe it to stand up for Alberta suppliers. That's why we have the special envoy, that's why we're working with industry, and that's why we know that it's our job to fight for pipelines. The member opposite failed to do so. Don't worry; we've got a number of strong women who are certainly happy to do that with the support of a number of strong men on this side of the House because we know it's our job. The hon. member the Leader of the Official Opposition: it was his job, too.

**The Speaker:** Third main question.

**Mr. Kenney:** Mr. Speaker, Albertans want to see their representatives discussing practical solutions to a crisis that is jeopardizing tens of thousands of jobs. They don't want to see an endless string of partisan insults hurled across this Chamber.

I will ask the Minister of Energy – the Minister of Energy – whose responsibility this is: will she join with us in seeking ways to enforce the fair application of rules with respect to apportionment on the common-use pipelines like the Enbridge main line to prevent the marked distortion known as air barrels?

**The Speaker:** Thank you.  
The Minister of Energy.

**Ms McCuaig-Boyd:** Thanks, Mr. Speaker. You know, as the Deputy Premier and our Premier have said, all options are on the table. As the leader opposite knows, the industry is extremely divided on the matter of curtailment, so that's why we've sent experts in to talk about the solutions that are going to be working. Certainly, the one he describes is one solution. There are many solutions. We need short-term, medium-term, and long-term solutions to this issue, and the long term absolutely is pipelines.

**Mr. Kenney:** Mr. Speaker, I thank the minister for a thoughtful and serious response.

Mr. Speaker, will the minister agree with me that there are legitimate concerns about manipulative marketing practices in nominating so-called air barrels that have created distressed barrels and pushed down the price? Will she not agree with me that action is necessary to stop this reduction in the price of Alberta oil, which belongs, after all, not to the oil companies but to Albertans? Will she join with us in addressing this problem around access to the main line?

**The Speaker:** The Deputy Premier.

2:00

**Ms Hoffman:** Thank you very much, Mr. Speaker. Our government certainly is very concerned about the impact that the differential has had. That's why we know how important it is to get our product to tidewater. The only way we can have certainty in the long term is to make sure that we have access to global markets so we can get global prices. We're in this situation because of a decade of failure by the federal Conservative government while we had a provincial Conservative government in this House. Fortunately, we've got different people at the table fighting hard every day to make sure that we address the differential, that we increase our capacity by rail when necessary, and that we get our pipeline to tidewater.

**Mr. Kenney:** Mr. Speaker, let me again ask the Minister of Energy, whose responsibility this is: does she agree with me that energy producers have reduced voluntarily production by some 200,000 barrels per day, approximately, but that we would need to see a sustained reduction in the range of 400,000 barrels per day for the current glut in inventories, at 35 million barrels, to be cut in half and to bring the market back to balance? Does she agree with that basic math, and does she therefore think that the voluntary approach is not sufficient to restoring balance to Alberta's oil markets?

**Ms Hoffman:** Mr. Speaker, it's very clear that the member opposite has flip-flopped on his position on this than he did a few days ago. It's a good thing we didn't follow his advice at that time. What we've been doing is working with all of the partners in industry through the energy envoy to make sure that we get fair prices for our product. We need that because it's been 65 years since we've got a Canadian pipeline to Canadian tidewater. Sixty five years. I know that the member opposite had 10 years while he was in the federal government in Ottawa to fix that. He said that it, quote, wasn't my job. Well, it certainly was his job, but fortunately we're here to make sure that we move this forward and that we get the job done.

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

**Ms McPherson:** Thank you, Mr. Speaker. The government promised to get Alberta off the oil roller coaster. After committing

to buy into the stalled federal Trans Mountain pipeline, we now learn that Alberta will be investing an unknown and unapproved amount of public funds in rail cars to carry oil. To the Premier: what are Alberta energy companies supposed to do to deal with the crushing price differential until rail cars are delivered next year?

**Mr. Clark:** We need help right now.

**The Speaker:** The Deputy Premier.

**Ms Hoffman:** Thank you very much, Mr. Speaker. Certainly, we do need help. We needed help 10 years ago, we needed help 20 years ago, and fortunately we will continue to move forward to close that differential. One of the pieces is working through the envoy to make sure that we have the very best opportunities, to make sure that we address the differential immediately. That's why all options are on the table. Another additional piece is to make sure we get more capacity. That's why 120,000 barrels per day will be funded by rail if that's what it takes. We're certainly not going to back down from that. That's also why we need to make sure we get pipelines.

**Ms McPherson:** If and when we do get rail cars, the oil market we rely on will still be severely constrained for the next few years because scheduled oil refinery maintenance in the U.S. is ongoing. Our enthusiastic investment in drilling means we'll be over capacity in Alberta for some time. This is a long-term problem that can't be fixed by doubling down on oil exclusively. Why are we still balancing our books, our economy, and our future on oil?

**Ms Hoffman:** Mr. Speaker, I'm very proud of the job that the Finance minister did in taking a number of careful, cautionary decisions to make sure that we had room for unforeseen situations to be addressed within the budget and for us to still be on track to be balanced. This is important to all Albertans. It's important to all Albertans that we have good jobs, that we have access not just to U.S. markets but to international markets, and for the former minister of employment to say it wasn't his job to fight for pipelines is strictly false. Absolutely it was his job, and it's all of our jobs to fight for our market access.

**Ms McPherson:** The Alberta Party, industry stakeholders, experts, and finally the Leader of the Opposition have suggested curtailment. The government appears to have ignored calls for curtailment from small players in order to slow down well completion. While we will be waiting for more than a year for rail cars, Alberta will lose \$4 billion in royalty revenues. Why won't the government immediately curtail production to solve this problem today?

**The Speaker:** The Deputy Premier.

**Ms Hoffman:** Thank you very much, Mr. Speaker. While certainly all options are on the table, that one option wouldn't have long-lasting, long-term impacts. It doesn't mean that we're ruling it out. All options are being considered. We certainly are considering it among others, but short-term options don't lead to long-term solutions. In an interim solution we'll be increasing capacity through 120,000 barrels per day on rail, and a long-term solution is to get the pipeline built. But don't worry. Even though members opposite thought it wasn't their job when they had the ability to do so in Ottawa for a decade and failed, we've got a Premier who's fighting every step of the way to get the job done.

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

### Transportation Infrastructure in Banff-Cochrane

**Mr. Westhead:** Thank you, Mr. Speaker. To the Minister of Transportation. A significant infrastructure deficit left by the previous government exists across my riding. This includes a number of critical transportation projects. In the hamlet of Waiparous there is a clear need to replace the bridge over Waiparous Creek in the near future. Can the minister commit that action will be taken on this important crossing?

**The Speaker:** The hon. minister.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, I can tell you that the initial look that we've taken at this indicates replacing the bridge at the existing position of the road. It's just an example of the neglect of the previous government for Alberta infrastructure. It's created a whole series of problems. Now they want to bring in a tax cut of \$700 million for the richest Albertans. They want to lay off 4,000 teachers and 4,000 nurses as well. It's unacceptable.

**The Speaker:** Thank you.  
First supplemental.

**Mr. Westhead:** Thank you, Mr. Speaker. Given that the residents of Waiparous have expressed concern with the proposed realignment, can the minister commit to ensuring that residents' concerns are addressed in the design phase of this project and that the department will work collaboratively with the people who call Waiparous home?

**The Speaker:** The hon. minister.

**Mr. Mason:** Thank you very much, Mr. Speaker and to the hon. member for the excellent question. I can commit to you and to the residents of Waiparous that their concerns will be addressed. We're committed to finding a workable solution and will collaborate with the community on this bridge replacement, unlike the Official Opposition, who had 10 years in Ottawa to get a pipeline and didn't get it done.

**The Speaker:** Second supplemental.

**Mr. Westhead:** Thank you, Mr. Speaker. Given that the intersection at highway 22 and highway 758 in Bragg Creek is also in need of significant improvement, can the minister provide an update on this important project and when residents can expect some action from the ministry?

**The Speaker:** The hon. minister.

**Mr. Mason:** Thank you again to the hon. member for that question, Mr. Speaker. We know that thousands of Albertans go through this intersection every day. The member knows well that it's a four-way stop, and it's challenge to put in traffic lights because of the narrow right-of-way. I can update the member that we're in discussions with Rocky View county about a possible cost share for a roundabout, which would greatly improve the safety and quality of life for local residents. We are working very hard on this to make up the infrastructure deficit. Certainly, a \$700 million tax cut for the richest Albertans would not help.

**The Speaker:** Thank you.

### Tourists from Germany

**Dr. Starke:** Mr. Speaker, this past summer a German tourist named Horst Stewin travelled to Alberta along with his family to celebrate

his 60th birthday. After spending some time visiting relatives in the Vermilion area, they were on their way to Banff when Mr. Stewin was critically injured in a random drive-by shooting incident. To the Minister of Culture and Tourism: what supports were provided by our government to Mr. Stewin and his family in the aftermath of this incident?

**The Speaker:** The hon. Deputy Premier.

**Ms Hoffman:** Thank you very much, Mr. Speaker. Certainly, the minister of culture will respond to the two supplementaries. I just want to take this 30 seconds to thank the hon. member for his service to the people of Alberta. We heard his announcement this morning. I think that the class, the civility, and standing up for LGBTQ rights within his party, even when it was very dangerous to do so, is something that will be deeply missed. Thank you, hon. member.

**Dr. Starke:** Well, Mr. Speaker, thank you to the Deputy Premier. One now knows the extraordinary measures one must go to to garner all-party support in this place.

Mr. Speaker, back to the Minister of Culture and Tourism: what specific measures have the minister, the tourism department, or Travel Alberta taken to repair the damage that this incident has had on Alberta's reputation as a safe tourism destination in light of the widespread coverage this incident has had in the German news media?

**The Speaker:** The hon. Minister of Culture and Tourism.

**Miranda:** Thank you, Mr. Speaker. I also join in thanking the member for his service now that he has announced that he won't be seeking re-election.

Mr. Speaker, I was saddened to hear of this senseless crime, as was the hon. member. Thanks to his diligence in giving me the phone number of the family, I did contact the family directly. Now, we do have plans in place through Travel Alberta and the Culture and Tourism ministry. We have talked to our partners in Germany to ensure that this is conveyed as what it is, an isolated tragedy that does not reflect the warmth and hospitality that Alberta is known for.

2:10

**The Speaker:** Second supplemental.

**Dr. Starke:** Well, thank you, Mr. Speaker. Given that German tourists account for nearly a quarter of the booked room nights by international visitors to Alberta and given that this incident has seriously harmed our reputation as a safe and secure travel destination and has the potential to significantly decrease the number of visitors from Germany, to the minister: what impact has this incident had on visitation from Germany, or given the department's inability to gather accurate and timely visitor statistics, how would we even know?

**The Speaker:** The hon. minister.

**Miranda:** Thank you, Mr. Speaker and to the member for the question. We continue to monitor the situation, of course. We have contacts through the consul general from Germany, and of course we have an office in Germany that we work with from Travel Alberta, so we are definitely monitoring the numbers, the flights, and ensuring that we continue to convey the same message, that this was an isolated event, an unfortunate and tragic event but one that does not reflect our province and our hospitality.

Thank you.

### Oil Price Differentials and Provincial Revenue

**Mr. Kenney:** Mr. Speaker, Alberta oil today is selling at less than \$12 U.S. That's about 10 cents a litre, less than a fraction of a bottle of water. I believe it's the lowest real price ever for Alberta oil today. Professor Fellows at the University of Calgary estimates that a \$39 price differential would cost the Alberta treasury \$7.2 billion on an annual basis. This is a \$40 price differential. Does the hon. the Finance minister agree with Professor Fellows that the loss to the treasury could be in the range of over \$7 billion?

**The Speaker:** The Deputy Premier.

**Ms Hoffman:** Thank you very much, Mr. Speaker and to the Leader of the Opposition for his recent interest in this important issue. We know that this is something that matters to all Albertans and to all Canadians, frankly, that we get fair value for our resources. That's why under the Premier's leadership the mark has moved from 4 in 10 Canadians to 7 in 10 Canadians supporting market access to tidewater. We will continue to move forward on that as well as addressing immediate initiatives as required for addressing the differential and expanding our access by rail.

**Mr. Kenney:** Well, Mr. Speaker, the question was to the Finance minister about the estimates made by the Department of Finance of royalty revenues that would be forgone as a result of a \$40 price differential. Is the Finance minister unable to answer that question? Can he please inform Albertans about the projections for forgone revenue as a result of an annualized \$40 price differential?

**The Speaker:** The Deputy Premier.

**Ms Hoffman:** Thank you very much. As Deputy Premier I'm happy to respond on behalf of our government to the Leader of the Official Opposition's questions. He certainly has the right to let any of his caucus members ask questions, Mr. Speaker, but I'll continue to answer his questions, and he can certainly call on any of his caucus members when he sees so fit. I think it's really important that people have the ability to speak up and use their voices to fight for pipelines. We have done that on this side of the House every day in government. We didn't have the job as employment minister for two years in Ottawa, fail to do so, and then say: oh, well, it wasn't my job. Of course it was the Leader of the Official Opposition's job to fight for pipelines when he was employment minister.

**Mr. Kenney:** I can only infer from these non answers and the refusal of the Finance minister to answer a simple, factual question that the government of Alberta does not actually have an estimate of the forgone royalty revenues for a \$40 price differential. I'll have to accept Professor Fellows' assessment that it's in the range of \$7 billion.

Mr. Speaker, a growing number of industry leaders are calling for immediate action through mandatory curtailment, the failure of which could double the province's deficit. Will the government respond if not to me then to those industry leaders by agreeing at least to seriously consider mandatory curtailment of production?

**The Speaker:** Thank you, hon. member.  
The Deputy Premier.

**Ms Hoffman:** Thank you, Mr. Speaker. We're certainly working with industry leaders and working with the special envoy to make sure we get fair and full value for our resources. Every member of our government is working on this. Our Premier is in Ottawa making announcements, fighting for international access to our products because the member opposite had a decade of failure to do

so when he was in Ottawa because he said it wasn't his job. Quote: it wasn't my responsibility. Well, it was his responsibility then. It continues to be the Premier's responsibility now. She will continue to fight for us on market access through rail, making sure she addresses the differential and pipelines because it's our job.

### Oil Price Differentials and Energy Industry Activity

**Mr. Kenney:** Mr. Speaker, given that the projections I've just offered in terms of a \$7 billion loss in royalty revenue and given that industry leaders are indicating that there may be a massive reduction in drilling activity this winter if we do not take immediate action, does the government have any projections about the job losses that could result from a massive reduction of drilling activity this upcoming winter?

**The Speaker:** The hon. Deputy Premier.

**Ms Hoffman:** Thank you very much, Mr. Speaker. The Premier is working to address the differential. All options are on the table. The Premier is also working to expand market access through rail and through pipelines because those resources belong to all Albertans, and we're fighting every day to get full value for them. Decades of failure by successive federal governments have left Canada holding its own economy hostage, and now the member thinks that, well, maybe Alberta's economic well-being is his responsibility. It was his responsibility for a decade while he failed to act. We are taking action on all fronts. It's our responsibility to make sure we get full value for Alberta resources because we are the owners.

**The Speaker:** Thank you, hon. Deputy Premier.

**Mr. Kenney:** Mr. Speaker, in 1947, after the Leduc discovery, the then Alberta government brought in prorationing to ensure that production of oil did not far outstrip our capacity to ship it. That continued until the early 1970s. It was brought back by Premier Lougheed in the early 1980s. So through most of the history of our energy sector we have had prorationing of production. Does the government agree with the principle, established by previous governments and foreign countries, that in extreme moments like this there is a need to bring production in line with the takeaway capacity for shipping energy?

**The Speaker:** Thank you.  
The hon. Deputy Premier.

**Ms Hoffman:** Thank you, Mr. Speaker. As I just said, all options are certainly on the table. Pipelines mean good jobs for Albertans, increased rail capacity means more barrels to market in the interim, and addressing the differential is certainly an important immediate issue as well. The reason why is because what the Premier isn't doing is modelling after the efforts of the Official Opposition for a decade while he was in Ottawa and failed to get the job done because he said that it wasn't his job. Of course it was his job, and it is our job to make sure that we get our products to market access, that we make sure that we close the differential, and that we continue to move forward protecting Alberta jobs.

**The Speaker:** Thank you.

**Mr. Kenney:** Mr. Speaker, I've said no such thing.

Mr. Speaker, the government keeps talking about rail capacity. Do they not understand that incremental rail capacity will only have an incremental effect on our capacity to ship Alberta energy, perhaps an additional 200,000 barrels by the end of next year? Do they not understand that that is inadequate to address the emergency

that is happening right now as companies are laying people off and cutting their capital plans? Do they not understand this?

**Ms Hoffman:** As I just said, Mr. Speaker, all options are on the table. Just this morning our Premier was taking the fight to Ottawa to continue to get our product moving. She announced another step in our made-in-Alberta plan to get fair value for our resources. What was the member opposite doing? He was explaining yet again why in his 10 years sitting in the Ottawa cabinet he didn't think it was his responsibility to act on pipelines. He was literally minister of employment for two years. You can't make this stuff up.

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

**Mr. Kenney:** Thank you. Mr. Speaker, does the hon. the Minister of Energy have any current information on planned capital spending for the upcoming winter drilling season?

**The Speaker:** The hon. Minister of Energy.

**Ms McCuaig-Boyd:** Thank you, Mr. Speaker. You know, as has been mentioned, we are working with special envoy experts to work with the industry. As the member himself knows, he's had various opinions the last week about this matter, and that's how divided the industry is as well. So we're looking at every option, as our Deputy Premier has mentioned, looking at short-term, mid-term, and long-term. We're also looking at diversification options which, we have heard from industry, will also bring value to Alberta.

**The Speaker:** The hon. Leader of the Official Opposition.

**Mr. Kenney:** Thank you, Mr. Speaker. Perhaps my question wasn't clear, so let me restate it. Does the hon. the Minister of Energy or her department have current information on planned capital spending for the upcoming drilling season in the winter of 2019, and if so, what is it?

**The Speaker:** The Deputy Premier.

**Ms Hoffman:** Thank you very much, Mr. Speaker. I'm happy to further articulate government policy on this matter. Our policy is that we are committed to making sure we act on three fronts: one, making sure we address the differential immediately, because instead of planning for a decade of failure, we're working and fighting for Alberta's success; making sure that we increase rail capacity as quickly as possible, 120,000 barrels per day; and making sure we finally finish the job that the federal government that was Conservative and the provincial government that was Conservative failed to do when they had 10 years of alignment because they, quote: didn't think it was my job. That's not true. It was their job, and we'll get it done.

2:20

**Mr. Kenney:** Mr. Speaker, should I infer from that complete non answer that the government has no idea what planned capital spending is for the upcoming drilling season?

**Ms Hoffman:** Mr. Speaker, this certainly is an interesting style of questions now. Maybe the former minister of employment now thinks it's his job to ask about drilling. We're working on all fronts to make sure that we're moving forward by increasing drilling, and how do we do that? We do that by addressing the differential – all options are on the table – we do that by increasing shipping supply through rail, and we do that by finally getting the failure of the last 10 years of federal Conservative government out of the way and

moving our product to tidewater, as should have been done when the member opposite failed to do his job in Ottawa for 10 years.

**The Speaker:** The hon. Member for Red Deer-South.

### Sexual Assault Services

**Ms Miller:** Thank you, Mr. Speaker. All Albertans deserve to feel safe in their everyday lives. When a person is sexually assaulted, an appropriate and timely response is key to preventing further harm and reducing the risk of mental health issues. To the Minister of Health: what health supports are available for people who have been sexually assaulted?

**The Speaker:** The hon. Deputy Premier.

**Ms Hoffman:** Thank you, Mr. Speaker and to the member for the important question. More and more Albertans are coming forward, bravely, to make their stories of sexual assault known more publicly, and we owe it to them to make sure that they have the supports they need. The member is right: a timely response is very important. That's why sexual assault response teams provide co-ordinated crisis response to patients within 96 hours of an assault. The sexual assault response teams provide medical treatment and can help co-ordinate supports for survivors, including counselling, follow-up assistance, and working through the legal and court systems if survivors choose that option.

**The Speaker:** First supplemental.

**Ms Miller:** Thank you, Mr. Speaker. Are these supports also available for people in rural Alberta?

**The Speaker:** The hon. minister.

**Ms Hoffman:** Thank you very much, Mr. Speaker. We have sexual assault response teams in Edmonton, Calgary, the member's riding of Red Deer, Lethbridge, Medicine Hat, and Lloydminster. Work is under way to implement these teams in Fort McMurray and Grande Prairie as well, and we will continue to expand these services across the province so that survivors living throughout our province can get the support that they need no matter where they live. Certainly, we've done a lot, but there is still much more to be done.

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

**Ms Miller:** Thank you, Mr. Speaker. The Me Too movement has led to an increase in reporting of new and past sexual assaults. How are we ensuring survivors get the necessary counselling that they need to deal with the trauma and potential PTSD resulting from an assault?

**Ms Hoffman:** Earlier this year the Association of Alberta Sexual Assault Services told us that they were seeing a significant increase in the demand for counselling services that were requested following the Me Too movement, Mr. Speaker. We heard their calls. That's why we took immediate action to support survivors of sexual violence with an \$8.1 million increase to front-line services. This investment means that survivors are getting more timely access to the counselling and care that they need, because no matter what the price of oil, it's important that we invest in our communities, that we support survivors, and that we get them the help that they need.

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

### Oil Price Differentials

(continued)

**Mr. Panda:** Thank you. Albertans are sick and tired of the over-the-top, divisive rhetoric and non answers coming from this Deputy Premier. I'm proud of my leader, who helped to build three pipelines in the national interest, including Keystone, Alberta Clipper, and Northern Gateway. Mr. Speaker, if you remember, my very first question in this House was asking you to help me get the answers on behalf of Albertans. And today I'm so disappointed. People are watching these non answers on television. Would you help us get straight answers in the interests of Albertans?

#### Speaker's Ruling Insisting on Answers

**The Speaker:** Hon. member, I believe that comments or questions to the chair are inappropriate, and I would be prepared to discuss that matter with you outside of this House. But the decisions that are made here are not made lightly. You have a responsibility, all members – that goes for all sides of the House – to determine whether you got your question answered or not. Did you have a question to the government about government policy?

**Mr. Panda:** I do. I'll try again.

### Oil Price Differentials

(continued)

**Mr. Panda:** Given, Mr. Speaker, that the price of WCS this morning was \$11.56 U.S. per barrel, or roughly 7 cents U.S. per litre, a discount of almost \$40 U.S., and given that the oil and gas CEOs told me that the mandatory 10 per cent prorating of oil production will boost prices, royalties, and save jobs, Deputy Premier, if you don't act swiftly, we lose the winter drilling season. Time is of the essence here, and we are ready and willing to help as opposition. How long will your envoys be consulting before action is taken to protect Alberta jobs and the economy?

**The Speaker:** Tell you what, hon. member. I think you exceeded your time limit by about two or three times, so I'm going to consider that a main question. No more supplementals.

Is there an answer?

**Mr. Bilous:** Thank you, Mr. Speaker, and I appreciate what the member is trying to ask. What I will remind him is that the reason his leader has changed his suggestions or position numerous times is because I think his leader finally realized that the industry is divided. This is part of the reason why the Premier created an envoy to engage with industry, with small, mid-sized, and large companies throughout the value chain, to understand the impact of curtailment. Now, as the Deputy Premier pointed out, all options are on the table, but they have significant consequences, which we want to make sure we evaluate to make the right decision. We recognize time is of the essence. This is exactly why the Premier is in Ottawa fighting on behalf of Albertans and Alberta's energy sector.

**The Speaker:** The Member for Lacombe-Ponoka.

### Bighorn Area Land Use

**Mr. Orr:** Thank you, Mr. Speaker. Love Your Trails is a coalition of 14 different Alberta organizations, all stakeholders in the Bighorn. On Monday they stated that unless

the framework and decision-making process... [respects] the provincial organizations and associations on the landscape, including them as decision makers [for] the activities and users they represent... [we] can not support this massive land use reclassification.

Why has the government no respect for all these Albertans?

**Mr. Bilous:** Thank you very much, Mr. Speaker. I completely disagree with the member's preamble. It couldn't be further from the truth. The Minister of Environment and Parks is in the process of engaging not only with municipalities, municipal leaders, but also with the different regions. I actually will point to the fact and will table this today that Clearwater county, which happens to be a municipality in the Member for Rimbey-Rocky Mountain House-Sundre's riding, has said that they look forward to "working with Alberta Environment and Parks and to participating in discussions and consultation related to the Bighorn Country proposal."

**Mr. Nixon:** Point of order, Mr. Speaker.

**The Speaker:** Point of order. [interjections] Order, please.  
First supplemental.

**Mr. Orr:** Yeah. Mr. Speaker, the mayor and hundreds of people have been excluded from that thing today.

Given that on August 16 the deputy minister of environment wrote in a leaked internal e-mail,

Colleagues... government [will] hold off releasing and consulting on the draft [North Saskatchewan regional plan]

and given that he also wrote,

My department will proceed with... a proposed Bighorn complex

and that, lastly, he wrote,

Reinforce within your departments the need to be silent with stakeholders [on the Bighorn],

why is the department reinforcing silence with stakeholders? What happened to transparency?

**The Speaker:** The hon. minister.

**Mr. Bilous:** Thank you, Mr. Speaker. As I mentioned, the Ministry and the Minister of Environment and Parks are in the process of engaging with municipalities. The proposal has been posted. She will be hosting a town hall in the coming weeks that will allow every Albertan who is interested in participating to voice their thoughts and share them with our government, with us. What I find fascinating is that members from the opposition are opposed to a proposal that will be the biggest economic development opportunity that the region has ever seen. We're talking about thousands of jobs and a potential of hundreds of millions if not billions of dollars of investment. I'd like to know why the opposition...

**The Speaker:** Thank you, hon. minister.  
Second supplemental.

**Mr. Orr:** Thank you, Mr. Speaker. Given that a document was recently received through a freedom of information request – 713 pages, over 7,000 responses to the North Saskatchewan regional plan, the complete results of a survey conducted by the government of Alberta this spring – and given that of the 3,809 respondents for or against the Bighorn park, 85 per cent of them voted specifically no for a park, why is the minister proceeding with the exact opposite of 85 per cent of Alberta respondents?

2:30

**Mr. Bilous:** Mr. Speaker, we've heard from a number of different community members, municipalities in the region that are looking for not only economic development opportunities. They want parks. They want opportunities for their OHVs to be able to go through. They want to be able to continue to enjoy this part of Alberta that is beautiful. We are investing in this part of Alberta. You know, I find it interesting that today the opposition – or maybe it's every day – is opposed to job creation and jobs in this much-needed economy.

**The Speaker:** Thank you.  
Fort McMurray-Conklin.

### Federal and Provincial Energy Policies

**Ms Goodridge:** Thank you, Mr. Speaker. Alberta's oil industry is in crisis. Western Canadian select was selling at a mere \$11.56 U.S. a barrel, yet there's no national reaction and no real understanding of this crisis. Alberta's economy is currently losing \$3 million an hour, yet this Premier and her best friend and ally Justin Trudeau are still moving forward with policies and regulations that hurt our oil industry, like the carbon tax, the tanker ban, and the no-new-pipelines bill. Why did it take so long to ask the Trudeau Liberals to kill Bill C-48?

**The Speaker:** Thank you, hon. member.  
The hon. Minister of Energy.

**Ms McCuaig-Boyd:** Thank you, Mr. Speaker. As has been mentioned several times today, our Premier is in Ottawa at this very moment taking the case for Alberta to the east. We know that she's announced today about purchasing railcars to move 120,000 barrels per day by rail. We know that's a mid-term solution, but we have spoken out loud about Bill C-69, that in its current form is not acceptable to Alberta. In fact, today with C-48 she said that this bill . . .

**The Speaker:** Thank you, hon. minister.

**Ms Goodridge:** Mr. Speaker, given that the oil price differential is truly a crisis and given that this is made worse by a lack of pipelines to tidewater and given that three and a half years ago we were told that there was a silver bullet called a social licence through a carbon tax that would magically build pipelines and given that we haven't seen any luck getting pipelines to tidewater actually built and we need plural pipelines to solve the crisis, will the government agree to scrap the carbon tax?

**The Speaker:** The hon. Minister of Energy.

**Ms McCuaig-Boyd:** Thank you, Mr. Speaker. I failed to mention earlier that I am the Minister of Energy and I do support pipelines. That is my responsibility. Our Premier is in Ottawa today. She has spoken against Bill C-69, that it cannot pass in its current form. She also said that the tanker ban needs to go back to the drawing board or, in fact, maybe the trash bin because it is not helpful to Alberta. We're working every day to find solutions for our market access. We absolutely know we need pipelines to tidewater. The pipelines mentioned . . .

**The Speaker:** Thank you, hon. minister.  
Second supplemental.

**Ms Goodridge:** Thank you, Mr. Speaker. Given that the NDP government in B.C. announced yesterday that they were intervening

in support of the Trudeau Liberals' fight against Saskatchewan's carbon tax challenge and given that your government has said that you will not proceed with Trudeau's carbon tax hikes until the Trans Mountain pipeline expansion is built, will your government intervene in support of Saskatchewan and Ontario and against your best friend and ally Justin Trudeau?

**The Speaker:** The hon. Minister of Economic Development and Trade.

**Mr. Bilous:** Thank you very much, Mr. Speaker. You know what? I'm proud to be part of a government that not only acknowledges climate change is real but has taken significant action in order to curtail it. Now, what's fascinating is that the very member should talk to some of the oil companies in her own riding, like Exxon Mobil, that is investing a million dollars to advocate in favour of a price on carbon because they know that this is one of the tools and one of the ways that we're going to reduce our greenhouse gas emissions. Imperial made a great announcement a few weeks ago of \$3.6 billion in northeastern Alberta, which is using technology that uses 25 per cent less water, reduces their greenhouse gas emissions while continuing . . .

**The Speaker:** Thank you, hon. minister. Thank you.

**Ms Luff:** Point of order, Mr. Speaker.

**The Speaker:** Point of order noted.

### Oil and Gas Transportation

**Mr. Loewen:** Recently, in response to the ongoing market access bottleneck and the worsening oil price differential, the government announced their plan to increase rail capacity for oil by increasing the number of cars available. There is no doubt that we need to increase rail capacity, but with this government's current plan, by their own admission, new capacity won't be available until late 2019, with full implementation not happening until summer 2020. To the minister. Another year of this extreme differential is untenable. What else is the government going to do to deal with this crisis?

**The Speaker:** The Energy minister.

**Ms McCuaig-Boyd:** Thank you, Mr. Speaker. You know, we're working on a number of fronts on this issue, and some of them I'd like to talk about. Certainly, we heard from industry that we need to bring more value-add to Alberta, so we're working on energy upgrading with a number of programs: partial upgrading, straddle plants, you know, feedstock strategies, and more petrochemical diversification. This is all going to bring value to Alberta. We know that we can't keep shipping to the U.S., something that the three pipelines that the Leader of the Opposition questioned . . .

**The Speaker:** Thank you, hon. minister.

**Mr. Loewen:** Given that Alberta is suffering under the pressure of this crisis and this crisis is immediate and given that the NDP allies in Ottawa are pursuing an accelerated phase-out of more than 1,000 jacketed railcars and given that the NDP-Trudeau alliance has failed to deliver market access through pipelines, will this government finally go to Ottawa, stand up for Alberta, and demand that the federal government immediately shelve the plan for the accelerated phase-out of railcars?

**The Speaker:** The hon. minister.

**Ms McCuaig-Boyd:** Thank you, Mr. Speaker. You know, the Premier is in Ottawa today advocating exactly that plan. With or without the federal government's help we're going to purchase railcars to help with the bottleneck that we are experiencing. We've been assured by CN that the railcars they currently have are part of, you know, the latest standard of railcars, so that is not an issue at this time. We're going to continue to do a number of things, consulting with industry about short-term, mid-term, and long-term solutions.

**The Speaker:** Thank you.

**Mr. Loewen:** Given that the Premier is in Ottawa but she is not meeting on this, contrary to what the minister said, and given that our market access dilemma has been long standing and well known and given that we are selling our oil for \$10 to \$12 per barrel when the market price is at \$50 plus and given that this means Albertans aren't getting significant royalties for their resource and given the inability of this government to get pipelines built, why did it take this government so long to come forward with a rail strategy for Alberta oil?

**Mr. Bilous:** Mr. Speaker, you know, never will the opposition cease to amaze me. One day it's a spend day; the next day it's a cut day. One day it's a do-something day; the next day it's a do-something-different day. Listen, we know that this is a crisis. We have been communicating this to the federal government. We engaged in our phase 2 of Keep Canada Working, that is now fully going. Not a single Member of Parliament can walk into the federal building without seeing the clock which shows how much Canada has lost in revenue because of the differential. We know this is a crisis. This is why the Premier is in Ottawa. We are engaging with industry and looking at all options.

**The Speaker:** Thank you, hon. minister.  
Athabasca-Sturgeon-Redwater.

#### Athabasca University

**Mr. Piquette:** Thank you, Mr. Speaker. My constituents in the Athabasca region were happy to hear the recent announcement of a partnership between Aspen View school division, Athabasca University, and Northern Lakes College. They're also happy to know that Athabasca University is at record enrolment levels and that its future looks bright. We've come a long way. To the Minister of Advanced Education: what work has your ministry been doing to grow Athabasca University and to protect jobs in the community of Athabasca?

**Mr. Schmidt:** Well, Mr. Speaker, it's a tough but fair question from the hon. member. I want to thank him for being a powerful advocate for Athabasca University and the town of Athabasca. The third-party report into the future of Athabasca University outlined the need for AU to work in collaboration with other institutions to make sure that people throughout the north can receive a high-quality postsecondary education. This latest collaboration between the school division, Northern Lakes College, and the university means that people in Athabasca will have the opportunity to go from kindergarten to PhD right in their home communities.

We know that the university set up the Athabasca University . . .

**The Speaker:** Thank you, hon. minister.  
First supplemental.

**Mr. Piquette:** Thank you, Mr. Speaker, and thank you to the minister for that answer. My constituents in Athabasca will be very pleased to hear that.

Can the minister inform the House on how these new partnerships can help bring more high-quality, mortgage-paying jobs to Athabasca?

**Mr. Schmidt:** Well, Mr. Speaker, the hon. member continues to pull no punches.

Given the previous Conservative government's deep cuts to postsecondary education it was only a few years ago that Athabasca University was concerned about going bankrupt. Today we're pleased that the university is on a solid financial footing and is growing. This is thanks to the commitment and hard work of the faculty, staff, administration, and board of governors. By providing stable 2 per cent annual increases to the operational funding of Athabasca and our recently announced \$4.9 million grant to upgrade the IT infrastructure at that university, the university is growing. We understand that it's currently recruiting for six positions.

**The Speaker:** Thank you again, hon. minister.

2:40

**Mr. Piquette:** Thank you, Mr. Speaker. Can the minister assure the House that this government continues to be committed to Athabasca University as a critical part of the Athabasca community?

**Mr. Schmidt:** Mr. Speaker, I'm glad the hon. member only gets three questions because I don't know if I could stand much more of this barrage.

I want to thank him for his ongoing advocacy for his constituents and I want to assure him and the people of Athabasca that our government is committed to making sure that AU remains a critical part of the town of Athabasca. I know that he and others from the town are worried because the cuts to postsecondary education, that the members opposite continue to advocate for, had serious effects on the town from 2013 to 2015. Our government is committed to continuing to invest in postsecondary education in Athabasca to keep the university and the community strong.

**The Speaker:** Hon. members, we'll continue in 30 seconds.

#### Members' Statements

(continued)

**The Speaker:** The hon. Member for Grande Prairie-Wapiti.

#### Northern Spirit Light Show in Grande Prairie

**Mr. Drysdale:** Thank you, Mr. Speaker. Each winter the Northern Spirit Light Show turns Grande Prairie's Evergreen Park into an enchanting nighttime wonderland. Please imagine a dark, icy evening with a soft glow from the snow-covered ground. You venture out to Evergreen Park, where more than 200 brightly lit displays sparkle in the crisp air. Some displays give the appearance of motion while others arc over the pathway, and when you look up, stars dot the sky. The bells of draft horses jingle softly as a team gently pulls you in a rustic wagon, where you huddle under a blanket with family and friends. This is the Northern Spirit Light Show, which has become a family tradition for tens of thousands of Grande Prairie residents.

The creativity and innovation of the charming homemade displays are wondrous to children and adults alike. Volunteers from the Peace Draft Horse Club dedicate countless hours to making this

Christmas dream world a reality for our community. These hard-working, fun-loving people make the experience much more enjoyable for everyone. Through this event the club also collects contributions for charities like the Food Bank and the Salvation Army. Last year it raised \$50,000 from donations alone.

Mr. Speaker, this club grants Christmas wishes every year. Our community values the immense work that goes into creating this magic. For this reason I'd like to share my own special Christmas wish. A generation from now I hope that my young granddaughters experience the same delight as Sherry and I when they, too, have the opportunity to cozy up in a horse-drawn wagon with their families at the Northern Spirit Light Show.

Thank you, Mr. Speaker.

### Oil Price Differentials and Pipeline Development

**Mr. Carson:** Mr. Speaker, when I talk to people in my community, I hear constantly about the need to diversify our economy and get better value for our resources. The price differential we are currently experiencing is hurting Albertans across the province. Many ask me how we ended up in this situation.

Certainly, the Premier is doing her part. Just today she went before the Canadian Club of Ottawa to call for solutions to fix the differential, like adding rail capacity. She has fought since day one to secure a pipeline to tidewater because she understands the importance of opening new markets. When the Trans Mountain expansion is complete, it will be the first pipeline to tidewater in more than 60 years.

But there have been opportunities lost long before our government came into office. Take the Northern Gateway pipeline, a project that was mismanaged by the opposition leader and his pals in the Stephen Harper cabinet. The Federal Court of Appeal said the federal Conservatives "failed to make reasonable efforts to inform and consult." They said the Conservatives "fell well short of the mark." The Conservatives refused to listen to First Nations and provided incorrect information about this critical project. When asked about his record on pipelines in this very House this week, the opposition leader said, "I wasn't responsible for pipelines." Interesting.

Now the opposition leader is seeking a mandate with the promise that he will actually pay attention to our energy industry and our economic interests. Mr. Speaker, that's about as believable as an immigration ceremony hosted by Sun News media and the Leader of the Opposition. After all, the opposition leader was proud to bring in the Member for Innisfail-Sylvan Lake, who worked on the presidential campaign for Donald Trump. Just last week Trump was gloating about how the dictatorship in Saudi Arabia is deliberately suppressing the price of oil. With friends like these, who needs enemies?

Mr. Speaker, I'm sure glad that I sit on this side of the House, because as a member of the government caucus I can say without hesitation that I am responsible for fighting for pipelines to new markets, whether it's in my job title or not.

### Notices of Motions

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I would like to give oral notice of a bill for the next Order Paper, that bill being Bill 32, the City Charters Fiscal Framework Act, which will be sponsored by the hon. Minister of Municipal Affairs.

Thank you, Mr. Speaker.

### Introduction of Bills

**The Speaker:** The hon. Member for Little Bow.

#### Bill 211

#### Alberta Underground Infrastructure Notification System Consultation Act

**Mr. Schneider:** Thank you, Mr. Speaker. I rise today to request leave to introduce private member's Bill 211, the Alberta Underground Infrastructure Notification System Consultation Act.

The goal of this bill is a reasoned request to the government to establish a mandatory underground infrastructure notification system. Unfortunately, Alberta One-Call, according to the act, requires only provincially and federally regulated pipelines to be registered. All other buried utilities or infrastructure participate solely on a volunteer basis. Fifty-one per cent of all damages in Alberta in 2017 went forward without a locate request to Alberta One-Call. This legislation will help with the path forward.

Thank you.

[Motion carried; Bill 211 read a first time]

**The Speaker:** The hon. Member for Little Bow.

**Mr. Schneider:** Thank you, Mr. Speaker. Pursuant to Standing Order 74.1(1)(b) I would move that Bill 211, the Alberta Underground Infrastructure Notification System Consultation Act, be referred to the Standing Committee on Resource Stewardship and that this committee report the bill back to the Assembly the week of March 4, 2019, in order to allow the necessary stakeholders the opportunity to provide their feedback before we proceed with debate.

[Motion carried]

### Tabling Returns and Reports

**The Speaker:** The President of Treasury Board and Minister of Finance.

**Mr. Ceci:** Thank you very much, Mr. Speaker. I have three tablings of reports. The first is the Alberta Gaming, Liquor and Cannabis 2017-18 annual report. I'm pleased to table five copies of it. The tabling of these five copies will ensure compliance with the Gaming, Liquor and Cannabis Act.

The second one is the Alberta Capital Finance Authority 2017 annual report. I'm pleased to table five copies of this report. It includes the audited financial statements. Tabling these five copies will ensure compliance with the Alberta Capital Finance Authority Act, Mr. Speaker.

Lastly, I am tabling five copies of the Alberta Securities Commission 2018 annual report. The tabling of ASC's 2018 annual report will ensure compliance with the Alberta Securities Act.

That's all I have to table. Thank you.

2:50

**The Speaker:** Thank you, hon. minister. I wonder if you've had an opportunity to do any sailing lately. No?

Lacombe-Ponoka.

**Mr. Orr:** Thank you, Mr. Speaker. I have the requisite number of copies for three tablings. The first is a news release from Love Your Trails, a coalition of 14 different organizations in Alberta. I also include with this one a list of the 14 organizations so that everyone can see them.

The second one, Mr. Speaker, is a copy of a letter that we received, e-mailed by the deputy minister, outlining the fact that they were going to hold off on consulting on the North Saskatchewan regional plan, that they were going to proceed with the Bighorn complex anyway, and that members of the departments were to be silent about it with stakeholders.

The third one, Mr. Speaker, is a copy of a few of the 713 FOIPed pages, with some of the details, many pages of the comments, from individuals that indicate that 85 per cent of respondents to the North Saskatchewan regional plan survey were, in fact, clearly opposed to the creation of the Bighorn park.

**Mr. Schneider:** Mr. Speaker, I rise to table the requisite copies of nine letters from Alberta stakeholders that support Bill 211. They are Alberta companies that support a mandatory underground infrastructure notification system. Requesting a locate with Alberta One-Call before you dig costs nothing.

**The Speaker:** The hon. Member for Strathmore-Brooks.

**Mr. Fildebrandt:** Thank you, Mr. Speaker. I sent you a note in advance asking your indulgence for about 60 seconds to read into the record a letter that I sent you this morning, before question period, dated today.

It has always been difficult for small parties and independents to make themselves heard in Alberta's legislature, but recent attempts by the Government and Official Opposition to monopolize power and even debate, has made this... task impossible.

I write this letter to you to highlight some of [the] already stated concerns, and would request an urgent meeting with you to help address some of the necessary reforms that are required to return some balance to the Assembly.

In this discussion with you I wish to address the correction of: question period rotation, committee membership, and the misuse [of] Standing Order 49.

The unprecedented actions of the Government and Official Opposition on the evening sitting of November 26th, 2018 was an open and malicious attempt to silence all members of the Legislative Assembly outside of their two parties.

**Mr. Mason:** Point of order, Mr. Speaker.

**Mr. Nixon:** Point of order.

**The Speaker:** A point of order has been noted.

**Mr. Fildebrandt:**

The imposition of Standing Order 49 without any debate whatsoever has never been undertaken in the history of Alberta.

I recognize your role as speaker as an impartial arbitrator [and upholder of rights of members] and as such...

**Mr. Nixon:** Point of order, Mr. Speaker.

**Mr. Mason:** Point of order, Mr. Speaker.

**The Speaker:** Hon. members, I'm sensing that the House would like that this matter not be shared any longer. [interjection] If you would have a chair, please.

Thank you.

The Minister of Economic Development and Trade.

**Mr. Bilous:** Thank you very much, Mr. Speaker. Earlier today in question period I had referenced a news release from Clearwater county, and I want to table the requisite number of copies. Clearwater county "looks forward to working with Alberta Environment and Parks and to participating in discussions and

consultation related to the Bighorn Country proposal, as the process moves forward."

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

**Mr. Nixon:** Thank you, Mr. Speaker. I rise today to table several letters – I have the appropriate number of copies – from people associated with the Alberta Common Ground Alliance in support of looking at Bill 211, which this House sent to committee today to be looked at.

### Tablings to the Clerk

**The Acting Clerk:** I wish to advise the Assembly that the following document was deposited with the office of the Clerk: on behalf of the hon. Mr. Carlier, Minister of Agriculture and Forestry, pursuant to the Farm Implement Act the Farmers' Advocate office annual report 2017-18.

**The Speaker:** Hon. members, I believe we are at points of order. The Official Opposition House Leader.

### Point of Order

#### Language Creating Disorder

**Mr. Nixon:** Well, thank you, Mr. Speaker. I rise under – I believe we're on the first point of order – 23(h), (i), (j), particularly "language... to create disorder" in this place. The hon. Minister of Economic Development and Trade, in response to a question that was being asked by the Member for Lacombe-Ponoka, I believe, made a couple of statements. I'll be very brief in explaining to you my concerns with them.

He referred, first of all, to Clearwater county in a way that made it sound like Clearwater county was endorsing the NDP's plan, which is very far from the truth. Instead, what Clearwater county said is that they're looking forward to working with the government. Most of my community, Mr. Speaker, is looking forward to working with the government. We wish they would show up and talk to us. Lastly, he referred to open consultation during their 70-day period of consultation over Christmas.

Now, the reason I rise on this, Mr. Speaker, and I believe this language creates disorder in this place is that, first of all, that is not what Clearwater county said. I believe that is a misrepresentation which will cause disorder in this place. Second of all, this morning in this so-called consultation my staff were blocked and hundreds of people from Rocky Mountain House were blocked. That is not consultation. Further to that, not one town councillor was allowed to be in the consultation this morning.

For this government to continue to stand up in this House and pretend that they're doing consultation during their sham process creates disorder in this place. That minister should apologize, one, for their ridiculous...

**The Speaker:** Thank you, hon. member. I think I've heard the point. We're speaking more to the subject matter.

**Mr. Mason:** Thank you, Mr. Speaker. I understand that the Official Opposition House Leader and Member for Rimbey-Rocky Mountain House-Sundre is unhappy with the nature of the consultation around the Bighorn. Nevertheless, there is no point of order. Simply because he disagrees with the characterization of the minister of the consultation that took place around the Bighorn and is taking place around the Bighorn does not make it a matter of a point of order. If it causes disorder, it is only in – well, I don't know

how to put this – the mind of the hon. member. I understand that there are people in the community that do not agree with the approach. But in dealing with the point of order here, it's a disagreement between members and nothing more.

**The Speaker:** Is there something substantive you have to contribute to the discussion?

**Mr. Fildebrandt:** Always.

**The Speaker:** Hon. member, I think I've already concluded my decision with regard to this particular point of order.

In this instance I agree with the Government House Leader. This was a question of interpretation. I refer all of you yet again to paragraph 494 of *Beauchesne's*. It is a matter of disagreement about the facts.

I think we have a second point of order, and I think the second point of order is from Calgary-East.

### Point of Order

#### Recognizing Members in Oral Question Period

**Ms Luff:** Thank you, Mr. Speaker. I rise on a point of order under standing orders 16 and 17, which state that every member wishing to speak will rise in his or her place and that when two or more members rise to speak, the Speaker will call on the member who, in their opinion, first rose. Now, today and other days I have risen towards the end of question period to be recognized, several times very clearly, particularly today, before another member has risen to speak.

Now, I recognize, Mr. Speaker, that it is the convention of the House to use lists to determine the order of question period, but there is no rule that states it must be so. In *House of Commons Procedure and Practice*, page 505, it states that "the Speaker is under no obligation to use such lists." In a ruling of the federal House of Commons in 2013 Speaker Scheer noted that the chair's "authority to decide who is recognized to speak is indisputable and has not been trumped by the use of lists." According to page 317 of *Procedure and Practice* "it is the responsibility of the Speaker to act as the guardian of the rights and privileges of Members and of the House as an institution." Since as an independent member I am not involved in House leaders' meetings, I can't advocate to increase my number of questions. Therefore, it falls to the Speaker to make these decisions.

3:00

It is my understanding as per page 498 of *Parliamentary Procedure* that the role of question period is to allow members the opportunity to hold the government to account. Now, currently not all members in this House are given equal opportunities to perform this role. Official Opposition members get approximately 1.7 questions per week each. Alberta Party members get approximately 2 questions per week each, but independent members, Mr. Speaker, only get one question each per week. Now, I do recognize that backbench members of the government don't get that same opportunity, but I think that if you look at the role of question period as holding the government to account, it is fair that they get fewer questions. Also, in some parliaments in Canada backbench government members don't get questions at all.

I'd also like to point out that particularly today, Mr. Speaker, the Official Opposition was not going according to the list. The Leader of the Official Opposition stood up when he felt it suited him. They messed around a little bit towards the end. I could tell, because I was able to stand up so soon before them, that they weren't entirely sure what was going on. I don't think it's entirely fair.

Also, I think it's fair to point out that nearly all of the questions from the Official Opposition today were the same question. They were the same question over and over and over again, and the government gave the same answer over and over and over again. That's not really a particularly good use of question period in my mind, Mr. Speaker.

**The Speaker:** Hon. member, I think I've heard the case you're making. I'm trying to determine if it's an explanation on decisions I've made or it is with respect to a specific standing order.

**Ms Luff:** Well, the specific standing orders, Mr. Speaker, are standing orders 16 and 17. I am challenging the use of lists as the way that we've decided to do things in question period.

**The Speaker:** Thank you.

I'm sure I'm going to hear from the Government House Leader and maybe the Opposition House Leader on this point.

**Mr. Mason:** Well, thank you very much, Mr. Speaker. An interesting point of order, one that I think completely misses the point and the intent of the rules and the practices of this place. Now, the hon. member has quoted standing orders 16 and 17. Standing Order 16 says: "Every Member desiring to speak is to rise in his or her place and address the Speaker." Number 17 says: "When 2 or more Members rise to speak, the Speaker calls on the Member who, in the Speaker's opinion, first rose in his or her place."

Mr. Speaker, this of course refers to people wishing to speak in debate, because there's an entirely different set of rules, which the hon. member should know, surrounding question period. Let me just provide a little bit of enlightenment here. The long-standing practice of this Assembly is consistent with guidelines outlined in *House of Commons Procedure and Practice*, namely that the bulk of question period consists of questions from the Official Opposition as well as other recognized parties. Every day there is at least one question from an independent member who, based on the precedent of the Assembly, are each entitled to one question per weekly rotation.

The *House of Commons Procedure and Practice* says this at page 504. It's a little bit of a lengthy section, but I think it's worth reading.

At the beginning of the Thirty-Sixth Parliament in 1997, an arrangement for the conduct of Question Period was put in place by Speaker Parent after consultations with the House Leaders of all officially recognized parties. This pattern has slightly evolved to this day. It now consists of having the Speaker recognize the Leader of the Opposition, or the lead questioner for his or her party, for a round of three questions. The Leader of the Opposition, or a second Member from the Official Opposition, is then recognized for two more questions. Afterwards, lead questioners from the other officially recognized opposition parties are recognized. After this initial round of questions, the recognition pattern varies depending on party representation in the House and the number of Members in each party. Members are typically allowed to ask an initial question followed by an additional question; historically, the second one was to be a supplementary question, arising from the first, but the linkage between initial and supplementary questions is no longer required.

Members representing the governing party are also recognized to ask questions, although not as often as opposition Members.

This is important, Mr. Speaker.

Participation in Question Period is managed, to a large extent, by the various caucuses and their Whips and can be the subject of negotiations among the parties. Each party decides

which of its Members will participate in Question Period and each day provides the Speaker with a list of the names and the suggested order of recognition of these Members. Each party's list is typically compiled by the Whip or the Member, or Members, managing that party's strategy for Question Period. Although the Speaker is under no obligation to use such lists, it has become a common practice of the House. With this list as a guide, the Speaker uses his or her discretion in recognizing Members to ask questions.

Members of political parties not officially recognized in the House and independent Members are permitted to ask questions, although not as frequently as those Members belonging to recognized parties. During the Thirty-Fifth Parliament (1994-97), when the number of these Members climbed as high as 17 over the life of the Parliament, the Speaker attempted to recognize at least one of them every other Question Period, if not every day, generally towards the end of the proceedings. Since 1997, independent Members have been recognized to pose questions on a regular basis and, in recent years, on a daily basis.

That is from the *House of Commons Procedure and Practice*, Mr. Speaker, which has long served as a guide for us in this House, although it can be that practices in the Parliament are slightly varied in this Assembly.

Now, Mr. Speaker, consistent with this and consistent with the practice of this Assembly, the various House leaders of the parties who have been recognized in this House met to discuss question period rotation and the rotation of members' statements and have reached an agreement and a proposal, which was put to you in writing. I don't have the date exactly. That was accepted by you, and this forms the guide for the conduct of question period for this House. The hon. member who has raised this is granted one question every four days, as are all the other independent members. She will have a question tomorrow, which is day 3 in the rotation, and in day 7 of the eight-day rotation. That is consistent with the practice of this place for independent members.

It may not have escaped people's notice, but the Westminster system is not a system that is designed for individual personalities pursuing their own goals and desires. It is set up as facilitating a team approach because the function of the parliament is to create a team of people who are capable of forming a government. That is not accomplished by a bunch of individual people each pursuing their own direction. I might add, Mr. Speaker, that caucuses, including whips and House leaders, are provided for in the legislation that governs this place. I hate to break it to the hon. member and some other independents, but this system is designed to facilitate the functioning of a government and an opposition who seeks to replace that government. It is not dominated by individuals, as some would perhaps prefer.

That, I think, Mr. Speaker, summarizes the position here. In my view there is absolutely no point of order. Of course, we were wondering why the hon. member kept popping up and down during question period, but hopefully she will get a ruling from you that will straighten out the matter.

Thank you.

**The Speaker:** The House leader for the Official Opposition.

**Mr. Nixon:** Well, thank you, Mr. Speaker. Thanks for recognizing me. I will not be as long as my colleague the Government House Leader. I think that there's no point in repeating much of what he has stated, though I do agree with what he has referenced. I will reinforce, though, that the standing orders that the hon. member references are in the category of debate and not question period. It's fairly clear within our standing orders at the top that it has to do with debate.

Additionally, I think the second point that I would like to reinforce through you, Mr. Speaker, is that there is a question period rotation and a members' statement rotation that has been agreed to by the House leaders. It is negotiated outside of the Chamber, but then it has ultimately been submitted to you. You have then read it to this place and have agreed to what the House leaders have recommended on behalf of their caucuses.

3:10

The third thing I would like to point out, Mr. Speaker, is that you have asked us in your capacity as the Speaker and the chair, who is never wrong, to actually not have our members pop up during question period and to wait until they are recognized by you. I would like to continue to do those instructions for you whereas where the member is going on right now, we would have everybody attempting to pop up.

Lastly, Mr. Speaker, as you know, in our caucus, in my role as Official Opposition House Leader, I quarterback question period. While I'm disappointed to hear that the hon. member did not like the questions I called, it's okay; I didn't like the answers that came with the questions that I called. That's the reality of my role.

As you know, I attempt to communicate with you as I make those changes to the order, and then I submit that list to you in advance to try to make life easier for you. We will continue to do that, but we will also continue to exercise our right and our ability to put up members that we think are most appropriate given what is happening with the tone in question period.

With that, I would ask that you rule against this point of order.

**The Speaker:** Member for Strathmore-Brooks, do you have something substantive? Again, I'd speak to the matter.

**Mr. Fildebrandt:** Of course, I do, Mr. Speaker. I would hate to disappoint you.

**The Speaker:** I think I have my decision on that, so I am going to ask you to be very brief and speak to the point of order.

**Mr. Fildebrandt:** Yes. Well, you've allowed two members speaking against it and one for it. I do have further to add to it. I will not repeat arguments already made. The hon. Government House Leader referred to precedents around this that occur on question period rotation. It is based on precedents of one question every four days. I will withdraw if I am, in fact, mistaken, but if I am not mistaken, the two single-member caucuses for the Liberal Party and the Alberta Party when they were single-member caucuses – one still is – at the beginning of this Legislature had three questions every two weeks. I will withdraw that if the Member for Calgary-Elbow would correct me. But if I'm not mistaken, independent and single-member caucuses actually did have more questions during this very Legislature with three questions every two weeks. I just wanted to correct the record. And if I'm not mistaken, those questions were at a higher order of precedence in the question period rotation.

Now, the House leaders' agreements surrounding question period are negotiated by the Government House Leader, the Opposition House Leader, and the House leaders of other recognized parties. It is generally accepted that the Speaker accepts it but is not required to. But in this we are in a rather unprecedented situation where there are five MLAs, the G-5, if you will, who are not aligned with officially recognized parties. There are several other officially recognized caucuses, but the G-5 is an unprecedented number, and to have it entirely excluded even from consultation on a House leaders' agreement excludes a very significant, large number of Albertans.

I do consider this a point of order, but at the very least it's worth consideration that there are five MLAs, which is more than enough to form, actually, an official party, not that that's going to happen. That would be a bit of a stretch. Those five represent more than an official party. None of us have even been consulted or asked. That is to be taken into consideration. As the Government House Leader himself has said – I'll end with this, Mr. Speaker – when it comes to the House leaders' agreements, you are under no obligation to use such lists. So I would ask that you rule that this is a point of order and, in any case, consider calling a meeting of the House leaders.

**The Speaker:** I think the arguments that have been put forward are interesting. I have spoken to the Member for Calgary-East about this issue and have, I think, communicated a couple of notes to her. For the record, in addition to some of the other members of the House, I too saw you rising on numerous occasions over the last few days. But it's important to remember that you're correct, first of all, on the point about where it applies. The reference that you were dealing with was in a debate rather than in the OQP. Secondly, as it's been cited here, you are correct to the extent that the Speaker does have the authority, if need be, to determine how he or she would distribute the questions.

However, in this instance – and I'm trying to reflect – I believe there may have been one. I'm not certain, in my term in the chair, that I may not have accepted that agreement, but almost always consistently I have accepted the agreement reached by the House leaders. Now, in addition to that, there was the tabling. I believe the Deputy Speaker tabled an order on I think the date was November 20. It laid out the order of various questions to the Member for Strathmore-Brooks. I can't recall the exact configuration, but the principle was that myself as the Speaker had agreed to the agreement that had been brought forward.

I would encourage the Member for Calgary-East and others, if they wish, to make contact with the House leaders, express your concerns, and they may well consider the points of view being made, but it stands as of today. I've accepted it, and that's where we're going to move to.

Now, I think I saw four or five other points of order. Which one? Who wants to start, and who's prepared to withdraw?

#### Point of Clarification

**Mr. Mason:** Mr. Speaker, under 13(2), "The Speaker shall explain the reasons for any decision on the request of a Member." Today the Member for Strathmore-Brooks stood in his place and began to read out in full a letter that he had written to you. The first reason that I rose was because I was wondering why the member wasn't called to order. When people are tabling correspondence, they're normally limited to just a sentence or two to explain what the correspondence or what the document contains. That was the first thing.

The second thing I wanted to ask about was: the rule, as I understand it, is that because it's question period and to prevent members from deliberately disrupting and interfering with the conduct of a set of questions, those points of order are taken at the end. Now, as far as I'm aware, any other points of order that are made are to be dealt with at the time and the speaker is normally interrupted.

So I guess I would ask you to explain those two decisions.

**The Speaker:** To the first point about the amount of time that was used in getting it read into the record, it was excessive, and I did ultimately interject. However, I also know that in times past brevity

has not always existed when documents like that – and I can't believe that the Government House Leader might be an example of that. But the normal practice that you speak of: I'm finding that there's very little similarity to what is normal. It has everything to do with at the time.

To the second question that you asked, you make a very good point. I'm going to take a look at that issue and see whether or not the manner in which I dealt with the matter was appropriate. Again, though, I would argue that the principle that I think you're addressing is that ultimately it is the Speaker's decision to decide that, as the Opposition House Leader has pointed out. Just because the two House leaders don't agree, it doesn't necessarily change my mind.

Are there any other points of order?

**Mr. Nixon:** My point of order is similar to the hon. Government House Leader's, and I will happily withdraw, Mr. Speaker.

Thank you.

**The Speaker:** Thank you.

3:20

### Orders of the Day Government Bills and Orders Committee of the Whole

[Ms Jabbour in the chair]

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

#### Bill 26 An Act to Combat Poverty and Fight for Albertans with Disabilities

**The Chair:** The hon. minister.

**Mr. Sabir:** Thank you, Madam Chair. It's my pleasure to once again speak to Bill 26, An Act to Combat Poverty and Fight for Albertans with Disabilities. We are so proud of this bill and have been overwhelmed by the responses of Albertans, Albertans who have said that they have been calling for this change for decades and are finally seeing a government listen, Albertans who have said that indexing will provide greater stability to their lives so that they can care for their children and plan for their future, and Albertans who have said that for far too long they have been stigmatized, made to beg for supports while politicians turned their backs on them. I can't agree more. This change is absolutely overdue, and we are proud to bring it forward.

The previous government did nothing in this regard for 44 years. They never indexed these supports despite repeated calls from disability and antipoverty advocates and when oil was trading at \$100 a barrel. Instead, they made Albertans beg for supports. They portrayed people who rely on these supports as fraudulent and undeserving, just as the Member for Calgary-Hays did when he called health care for people with disabilities giveaways, or the Leader of the Official Opposition, who has called for spending levels in line with B.C., which would mean a \$500 reduction to people's monthly AISH benefit.

The members opposite have shown a disregard for the rights and dignity of people with disabilities, and our government will not support that. Instead, we are taking action to fight for these Albertans through this bill. Our proposed changes will support a quarter of a million Albertans with disabilities and low-income Albertans. They will provide greater stability and predictability for families and improve affordability. We have been overwhelmed by the positive response to this bill, and we are grateful to the

thousands of Albertans, disability advocates, and antipoverty advocates who have worked for these changes.

Before I turn it over to my colleagues to speak, I do want to take a moment to respond to a few questions that came up during second reading. The Member for Rimbey-Rocky Mountain House-Sundre and the Member for Lac La Biche-St. Paul-Two Hills raised a question about access to medications. I want to confirm that this bill will not change medication coverage for AISH clients. AISH will continue to provide prescription and nonprescription drug coverage from any Alberta pharmacy through the AISH health benefit card. We are absolutely committed to protecting these important health benefits because we know how important they are to the people who count on AISH.

The Member for Lac La Biche-St. Paul-Two Hills raised a question about the funding for this bill. We have shared this information from the beginning, but I can certainly share it again. We are committed to providing strong and stable funding for public services, including health care, education, and social services, while staying on our path to balance. This much-needed investment in Albertans and in our communities will be \$46 million in '18-19 and \$194 million in '19-20.

The Member for Vermilion-Lloydminster also raised the issue of supports for Albertans with service dogs. I'm pleased to address this, as this has been a priority for our government. I also want to recognize the important advocacy of many Albertans, including Mr. Les Landry, who has been a strong advocate for this issue. As the member may know, for too many years Albertans with disabilities, with PTSD have had to deal with long wait-lists. That is unacceptable. That is why in 2017 we made changes to increase Albertans' access to service dogs and cut down on wait times.

Our changes allowed more schools to train dogs, which gave more Albertans opportunities to participate in their communities. Individuals with owner-trained dogs can also get their animal tested to become qualified. For Albertans on AISH with service animals there is a monthly benefit available. This assists Albertans with the usual cost of caring for a service dog. To better support these Albertans, our bill proposes to index this benefit and other personal benefits as of January 1.

There was also a question about CPP. I mentioned this in my comments, and I am pleased to speak to it again. We know there is much more work to do to address the issues the previous government neglected. We are very interested in hearing feedback from Albertans on this issue. We know there are concerns, and we are committed to exploring this issue and all other issues that matter to them with Albertans. We would like to look at this more fully and in the context of other exemption categories. We have heard from people that they want an opportunity to share feedback on this issue, and we are absolutely committed to doing that.

The last thing I want to do before I wrap up is to speak to an amendment we are bringing forward. I would like to move this amendment on behalf of my colleague the Member for St. Albert. As mentioned during the Henson trust bill debate and in the second reading of this bill, we committed to looking at employment earnings exemptions. We have done this work and are pleased to bring forward an increase to earning exemptions caps for Albertans who count on AISH. We know these earning exemptions are very important to Albertans. Employment provides a connection . . .

**The Chair:** Hon. minister, if I could just ask you to pause for a second and maybe distribute the amendment before you go ahead and explain it. That would be helpful to the House.

**Mr. Sabir:** Sure. I can wait until it's distributed.

3:30

**The Chair:** Go ahead, hon. minister.

**Mr. Sabir:** Thank you, Madam Chair. I was talking about employment. Employment provides a connection to community and allows people to have more money in their pockets. These exemptions have not been changed for many years. The amendment brought forward by the Member for St. Albert changes that. Employment exemptions will be increased as of January 1.

The full exemption maximum for a single person with no children will jump from \$800 to \$1,072, an almost \$300 increase. In addition, the client can exempt 50 per cent of employment income earned between \$1,072 and \$2,009. And single clients will therefore be able to exempt a total of up to \$1,541 of employment income, which is an almost \$400 increase. For families the full exemption maximum will jump to \$2,612. Families can also exempt 50 per cent of employment income earned between \$2,612 and \$3,349. Families will therefore be able to exempt a total of up to \$2,981 of employment income.

Going forward, the new income exemption threshold amounts would be increased in proportion to future increases to Alberta's minimum wage. In addition to this change, our amendment will increase passive business and spousal pension income exemptions to put more money in people's pockets.

I'm very pleased that my colleague is bringing this forward, and I look forward to her speaking to this amendment in greater detail later today. I also hope all the members will be able to support this, and thank you. I look forward to your comments and discussion in the House.

Thank you.

**The Chair:** The hon. Member for – I'm doing it again – Olds-Didsbury-Three Hills.

**Mr. Cooper:** Thank you, Madam Chair. It's a pleasure to rise and speak to the amendment. I would like to thank the minister, as much as it pains me from time to time to do that . . .

**An Hon. Member:** Feel free to do it often.

**Mr. Cooper:** Oh, I spent most of the day thanking the Minister of Municipal Affairs, all sorts of stuff. It wasn't my best.

. . . for sending the amendment to my office prior to now. As you can see, Madam Chair, it is a significant amendment with significant ramifications. I can't remember if it was on this particular piece of legislation or not, but I know that on occasion I have certainly made recommendations that we consult on legislation once it's introduced in the House. One of the reasons why members of the Official Opposition continue to make this recommendation is not just for fun but because these sorts of amendments – large six-, seven-, eight-page amendments – come before the Assembly asking the opposition to vote on an amendment on what, in many cases, is short notice. So I am grateful for the fact that we did have the opportunity to preview this amendment prior, but I think the point remains the same with respect to committee. One of the great things is that if we had been at committee, we would have been able to discuss more fully why this amendment is needed. We could have heard from individuals.

I know – and I'm sure the member will remember, and I definitely know that the Member for Calgary-Currie will remember – that the last time we discussed some of these very similar issues, members of the Official Opposition proposed amendments and made recommendations that are very similar to what is in this particular amendment. In fact, in a conversation that I had with the

minister not that long ago, I had expressed some desire or an indication that the Official Opposition was in fact considering an amendment similar to the one that we have before us. It's not identical, and this particular amendment is a bit wider in its breadth than the one that we had prepared and were ready to move on behalf of individuals that are on AISH and would also like to earn income from jobs that won't have a negative impact on their AISH payment.

You'll know, Madam Chair, that there are massive, massive positive effects that can come from employment of those individuals who also receive AISH benefits, both benefit to the individual as well as benefit to the economy. It was the reason why initially the members from the Official Opposition had recommended an amendment similar on previous legislation, because any time that we can provide folks with more value, with more desire to strive, with more desire to be part of a wider economy and to reward their efforts for that – it seems so strange that if folks are able and willing and it is possible for them to have a positive impact, we would limit their potential.

I certainly will be supporting this amendment. I encourage my colleagues of the Official Opposition to do so, just as, Madam Chair, I will be supporting the legislation. I haven't had much of an opportunity as of yet to speak to that. I intend to do that a little bit later in debate, but on balance this particular piece of legislation is going to make a great impact in the lives of many Albertans and, in particular, those who receive AISH benefits.

I know that one of my favourite constituents – now, I know that that's a dangerous thing to say, Madam Chair, to single out any one constituent as your favourite. [interjections] I didn't say the favourite; I said a favourite, so you can have more than one favourite. Trust me. If you have more than one child, you know that you can have more than one favourite. Her name is Christine. She knows that during the legislative session I'm in the outstanding constituency of Olds-Didsbury-Three Hills every Friday, so every Friday Christine pops by the office. She's also an AISH recipient, and she also has worked at the A&W in Olds for the last 14 straight years. She comes and sees me every Friday.

**An Hon. Member:** I thought you'd see her at the drive-in.

**Mr. Cooper:** Yes. I often see her at A&W as well, but in this particular case she comes and sees me every Friday, and we have a chat about all sorts of stuff.

She, for the record, really doesn't like the federal government. She's generally speaking not too keen on this government as well, but I gave her the news that she was going to receive a significant income should the legislation pass. Of course, I would never presuppose a decision of the Assembly, but I provided her the information that if the bill would pass – and I would expect that it would – she would receive a significant increase in her AISH payment. What an amazing difference it made to her, and she was so, so, so very excited about the things that she was going to be able to do now because of that. And then she was equally as excited when I suggested to her that I was also going to try and increase the amount that she could work at A&W so that it would be an added incentive for her.

3:40

That particular conversation took place prior to the conversation that I had with the minister where I found out that he had also decided that that would be a reasonable change to make at this point in time. I know that she was very excited, as are so many. I also appreciate the fact that the larger piece of legislation is going to be

tied to the CPI and trying to depoliticize some of these sorts of decisions that can be made by the Assembly from time to time.

With all that said, I encourage my colleagues to support the amendment and look forward to continuing to support the legislation as we move forward in the debate.

**The Chair:** The hon. Member for St. Albert.

**Ms Renaud:** Thank you, Madam Chair. I'm very happy to speak to this amendment and actually provide a little bit of perspective to this amendment. Clearly, this amendment focuses on the people who currently receive AISH. There are currently 55,000 people who are on AISH. A lot of those folks do work, whether they work part-time, casually, some of them full-time, and they do that for a number of reasons that I'll get into. It's really important not just to take the really bold step to index AISH benefits but to also look at employment earnings, and I think tying those future changes to minimum wage was perfect because it was about employment.

But, again, what I'm going to speak to a little bit is that I think it's really important to provide some perspective as to how we got here. For people with disabilities who are tuned in today, I do want to speak directly to them and provide some important perspective.

For the last four decades, until 2015, Albertans have been under the rule of one political party. Under that one party supports for people with disabilities suffered the same fate as infrastructure, education, health care, and other social services. The reality of Band-Aid solutions constantly being applied to gaping wounds got us to the place we arrived at in 2015, when Albertans chose a new way. The opposition has taken the position of late that they will soon resume their rightful place as the ruling party. Using that lens, I would like to remind Albertans with disabilities where we came from and how we've progressed over the last three and a half years and how we got to this place today: Bill 26 and this amendment.

In the 1990s the Conservative mantra was Cut First, Ask Questions Later. As revenues from the oil and gas industry dropped more than 50 per cent, the Conservatives instituted a 15 per cent reduction in program spending over six years while giving out \$11 billion in subsidies to agriculture, oil, and gas. The Conservatives' cuts focused on health care, education, and social services. Between '92 and 2000 the Conservatives cut 14,753 health care positions. As the international price of oil started to climb and the economy was showing signs of recovery, the Conservatives slowed that economic recovery. They slowed it by putting thousands of people out of work, overburdening social programs like AISH, and reducing the purchasing power of families. The Conservatives refused to invest in infrastructure, and we continue to deal with that deficit today. They made us more dependent on one resource, instituting a flat tax that literally took \$2 billion out of government coffers.

So why am I looking backwards? I wanted to provide a context as to why this bill is so unique, so essential, and so important. It took a lot of courage for us to do this and to arrive here today.

During the Conservative focus on deficit reduction in the '90s we saw the AISH program's failure to adjust to the cost of living, a failure to protect people with disabilities from the effects of inflation. In 1993 AISH was \$810 per month. Four years later AISH was raised by \$18. In '97 AISH was \$818 a month. Two years later AISH was raised by \$32. Six years after that it was raised by \$338. Obviously, prices were good. Money was thrown at this program. In 2005 AISH was \$1,188 per month. Seven years later AISH was raised by \$400. It seemed like a great win at the time, but the seven years leading up to that were brutal. In 2012 that put AISH at \$1,588, where it sat until now.

Bill 26 proposes to do what no Conservative combination of government and leadership had the foresight or courage to do since

the creation of AISH in 1979. Bill 26 ensures that Albertans with disabilities, their families, and allies will know that their AISH benefits will be adjusted to the consumer price index. It's important to compare this change to the actions we know Conservatives have taken when the international price of oil creates economic hardship in an economy that has not yet diversified sufficiently to absorb the shocks of falling prices. That's not all. The legacy of decades of one-party rule, Conservative Party rule, created deficits within the AISH program that we are finally addressing. Let me remind you that the AISH program provides over 50,000 Albertans with \$1 billion in benefits.

The UCP told Albertans that they would feel pain. The UCP crow about B.C.'s spending levels, which are 20 per cent lower than Alberta's. Where do you think they're going to take us if they resume their rightful place? Imagine a 20 per cent cut to AISH benefits. A 20 per cent cut to \$1 billion in AISH benefits is \$200 million. What does a cut like that to AISH look like? If you use an annual benefit amount of \$20,400, that translates to 9,800 AISH recipients. Add to that the cost of not funding intake, that means not supporting people who are newly eligible – perhaps they're injured or they moved to Alberta or they turn 18 – and the deficit is massive. The problem is huge. While I appreciate that the opposition members will stand up and act supportive of supports for people with disabilities, remember their history and listen to their nonplatform platform. It will hurt. They can tell you all they like about how much they support this amendment and this bill, but when it comes down to it, when the rubber meets the road, they will not vote for a budget that increases AISH benefits.

In November of 2016 Alberta's Auditor General brilliantly outlined improvements to AISH that were long overdue, once again ignored by decades of a previous government. People with disabilities, their allies, and families knew first-hand that the AISH application process was not easily accessed and was the opposite of user-friendly. I believe the Auditor General said that the AISH application process was best suited for people good at filling out forms. That was a system created under the Conservative government. Finally we're introducing changes that should have been made decades ago. The websites and links have been updated, tested, and revised. That's called consultation. The website is accessible from mobile devices. The AISH application is finally in plain language, and staff are being trained so that there is equity in decision-making. Applications for end-of-life care and for people who are already approved for PDD supports are shorter and simpler.

Albertans who have applied for AISH benefits know that eligibility processes were broken. They knew that. They knew for a long time. AISH application processing times were far too long. There were not sufficient processes in place to monitor processing times and practices. Information given at the denial phase was not consistent, and appeal panel decisions were not tracked. The huge number of very costly AISH decision appeals was an indicator of a broken system. The previous government knew that, and they didn't do anything about that. We've now addressed these old deficits and have installed mechanisms to enable us to track and analyze processes.

Alberta's Auditor General also told us that there were inadequate performance measures to monitor and report on the efficiency of the program, leaving us unable to monitor outcomes, identify gaps, and ultimately improve. We've changed that, and that's where you see real progress because we have a baseline. As we move forward, we will be able to make changes that matter.

3:50

In three and a half years we've continued to pull this old system into the 21st century. It's important to acknowledge the progress

made in the short three and a half years. I acknowledge that the last three and a half years have not been perfect. I'm far from a patient person, and I would've liked it to happen a lot faster, but I am profoundly grateful that it is happening. There is a huge difference between our vision and the path forward and that of the UCP. They may not say much, but that says a lot. The difference is one of going backwards while claiming it's the Alberta advantage or one of continuing to consult and revise old systems while reaching for a future that embraces progress and inclusivity.

That future began in 2015, when Albertans chose a government that would create a future that doesn't leave anyone behind. In three and a half years while trying to manage the worst recession in decades, we did not cut and fire but began the process of addressing a system that was neglected, overburdened, and underfunded for decades. Over 50,000 Albertans who rely on AISH deserved better all along, and now they're getting it. A new vision and a path forward for AISH is what we are committed to doing: to improve the intake process and practice; to index and to increase AISH benefits for both the standard of living allowance and the modified living allowance; to maintain health-related personal benefits such as special diets, orthotics, equipment and maintenance of mobility aids, service animal supports, addiction-related expense, and special dietary needs; maintaining health benefits that are essential to people with disabilities; and amending employment earnings exemptions and indexing future rates to Alberta's minimum wage.

This was a dream for many people with disabilities and their allies. The fact that it's happening today: I'm just so enormously grateful. Why is this support for employment so important? Well, I think the member touched on it a little earlier. First of all, let me say that our government proclaimed DEAM. I think last year was the first year that we had ever done so. We joined countries all over the world to focus on Disability Employment Awareness Month, which is in October. We did that because there is an absolute value to affording and supporting somebody with a disability to be engaged in employment and to contribute to themselves, their families, and their communities through work. It affords people dignity and inclusion and respect.

We have to continue focusing on inclusive opportunities for people with disabilities beyond simply using a Conservative tactic to do so. Think back a few years. The Conservative government decided to focus on employment for people with disabilities by cutting supports to people with disabilities through the PDD system. A wholesale cut was set to devastate the lives of people. Using an assessment tool, the old supports intensity scale, the Conservative government projected test scores to justify wholesale cuts to supports beyond simply targeting employment standards.

That was when I met our Premier, Rachel Notley, and was inspired actually to run. Our response is much different: no more Band-Aids. It might take us a little longer to get there, but no more Band-Aids. We cleaned up some easy pieces that had been ignored for years, even during the good years. We finally removed the minimum wage exemption where employers could apply to pay people with disabilities less than minimum wage. We changed the Marriage Act so that people with disabilities no longer have to get a doctor's note before getting married. We paused the PDD safety standards and conducted an extensive, two-phased review. I have never seen a review like that, and I have been to so many reviews and consultations that I can't even count them.

We established a new standard for consultation and review in terms of the panel members, the process, and the result. It goes beyond plain language and access. It's about community. It's about leaders within the community. It's about self-advocates and their families and their friends, and it's about listening. I can tell you first-hand that's exactly what it was because I was there for every

step of it when we did the safety standards review. What I can say is that I travelled the province with that group, and not one – not one – opposition member showed up to any of those community consultations. And they were in your community. That process led to the PDD review that is under way today. The panel that has been appointed and the process are essential and are groundbreaking.

Service dogs: we addressed a huge need, a life-saving support. We addressed the need for additional dogs to support people. We addressed the high cost. Is there more to do? Absolutely. But we know it's a need, and we've finally started talking about it. We talk about public information and awareness. It might just be a sticker on a business door, but it might just help one person. We've approved more service dog organizations, and now service dogs that may have been trained by their owners have the ability to be tested in order to obtain legal access.

We have an associate page program right here in this Chamber. Young people with disabilities can also apply to be a page and have a life-changing experience.

We have a disability advocate through a private member's bill which became government Bill 205. It established an essential position and committed significant resources, once again, in a budget that the opposition, I can almost guarantee, will not vote for. Certainly, it is not quite at the level of the Child and Youth Advocate, but it is a fantastic start. Think about the Leader of the Official Opposition and his friend in Ontario whose sentences he finishes. What did they just do to the Child and Youth Advocate?

I would also mention the Henson trust legislation that was introduced. I'll let another member speak to that because I know that's near and dear to his heart.

All of these changes have taken time and have required extensive resources, and in the three and a half years we have worked hard. We know there is much to do still. Let me just say how happy I am that we are finally indexing AISH, increasing the wage exemption, and linking future changes to minimum wage. This takes courage and foresight. We are unique. Alberta is a leader in Canada for people with disabilities.

I was at the Military Family Resource Centre not that long ago, and we were told that St. Albert is home to a lot of military families. We were told that many military families with members with disabilities specifically asked to be posted to Alberta because of the incredible level of support. When they heard about the changes, of course, that just emphasized why.

This is our Premier's leadership, and this is what we are committed to. When our Premier tells us that economic recovery is not complete until all Albertans are included in that recovery, I believe her, because she walks the talk every day. Our commitment to indexing is evident, even when times are tough. It's not about austerity; it's about being brave enough to say: nobody gets left behind. I'm looking forward to future conversations and consultation around other issues that are outstanding, some related to AISH and some not. But I know, based on the past three and a half years, that this government is not going to forget about people with disabilities and their allies. We're here every day doing the important work that we were sent here to do. We have much to talk about around cohabiting partners, around asset levels, and other clawbacks.

There are very stark differences between our paths forward for people with disabilities; our path forward and the opposition's path forward. We are committed to continue consultation and progress, not austerity. Their actions to date show no commitment. In fact, their leader has said as much. We are committed to moving forward and building an inclusive future. The UCP want to return to the good old Klein days and the Alberta advantage. We are committed to a future where no group of people is left behind, a future where

a person with a disability is as important and as valued as a wealthy political donor or special interest group. That's the kind of Alberta we're building, where nobody is left behind.

Again I thank everybody involved for getting us to this place, and I encourage all members to support this amendment. Thank you.

4:00

**The Chair:** On the amendment, Cardston-Taber-Warner.

**Mr. Hunter:** Thank you, Madam Chair. It's a privilege to stand and speak a little bit about my support for this amendment to Bill 26, An Act to Combat Poverty and Fight for Albertans with Disabilities.

I just want to, first of all, say that it gets a little discouraging when it doesn't matter whether we support it or don't support it and the same rhetoric comes from the members opposite. We believe that this is actually a fairly good, common-sense amendment and that the bill was good and that it's something that needs to be done, yet here we hear once again how bad we are for accepting it, supporting it, and voting for it. And the answer from the opposite member is: don't trust us, that somehow we're supporting it for nefarious means. Madam Chair, I don't know how they can continue on the same path, the same rhetoric and still think that Albertans are buying it. You can't say one thing out of both sides of your mouth and expect them to believe it. So that's the first thing I wanted to say.

The second thing I wanted to say, Madam Chair, is that when the government portrays the past and decides that they're going to rewrite the past, I feel it incumbent upon me to stand and to clarify what's happened. When they talk about a failed 44 years and then many of them have said how much they loved Peter Lougheed, I hate to tell them this, but that happened in 44 years. Again, Albertans are confused by their message. It doesn't make sense.

But let's just get back to this concept here that they're talking about, the idea of these wraparound services. The wraparound services that we have in Alberta – I had a very interesting conversation while door-knocking, talking to a teacher. I'd like to be able to let you know what was said when I talked to the teacher. I asked him what he thought about the government. He said, "Well, I think the government is doing a good job." I said, "Well, I'll take that to mean that you're going to vote for them in the next election." He said yes. I said, "Well, why are you going to do that?" He said, "Well, they're helping us."

I wanted to dig a little deeper. Normally I'd just move on, but I wanted to dig a little deeper, so I said to him, "Well, my question to you is: how much do you make?" He says: "I know what you're going to say. I know that I make more money as a teacher than any other jurisdiction in Canada." I said: "Actually, no. You make more than any other jurisdiction in North America." I said, "How did you get there?" He thought. "I got it; collective bargaining," he said, and I said: "Wait. I appreciate that there's good collective bargaining, and that's the ATA. But every other jurisdiction has collective bargaining units as well, so why did you make the money that you made in Alberta?" And he kind of said: "Okay. Why is it?" I said, "The reason why is because a Conservative government in the past actually helped public servants get to this point."

Now, what's interesting about it, Madam Chair, is that this government likes to say how bad it was under a Conservative government, but we have some of the top-paid public servants. Why? Because we did something different in Alberta. We had the thing called the Alberta advantage, which this member just stood up and said how bad it was, how we want to go back to it. Absolutely, and every public servant should want to go back to it as well because the Alberta advantage wasn't just helping private sector; it helped public sector as well.

It's interesting that the members tried to have this revisionist history lesson in this House, but the facts speak for themselves, Madam Chair. So when we stand up and we say that, you know, we want to get back to something where we can have fulsome employment amongst Albertans, that we can have an opportunity for Albertans to be able to really have something they can be proud of, that Alberta advantage – it's not just for private sector but for public sector as well – this is something that we should crow about. This is something that we should be actually proud of in this province, yet we have continued to hear from the other side of the House that they are ashamed of the 44 years. We have done something right in this province, something phenomenal in this province, and we should never be ashamed of it.

Now, when we stand up in this House and we say that they got it right, instead of the government side standing up and saying, "Well, we agree; it's fantastic that we agree here" and taking the high road, raising the bar in this House, which we have tried to do – still it's amazing, the heckling, the laughing. I don't know if they're ever going to get it. I hope they do because I think it just shows that they can be classy sometimes. The sad thing about it is that when we actually do agree on a piece of legislation or an amendment and for them to get up and have this overheated rhetoric, it's discouraging, and I think that a lot of Albertans are looking at this saying: are they truly a government that we want to have another term of? I can tell you that I've heard many, many times people say: thank you very much for raising the bar in this House.

I've said this before. I think that it's important for this government to be able to stand up and to raise the bar as well. We can have a policy debate. We can have a robust discussion. We can have a robust debate. But why does it always have to be couched in this overheated rhetoric and slamming? They only seem to know one speed, and that's anger.

We will support this. I think it's a very good amendment. We are willing to support any good amendment that's going to help all Albertans in the future. But let's remember that how we got to this point was through a Conservative government for 44 years.

Thank you, Madam Chair.

**The Chair:** The hon. Minister of Finance.

**Mr. Ceci:** Thank you very much. I'm going to support the amendment on the floor, and I just want to extend my appreciation to the Minister of Community and Social Services because he is the first minister on this file in Alberta's history that is actually bringing forward indexation of these important programs. The Conservatives had 44 years to do it, and they didn't do it.

What the hon. member on the other side was just talking about, that we should thank the Conservatives for their stewardship of this file: Madam Chair, nothing could be further from the truth. When times were tough in Alberta in mid-90s, the Conservatives, the ones he is lauding, cut this program, cut programs for people on welfare supports, as it was called then. They cut programs for people who were vulnerable. They cut programs for the families that needed our support as a government. They cut them, and they saved money. They said: we have to get back to balance, and we're doing it on the backs of the most vulnerable in this province. That's who he's lauding over there. That's who he's saying is providing the necessary importance of this program. Nothing could be further from the truth.

I'm glad he's supporting this amendment. I'm glad that side is supporting this amendment. That's really great. But, you know, we don't see what they would actually do; we only hear what they would do. We hear things like, you know: health care is too expensive; we need to cut it 20 per cent to match B.C. levels. We

know that that would affect the workers in the health care system, the nurses, the insurance. The valuable health care provision that is in this province would be cut as well, the programs. We know that people would get less service. That's what we know from the other side. We don't have a shadow budget from the other side, so we really don't know if they would support this should they come to power. We really know that what they would do, from the things they have said they want to do, Madam Chair, is cut programs and services, and this is an area where they would likely go to first because the previous government, their legacy parties, did the same thing in the mid-90s on the backs of poor people.

Madam Chair, I want to go back to the actual work that this government and that Minister of Community and Social Services are doing. He has brought forward something that hasn't been done in this province before. In fact, I think he might have said that only very few provinces have indexed the programs that we're going to index starting in 2019, and that is something that I can tell you will benefit thousands upon thousands of families in this province going into the future.

4:10

We also know that the child care benefit rates in some of those programs are going to be harmonized and be something that creates greater dignity and more support for young people in those families, something, again, that the previous government left undone, left to be corrected by this government, actually, because we actually – actually – put children and families first, even those who are experiencing difficult times, Madam Chair.

I often have said that the thing that brought me to politics, politicized me, if you will, was the cuts to important supports for people in this province in the mid-90s, and that was supported by all of cabinet back then, but of course the Minister of Finance back then was the person who held the pen for those cuts. I'm proud as the Minister of Finance for this province, for this government, to hold the pen to make sure that that minister and ministry have the necessary supports for Albertans.

I went to my very first protest, you know, a young man growing up in Toronto, university, then came out here in the '80s. I worked in helping people out, worked in helping networks in Calgary. The first time I got politicized was during those Klein cuts of the mid-90s and the effect it had on the people that I was trying to support, the women and children, the families that I was trying to support. In 1993 or 1994 – I can't remember the exact date – I was on the steps here with 5,000 Albertans protesting those cuts. Many of them, of course, were clients of the system of those programs and services, and they were here to say: "You are cutting us back. We don't have the wherewithal to necessarily have the lobby support, the ability to raise funds to counteract, so we're coming out to do what we can do, and that is to be on the steps of the Legislature and to say to the government that we don't agree. We want you to roll back those cuts." That was not done, Madam Speaker. That was 1993, 1994, and after that period of time I said to myself: well, I'm going to get elected to help the most vulnerable.

In 1995 I got elected and served on council for 15 years, and my primary remit, the thing that I was most proud of and most interested in, was to try and improve the social programs in Alberta through my work as a city councillor. One of the areas that I was really proud of working in to see some change was in FCSS, family and community support services, that program for all Albertans. That was held at about \$60 million, maybe even less back then, and the governments of the day, the Conservative governments of the day, did not increase that program to help preventive social services to keep people off of income supports. They kept it at an amount of money, and a bunch of us formed a coalition. We said: we've got

to lobby for increased funds for FCSS. That minister, again, of Community and Social Services in our very first budget argued that the FCSS program should be increased from \$76 million to \$101 million, and it has stayed at that level for four years, Madam Chair.

As an hon. member from the other side talks about, you know, how we should recognize the good work of the Conservative governments in the past, I can point to two things right there. They didn't increase FCSS even though there was a coalition and everyone was saying that this needs to go up to prevent people getting into poverty. They kept it at the level they kept it at. Finally, with this government we increased it \$25 million, and \$100 million more has gone into that area since we were elected.

We don't know what the other side would do. The other side hasn't brought forward a shadow budget, so though they say that they support these amendments, that they would support these improvements to the income support programs, I am loath to believe that because they vote against everything. They are saying that they'll support this, but really we don't know. You know, it's a bit of shell game. You will only know if they bring a shadow budget and they put their pen to paper and say: these are the things we can support.

Who was it that said, you know: "Don't tell me about what your values are. Show me your budget, and I'll tell you what your values are"? Though those folks are saying that they value income support programs, that they value support for low-income people throughout this province, that they support increases, and that they support indexing, show me your budget, and then I'll tell you what you support. That's what I'll say, Madam Chair.

Just a point about – and I know that the Minister of Community and Social Services had talked about this earlier – the coalition, the interest that this bill, his Bill 26, has had with regard to combatting poverty and fighting for Albertans with disabilities. I can tell you that my friends in the poverty reduction community across this province are so proud to finally see the recognition their efforts have achieved in terms of this government and this bill. We are doing things, Madam Chair, to address poverty through the supports we're bringing forward.

In addition to, you know, "I'll tell you what your values are by looking at your budget," another axiom is that poverty reduction is not only about money, Madam Chair, but it involves money, and we are putting that money to the forefront with this bill. We are saying that for far too long these amounts have been too low. They need to go up with inflation every year. Only a few provinces have done this, and we as a province believe in this value. You can look at our budget and you can find out what we value. We value hard-working Albertans. We value supporting people who are vulnerable, supporting people who are trying to put their lives back together. When they have difficulty, they should be able to count on their government. On this side of the House they can count on their government.

That side of the House is all talk. They have no shadow budget. Until they bring forward something that looks like a shadow budget, we can assume that they're only playing politics, Madam Chair. That's what they're doing. Really, though they're talking about supporting this amendment, supporting these initiatives, I know that with the next breath they will get up and say: you know, this government is reckless. Well, we are supporting Albertans. It doesn't matter what they say. They need a shadow budget. Until they do that, really, it's all talk.

**The Chair:** Any other members wishing to speak to amendment A1? The hon. Member for Calgary-South East.

**Mr. Fraser:** Thank you, Madam Chair. First, I'd like to say a couple of things. I'll be supporting this amendment. I'd also like to thank the Member for St. Albert for her incredible work that she's done on this. I know that she's worked very hard on behalf of that community, not just today but, I think, for most of her life. And I'll commend the minister for indexing incomes. Instead of it being a regulation, now it's legislation.

You know, Madam Chair, it's always interesting to me. I have sat in this Chamber now for almost seven years, and I, too, like some of the members, like the Minister of Finance, got politically involved because I saw places where we needed to change. We needed to evolve not just as a government, but we needed to evolve as a people in this province.

One of the questions that I ask grade 6 kids is: "What is the greatest invention ever created?" They say things like hockey, and some say oil or cellphones. But I say, "What about the caveman and the stone wheel?" They're, like: "Oh, yeah. Right." Then I ask them, "Did we ever run out of rock?" They go: "No. Look at the mountains. We have tons and tons of rock." But guess what? Times change. I say: "What do they make wheels and tires out of now? Completely different things."

4:20

I'm a bit disturbed when I hear the Minister of Finance, a minister of the Crown, in a roundabout way basically defame people that I know have sat in the office of human services, that have given their blood, sweat, and tears: the hon. former Premier Dave Hancock and the hon. Manmeet Bhullar, a dear friend of mine. It is disgraceful to think that those two people did not work tirelessly on behalf of Albertans. Now, I'll say this, and this is maybe something that we don't hear enough in this Chamber. Yes, I was elected as a Progressive Conservative in 2012, and whatever that government did in the day and whatever that government did in the past, I am happy to wear it all, because if you're going to blame the former government, then you had better thank the former government for a lot of the very good things that happened in this province.

There's a saying that pride cometh before the fall. While you have done an excellent job on this particular file, there are other places in your government where you just don't have it right yet. And if you think you have it right, well, then, I'll go back to that saying, that pride cometh before the fall. As Progressive Conservatives we certainly didn't have it right. When I sit as a minister of the Crown or even as an MLA, as a father, as a human being, as an Albertan, I don't always get it right. But I continue to work hard to refine myself, to refine my thoughts, and I think that Manmeet Bhullar was on that path, and I dare somebody in this Chamber to deny that. Trying to get to a place on a very, very complex file – and I'll say this as a paramedic on the street. When you see people in crisis with different issues and then you hear their stories about AISH and income supports and how people disrespect them because of the place they are in their lives, it is absolutely unacceptable.

So I am glad that we are getting, particularly on this particular file, to where we're getting it more and more right, where we're actually having a debate and where people are accepting amendments. That's what we should be doing in here. We should be trying to get to a place where both sides have some credibility on this issue. Look, I left the United Conservative Party, but I know that many of the people there if not all of them on this particular file absolutely do care. Their way to get there might be different, but I know they care. I know that the Alberta Party caucus cares. I know that the Member for Calgary-Mackay-Nose Hill has done a lot of work on this particular file, and she should be commended.

But it's pretty easy in this Chamber to find where we have common ground – and I believe that this is one of them – and to have respectful debate rather than blaming. You know, nobody comes into this Chamber without a goal, I don't think. There might be a few that have the wrong intentions. When we think about Peter Lougheed, Don Getty, each Premier and each government has contributed in some way, some good and some bad. That's just the reality. But our job in here is to have respectful debate, to stand on the records that we have.

You know, Madam Chair, I'll tell you one of the things we did with the consultations on this particular file, and I'm going to say a couple of things in this Chamber that some people might be surprised at. I've had the opportunity to go to some of those things, and you absolutely feel heart-wrenched. You recognize that in that particular community there are people who over the years have been great advocates for their children and/or the people that they're caring for. They were great advocates, and they were able to get more money. Yet somebody who had more severe disabilities who didn't have a great advocate was getting less, and you saw them fall through the cracks. We tried to address that.

But I'll tell you some things. Again, when I look around the province, whether visiting my father in a rural hospital – I have to tell you that I'm absolutely embarrassed that with a government of 44 years, that I was a part of, some of the facilities look like that. I can say that. That's responsibility, and I'm not asking for any credit. But it's stuff that we need to continue to work on. This particular file, like I said, is very complex, and this is not going to end. I don't care who forms the next government. If you think that you've got it down, and if the next government that forms government, whoever it may be, thinks that this is going to be an easy file, it's not going away. There are going to continue to be issues.

Another time, in visiting a mental health facility and walking in there, I went: "Hold on a minute. We're one of the richest provinces in the world, and this is what this place looks like? These are the conditions we're asking mental health professionals to help our children and our loved ones in? This is what we've given them?" Well, you know, with all due respect to the government, you've been there for three and a half years, and these facilities still look the same way. I'm not blaming anybody. What I'm saying, Madam Chair, is that running a province, running the government is very, very complex. Everybody has a different approach. But we would be better served and more well served if we were actually collaborating on these particular issues.

I'll say it again: the government has done some good things. Everything the United Conservative Party talks about in trying to tighten the belts of our fiscal responsibility is not all wrong, nor are the amendments from the Alberta Party caucus and some of the independents. When we start looking at each other as fellow Albertans, remember this: if you are the government and you're there to govern everybody, are you not there to try to govern us and be respectful of us as taxpayers and vice versa?

There is an opportunity whenever an election is called. Whether Albertans feel I'm fit enough to come back to this Chamber or not, there's an opportunity, moving forward, for members that do get re-elected and for whoever forms government to start elevating the debate in this province to deal with files like this, where there are people suffering. You know, some of these people and the things that they feel they have to resort to to get the money that they need is just – again, I've seen it on the ambulance. It's despicable that we stand here and we argue about some of the petty things and who is to blame.

Madam Chair, I just think that if we were to collaborate more and be open to some ideas and not blame and say that the other side is always wrong, because they're not, then I think we'd be far better

off. Isn't it our goal, at the end of the day, that I should be trying to help support this minister even though I sit on the opposition benches with the Alberta Party, to try to give him or the Deputy Premier on the file of Health or the Minister of Justice my best ideas? That's how I can best serve Albertans rather than my own political interests.

Madam Chair, I'll leave it there, but I will be supporting these amendments, and I look forward to further debate. Thank you.

**Mr. Hunter:** Madam Chair, I just want to clarify a couple of things. First of all, in terms of this bill I have a brother who was born with osteogenesis imperfecta, so he had brittle bone disease. By the time he was I think in grade 6, he had spent more time outside of school than in and had to be tutored and home-schooled so that he could keep up. It has been a devastating disability for him. He had a big heart, big ideas, but his body wouldn't keep up. You know, I speak very passionately about this.

I believe that it needed to be indexed for some time, and I was never in a position where I could advocate for that. I'm now in a position where I can advocate for it, and I want to be able to do that, because I've seen the face of an individual in our society, a close person to me, my brother, who has been affected.

**Ms Ganley:** Are you going to vote for the budget this time?

**Mr. Hunter:** You know, the heckling at this point is so unclassy, very unclassy.

**Ms Ganley:** That wasn't a heckle.

**Mr. Hunter:** I'm amazed. I'm sharing my heart here, telling about why I feel the value of this, and a member opposite cannot stop heckling. Unclassy. Absolutely unclassy.

But let me get back to the point. The point here is this. I believe that society has two parts. They have the heart and the head. The heart is those wraparound services for someone like my brother, who through no fault of his own is in a situation where he needs to have that hand up. He has tried where he can to be able to get the work that he can do and that his body will allow him to do, but as I've watched him – and we're very close in age – I've recognized that it's very difficult for him and that we need to be able, as a compassionate society, to have those wraparound services for him.

4:30

I believe that in this situation this is a good program for him, and I think that this will help him. This is why I personally am voting in favour of this amendment and in favour of this bill, because I believe it is the right thing to do not just for my brother but for the people that are struggling just like my brother has.

I want to just finish with this. There was an article in the *Tyee*, that's from B.C. It says Jump in Alberta Disability Benefits Leaves BC Far Behind. I can't go through it all because we don't have the time, but it basically goes on to say that B.C. would have liked to have followed the direction that Alberta was taking to be able to increase these AISH payments, but they couldn't, and the number one reason why they couldn't was because they were so far in debt. The cost to service the debt prohibited them from being able to make those kinds of decisions for the people of B.C. As you know, the *Tyee* is not a conservative magazine. They are just calling out the truth.

The reality is that Alberta had gotten us into a position where we had that ability to be compassionate, to be able to increase those AISH payments, and there were many people that were able to benefit in Alberta from it. In fact, in this article it goes on to say that many people from B.C. wanted to move to Alberta in order to be

able to be involved in that AISH program and how compassionate it was.

That was the point I was trying to make earlier about some of the decisions that we made here in Alberta that allowed us to be able to have that benefit, not just the benefit to private sector and public sector but to actually benefit and to be able to provide a compassionate side. That's what I think is valuable. This is something that I think is a big reason why I am very much in favour of this amendment, and I just wanted to make sure that I pointed that out.

Thank you, Madam Chair.

**The Chair:** The hon. Minister of Justice.

**Ms Ganley:** Thank you very much, Madam Chair. I just want to rise to ask the hon. member a question. I apologize that I spoke out of turn. I know that sometimes in committee people speak back and forth, and I perhaps took that a little bit too far. It obviously wasn't intended as a heckle, so I'll simply stand and state my question on the record for the hon. member. What I asked was – and it's simply because this is one of the things that made me passionate and drove me into government, the idea that ultimately our budget does signal what our values are. What I was simply asking was: you know, this bill does a fantastic thing. I'm very proud of the thing that this bill does, but it does cost a certain amount of money. Simply what I wanted to ask the hon. member opposite, since he feels so passionately about it – I think we found a point of agreement – is whether or not he intends to vote for the money in a budget to support this bill.

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

**Ms McPherson:** Thank you, Madam Chair. I'm hoping that we can change the tone of the conversation because this is a really good bill. It helps a lot of people, and this is a really good amendment that makes a bill even better. I'm really pleased to see a lot of the changes that this amendment introduces to the legislation. I think they're really important changes. Indexing of income: as you know, I introduced an amendment last spring to try and achieve a very similar goal to that. I think it's really important.

I want to thank the minister for being so open with information and also the Member for St. Albert. She's been a huge educator for me to learn more about this particular issue, and I really want to acknowledge her contribution both to me and to the sector at large. It's been really important.

I do have a subamendment that I'd like to introduce.

**The Chair:** This will be known as subamendment A1-SA1.

Go ahead.

**Ms McPherson:** Thank you, Madam Chair. I'd like to move that amendment A1 to Bill 26, An Act to Combat Poverty and Fight for Albertans with Disabilities, be amended as follows: Part A is amended by renumbering clause (a) as clause (a.1) and by adding the following before clause (a.1):

- (a) in the proposed section 3 by adding the following after subsection (2):
  - (3) The provision and administration of benefits provided under this section shall be carried out in accordance with a client bill of rights established by the regulations.
  - (4) A client bill of rights established pursuant to subsection (3) shall:
    - (a) include a requirement for the provisions of the bill of rights to be considered and applied by all

persons authorized to administer and make determinations respecting benefits under this section, including eligibility for benefits;

- (b) provide that access and education regarding services and benefits should be culturally appropriate;
  - (c) provide that clients and individuals applying for benefits must have access to supports to assist in navigating the application and appeal process;
  - (d) require that, upon request, an explanation of an appeal decision be provided to a person who is refused a benefit;
  - (e) be reviewed by the Minister and any impacted groups every 5 years, beginning 5 years after the date on which the bill of rights comes into effect.
- (b) by adding the following after clause (d):

- (e) by adding the following the proposed section 3.3:

Consultation

3.4 The Minister shall, in accordance with the regulations, consult with any groups potentially impacted by proposed amendments to this Act or the regulations that would substantively change a benefit or the manner of determining eligibility for a benefit.

Part B is struck out and the following is substituted:

B. Section 2(5) is amended

- (a) in clause (a) by adding the following after the proposed section 12(1)(a.4):
  - (a.5) establishing a client bill of rights in accordance with section 3(3) and (4);
- (b) by adding the following after clause (a):
  - (a.1) by repealing clause (c);
- (c) by adding the following after clause (b):
  - (b.1) by adding the following after clause (d.1):
    - (d.2) respecting the requirement for consultation under section 3.4 with groups impacted by any substantive changes to benefit.

It's too bad we can't use visual aids because that's quite an exercise in logic right there.

The reason that I introduced a subamendment is because the amendment opened up the clauses that need to be addressed in order to entrench a client bill of rights and in order to entrench a requirement for consultation in the future for any changes. The client bill of rights came about because of conversations in my office with clients who are applying for AISH and appealing decisions from AISH. I think it's important that each of the clients of AISH understands either why they were turned down or how they can go about appealing the process, and they need to know what the standard of service is that they can expect consistently, regardless of which worker they may be working with.

The second part of the subamendment has to do with consultation. The reason that I wanted to incorporate that into the bill is because what I hear from the PWD community again and again is: Nothing about Us without Us. This entrenches that into the legislation. I'm sure all of us have had people dealing with AISH in our offices and seen the frustration, felt the pain that they have felt in dealing with what their circumstances are and in dealing with the AISH program. These issues are dealt with in the subamendment.

I think that in a compassionate way – I really believe that this subamendment makes the amendment better, and the amendment makes the bill better. For these reasons I really encourage everybody in the House to support this subamendment.

Thank you.

**The Chair:** The hon. Minister of Community and Social Services.

4:40

**Mr. Sabir:** Thank you, Madam Chair, and thank you, Member, for bringing forward this subamendment. With respect to some of the things that are mentioned in the proposal for the bill of rights – for instance, there needs to be better clarity with respect to eligibility for the benefits; individuals who are applying need to better understand the procedures – after that Auditor General report came out, we came up with an AISH action plan. Many of the things that are included here are somewhat addressed in there as well.

For instance, we created new simple-language forms, and along with that we created three more guides as well. One of them was explaining what this program is about, who is eligible, in very simple language. The other guide was talking about essentially every clause, every step of the way, what information is sought in that form and explaining what is expected and what is needed. There were many things addressed there. There was also an adjudicative framework that was part of that action plan to make sure that the decisions are consistent across the province. Also, there was a recommendation with respect to increased individualized support for individuals who are applying for those benefits, and it was expected that improvements were also made.

In bringing forward this piece of legislation, we talked to thousands of self-advocates, antipoverty advocates, persons with disabilities, their families, and I can even name certain groups like Disability Action Hall, Vibrant Communities Calgary, EndPoverty Edmonton, Edmonton Social Planning Council, Inclusion Alberta, Public Interest Alberta, Self Advocacy Federation, Momentum, YWCA, Calgary Housing Company, Poverty Talks! In Calgary. I was meeting earlier even with EndPoverty Edmonton as well. What I want to say is that, for the most part, pretty much what we did is that we worked with the community on all these issues. The reason we did that, that we believed in: Nothing about Us without Us. It's important that we consult them when we make any changes to this legislation, to the programs that affect them. Things that are included in this amendment were advocated by many of these advocates, and we received over 2,300 letters.

I would, I guess, ask for a little bit more clarity. Has the member consulted with the community on any of these amendments? What were, I guess, those discussions? Does she have anything more to share? If not, I think I will take time to consult on these issues. I recognize that these are important issues, but at this point, unless I have something substantial, I would urge my colleagues not to support this amendment at this time.

**The Chair:** Any other members wishing to speak to the subamendment?

Seeing none, I'll call the vote.

[The voice vote indicated that the motion on subamendment A1-SA1 lost]

[Several members rose calling for a division. The division bell was rung at 4:44 p.m.]

[Fifteen minutes having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

Fildebrandt	Hanson	McPherson
Fraser	Hunter	Nixon
Goodridge	Loewen	Orr
Gotfried	Luff	Strankman

5:00

Against the motion:

Anderson, S.	Ganley	Malkinson
Bilous	Goehring	Mason
Carlier	Gray	McCuaig-Boyd
Carson	Hinkley	Miller
Ceci	Hoffman	Miranda
Connolly	Horne	Payne
Coolahan	Jansen	Renaud
Cortes-Vargas	Kazim	Sabir
Dach	Kleinsteuber	Schmidt
Dang	Larivee	Schreiner
Drever	Littlewood	Turner
Feehan	Loyola	Woollard
Fitzpatrick		

Totals: For – 12 Against – 37

[Motion on subamendment A1-SA1 lost]

**The Chair:** Back on amendment A1, are there any further speakers to this amendment?

Seeing none, I'll call the question.

[Motion on amendment A1 carried]

**The Chair:** Are there any further questions, comments, or amendments with respect to Bill 26?

Are you ready for the question?

**Hon. Members:** Question.

[The remaining clauses of Bill 26 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

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

## Bill 28

### Family Statutes Amendment Act, 2018

**The Chair:** Are there any questions, comments, or amendments with respect to this bill? The hon. Minister of Justice.

**Ms Ganley:** Thank you very much, Madam Chair. I'm pleased to rise today and speak to Bill 28, the Family Statutes Amendment Act, 2018, here in Committee of the Whole. I want to thank my colleagues for acknowledging their commitment to this bill and identifying concerns, which I'll be happy to address.

The proposed legislation will modernize family law in our province to better support all families. First, it would provide clear rules about property division for unmarried partners. Second, it would clarify that applications for child support can be made for sick and disabled adult children of parents who are not married or are not divorcing. Lastly, it would repeal the Married Women's Act, which is now out of date.

I would like to address the questions that my colleagues have raised concerning second reading. First, a question was asked about whether existing agreements between unmarried partners will remain valid. The short answer is: if they were valid before, they will be again. Agreements that were enforceable prior to the new legislation coming into force will remain so, but I must reiterate that they needed to be enforceable before the legislation came into force.

Even if the legislation passes, people will still be able to choose to draft their own agreements for property divisions if they don't want the new rules to apply to them.

With our proposed amendments the presumption of equal division will begin on the date the couple began living in a relationship of interdependence. This rule will apply both to adult interdependent partners and spouses who live together prior to being married. A question was asked on what happens when partners can't agree on when their relationship of interdependence began. In the event that parties are not able to agree on this, it will fall to the courts to decide. A court decision will be made on a case-by-case basis and guided by the definitions and factors set out in the Adult Interdependent Relationships Act. These include considering if partners are emotionally committed to one another and whether the parties function as an economic and domestic unit as proven by factors like whether the persons have a conjugal relationship, their contributions to each other's well-being, and the degree of financial interdependence.

The member also asked about the potential impact of new property division rules on current or potential income support recipients. Income support, Madam Chair, is a needs-based program intended to provide for household units while supporting the transition to self-sufficiency. The amount of income support received is based on the difference between a household's needs and financial resources. As a result, any impact depends on the particular facts of each case, and any property the income support recipient receives as part of a property division claim or settlement may be taken into account, depending on the particular legislation.

With respect to wills and successions another concern that was raised was how our proposed rules will impact a deceased partner's estate and how it will be split. Simply, Bill 28 will not change the rules that are set out in the Wills and Succession Act. The act sets out how and to whom property is transferred when someone dies, Madam Chair.

Another question was if this bill will impact how pensions are divided. To clarify, we're not changing the definition of pension partner in the pension legislation. An unmarried pension partner refers to a marriagelike relationship and being in such a relationship for at least three years or of some permanence if there is a child of the relationship. This is a narrower definition than an adult interdependent partner. A person can be an adult interdependent partner in a platonic relationship although we have heard from family law practitioners that these types of relationships appear, from their experience, to be very few in number. A person can also become an adult interdependent partner in a shorter period of time than it takes to become an unmarried pension partner by signing an adult interdependent partner agreement.

Our proposed amendments include a provision that clarifies that nothing in the act enables transfers or payouts to a person who is not a pension partner under the pension plan where the requirements in the pension legislation are not met. However, the court is required to distribute the value of the pension benefit in accordance with the proposed legislation when making a family property order. This means that for those adult interdependent partners who do not fit into the pension division regime, while they cannot ask for a division of the pension from the plan, the value of the benefit will be taken into consideration in terms of the overall property distribution.

Madam Chair, our proposed new rules will apply by default, which means that parties will obtain the benefit of the new rules without needing to take action to opt in. Many people do not know how the current law operates for unmarried couples or that unmarried couples do not currently enjoy the benefits of legislated property division rules.

We recognize that the changes we are proposing could have a significant impact on many people's lives. We must give people the opportunity to become informed and provide them with the time to govern their financial affairs. That's why, if passed, the new property division rules for unmarried partners would come into force in January 2020. This provides us an opportunity to both inform the public of the changes and increase the overall awareness of the legal rights of adult interdependent partners in this area. The department will take advantage of this opportunity and will update and prepare educational materials targeted at the legal profession, the general public, government staff, and stakeholders.

I also wanted to echo a colleague's comments about how this bill will streamline the courts and help reduce delay. This legislation will provide certainty in the law and promote settlements where possible. This is intended to help prevent complex and expensive legal battles between unmarried couples and will free up court time. Madam Chair, we hear a lot in this place about court delays with respect to criminal matters, and those are certainly a concern, and I think they should be a concern to everyone. But I think it's worth noting that when we're talking about court delays, they can occur in family law matters as well. Each one of those is a family waiting for resolution, so I think it's important that we're able to take these steps to ensure that these matters can move forward in a timely manner as well.

Finally, a member asked whether the Dower Act should be repealed. We want to thank the member for raising the issue, and we will note it for future consideration.

Any time legislation is amended or repealed, there can be a wide range of impacts, and care must be taken to ensure that these are understood before future amendments are proposed. That's why with respect to these amendments we've worked with the Alberta Law Reform Institute, who has done fabulous work on a wide range of legal issues, and they provide us with great advice.

Madam Chair, our government believes that Albertans, married or not, deserve equal access to the law, and Bill 28 is just another step in ensuring a fair and accessible justice system. Thank you.

5:10

**The Chair:** The hon. Member for Lacombe-Ponoka.

**Mr. Orr:** Thank you, Madam Chair. I appreciate the opportunity to speak to Bill 28. Thank you to the minister for the answers to a lot of the questions that have been raised. I think these are important answers.

I'd just like to elaborate a little bit – it's appropriate, I think, for Committee of the Whole – on maybe some further dialogue back and forth in terms of some other potential questions. I'd like to start with regard to the 2020 deadline or date of implementation, I guess. A pair of questions go with that. Do people really need that long? Really, the important issue here is not so much time, but how are people going to be advised and educated? Two years could go by, and people wouldn't be any more informed than they are today. You did say that the department will be doing the information rollout. I guess my further question with regard to that would be: when can we expect to see some of that? What's the estimated cost, and is that coming out of the current budget or a future budget?

I do think that the awareness and education piece will be extremely important here, particularly with regard to, I guess, two demographics. I think that for youth, who may be unaware of legal realities and legal systems and all these kinds of things, who ease into a relationship but don't understand the implications or the consequences: how will we target awareness and education at youth rather than just the legal profession, staff, lawyers, that kind of thing? Secondly, I think, the demographic of seniors. There are

many seniors as well who aren't particularly following all the legal stuff, maybe aren't online, who may be in relationships more because of economic reasons or for companionship. How are we going to target education and awareness to them? That's the first thing that I would like to raise.

The second one. I guess I would hope that there would be some guidance coming with regard to the content of adult interdependent agreements. The legal status of adult interdependent relationships is still not quite as clear as that of a marriage on a legal front, and the potential for complex legal issues is really and truly there. Is there going to be guidance on that? Is this the kind of thing that only a lawyer can draw up? I think that there's the possibility of many conflicting legal issues with regard to property and those kinds of things. Is the guidance going to be that, really, only a lawyer should be doing this?

I guess my third and last question would be: is there going to be some guidance with regard to the concern of resolving custody for children? I know that even in marriage dissolution and law all too often children are caught in a battle back and forth between parents. They're too often left literally for years in limbo as courts work through this process. What are we going to do for the benefit of children who may be caught in the crossfire of parents who are battling this out with lawyers? I think it's a really important issue that we need to be thinking about as we extend the rules and the legal benefits from marriage to also include adult interdependent relationships. Children all too often do get caught, and I think we need to be thinking about: how do we create systems and situations where they're not suffering unduly and for overly long periods of time because of legal conflicts?

Those are my questions and my concerns, and hopefully the government can give us some answers on some of those kinds of things. Thank you, Madam Chair.

**The Chair:** Any other members wishing to speak to Bill 28? The hon. Member for Fort McMurray-Conklin.

**Ms Goodridge:** Thank you, Madam Chair. It's an honour to rise in the House today to speak in favour of Bill 28, the Family Statutes Amendment Act, 2018. This bill looks to address a very real issue, and I truly appreciate many of the questions that I had asked during second reading having been answered by the minister earlier today.

As I shared during my previous speech, common-law relationships are becoming more and more common across our province, and they're even growing at a higher rate than those of married couples. These common-law relationships have proven to complicate proceedings after the relationship has dissolved and, ultimately, ends and has created an unpredictable court process creating very inconsistent decisions.

This bill rises to meet the issues. It helps by streamlining the process and by giving clarity in legislation for our courts to make more consistent decisions. This will help with our limited funds and allow for more resources to be diverted to the more serious cases and the more pressing cases. Furthermore, it will help to make sure that those that are most vulnerable within our society are well taken care of, and it would be my hope that we would see fewer Jordan decision cases dismissed. While this bill is not perfect, it has many good intentions.

Millennials are facing many challenges that generations before them did not face. While they did not live through the Great Depression or a world war, they have had to experience a different set of struggles. For example, the overall cost of living has significantly increased, which has been noted by many millennials as a barrier, and many are choosing to cohabit and often enter into common-law relationships before even considering marriage.

Furthermore, homes are becoming more and more expensive for a generation that has not seen the same percentage of pay increases, which makes the dream of home ownership much more difficult. Millennials are holding onto the idea of home ownership, and therefore they tend to wait a lot longer to get married, if they even choose to. There are also factors in regard to the cost of postsecondary education having increased, causing even further delays in choosing whether to get married or not.

With these factors, common-law relationships are clearly on the rise, and Stats Canada data shows that this is very much true. Between 2006 and 2011 the number of common-law relationships grew at a rate more than four times that of married couples during that same period of time. In 2016 we found that 1 in 5 Canadian couples said that they were living in a common-law relationship, compared to just 6 per cent in 1981. As you can see, society has changed, and it's time that our laws reflect this change. In fact, here in Alberta common-law relationships or cohabiting couples doubled over the same period of time from 7.7 to 16.8 per cent.

We must be aware of the fact that the dissolution of common-law partnerships could create an increased strain on our already taxed court systems. More Canadian couples are opting to live together rather than tying the knot, which is particularly true for younger generations that value flexibility and individuality over tradition and formality, and more and more young couples are choosing to live together to test out whether their relationship will withstand a long-term match. In fact, many of my friends have shared with me that they would choose to live with their spouse prior to even considering getting engaged or married as a measure to try and reduce their chance of getting divorced. To some, not legally being married typically makes it easier for them to split if they find that they're incompatible.

However, with this trend, it can make things a lot more complicated when common-law relationships create families down the road and then those families end up dissolving. While the solution of common-law relationships creates, in theory, an easier breakup, it can create a messier family, something that I believe that this bill will help to solve, which is really important for society and our ever-changing reality.

**5:20**

Yesterday I talked quite at length about the Jordan decision and why it's important that we make sure that resources are diverted from less severe cases like common-law disputes towards more serious cases. I decided to go a little bit deeper into the subject matter, and I would like to share an example as to why I think that finding these efficiencies within our court system is so very important.

In the summer of 2016 there was a young mother in Fort McMurray that had to watch a man that she accused of sexually assaulting her walk free due to the charge being stayed because it took four years and four months to be seen, which was deemed too long under the Jordan decision. This was only one of five cases – and all five cases were sex-related charges – that were dismissed in the summer of 2016 across northern Alberta due to the Jordan decision.

This is exactly why we need to make sure that our court system has all the efficiencies available to it, so that we can spend our time and resources where they're most needed. In fact, there have been hundreds of cases across Canada that have been dismissed by judges since the framework was changed. The current system dealing with common-law separations diverts resources away from this very large problem for Albertans, and I'm glad that this bill aims to fix it.

This bill aims to create a process that creates a more stable and predictable process for individuals in common-law partnerships. This is a good, common-sense solution that will help make things easier during these difficult times. No one wants to break up with somebody. This is typically not something that you start a relationship planning to do, to break up. This is typically during a very difficult time in someone's life, so having this clarity in legislation makes this difficult time a little bit easier.

It will also add some much-needed fairness to couples that are in common-law relationships for an extended period of time, choose to get married, and then, unfortunately, end up getting divorced. This bill will allow the division of assets to take into account a more true version of the length of their relationship. As more and more millennials specifically and, really, all Albertans are choosing to be in common-law relationships prior to entering into a marriage, this change will help protect more Albertans.

It also removes some of the complexity for judges when making decisions on common-law separations. As it currently exists, it is left to the judge to make these decisions for the separation of assets using the concept of an unjust enrichment – basically, one person is enriched at the expense of another – and the courts are left to try and decipher how to split the assets between these partners, which could be a really complex and long-drawn-out process, much more difficult than most people would have expected due to them being in common-law relationships. This is also a much more expensive system, requiring a lot more time to go through the courts and putting a lot of onus on common-law couples to fight this rather than simply having a little bit more clarity, as married couples would have.

This bill also aims to remove the Married Women's Act. I must say, Madam Chair, that this was very long overdue. It's amazing to me to think that in 2018 a law that results in a husband acquiring all of a wife's land and income was still in place. While this was not used, I appreciate that the government has chosen to remove this piece of legislation. I can assure you that women are more than capable of managing their own land and income.

While there are a lot of good aspects about this bill, I still have a couple of questions. How exactly will a judge determine if a relationship is classified as common law? I know there are certain criteria that need to be met, but if one of the partners does not view the relationship as being a common-law relationship – what happens, specifically, when they disagree on the time when they became a common-law couple? Also, how will the government spread awareness about this piece of legislation? I think it's truly imperative that Albertans know their rights before they're entering into any kind of a binding relationship.

I've heard from many Albertans and many of my own friends that actually chose to be in common-law relationships to avoid some of the legal ramifications. In fact, the Canadian Research Institute for Law and the Family noted that many people in common-law relationships were unaware of their rights and entitlements and lack thereof. So I believe that the education piece around this bill is something that is really important and really needs to be addressed.

I just want to thank you, Madam Chair, for the opportunity. And thank you to the minister for answering my questions earlier. I truly appreciate it.

**The Chair:** The hon. minister.

**Ms Ganley:** Thank you very much, Madam Chair. Pursuant to Government Motion 36 I would like to notify the House that there will be no evening sitting this evening.

**The Chair:** Any other questions, comments, or amendments with respect to the bill? Calgary-Fish Creek.

**Mr. Gotfried:** Thank you, Madam Chair. I rise today to speak in support of Bill 28, the Family Statutes Amendment Act, 2018. And thank you to the minister for her explanation of some of the subtleties of this bill.

Madam Chair, it's very clear that we've got an opportunity here to support some legislation which is in significant need of updating and changing. Reflecting on some of the information that I did some research on, it's very interesting. In the 2016 census common-law relationships were already on the rise. In that census over 320,000 Albertans, about 1 in 10 adults, did already live in a common-law relationship, and I suspect that that's expanding as time goes by. That's compared to nearly 1.6 million Alberta adults in marriages. Again, that's a significant percentage of that number. Of course, more same-sex couples are choosing common-law relationships rather than marriage. That's now a balance of 7,655 to 4,560, again, from the 2016 census, a number I suspect is increasing.

There's also adult interdependent relationships, which are currently governed by the Adult Interdependent Relationships Act, which is, of course, another key factor in a number within this particular issue. The AIRA defines an interdependent relationship as

- a relationship outside marriage in which any 2 persons
  - (i) share one another's lives,
  - (ii) are emotionally committed to one another, and
  - (iii) function as an economic and domestic unit,

which I think is a very technical way of explaining a relationship.

An interdependent relationship is recognized when two people cohabit for at least three years or with some permanence if there's a child from the relationship by birth or adoption or if they enter into a formal agreement establishing that relationship, obviously outside of marriage itself.

A person may not have more than one adult interdependent relationship at once, nor may a married person enter such a relationship while living with their spouse. That probably makes some sense, in section 5. Falsely alleging such a relationship incurs liability for damages, and the onus of proof, of course, for establishing that the relationship exists is on the person claiming that it does exist. So, again, there is some onus of proof, which is, I think, always a positive thing.

Of course, there are clauses for unjust enrichment as well, which we need to be cognizant of. Nobody wants unjust enrichment, and that, of course, is covered in this legislation and in other legislation. Division of property at the end of a relationship is currently governed by the legal concept of unjust enrichment, which is highly dependent on the individual interpretation of the presiding judge. Whereas divorcing couples who have lived common law before marrying may also be subject to this legal regime, again, there are some principles of fairness there which are invoked, including some of the property agreements. Common-law couples may and in many cases probably should enter into the equivalent of a prenuptial agreement regarding division of property if the relationship ends. That's probably put into place just to protect both parties, I think, under those circumstances, particularly if they've brought assets together in that relationship, which should be taken as something that they've brought together and which needs to be respected in the future of that relationship.

These agreements are provided for in the bill, in section 38, and each partner must make a free and informed decision and each must have their own lawyer. Again, that appropriate representation is key and, I think, very important in this legislation.

Market value of certain kinds of property will be exempted from distribution, as it currently is for married couples, and these will include things like gifts, inheritances, settlements, and insurance payouts, which may be, again, predating that relationship and therefore exempt. The rule for this is that the market value of the item either when it's acquired or on the date of entrance into a relationship is exempted, but the value of increase, of course, typically is not exempt from that as both parties may be contributing to that.

5:30

Madam Chair, the Alberta Law Reform Institute does a lot of great work on many different pieces of legislation and in this case has also done some great work in their report, which can be found on their website. Some of the keys there are relative to unjust enrichment, again, which requires a court to consider the facts of each case and exercise discretion to achieve fair results and provides a little guidance for future cases and different facts, in fact, there as well. Again, I think that these are very good and positive reviews by the ALRI, which I think supports some of the work done in this legislation.

For separating partners access to justice would mean being able to divide their property fairly. Without presumptions or formulas to help them negotiate a fair settlement or the resources to pursue a claim in court, separating partners experience barriers to access to justice. That, again, allows for the legal process and the justice system to properly and fairly address assets.

The lack of legislated rules made it difficult for partners to settle disputes without unjust enrichment. There were two main reasons for that, as pointed out by the ALRI. First, it's difficult to find and interpret the applicable law, particularly for self-represented individuals. The law of unjust enrichment is found in court decisions, not in legislation, so this is a positive move in this regard. Public legal education resources do exist but generally provide little information beyond the fact that a claim for unjust enrichment is possible, and it is wise to seek legal advice. Again, some instructive advancements, I think, with this legislation as well.

Secondly, it's difficult to predict the outcome in a particular case which discourages settlement, and when individuals or their lawyers cannot predict how a court would resolve their dispute, they have great difficulty in evaluating options for settlement. Again, there were a lot of grey areas that pre-existed this.

With respect to individuals they often have very different perspectives on what is fair, and they look to the law as a source of objective standards that can be applied to their case, which I think is always the case because there are different valuations on different assets and different perspectives on how to divide those assets, and when they cannot identify objective standards, it cannot be determined whether a proposed settlement is a fair one or not. Again, that's where it can be very subjective, but it needs to be looked at objectively with the new legislation and how that's allowed.

It's often difficult to settle disputes. Partners are pushed towards litigation, and litigation is both time-consuming and expensive for both parties in these cases. There's usually only one sort of level of enrichment that happens, and that's often with their legal counsel, who are enriched as they battle over things that are not appropriately covered. Again, both expensive and risky for both plaintiffs and defendants, and many of them don't have the resources. They're trying to preserve what little assets they may have from the relationship and to move those forward to start a new

life and in many cases may have to abandon the claim due to the lack of access to an appropriate legal or legislative environment.

Again, the ALRI, Alberta Law Reform Institute, does also provide some other insights and some quotes. Unjust enrichment claims are risky. A plaintiff faces the possibility that the claim will be entirely unsuccessful after much hard work and litigation of that, and if so, the plaintiff will receive nothing while having to pay considerable legal fees. Again, that is never the preferred outcome, to go into long and drawn-out legal battles which may in fact burn up any of the assets that they sought to fairly and legally allocate and usually, of course, the paying of the costs going to the defendant, who may also face an unknown outcome with respect to their rights within that particular dispute.

Madam Chair, reform is needed to improve access to justice for the separating partners. Again, justice is what we all seek in terms of the legislation. Regardless of whether the separating partners negotiate or litigate, they would benefit from appropriate legislated rules with presumptions and formulas that can be brought forward in a more objective manner. The presumptions or formulas will help partners resolve those disputes without having to resort to going to court. They can do that outside of court. They can do it with negotiation and other means of settlement and streamline the litigation process for those who are unable to settle in moving forward with that.

Madam Chair, I think that I personally am very supportive of this initiative to try and update the legislation and update the protection of common-law partnerships and other relationships that are governed by this new legislation. I'm happy to support this.

In closing, I'd like to move that we adjourn debate on this bill. Thank you.

[Motion to adjourn debate carried]

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

**Ms Ganley:** Thank you very much, Madam Chair. I would now move that we rise and report Bill 26 and report progress on Bill 28.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Wetaskiwin-Camrose.

**Mr. Hinkley:** Thank you, Madam Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill with some amendments: Bill 26. The committee reports progress on Bill 28. I wish to table copies of the amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Does the Assembly concur in the report? Say aye.

**Hon. Members:** Aye.

**The Deputy Speaker:** Any opposed, say no. So ordered.

The hon. Deputy Government House Leader.

**Ms Ganley:** Thank you very much, Madam Speaker. Seeing the progress that we've made today, I would now move that we call it 6 o'clock and adjourn until tomorrow at 9 a.m.

[Motion carried; the Assembly adjourned at 5:38 p.m.]



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