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The 28th Legislature
Second Session

Alberta Hansard

Tuesday evening, March 11, 2014

Issue 7e

The Honourable Gene Zwozdesky, Speaker

Legislative Assembly of Alberta The 28th Legislature

Second Session

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Party standings:

Progressive Conservative: 60

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

Independent: 1

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Legislative Assembly of Alberta

7:30 p.m.

Tuesday, March 11, 2014

[The Deputy Speaker in the chair]

The Deputy Speaker: Please be seated.

Government Bills and Orders Second Reading

Bill 4 Estate Administration Act

[Adjourned debate March 11: Mr. Saskiw]

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'm sorry. What stage of reading are we in with this bill? Second? Well, that's a relief. By the way things happened this afternoon, I was kind of expecting to come in and find that it had gone to fourth, some new stage of reading.

Thank you very much, Mr. Speaker. I'm wondering if any of the staff that worked on this bill are in the galleries. No? Okay. Well, I just want to put forward a thank you and compliments to staff who have worked on this particular project for an extended period of time because I think they've done a really nice job. Many of us in this House have probably been executors or are expecting to be executors of estates soonish, and I have to say that I really appreciate what was done here to make this much more user-friendly in the way you walk through it.

The very first thing that I noticed was a section where it said, "Here is what you're expected to do: one, two, three," which is very helpful because I've been trying to do my homework in advance and going: okay; what do I do on the big day? It was really confusing because I was pulling information from vital statistics and from — I'm sorry, Mr. Speaker. I'm debating Bill 4, Estate Administration Act. You looked a little puzzled.

The Deputy Speaker: No.

Ms Blakeman: And here it is. In section 7 on page 8 of the bill it says: "Core tasks."

The core tasks of a personal representative when administering an estate are

(a) to identify the estate assets and liabilities,

Okay. I got that.

(b) to administer and manage the estate,

All right. Pretty straightforward.

(c) to satisfy the debts and obligations of the estate, and

Yeah. Okay.

(d) to distribute and account for the administration of the estate.

Well, thank you. That's pretty plain. It's pretty obvious what I'm supposed to do.

In another area they say: "Okay. Here's the way we expect you to" — not act but, you know — "take responsibility." Of course, that one is not going to pop into my hands like the last one did — I'm just paging madly here — but it basically said: you know, you're expected to be as though you were in this person's shoes. Sorry. I'm just going to madly look for the section because it is really good. It makes it clear that they're standing in the shoes of the person. They have a fiduciary duty, in other words, and they make that really clear.

Fiduciary responsibility. To lots of people: what the heck is that? "Fiduciary" sounds basically like "fidelity." I don't know. Maybe it's about brothers and sisters or something. So most people don't understand what that is, and it's not because they're in any way lacking in any intelligence or schooling. It's because it's not a term that is generally used in everyday life. This sets out the way people are expected to approach the business of what they're doing. Again, I think: nice stuff, nicely done.

The first half of the act is written in a way that's very straightforward, very frank. You know, you have to be on the inside team to understand this stuff, all the lawyer-speak. We all love lawyers — I know we do — but honestly they do speak funny. They've got all these code words, and nobody else knows what that means, so it's sort of a relief when all of that is taken out.

One of the other things that they've made very clear in this is that they've moved away from expecting that the executor would be a lawyer. You know, you think about all the old books and movies that you've seen, and there was the crusty but gentle family lawyer that was in the town law office. "He administered my grandpappy's will and my pappy's will, and he's going to do my will." That's no longer an expectation. As I've said, most of us in this House have probably been named as an executor for someone we're close to to administer their estate, or we may be. I mean, we're all leaders here, and people look to us and say: "Well, you've got it together. Guess what? You get to do this one."

They've moved ahead. They've come with the times, which is a really nice way of reviewing and updating legislation. Unhappily, I'm not able to always say that about the way government updates their legislation, but this, I think, has been done in a really nice way. It's intended for the normal person on the street to use, and it's written out very nicely that way. It gives them exactly what they're supposed to do.

Now, in the second part they get into the nitty-gritty, inside-baseball, lawyer talk, and there's also a really interesting section where it says: you know, if you're a professional, we're going to hold you to a higher standard. Okay. Yeah, that makes perfect sense. Section 7(3). No, that cannot be. There is no 7(3). Okay. Not my best notes.

But they do recognize that professionals know more about this, and they are held to a higher standard, and they should be bringing that into play with what they're doing.

An Hon. Member: Section 5.

Ms Blakeman: Section 5? Thank you. Well, thank you very much. Somebody is reading along at home.

Section 5. Yes. Here we go:

General duties of a personal representative

5(1) A personal representative must

(a) perform the role of personal representative.

That means the executor, but it's no longer expected to be a lawyer. It's a personal representative. It's you. It's me. It's your aunt. You know, I had dinner with a friend the other night, and he had just finished being executor for his aunt. It's made it more along the lines of what people are doing in everyday life.

They're expected to perform this

(i) honestly and in good faith.

They're expected to do this

(ii) in accordance with the testator's intentions and with the will, if a valid will exists, and,

- (iii) with the care, diligence and skill that a person of ordinary prudence would exercise in comparable circumstances where a fiduciary relationship exists.

Okay. Well, they slid a bit over the side on that one.
and

- (b) distribute the estate as soon as practicable.

Again, you know, this is the section I was talking about, where it kind of sets out how you're expected to act. If I can just draw a comparison, Mr. Speaker, this is the sort of thing that I was disappointed does not appear with the same kind of robustness and detail in our very own Conflicts of Interest Act, which is supposed to be governing our behaviour as MLAs.

Now, I'll remind everyone here that we do not have a code of conduct, so nothing sets out the way we're supposed to behave, and I was really frustrated with the Conflicts of Interest Act because we couldn't even get my hon. colleagues opposite to agree that we should obey the law and that we should be honest. We couldn't get them to put that into the act. But here it is turning up in the Estate Administration Act, so somebody clearly thinks along the same lines, that it's worth while to put it in there saying: "You know, you're to behave honestly about this. Don't cheat. Don't fool around with this stuff. It's important." I really like that.

Here we go. Section 5(3), appearing at the top of page 8, does go:

If because of a personal representative's profession, occupation or business, the personal representative possesses or ought to possess a particular degree of skill that is relevant to the performance of the role . . .

blah, blah, blah, they will be expected to

. . . exercise that greater degree of skill.

Tah-dah. That's pretty straightforward if you take out all the blah-blah-blah stuff in between. It does place that higher expectation on someone with a particular expertise in this area. It's very clearly written out. And for those with a very particular expertise, you can go to the second half of the bill, where they really get into it, into sort of the technical matters, that if this happens and that happens, then this is what you should do.

I actually learned something new in reading this. I did not know that debts are also passed on. When we got into the section about if there's a mortgage and there are jointly owned obligations, how all of that works itself out but, in fact, consistent with the idea that beneficiaries also inherit the debt – and here I'm looking towards my literary-minded colleagues – I was reminded: what is the Charles Dickens novel in which they all wait for the will to be settled? They wait and they wait, and they keep going back, and generations of people have waited for the will to be settled. Finally, they're all called back into court one day, and the judge announces that there's nothing left in the estate. The lawyers have used it all. [interjections] It'll come to somebody, and we'll just inject it into *Hansard* at some point down the line.

You know, in that one, once the money ran out, they drew the line and said: "Okay. It's over. There's no more money. You're all gone." But they didn't let the lawyers actually run over and spend more money than what there was and create a debt that people had to pay off. That was a new thing that I learned, and I'm glad I learned it.

7:40

All in all, I'm quite happy with this. I was deeply suspicious in my usual style, which, you know, you've got to admit, I had good reason to be over the years here, and duly went through line by line comparing the Administration of Estates Act and the Devolution of Real Property Act and checking everything out. "Oh, my goodness, the minors have disappeared. What have they

done to them? They've dropped them in a hole somewhere," which they didn't, by the way. Don't worry about it. They just took them out because they have a Minors' Property Act, and they deal with them there.

Contrary to what usually happens here, there was nothing nefarious that I can find, and if I do in the future, I will beat you over the head with a copy of the act. But it's really nice work. My thanks to the staff of the Solicitor General, the Minister of Justice, who has done this work. It looks like it happened over quite a period of time. You know, God bless him. This was really good work and the kind of work that I know our civil servants do for us all the time. Frankly, they made you guys look really good on this one, so you should be appreciative of that. As far as I can tell, they didn't give me any holes where I can get a piece of two-by-four out of it and whack you over the head because you did dumb things. Well done.

Thank you very much. Happy to speak in second reading.

The Deputy Speaker: Thank you, hon. member.

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

Seeing none, I'll recognize the next speaker, the Member for Edmonton-Strathcona.

Ms Notley: All right. Thank you, Mr. Speaker. I am pleased to be able to rise to speak to Bill 4. As with my colleague from Edmonton-Centre, I'm scrambling a bit since things that we had thought were happening tonight happened much faster this afternoon. We are not operating on the schedule that we had last been apprised of, so just trying to get caught up here.

This Estate Administration Act arises from the report of the Alberta Law Reform Institute from 2013, and it appears to include almost all of the recommendations that were included in that report. Understanding and respecting the work that is done by the Alberta Law Reform Institute, I have no doubt that many of the changes in here are very worth while. That's good. We know that they are attempting to clarify some of the obligations and the expectations of executors and also administrators under the Estate Administration Act.

Because we are sort of in the midst of trying to consolidate our research on this act, at this point I have just a few questions that I'm going to put out there, and hopefully I will receive some clarification as this bill makes its way through the Legislature. Now, while it's good that we are clarifying the role and the obligations of the executors, I am curious as to whether we may or may not through this act be potentially raising the bar in terms of what they're required to do and what they're expected to do and the liability that they may be held to as a result. I'm getting the shaking head from some members that that's not what will happen although it does, certainly, very clearly lay out the fiduciary duty of the executor, and it lays out some clear obligations of the executor.

The concern I have, like the Member for Edmonton-Centre, is that I, too, have been drawn into being an executor more often than I would like. It seems that one downside to being the only member of the family who's made it through law school is that everybody thinks that you're the natural executor for every familial estate, which, you know, is what it is. The point is that that's not always the case. Many people are asked to be executors without that background. It is a complex and also a trying time in people's lives, and we need to make sure that while we clarify their role and we ensure that the legislation is clear in terms of what the expectation of them is, we also ensure that we do not put too much on their shoulders or establish a system that compels them to go out and seek more legal advice or to get legal advice in

order to navigate their way through the courts. I think we know that that is not a process we need to encourage as access to justice continues to be a major issue in our judicial system, and not everybody has the ability to hire counsel to help them navigate their way through the executor process.

However, that being said, knowing that this does come from a very thoughtful consideration by the Alberta Law Reform Institute and understanding, as I've been advised at this point, anyway, that this almost completely follows those recommendations, I suspect that there is very little that is not good in this piece of legislation.

I look forward to receiving just a little bit of extra information from the minister in charge around the obligations and/or liabilities of the executor or administrator under this legislation, whether there is any risk of that particular person being held to a standard which they may not necessarily be able to meet. I look forward to hearing that information. Otherwise, at this point those are my comments.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

Standing order 29(2)(a) is available. Are there any other speakers?

Then I'd ask the Member for Barrhead-Morinville-Westlock to close debate if she chooses.

Ms Kubinec: Thank you, Mr. Speaker. At this point I would like to close debate on Bill 4.

The Deputy Speaker: Thank you.

[Motion carried; Bill 4 read a second time]

Consideration of His Honour the Lieutenant Governor's Speech

Ms Kubinec moved, seconded by Mr. McDonald, that an humble address be presented to His Honour the Honourable the Lieutenant Governor as follows.

To His Honour the Honourable Colonel (Retired) Donald S. Ethell, OC, OMM, AOE, MSC, CD, LLD, the Lieutenant Governor of the Province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

[Adjourned debate March 10: Mr. Oberle]

The Deputy Speaker: Hon. Member for Edmonton-Centre, did you wish to speak?

Ms Blakeman: As soon as I can find the notes on my computer. Maybe somebody else would like to speak.

The Deputy Speaker: Are there others that wish to speak tonight?

The hon. Member for Edmonton-Centre.

Ms Blakeman: Speaking to the throne speech, I take it. Yes? Okay. Great.

Thanks very much. Well, as usual, I have – well, it's handy when I have some version of the throne speech to speak to, if you don't mind. Oh, maybe this is my stuff. Okay. Yeah, the throne speech.

You know, I counsel my less long-toothed colleagues that throne speeches and budget speeches are not about the opposition; they're about the government. They all look smug and swan

around with flowers in their boutonnières. It's their day, and you've just got to grit your teeth and kind of get through it.

7:50

This is now our opportunity to have a chance to talk about it. Traditionally, people talk about their constituency. As you know, I have the best constituency because I have the fabulous constituency of Edmonton-Centre. It is the best. I am so happy to serve these wonderful people, who keep me on my toes and send me letters and stop me in the bank lineup and parking lots and come down here and watch what's going on. I am so blessed to be able to represent those people and, by the way, most of the people sitting in this Assembly because a lot of them have their out-of-town condos in my fabulous constituency of Edmonton-Centre. I'm always happy to recommend restaurants or theatres or particular plays to go to. If anyone is interested, just send me a note.

What I would like to do is sort of divide this into three parts. I'd like to do a quick review of what was promised in the 2012 election and the throne speech to where we are now, what was not in the 2014 throne speech that I expected to see, and what is in there that I'm not – the bullet says: end on a happy note. Okay. So what's in the 2014 throne speech that I don't want to hurt someone about?

I do represent the fabulous constituency of Edmonton-Centre, which includes Queen Mary Park; Central McDougall; the traditional downtown area, which also includes a special designated warehouse section that's growing and becoming ever more cool to live in; Grandin downtown; Rosedale; and Oliver. I have about 48 and a half thousand people now. It's actually growing faster and faster because they keep popping up new condos and more people move in. About 98 per cent of my constituents live in multifamily units: townhouses, apartments, condominiums, life leases, lofts. Two per cent of my constituents live in single-family houses. I think I have under 500 houses now, and that drops every election.

I've got six schools. The two high schools are both unique and much loved. There's St. Joseph high school, which reinvented itself about a decade ago into a self-paced learner. What they ended up getting, which I think surprised them – but they have just leaped ahead with it – were a lot of very bright students that wanted the self-paced so that they could just blow through this stuff. They now have an IB program in there and are just doing amazing things. Plus they're running Jean Forest as part of it, which is the Catholic girls-only school. It is also run in that building and is part of that school, a very strong faith-based delivery of programming, and they all seem really happy to be there.

I also have Victoria school, which, of course, is the special arts school, which is a never-ending treat and a slight irony to me because my father retired from Victoria school, and at the end he spent the last couple of years tearing down the specialized vocational parts of that school in order to help create the arts school. He was tearing down the reason he came into teaching to make way for that arts school, which was what his daughter was making her living doing. Of course, we all know how wonderful Victoria school is.

Then we have Oliver school, which has as its junior high the Nellie McClung all-girls program, and Grandin school, which is now French immersion and Spanish immersion and full to bursting.

John A. McDougall school: I always send out my heartfelt thank you to the staff that work in that school. They work so hard with quite challenging, unique, bright, fun, and sometimes harder-

to-love kids and do their utmost to make those kids thrive. I have such admiration for them.

I also have St. Catherine's, which is sort of our multicultural school. It's also under the separate school board. You go in there, and there is one blond kid and 500 kids that have dark hair of many different colours. So it's a pretty cool place to be. They're really up on ESL and kids from the diaspora who just moved here from other places or have been in refugee camps for years and years. They're a really wonderful school. I also have Centre High and Metro and NorQuest and MacEwan University and Alberta College and the enterprise centre, so I've got part of the U of A.

As you've heard me talk about many times, I have a queer community that is just wonderful. Artists, hospitality and service workers, municipal and provincial civil servants – and I hope the ones that did Bill 4 are part of mine because I like to have great people in my constituency – professionals, entrepreneurs, students, seniors. I have a larger-than-normal percentage of seniors. I think I have a little over 12 per cent, which is by no means the highest but more than most people have.

I have quite an ethnic diaspora of urban aboriginal and First Nations people and a lot of people who need services: the mentally ill; people with mobility challenges; AISH; income support; WCB; pensioners; high-risk, high-needs, addicted street people; very, very few children. I have very, very, very wealthy people and very, very, very poor people.

As you can tell, I have a very diverse community, so I really get a chance to look at all parts of things when I'm working on behalf of my constituents. One of the things that I believe was promised and did not happen is removing the offending section 11.1 out of the Human Rights Act and thereby restoring full protections and respect and dignity to the LGBTQ community; in other words, removing that parental rights section that ended up in the Human Rights Act. That just continues to be so offensive to me, and I hold it against you all so hard. It's something that I believe you need to fix, and I will continue to stay on you until you fix it.

Ms Notley: I'm sure it wasn't promised to be fixed.

Ms Blakeman: I thought it was promised.

The Deputy Speaker: Through the chair, hon. member.

Ms Blakeman: Absolutely, Mr. Speaker.

The Deputy Speaker: Thank you.

Ms Blakeman: I'm just sharing with the other members. As you know, I like to engage everyone.

That is a section they gave with one hand and took away with another in trying to amend the Human Rights Act and include the prohibition against discrimination based on sexual orientation. So they put that into the act, and then they took it away in practically the next page by saying: by the way, you can make sure that your children are never exposed to a single word of anything about people who have a different sexual orientation than you. It's just a horrible, horrible, nasty, awful, evil, backward thing that was done there, and you must fix it.

8:00

The other thing that we continue to not embrace or understand is transgender rights. I know it's a struggle for people. Still, you have to understand that some of the things that seem really straightforward for other people – so you're going to go for a pre-employment test; I still find it foul and, I think, unconstitutional to

say to someone: well, I think I might hire you, but first I want you to go through a physical. Well, if you take someone who's transgendered and not out – and why should they be when that's nobody else's business? – and you send them for a physical and they say, "Okay; well, you know, strip down, and let's have a little squat here," that's going to be outing someone. As soon as they say, "No, I don't think I want to do that," then the companies which have sprung up now to do this physical testing on behalf of all these companies that insist on it pre-employment say: "Oh, well, then you refuse to complete the test. That's it. We can't give you an okay on that one, so you're not going to get hired."

There are things like that that this government has not come to terms with or come to a place of understanding on, and they still cause people discrimination based on their sexual orientation. Transgendered individuals is one of the places where you're making this mistake over and over again. So you've got to fix that one.

My colleague has been working hard so that if schools ask for gay-straight alliances, it should be mandatory that they get the support once they've asked for it. I think that's a very good way to do it. I think that's right. If the kids get together and say, "Yeah, we want to do this," then it should click in that it's mandatory to give them the support to do it. Don't make them fight for all of that stuff. You know what? When kids like that have to fight every goddamn step for everything, what do you create? You create me, and I would bet that you people over there don't really want more like me. I had to fight every single thing, every antiwomen, antigirl stupid rule and assumption from the day I was 14 on. If you do that to people, you create lifelong rabble-rousers and troublemakers. So if you don't want that, maybe you should get on this one.

I notice that I've now made introducing the Imperial Sovereign Court of the Wild Rose such a normal thing in the Alberta Legislature that the minister wants to hop on the bandwagon, so she introduced the court this year. I was really miffed because I thought: oh, you know, that's my gig, and those are my people. The member for Strathcona has done that as well. Then somebody said: well, you've just made it so normal that it's safe for the minister to go ahead and do it. I thought: yeah, that's actually right. All right. It is progress.

Other things that I think were promised or should be fixed. This one actually wasn't promised, but you should fix the Family Law Act. Take out that regressive, archaic, backwards, last-century language that continues to distinguish based on old role models: mother-father or husband-wife. Stop doing that. Stop it. It is parent-parent or spouse-spouse. It doesn't matter. In the law now it doesn't matter. But by insisting on using that designated language, you create a situation where people have to go to court. If you're not the official mother according to the language – I've got little air quotes with my fingers here – then you have to go to court and adopt the child and go through money and time and a whole bunch of stuff that you really didn't need to do because you are the mother of this child. You are the one that stands in that place and says: I am the parent of this child.

Get rid of that language. I mean, come on. I stood here for an entire afternoon and moved amendment after amendment after amendment to try and get that language out of this act the first time it came in here, and you voted me down over and over and over again. So don't think that yesterday is the first time I've had y'all vote against me. I've got a lot of practice at this, and I'm right. I was right then, and I'm right now, and I was right yesterday. So that should be done.

Funding of the arts. You know, same pie, more forks.

The Deputy Speaker: Thank you, hon. member.
Standing Order 29(2)(a) is available.

Ms Notley: Coming from the not fabulous but indeed the best constituency of Edmonton-Strathcona, where there are many, many arts, I am truly interested to hear what the Member for Edmonton-Centre has to say about the need for better arts funding in this province. I'm wondering if she could tell me what her thoughts are on that.

Ms Blakeman: Thank you very much, Edmonton-Strathcona. Well, as I said: same pie, more forks. There has been no increase in the funding to the arts, which actually means there has been a decrease in the funding to the arts because there has been no commensurate cost of living increase or inflationary increase, so they have less money. I've talked about this a lot in this House. This is an industry or a sector that creates jobs for less money than any other sector can create a job for, that contributes to a better quality of life for everybody. Their money stays here in their home communities. They don't take it somewhere else. We are prohibited from growth now because you can't get larger as a company if your grants aren't commensurate with that. We've corralled or muzzled everybody. They all have to stay the same size. No one can get a bigger share of that pie because it just takes more of it away from someone else.

We have the Alberta Foundation for the Arts. I noticed in the plan – it's doing yet another plan, which makes me want to scream. I think we're now on plan 3 or plan 4. Obviously, the approach is: if we don't have any money and we're not going to get any more money to put into the arts, then we'll have another plan. We've had the blueprint. We've had some sort of spirit plan. The executive director went off and did a year's worth of something or another to come up with another plan, a four-point plan or something. See? I can't even remember the names of the plans anymore.

Now we've got another one in here that is yet another plan. There is some money or an intention there to, you know, go out and find more ways to make the arts sustainable. Arts have never been sustainable. They're never going to be sustainable. They're part of our life here. If it wasn't the nobility that supported them, it was the church that supported them, and now it's the government that supports them. Why are you wasting time and money trying to find sustainability here? Just fund them and let them get on with it, and you'd have a much better life. They, by the way, are much better managers than a lot of the dumb things I see this government do, certainly better money managers than many of the things I see the private sector do.

The film studio. Fund the film studio, or get out of it. You know, \$5 million is not going to build that film studio. They are a large enough institution. Is it worth it? Absolutely. Would we get bigger and better and more films? Absolutely. No question about that. But there is no private sector entity that is going to come in and pick up the majority share of that one. It ain't going to happen, folks. That's why you don't have one in Calgary. That's why it's never happened there. We had it happen in Edmonton in an extraordinary time. When Super Channel was starting out, we had an individual that had the licence for that that started his own company, with government grants I might add, and at the time built the film studio that we have in Edmonton. That time is not going to come again. You are not going to get a film studio in Calgary unless you fund it, and my advice is: fund it. You will get a lot more payback from that than you will from many of the other schemes that the government gets involved with.

The Wild Rose Foundation is now gone, so the funding of volunteers is now turning up in the CIP and CFEP pool of lottery money. Once again: same pie, more forks. I notice with the flooding that there's money coming out of CIP for some of the flooding restoration and mitigation. Well, yeah. Same pie, even more forks or bigger forks. It's just very frustrating.

The human rights, citizenship, and multiculturalism fund, which has sort of quietly gone off into a corner – I think it has a million bucks – is really needed, and it really needs an injection of money into that. As we have cultural communities that are starting to grow up and figure out how they're going to work with us and in this world, they need some access to money so they can do this stuff. One of those is the Africa Centre, a very good example of what can happen with that kind of support in Edmonton, but it's not done for nothing.

Thank you very much.

The Deputy Speaker: Thank you, hon. member.

Are there other speakers? The hon. Member for Edmonton-Strathcona.

8:10

Ms Notley: Well, thank you very much. I'm pleased to be able to rise to respond to the 2014 throne speech. Where to start with this? Well, you know, Mr. Speaker, what we are dealing with in this province and what we have been dealing with to a greater and greater extent over the last few years is what we have been referring to as a tale of two Albertas. We have certain measurements that we can look at that make it look as though – and to some extent, you know, they are correct measurements, too; don't get me wrong – the province is growing in prosperity. But there are a growing number of alternative measurements which show that the majority of Albertans are starting to be left behind. We have two sets of rules in this province and two sets of states in this province in terms of who is truly enjoying the benefits of the great wealth, which, just to be clear, this government did not put there. The oil was there before they were elected.

Ms Blakeman: Dinosaurs died.

Ms Notley: They appear to be in many cases often as old as dinosaurs, but they aren't.

In fact, the resources that we have that we are sort of awkwardly, ineffectively, kind of stumbling towards capitalizing on were not put there by this government. Nonetheless, we do have great resources and the potential for great prosperity, but what we are doing is that we are failing every single day to share that prosperity in a way that will improve the livelihood of all Albertans in the best way possible. I would say to you, Mr. Speaker, that by improving the livelihood and the opportunities and the future of all Albertans, even that very select few of very wealthy Albertans that these folks constantly have their eye on in terms of ensuring that they do what those folks want, even that group will do better. But this government doesn't see that, so we have a tale of two Albertas. In no place is it more appropriately reflected than in this throne speech.

Now, before we came back into the session, our caucus did a crossprovince tour, and we spoke to Albertans in a number of different cities across the province to find out what mattered to them. What we heard about was this growing inequality and this growing struggle to make ends meet and the fact that they had to work harder and longer and faster and that they were more stressed out trying to keep up with where they were just a few years ago and trying to keep up with where their parents were decades ago and at the same time worrying about how they were

going to have to run even faster and farther and harder to take care of their parents a decade from now, understanding, of course, that that's yet another area which we once could rely upon and now can no longer rely upon, that being the safe and secure retirement of our parents and grandparents. That's what we heard about.

Now, it's very interesting, Mr. Speaker. I saw a poll about two or three weeks ago that asked people whether they thought this government was on the wrong track or the right track. Interestingly, 70 per cent of people that were being polled said that this government was on the wrong track, and I think there's a good reason for why people are thinking that. A couple of years ago that party over there, in a Hail Mary attempt to maintain power, nominated a new leader, who then went out – and I don't really think she did it personally, quite frankly. I think she was just reading a script that some skilled campaign organizers around her gave her to read, but whatever. She elevated the expectations of Albertans around issues of shared prosperity, around issues of fairness, around issues of eliminating poverty, around issues of providing a bright future for our children. She or her strategists tapped into the fact that that's what Albertans were really looking for, so she dressed up like somebody that was going to provide them with that. Then she went out to people and said that that's what she was going to give them.

Ever since then, ever since April of 2012, when that election ended and people embraced that vision, they have been disappointed time and time and time again. That very vision which the government leader's strategists tapped into, that very wish that Albertans had for more equality, for more prosperity, for shared wealth, for more opportunity, that has been nothing but a disappointment, and you see that very, very clearly in this throne speech.

What we basically have in this throne speech is a lot of sort of vague language to say: "When it comes to programs that expand opportunities for all Albertans, we're going to basically do more of the same, except a little bit less of it as the population grows. But, hey, we're going to build lots of buildings."

Then over on the other side we have the Official Opposition, and they're lovely folks. I love sitting around chatting with them, and we get along, and they're a hoot. But I think we all understand that we don't necessarily agree on all of these things. Those folks are like, "You know what? We kind of agree with the suppressing of the programs for hope and the future and shared prosperity and all of that kind of stuff, but we'd also like you to not build buildings."

So it's like having these two dinosaurs sort of arguing over who gets to climb out of the tar pit first. You know, let the buildings fall apart, don't let the buildings fall apart, blah, blah, blah. That's the discussion we have, and nobody's talking about the fact that inequality is growing, that the gap between what women and men earn in this province is growing, that the number of people going into postsecondary education is dropping, that our class sizes are getting larger, and that families are having to work longer and harder and faster to get to the same place that they got to without having to do that just a few years ago. We're completely missing that part of it.

What were some of the things that I would've liked to have seen talked about in this throne speech to begin the process of truly reaching out to Albertans and giving them that sense that this government was actually interested in sharing the wealth over which they accidentally, you know, planted their tent? What were some of the things that they should have done? Well, obviously, I've talked about it before, and others have talked about it: child poverty. It was a promise made by the Premier; nothing has been done on it. I asked the Minister of Human Services why it was that

the very programs designed to help people get off income support – adult learning, adult upgrading, career training, all those things – were cut between 20 and 50 per cent? The minister said to me: Oh, well, you know, that money might still come if we ever negotiate an agreement with the federal government.

But here's the thing. You guys just got a billion-dollar windfall from the federal government. You only put \$600 million of it into Health. There's a whole other \$400 million that's floating around, yet somehow we still managed to bring in a budget that didn't ensure that we keep that money stable let alone cut it by anywhere from 20 to 50 per cent. So that's a choice, Mr. Speaker. That is a choice. This government makes choices, and that was a choice to betray that group of people, the very children that need to be taken out of poverty. Their parents need to be able to go to school in order to get out of poverty, and they can't.

It's interesting. I have a friend who's a teacher. I can't get into the details of this, but she tells me about how she and another colleague are actually themselves paying the monthly expenses of a young woman who is 17 years old and has a child, has finished high school, but doesn't have adequate education to get into postsecondary, so she needs to upgrade her high school. But to do that, there is no funding for her. None. She's not eligible for income support because she's already got her diploma. She's not eligible for postsecondary, for a student loan, because she can't get into postsecondary yet. So here she is desperately working to try to get herself out of poverty. She can't get that help. Her teachers are paying for her out of their pockets to help her pay her rent so that she can continue at school and upgrade her schooling and do that work. But that shouldn't be happening in a province like this. That's ridiculous, that that kind of thing is happening in a province like this, Mr. Speaker.

Health care. The Minister of Human Services said: well, what would you do to fix the problem around reporting child deaths? We talked a little bit about that, but then I said: you know, really, it's not about reporting children's deaths; it's about eliminating poverty, and what we need to do is bring in a child tax benefit to very quickly and efficiently bring up the income of those low-income families. We need to start dealing with mental health and addictions treatment plans. The paltry little bit of money that the government announced recently for it is just a drop in the bucket. I think anyone over there who cares about these issues knows and understands that. Yet we have a report that the government itself had to go out and ask to be done, which shows that this government is dropping the ball all over the place on mental health services. We are doing a profoundly crappy job on that issue, and it is primarily tied to the short-sighted, ridiculous decision to create AHS back in 2008, where we eliminated the Alberta Mental Health Board. We haven't been tracking what we've been doing on mental health ever since, and it's just a failure. And in so doing, we drove poverty, and we put more and more children and families at risk. So there's something where I would like to have seen some effort, some action to improve.

8:20

What else could we have done? Well, you know, we talk about university funding. Now, I appreciate that certain folks at very senior levels within the postsecondary sector have given grudging statements that maybe the sky will not fall quite yet, tomorrow, with this budget because they've been given access to their access to the future fund again. The freeze is off that, so they can now fund raise again in the corporate sector. You know, getting that was a great win, so they're going to play nice and say nice things.

The problem is that for the most part the major cuts to the operating grants of postsecondary institutions have not been

restored, and what that means is that access will decrease, quality will decrease, and our postsecondary institutions will continue to get decreasingly accessible to regular Albertans.

In the comprehensive institutional plan that was released by the University of Alberta in January, they talked about the impact of the cuts that were not remedied by the partial restoration of those cuts at the end of last year; they talked about potential catastrophic failure of some of their buildings because their maintenance was so far behind; they talked about losing the best students; they talked about losing the best professors; they talked about losing the best researchers because of the instability that was created and is being created in our postsecondary system by these draconian cuts by a government which is not interested in improving and growing the opportunities of Albertans and sharing the wealth and the prosperity of this province but rather is interested in creating an Americanized, commercialized postsecondary system which serves industry and industry only for a select group of elite students, and that's the end of it. That's their vision of postsecondary. It's a tremendous step backwards, and it is going to limit the opportunities of Albertans for generations to come, Mr. Speaker – generations to come.

Frankly, that's not addressed anywhere. Oh, yes. Here it was. "Your government will take the long view when it comes to investments in higher education." I guess that is Premier-speak for: we're going to cut lots and lots of funding and really restrict access to this institution. "Take the long view." I got quite a kick out of that one.

One of the other things that I'm very concerned about, as I mentioned before, is how we care for seniors in this province. Now, we have this ongoing debate on continuing care versus long-term care, and the government loves to say that we're growing continuing care beds. But, in fact, we all know that continuing care means a whole bunch of different things, and in many cases what it really means is inadequate care. At the same time the government is unprepared to invest in new places where standards of care – minimal standards of care, I will grant you, but still standards of care – exist when it comes to areas of long-term care. Meanwhile those areas are suffering greater and greater pressures. Their staff are getting burned out, their ability to provide care is being undercut, and we are moving more and more towards a commercialized, privatized form of seniors' care in this province.

You know, I had a friend tell me not too long ago that as she planned for retirement, as much as she's a stalwart – stalwart – supporter of public health care historically and in the future, part of her retirement planning is now to buy long-term care insurance because she believes that she has to plan for this government to abandon her and her family when she gets older. So now she's buying long-term care insurance. That's what you guys have done. You've opened a market for your friends in the long-term care insurance industry rather than actually building and improving seniors' care now and going forward. That's what's happening.

Meanwhile we have this horrible situation where the situation in many long-term care centres is deteriorating to such a point that the conflict . . .

The Deputy Speaker: Thank you, hon. member.
Standing Order 29(2)(a) is available.

Ms Blakeman: Well, that was kind of an abrupt ending. I'm wondering what the conflict was.

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

Ms Notley: Thank you. The conflict between family members and care providers in these overstressed long-term care centres is growing daily because the care providers struggle to provide the care that is required and the families, rightfully, are stressed out and anxious about that. So now we have these Dickensian stories – perhaps not Dickensian; that's probably the wrong literary allusion – these very dramatic and sad stories of families being separated from one another and families being told that they are not allowed to visit their loved ones because they are disruptive. That is what it has come to. Families are being separated from seniors because this government has allowed the long-term care system to come into such crisis that these kinds of reactive policies come into place and everybody is hurt. Staff is hurt, families are hurt, and most importantly the seniors who reside in these care centres are hurt.

This is what this government's vision is. So to the extent that this throne speech says that the government will invest in better seniors' care, well, no they're not. They're not investing in it. They're reducing the number of long-term care spaces, they're not putting staff-to-patient ratios in place, and they're not building new, high-quality, low-cost, accessible places for seniors who require care. They're not. Meanwhile they're engaging in the most chaotic reorganization of home care. You know, you take something that's barely holding on, and then they decided they needed to reorganize it and contract it out to a bunch of corporations who are completely not equipped to provide the service, and you create even more chaos.

In my riding when I did my Christmas poinsettia tour – in December I went to 15 different centres in my riding where seniors live – I heard time after time after time again about how home-care services had decreased and how the quality of care accessible had decreased and how their quality of life had decreased as a result. This isn't me making it up and just waxing poetic because I like to beat up on you folks. I mean, I kind of do, but that's not it. I am telling you about what people told me as I visited them over the course of December.

And let me tell you, things are not getting better for any seniors. These are seniors in long-term care, seniors in lodges, seniors in assisted living, and seniors in seniors-only apartments. All across the board they are getting fewer services, and they are very stressed and very anxious, and it is your fault. It's as simple as that. You could deal with the issue or not deal with the issue. This throne speech is a recipe or a justification for not dealing with the issue. That's what we've got in here.

The last thing I'd like to say about the throne speech that also deals with conflict is that we have had a few bumps in the old international economic world because of our outrageously shameful record on the environment. What do we say in the throne speech about the environment? How are we going to improve our record and our reputation with our international markets? Here's what we're going to do. Through a new single energy regulator and a new environmental monitoring agency we're going to make Alberta more competitive.

Nowhere in there does it say that we are just thinking maybe – just as an aside, what the heck, little bit of a lark – that we're going to make our air and our water and our land cleaner, safer. Maybe – maybe – we might have wanted to just throw out a carrot to folks who were kind of interested in clean air, clean water, clean land. You know, maybe just a bit. But, no, no, no. Our environmental regulation is focused solely on making us more competitive. And you know what? It is making us more

competitive. Absolutely. But in the course of doing it, it's making us more competitive because unlike almost every other developed nation, we are prepared to sell out our air and our land and our water for a very, very cheap price.

Yeah, people who make money off being able to exploit an absence of standards, an absence of regulations, you're right, they may well come here a bit faster. But the long-term outcome for Albertans, not only in terms of our quality of life but also for our long-term economic health, is not a good one.

8:30

The Deputy Speaker: Thank you, hon. member.

Are there others that wish to speak in reply to the Speech from the Throne?

Seeing none, hon. Deputy Government House Leader, did you wish to move adjournment?

Mr. Denis: Thank you very much, Mr. Speaker. I would move that the House stand adjourned until 1:30 p.m.

The Deputy Speaker: Hon. Deputy Government House Leader, I believe you meant to move to adjourn debate on the throne speech?

Mr. Denis: Do you want to speak, Brian?

Mr. Mason: I have, but I'll do it again if you want.

Mr. Denis: Unfortunately, Mr. Speaker, I don't have the authority to let the Member for Edmonton-Highlands-Norwood speak again, but I would move that we adjourn speaking on the throne speech.

[Motion to adjourn debate carried]

Mr. Olson: Well, it appears that we've done a lot of business today, Mr. Speaker, so I move that we adjourn until 1:30 tomorrow.

[Motion carried; the Assembly adjourned at 8:31 p.m. to Wednesday at 1:30 p.m.]

Table of Contents

Government Bills and Orders	
Second Reading	
Bill 4 Estate Administration Act	191
Consideration of His Honour the Lieutenant Governor's Speech.....	193

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