



Province of Alberta

The 29th Legislature
Third Session

Alberta Hansard

Thursday morning, November 2, 2017

Day 48

The Honourable Robert E. Wanner, Speaker

Legislative Assembly of Alberta
The 29th Legislature

Third Session

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

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Carlier, Hon. Oneil, Whitecourt-St. Anne (NDP)
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Ceci, Hon. Joe, Calgary-Fort (NDP)
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New Democratic: 54 United Conservative: 26 Alberta Party: 2 Alberta Liberal: 1 Progressive Conservative: 1 Independent: 2 Vacant: 1

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Legislative Assembly of Alberta

9 a.m.

Thursday, November 2, 2017

[Ms Sweet in the chair]

Prayers

The Acting Speaker: Good morning.

Let us reflect or pray, each in our own way. In our mind's eye let us see the awesome grandeur of the Rockies, the density of our forests, the fertility of our farmlands, the splendour of our rivers, the richness of our resources, and the energy of our people. Then let us rededicate ourselves as committed stewards of such bounty on behalf of all Albertans. Amen.

Please be seated.

Orders of the Day

Government Bills and Orders Committee of the Whole

[Ms Sweet in the chair]

The Deputy Chair: Good morning. I'd like to call the committee to order.

Bill 21

Agencies, Boards and Commissions Review Statutes Amendment Act, 2017

The Deputy Chair: Are there any comments, questions, or amendments to be offered in respect to this bill? The hon. Member for Lacombe-Ponoka.

Mr. Orr: Thanks, Madam Chair. I rise to speak to part 4 of Bill 21, the Alberta heritage fund scholarship committees. I do have some concerns here about how this has been managed and wonder if the transition that's taking place has been helpful or actually quite unhelpful.

I have in my hand a series of letters from a school in my riding. For the last couple of years they have been contacting me and challenging me about trying to do something about this. In one letter here from April of this year she continues to say:

I really appreciate Mr. Orr staying on top of this. I have not heard anything further from Scholarships Alberta regarding the Rutherford Scholarships, so I assume that there has been no change in policy and that they will continue to refuse to provide schools with lists of Rutherford recipients.

That began a couple of years ago. The schools always used to get the lists. The schools used to be able to celebrate with their students, with their staff the successes of students who had done well. The teachers had the opportunity to be encouraged and to be excited about their students.

But when this began to be changed over and, as is indicated, was I guess we could say absorbed into the government department rather than being handled by the committee, the policy changed. I wonder why, when it was brought back into government, the functionality of this thing declined. For the last couple of years students have been denied the right to receive the list of the students in their school that have received scholarships. As a result, when they try to hold scholarship award ceremonies, when they try to promote the scholarship, the whole thing is essentially stonewalled by the department refusing to provide to them the lists of who their students are.

I think this is entirely not helpful for the schools. The schools, clearly, are not very happy with it. Back in April as well I brought this up with the Minister of Advanced Education. He has been aware of it, but so far the policy doesn't seem to have changed. It continues to be the situation.

I've got other letters here going back a further year, to November 2016. She says: "Hello, Mr. Orr. I don't know whether you've managed to make any headway [at all on this] regarding the new policies." Anyway, she carries on: I want you to continue to work on it.

Here is the correct time and opportunity to ask this question: why are schools not being allowed to be included to celebrate, to acknowledge the students that are receiving the awards? The reason that was given to the school is because it's a privacy of information matter, which, quite frankly, I find extremely hard to believe. It would simply take one line on the application form when the students apply to say that they give permission for the school to receive the names and to recognize the students in their school. I don't see in any way how this policy is helpful. I would like to know if it's going to continue to be the policy of the department to refuse schools the opportunity to recognize their students, to receive the names, to know who in their school has received scholarships. That's my question to the government.

If getting rid of this committee is partly an attempt to deny schools and keep schools in the dark, then I think this is very retrograde policy. I do question what's happening here and would appreciate some answers from the government for the schools in our province in that regard.

Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to comment, question? The hon. Minister of Advanced Education.

Mr. Schmidt: Thank you, Madam Chair. I want to thank the Member for Lacombe-Ponoka for continuing to raise this issue on behalf of his constituents. Certainly, I think we need to first be clear that we are talking about two very different things. The Member for Lacombe-Ponoka is talking about the Rutherford scholarships and the lists of Rutherford scholarship recipients that used to be provided to schools on behalf of the department as well as the Alberta heritage scholarship committee. I think it's important for everyone in this House to recognize that the Rutherford scholarships were never administered by the Alberta heritage scholarship committee. They were always administered by the government of Alberta. There are thousands and thousands of Rutherford scholarship recipients every year, and, of course, that's part of Alberta's promise. We have committed to making sure that every qualified Alberta student not only has a space in a university or college but has the financial means to get the higher education that they need to make their lives better.

By dissolving the heritage scholarship committee, we are in no way impacting government's ability to administer the Rutherford scholarship or any of the other scholarships that are funded by the heritage trust fund, Madam Chair. I just want to allay the concerns of the Member for Lacombe-Ponoka and anybody else who may be worried that the heritage scholarships are in any way at risk by dissolving this committee. They are not. The heritage scholarships are in very good hands, and our students will continue to get them as they always have to pursue the higher education that will make their lives better.

With respect to providing lists to schools of the recipients from their schools, of course, it's a little bit ironic that the members opposite are asking for more red tape on the administration of a

government program. That seems to be uncharacteristic of the way the members opposite carry themselves, but I have committed personally to the Member for Lacombe-Ponoka in the past to look into this. We're still waiting for the department to provide me with a response on why the policy shift changed in the first place and what the factors are that we need to consider before we decide to make the policy shift back to providing lists to schools. Certainly, I will promise to the Member for Lacombe-Ponoka and anybody else who is concerned about this to look further into the matter and certainly appreciate the delicious irony of being asked to create more red tape for our schools and for the department.

Thank you, Madam Chair.

The Deputy Chair: Thank you, hon. minister.

Are there any other members wishing to speak? The hon. Member for Lacombe-Ponoka.

Mr. Orr: My thanks to the Minister of Advanced Education for the clarification. We did check on the Internet, and I guess maybe we misread there. I actually thought the Rutherford fund was under the heritage fund. So thank you for the clarification. That's very helpful.

I do trust we will be able to resolve the issue of the schools at least somehow being able to know who their students are because I do think it adds a real value to the schools and the teachers and the students.

Thank you. I appreciate it.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak? The hon. Member for Edmonton-Mill Creek.

Ms Woollard: Thank you, Madam Chair. First of all, I'd just like to recap the phases and timelines for the review of agencies, boards, and commissions, or ABCs. The ABC review was launched in November 2015 and released the first set of phase 1 results during Budget 2016, announcing the dissolution of 26 public agencies at that time. Phase 1 covered 135 agencies governed by the Alberta Public Agencies Governance Act, or APAGA. This review has resulted in the amalgamation or dissolution now complete or under way of a total of 56 phase 1 agencies, boards, and commissions.

9:10

The ABC review has now reached another critical milestone with the initial review of all ABCs in phase 2 along with additional recommendations from phase 1. Phase 2 reviewed 140 agencies that are not subject to APAGA, which include a large number of self-regulated professional organizations. As a result of phase 2, an additional eight agencies, boards, and commissions are proposed to be dissolved or amalgamated. Another 24 are undergoing further review to ensure alignment with significant ministry initiatives, broader systems reviews, or legislative reviews. The rest of the phase 2 agencies will be maintained at this point in time.

Various administrative and process efficiencies have been found and will be implemented to help ensure ABCs are efficient and effective in delivering their mandates and goals. We will continue to evaluate all agencies to ensure Albertans continue to be well served and represented.

The third and final review phase is under way now and is focused on executive compensation, roles, mandates, and governance excellence in public postsecondary education. Advanced Education is leading the work on this phase.

Turning our attention now to the bill that is before us, Bill 21, the Agencies, Boards and Commissions Review Statutes Amendment Act, 2017, will enable us to implement dissolutions where

legislative amendments are required for 14 ABCs. I'd like to take the opportunity to clarify a couple of questions from second reading as to which phases of the review of the agencies, boards, and commissions are covered by Bill 21. To clarify, Bill 21 covers phases 1 and 2 of the ABC review. Thirteen of the dissolutions proposed in this bill are from phase 1, and one is under phase 2.

I've also noted a few additional questions from yesterday, and I'd like to provide some additional information at this time. First, let me be clear that work continues on phase 3 of the ABC review with a focus on postsecondary institutions. We'll have more to say on this in the future.

Second, members asked about the savings of \$33 million over three years from the ongoing work of the ABC review. I am pleased that our government is working hard to find savings in a thoughtful and measured approach. For example, part of that \$33 million, including savings of about \$5 million in CEO compensation and additional savings, is being found through streamlined processes and efficiencies.

Third, let me take a moment to say a few words about the Alberta Heritage Scholarship Act committees for advanced education. As you recall, during second reading I explained that the Alberta heritage scholarship committees select about 70 of the 49,000 scholarship and award recipients supported by Advanced Education each year. These are specialized selection committees that were stood up on an as-needed basis to adjudicate certain scholarship and award applications. Recommendations were made to the department and finalists selected. Dissolving these committees essentially saves a step in the selection process, and Albertans will not experience any disruption in services. More importantly, Madam Chair, the changes we're bringing forward make the system more efficient, and that's a large part of the goal the government is trying to achieve with our review of ABCs.

In summary, Madam Chair, all of the changes being brought forward by this bill will make government as a whole more efficient, more streamlined, and will remove ABCs which no longer meet the requirements of government and of all Albertans. I strongly urge all members of the Assembly to support this bill.

Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak? The hon. Member for Cypress-Medicine Hat.

Mr. Barnes: Thank you, Madam Chair, and thanks to my colleague across the way for some clarification on the government's intentions. You know, I'm still concerned about a couple of things in general.

First of all, again, we thought on this side that step 3 was going to look at some more value for the taxpayer, some more value for students, some more value and some efficiency and some effectiveness in our advanced education system, and it's not here. Hearing now that this is a consolidation of steps 1 and 2 and that step 3 is still to come, you know, two and a half years into this government's mandate, it makes me wonder. Why the delay? Why the wait? It's something where the opposition has stood up time and time again and said: "Yes. We applaud this. We look for efficiencies. We look for the opportunity for key agencies to be arm's-length and independent from government." So let's get on it.

But in two and a half years the other thing that surprises me is that we're starting to hear from some of our stakeholders about areas where what the government is doing in these changes may have severe unintended consequences. It may lead to more problems for Albertans conducting wealth, Albertans farming, Albertans ranching, Albertans out there who actually have built

Alberta and are actually the ones we rely on to feed us, to create wealth, to provide jobs. When we're getting information on this on such a fast basis, it's good for us to consult, but, again, we didn't have the time frame to know this was coming.

I'm most concerned about the unintended consequences of what this government's doing as it impacts the Agricultural Operation Practices Act. I said this yesterday in second reading. I said that I supported the intent, but did the government get it right? Obviously, in timing and consultation it appears that they haven't.

Apparently, the Agricultural Operation Practices Act is known by Alberta farmers as their right-to-farm law. For years and years there has been great concern about urban sprawl taking up important food production, agriculture land, and it's not easy to balance between people's freedom to choose where they live and how they live and our need to farm and our need to ensure that we live up to our opportunity to feed Albertans and feed the world.

We were originally told that even though this committee has been set and this act is there, it hasn't been used. Well, now we're hearing about a court case that's actually under way under the powers granted through the Alberta Operation Practices Act. Sometimes, you know, when a committee is there, that allows people to operate a little more openly, a little more transparently and make the right decision without going to court.

Of course, we've seen time and time again from this government, from what's happening in Alberta that our court system is so delayed and so clogged up and so backed up. Unfortunately, that makes it so very, very expensive for everyone. If the unintended consequence of what this government is doing with Bill 21 is to force agriculture producers or to force urban dwellers to a very, very expensive court situation, a very, very timely court situation, my goodness, what could the unintended consequences of this government once again not being prepared and consulting on a timely basis be? That greatly concerns me.

The right-to-farm law provides farmers with protection from lawsuits based on the common-law cause of action known as nuisance. I talk to my colleagues in my caucus about it, and they talk about how sometimes it's 2 in the morning and it's the best time to go and get that crop harvested. It's got to be done. We saw it this last fall with our producers when it snowed early, when it formed ice, when it cleared up and unfortunately hit them again, and the crop damage was severe. A lot of the crops stayed on the fields until the spring, and then that caused other problems. My goodness, if we ended up in a situation where a producer was in a lawsuit or a producer had to face an injunction because of the ability to take off his crop on a timely basis, on the highest yield basis – and consumers and Albertans depend on this. The more efficient, the more effective our producers are, the more supply there'll be, the more commodity there'll be, and, obviously, then the cheaper the prices can be for all of our consumers.

Of course, government's main goal, other than being prepared and consulting, is to ensure that competition is enhanced and to ensure that the producers have the best chance to produce effectively and with the highest yields they can.

9:20

Now, I guess what I'd like to hear at this point from somebody on the other side is: have we considered what may happen to farmers under the Agricultural Operation Practices Act if all these situations start to get dragged into court? You know, we have the Farmers' Advocate's office right now, which acts as an administrator for the committee, and then the complaint goes before the committee. We'd heard that there wasn't one; now we hear that there is one. I guess, you know, Madam Chair, my concern is: when

it comes to our solid agricultural producers, has the government thought this out?

I'm looking forward to further discussion on this, and I'm looking forward to amendments. I'm hoping that the government has analyzed their unintended consequences.

Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak? The hon. Minister of Agriculture and Forestry.

Mr. Carlier: Thank you, Madam Chair. You know, hearing what the member has to say about, you know, the farming community and the concerns they have, he's right when he talks about how the Agricultural Operation Practices Act is an act that farmers and the farming, agricultural community use, as he characterizes, as the right to farm.

Now, he also the other day talked about how the public agency, the AOPA review committee, hasn't met in six years. They haven't. There are no public members on that committee. It doesn't preclude the ability for the ministry to be able to create an AOPA public review committee if needed. It will draw on members of the public. You can still do that. It doesn't need to draw on the public agency that, as far we're concerned, has become redundant, and I think that redundancy is obvious when it hasn't had any members on it and hasn't had any duties, you know, for the past six years.

I think it is clearing up, you know, some of that red tape. It is clearing up and perhaps streamlining the ability for farmers to do just that, and that's to get on with the business of actual farming. The Agricultural Operation Practices Act still exists. It's the main piece of legislation that gives the right to farmers to do just that, and that is farm. It's in place to look after especially those intensive livestock operations when there are issues of concern that can be brought up and can be addressed, can be rectified so they can get on again with the business of doing that actual farming.

You know, being able to dissolve the public agency will in no shape or form affect the ability of AOPA to do its job, the ability of the ministry to appoint, draw members from the public for a public review committee when and if it's needed. The ability still stays there. There's no loss of that ability to ensure that the work still continues. At the same time, there's an opportunity now to get rid of a portion that had become redundant and, in my mind, is no longer needed, stressing that the ministry still will have the ability to appoint a public review committee when and if needed.

Thank you, Madam Chair.

The Deputy Chair: Thank you, hon. minister.

Are there any other members wishing to speak? The hon. Member for Drumheller-Stettler.

Mr. Strankman: Thank you, Madam Chair, and good morning, everyone. It's a good day in Alberta to be in the Chamber here, and I appreciate the comments of the minister going forward in regard to this bill and the portions of it.

I think the minister knows that we live and die by the words of this Chamber. That's the reason for the recording of *Hansard*, to make sure that everything is recorded in a legal manner so that, should legislation be brought forward, everyone can publicly inspect the words that we use and, therefore, the way that they are interpreted beyond that, possibly even in courts, and the use of the legislation going forward.

I'd primarily like to speak to what the agriculture minister spoke to, the agricultural practices review act and, stemming from that, the review committee. There are important things going forward there.

Madam Chair, I'd like to table an amendment going forward, and then I'd like to be able to speak to that. Would it be your preference that I do that now?

The Deputy Chair: Yes, please. If you can just provide me with the original.

Mr. Strankman: I'll keep one. The original is on the top.

The Deputy Chair: Thank you, hon. member. Your amendment will be referred to as A1. Please proceed.

Mr. Strankman: Thank you, Madam Chair. To my previous conversation and the conversation from the minister, I'd like to present the amendment and read it as an amendment to Bill 21. I would like to move that Bill 21, Agencies, Boards and Commissions Review Statutes Amendment Act, 2017, be amended by striking out part 2 of the bill completely.

My understanding of the bill, then, would be that any review or any inclusion of part 2 would be stricken from the act, and therefore we would not be faced with a review committee amendment.

I think, Madam Chair, that in reviewing the bill – and I have a copy of the bill right in front of me – it's important, as I've stated to the minister and to others in the Chamber and in *Hansard*, that we live and die by the words even though it's a small, two-letter word in the portion of the section under part 2.

Amends RSA 2000 cA-7

3 The Agricultural Operation Practices Act is amended in section 4 by adding "if a practice review committee is appointed to consider the referral," after "made and."

Now, I know that it's a small word. This may be some sort of a technical technicality, but I've seen it in legal precedent personally and in other cases, in this case the word "if." It's a small word. Even the minister in his dissertation moments ago said of the review committee, which is a part of the agricultural practices act: if the minister decides.

I think that's an important qualification, Madam Chair, because the Agricultural Operation Practices Act, which the farmers of rural Alberta and indeed many parts of the country view, perceive to be their right to farm as part of their heritage, is part of the property rights that they have. It was created as a protection of those property rights and a protection of their heritage and a protection of their ability to operate their farming practices as normal farm practices.

9:30

As a long-time and former aerial applicator I've applied chemical in and around farming communities and acreage communities from Innisfail, Alberta, to Frontier and Carlyle, Saskatchewan. In some of the cases where there are acreages involved and we're out there applying chemical, those acreage owners take great aversion to what they perceive to be the dangerous flying manoeuvres and application procedures of aerial applicators in applying chemical to the neighbouring farmland, but that aerial application manoeuvre is actually a standard practice. It's part of a standard practice, not unlike chasing cattle down a roadway, which can create dust, the spreading of farm waste, manure from hog operations that may have gone on on a farm operation for generations. Then they are forced by someone who moves there, as my colleague from Cypress-Medicine Hat has stated, in an urban sprawl situation, where those people take great offence to something that was actually a normal practice before they moved there.

Madam Chair, I think it's important that we be exercising and cognizant of our due diligence in this Chamber to protect the rights of agricultural producers. It's part of the heritage of where our food comes from, and I think it's very important. As my colleague

mentioned and as I've been made aware of, there actually is now a court case that is in procedure under the auspices of this act. The maintenance of this review committee is not necessarily a financial burden. These people do not get paid per diems. The maintenance of this committee is not an ongoing financial burden to the government. It's simply a definitive, verbal recognition of a legal requirement under the present legislation.

Not unlike my friends on this side in the Chamber, Madam Chair, I'm respectfully trying to make this argument to the minister and my colleagues, and many of my colleagues of the government and in the government are from rural-based areas, whether it be, in the case of some members, even an agricultural process called forestry. There is action that goes on that people who may move to an acreage feel offends them, but that has been a practice in those areas for a long time, and we need to have a respectful way, not based on the word "if" the minister decides. It should be enshrined in legislation as "when" there is a complaint so that we could go forward on and actually understand it. I think it's important to get this on the record, and I'm anxious and respectful, hopefully, of our time here today to hear what the rest of my legislative colleagues have to say about this. Even though it may sound like a technical argument, it is very important to a good part of the constituents of Alberta.

I need people to know that one of the pairs of legal eyes that saw and caught this was a property rights lawyer, actually, from St. Albert, who in a past time travelled throughout the province, with north of 50 presentations throughout Alberta. The previous government in this province faced the wrath of his presentations. That could quite possibly be one of the reasons why they are not in government this day, the information that he provided to Albertans about property rights and about the negativity of legislation where the government sloppily, I will say, or without due care and attention created unintended consequences that this gentleman spotted and referred to the rural people. There was a province-wide negative uprising to the legislation, Bill 36, that was presented at the time.

Madam Chair, I'm anxious to hear the comments of the rest of my colleagues. I stand down.

Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any members wishing to speak to amendment A1? The hon. Minister of Agriculture and Forestry.

Mr. Carlier: Thank you, Madam Chair, and thank you to the Member for Drumheller-Stettler for his comments. I understand his concerns, the concerns of his constituents – his constituents are very similar to my constituents – to be able to have their operations. In the case of AOPA reviews it's often of intensive livestock operations. Now, the Agricultural Operation Practices Act Practice Review Committee hasn't had any members on it since 2011, right? Since that time, in this interim of six years or so, there have been new, you know, operations. New intensive livestock operations have taken place.

In many respects the public agency, you know, has become redundant. No new members have been appointed. Under AOPA, the Agricultural Operations Practices Act, the minister, myself, has the ability to appoint public members. In the past you drew on that public agency to draw those members from. There were no members to draw from because no one had been sitting on that agency since 2011.

This, you know, in many respects is clearing up red tape. It doesn't take away from the ability of the minister, myself, to be able to appoint members for a review when they come up. It is, I think,

somewhat good news that a lot of reviews don't take place. I think the vast majority of Albertans understand the importance of agriculture to the economy of Alberta and how important it is to our culture, a backbone of who we are.

Saying that, it is appointing individuals to the public review committee who would be picked from the agriculture community itself. We're making sure we have the expertise on the review committee to be able to review whatever the complaint might be. The complaints are often around dust, noise, odour in the case of intensive livestock operations. All of these are taken into consideration with the review committee. Like I say, the ability for myself as minister to be able to appoint from the public still exists. It always has. Now it does away with an agency that hasn't had anyone on it. It doesn't now, in fact, really exist.

I want to assure the Member for Drumheller-Stettler and I want to assure the members and Albertans that the ability to review any problems, any complaints based on the Agricultural Operation Practices Act will still continue as it always has. This is just clearing up a little bit that has become redundant over the past six years and continuing to do the good work that Albertans see that the department does, that the government does to ensure that agriculture remains the economic force in Alberta that it always has been.

Thank you, Madam Chair.

The Deputy Chair: Thank you, hon. minister.

Are there any other members wishing to speak to amendment A1? The hon. Member for Barrhead-Morinville-Westlock.

9:40

Mr. van Dijken: Thank you, Madam Chair. I find it interesting that we're going to, by putting forward this part 2 in Bill 21, possibly drop a piece of a committee that has been very effective in allowing us to move forward with no cost involved. I believe that the fact that the committee is there has allowed Albertans to operate in a fashion where they know they need to operate fairly and in co-operation with each other, neighbours being able to get along and recognizing that there is a committee there to protect normal farming operation practices. If we move in a direction where we no longer have a committee there – you know, in the '90s it became very evident that the farmers' right to farm needed to be put into place to ensure that they could continue on with normal farming practices. Now we are to a point where it's been very effective, the fact that the committee is there and that people are not going to all of a sudden get into court challenges and that type of thing.

I do believe that with something that is costing us nothing yet is being very effective in allowing this Agricultural Operation Practices Act to be effective, we do it an injustice in recognizing how effective it has been by now getting rid of it. The fact that there's no activity, in my opinion, does not justify removing it. I actually believe that no activity in this instance is justifying the relevance of it being there. If it was a consideration based on excess funds having to be spent in order to keep this committee in place, that might be a different story, but in reality this costs us next to nothing – no money, maybe a limited amount of funds – to ensure that farmers continue to have the right to farm and that we have a mechanism in place that does not have to rely on court proceedings and those types of actions in order to protect farmers' right to farm and go about their normal farming practices.

So I speak in favour of the amendment as it's worded. I believe that this is definitely not necessary at this time and that we should move forward to ensure that with the right-to-farm laws and what other Canadian provinces were enacting at the same time, in the

'90s, we ensure that this type of committee is in place and that we protect that right to farm.

Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak? The hon. Minister of Agriculture and Forestry.

Mr. Carlier: Thank you, Madam Chair, and thank you to the member for his comments. I would, you know, agree and disagree with some of the comments he's talking about. I agree about the importance of agriculture in Alberta, without a doubt, but I disagree about the effectiveness of this committee, which, in fact, hasn't had anyone sitting on it since October 6, 2011, right? The committee: there's no one sitting on it. It's hard to validate the effectiveness of a committee that, in reality, doesn't exist.

At the same time, I want to again stress that under the Agricultural Operation Practices Act it doesn't preclude the ability for me to be able to appoint a practice review committee when complaints do come up. That still exists. The ability to protect the potential operation of a new facility anywhere in the province still exists and will continue to exist and always has. The fact still remains – you know, facts are facts – that the effectiveness of this committee doesn't exist because for the past six years there was nobody sitting on it, right? In that six-year time we've seen intensive livestock operations, new operations, open up across the province as farmers, ranchers, producers expand their operations. Maybe there are some new entrants into the industry that are operating new businesses, which is all great news.

Part of that great news is the ability of the Agricultural Operation Practices Act to continue the work that that act enables the minister and the department to do to ensure that those operations become viable and at the same time protect the interests of the public when there are some valid concerns. It's doing a dual job, and that is protecting the producers and protecting the public, you know, from potential issues that they might have. It goes a long way to educate the public as well of the importance of agriculture and the ability of farmers to do what they should be doing, and that's doing the good job they are of feeding us all.

Thank you, Madam Chair.

The Deputy Chair: Thank you, hon. minister.

Are there any other members wishing to speak to amendment A1? The hon. minister – or the hon. Member for Little Bow.

Mr. Schneider: Oh, thank you very much.

The Deputy Chair: I just wanted to make sure that you were listening.

Mr. Schneider: Thank you, Madam Chair. The government's press release describes Bill 21, the Agencies, Boards and Commissions Review Statutes Amendment Act, 2017 – and I've been asked to be very short, so I will be – as a proposal “to repeal or amend nine pieces of legislation [in Alberta and] to dissolve 14 public agencies,” including the farm practices review committee under the Agricultural Operation Practices Act.

Now, as has been said here by both sides of the House, the AOPA is known by Alberta farmers as their right to farm, and it provides farmers with protection from lawsuits based on the common-law cause of action known as nuisance. Now, that common law allows a neighbour to seek damages and an injunction when they feel they are impacted by operations of a farm, which could be dust or noise or odour that comes from normal farming practices. In the '90s Alberta followed the lead of other Canadian provinces and enacted

the right so that farmers would have the ability to have complaints by neighbours such as this go to a committee. That committee is purely a peer committee; that is, made up of people that, you know, would be understanding of what goes on in farming operations.

If we were to look at a farmer that may just be outside of an urban centre, say he's been farming in Alberta since his grandfather homesteaded in the early 1900s and is still farming on the same land, and someone from a new subdivision that Joe farms beside – Joe Schmo, let's say, is the name of this farmer who determines that he has to combine until 1 or 2 o'clock in the morning, and he does this everywhere, but it just happens to be beside some people that have moved into a new subdivision.

You know, folks, there's one thing to remember here. In this agricultural life there's only one payday, and every farmer that actually has to get a crop off spends every waking minute either doing it or thinking about doing it. It's an important part of the entire agriculture industry in the province.

One more point I just should make – I was asked to be short, so I will. This committee at the moment has a case currently under way, if I'm not mistaken, under the powers granted under AOPA in regard to a hog barn and smells. Is the committee active and hearing this particular complaint? I guess that's a question for the minister. I have it under pretty good information that the committee has a case currently under way under the powers granted to them under the AOPA.

9:50

I mean, once again, if a different level of government, a municipality, decides setbacks for a hog barn, let's say, in this case, that's determined at that level of government. This is what always happens when, probably, urban sprawl starts and folks move into the rural areas and, with respect, bring urban ideas with them. We always have to be respectful of the fact that Albertan farmers and farmers all over the world are charged with feeding the world. Like I say, there's only one payday in this business, and you have to go and get it. The short amount of time that it actually takes for these guys to get this job completed has to be taken into consideration.

With that, I will just say that I do support the amendment and hope that the rest of my colleagues do as well. Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak to amendment A1? The hon. Member for Cypress-Medicine Hat.

Mr. Barnes: Thank you, Madam Chair. Just a couple of more thoughts. I wholeheartedly support my colleague from Drumheller-Stettler's amendment for a number of reasons. First of all, the committee doesn't cost us any money – so it's not a valid argument that this consolidation saves us money – and it's working.

Potentially, the fact that right now all the complaints go through the Farmers' Advocate's office, who appoints a committee and then delivers a binding decision on whether the farmer is following generally accepted practices: it's obviously a situation where experts, where industry best practices are adhered to and honoured. As my colleague said and as I said earlier, at a time that we need more than ever our good agriculture producers, anything that a government does that could reduce a farmer's right-to-farm protection could have severe – severe – unintended consequences.

As my colleague from Drumheller-Stettler said, the word "if" concerns me greatly and the potential to make it political. What isn't an "if," as my colleague from Little Bow just stated, is that the common law, the generally practised law, allows neighbours to seek damages and an injunction where they feel they are impacted by dust, noise, and odours that can arise from a normal farming

practice. Thank goodness we live in a society and a province where legal remedies are there for all.

But, again, we've talked about urban sprawl and how the nature of the two ways of life can sometimes collide. Now we have a situation where the agriculture minister or the cabinet can make it political if – if – the minister decides to appoint the board, if a practice review committee is appointed to consider the referral. So "if" means "if not"?

My concern is that sometimes when something's there and is quiet, that means it's working. Madam Chair, I would seriously ask all of my colleagues in this House to stand up for farmers and ranchers, to stand up at a time when this industry has been again under attack from all sides, whether it's the environment, fires and snow, attack from urban sprawl and environment groups.

Mr. Minister, I'm very, very concerned that the lack of consultation, that the unintended consequences will come right out of Albertans' lifestyle and will come right out of Albertans' pockets and our heritage of fifth- and sixth-generation farmers and ranchers. I would ask you and your colleagues to reflect on this, to act with caution, and support my colleague's amendment to strike the word "if."

Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak to amendment A1?

Seeing none, I will call the question on the amendment.

[The voice vote indicated that the motion on amendment A1 lost]

[Several members rose calling for a division. The division bell was rung at 9:55 a.m.]

[Fifteen minutes having elapsed, the committee divided]

[Ms Sweet in the chair]

For the motion:

Barnes	Loewen	Schneider
Cyr	Panda	Strankman
Gotfried	Pitt	van Dijken

Against the motion:

Babcock	Hinkley	Piquette
Carlier	Hoffman	Renaud
Carson	Horne	Rosendahl
Connolly	Kazim	Sabir
Coolahan	Kleinsteuber	Schmidt
Cortes-Vargas	Loyola	Schreiner
Dach	Luff	Shepherd
Dang	Malkinson	Sigurdson
Drever	McCuaig-Boyd	Sucha
Feehan	Miranda	Turner
Goehring	Phillips	Woollard
Gray		

Totals:	For – 9	Against – 34
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[Motion on amendment A1 lost]

The Deputy Chair: We are now back on the original bill. The hon. Minister of Advanced Education.

Mr. Schmidt: Thank you, Madam Chair. I seek unanimous consent of all in the Chamber to revert to Introduction of Guests.

[Unanimous consent granted]

Introduction of Guests

The Deputy Chair: Hon. minister, please proceed.

Mr. Schmidt: Well, thank you, Madam Chair. It's my pleasure to rise on your behalf and to introduce some of the smartest and hardest working students in the whole province of Alberta, the grade 6 class of McLeod elementary school. They are here to attend School at the Legislature this week, and they have the privilege of watching us make life better for Albertans this morning. I appreciate them joining us, and I wish them all the best in learning about the practice of democracy here in our great province.

The Deputy Chair: Welcome.

Bill 21 Agencies, Boards and Commissions Review Statutes Amendment Act, 2017 (continued)

The Deputy Chair: We are now back on the original bill, Bill 21. Are there any other comments, questions, or amendments? The hon. Member for Bonnyville-Cold Lake.

Mr. Cyr: Thank you, Madam Chair. I have to commend my colleague for putting forward such a good amendment. The fact is that we're trying to improve this legislation and work with government, and sometimes it appears that partisanship gets in the way of actual common sense.

Now, this is something I'd like to discuss moving forward, the Alberta Economic Development Authority. This was something that was established in 1994, and I would say that from the notes I've got, the last time it met was early 2015. What's important to recognize here is that this group regularly puts forward reports on the competitiveness of government. The last report, coincidentally, was done in 2014, and this authority is now more or less no longer meeting.

It's interesting to see exactly what it is that this authority had done in previous years, so I'd like to read from a report that was moved in June of 2015, just after we actually took office. This is important. Now, the report itself is the Report on Competitiveness: Alberta 2014 from the AEDA. I'm going to quote from the message from the AEDA. Specifically here what's important and what they're trying to bring forward is information.

Alberta continues to perform very well in the benchmarking comparison – the province continues to have a high level of GDP per capita, low unemployment rate, and strong job creation. Gains in Alberta's relative ranking in productivity and innovation are also evident in the report. These improvements have come at a [critical] time for the province, as these support sustained prosperity for Alberta during downward cycles in resource prices. Alberta continues to be a leader in tax competitiveness and fiscal policy.

However, the economic landscape is changing as Alberta faces the challenges of a new low oil price environment. The impact of low oil prices on Alberta's economy and competitiveness will depend on how responsive the key players in the economy are to opportunities to innovate, improve productivity, and enhance competitiveness. Low oil prices will result in lower growth and higher unemployment in the short to medium term, but the slowdown in the energy sector gives rise to new opportunities for diversification (as human capital and resources are freed up for [each of the] other sectors) and also leads to a strong incentive to innovate and improve productivity and competitiveness.

Now, we recognize that low oil has had an impact on our economy. There's no disputing that. The move the government had made was that they started the Economic Development and Trade department. That was according to the press release – and I can be corrected if I'm wrong here – on October 22, 2015.

What we have is a group that rates our competitiveness, the Alberta Economic Development Authority. What they're doing is trying to see where we fit in the grand scheme of things. Now, we end up with a new ministry to focus on economic development. I will go and read from the press release from October 22, 2015, New Ministry to Focus on Economic Development. I'd like to specifically focus on the two quotes from the Premier herself and the Minister of Economic Development and Trade.

Our government will be a good partner to job creators, by supporting the development of a more diversified and resilient economy. The new Economic Development and Trade department will provide leadership in efforts to create opportunity and lasting prosperity for all Albertans.

Now, that's the Premier.

Let's go on to what the Minister of Economic Development and Trade had said in the same press release.

We need to take the qualities that have made Alberta an energy leader – including an innovative, entrepreneurial culture and a highly skilled workforce – and apply them to the challenge of building a diversified, 21st century economy.

This was where the minister goes on and creates the wonderful Bill 1, the notorious Bill 1, that is more or less a job description of what he is supposed to do. It is Bill 1, Promoting Job Creation and Diversification Act. What's important here is that the minister was supposed to create partnerships that support entrepreneurship and focus on innovation. This goes right within this Bill 1. What we see here is that the minister more or less starts making new ways of creating grants; specifically, I believe it was \$5,000 for every new employee. This is something that was very underutilized because the fact is that almost all businesses within Alberta were shrinking.

10:20

Now, if the minister had been meeting regularly with a group of stakeholders, like possibly the Alberta Economic Development Authority, they probably would have been able to tell him that this was a mistake. They would have been able to go on and say: "We understand where you want to go with this. We understand that you want to get the money to the small-business owners to grow their businesses, but right now is not the time for us to be increasing taxes."

That is actually where we're needing to be very clear, which is why it appears that this government shut down this authority because we started to see reports or were concerned about seeing reports from this group saying that we were no longer competitive. When we start looking at the fact that we've got a carbon tax, we've got personal tax increases, corporate tax increases, we started seeing an education levy that was put on all of our property taxes, all of this stuff is impacting our small-business community, making us less competitive – less competitive – to our neighbours and other jurisdictions within the world.

What's important here is that when we start looking at groups like this one – and I'm not saying that this group necessarily was the answer to all of our problems, but it could have been a place for that minister to be able to hear what average Albertans were saying instead of putting forward a grandiose plan that failed completely. I'll tell you that my constituents of Bonnyville-Cold Lake – and I've repeatedly said this in the House – have been impacted by the failures that come from that minister and within his ministry. We absolutely need to be looking at reinforcing our business community, our small-business community. Why is that minister

not up in the House saying that we need to be competitive within Alberta?

Obviously, what happens here is that we've seen lower personal taxes, lower corporate taxes, and it comes down to the fact that when Economic Development and Trade is a ministry that is not doing its job, we end up with a failure to create new growth, and that's shameful. So what I would like to know is: did the government shut this authority down because they're terrified of the reports that are going to show that we're less competitive to our neighbours? And is there an incentive here to hide from Albertans how exactly we are doing in the grand scheme of Canada? I believe that when we start looking at this and we start investigating it, we're actually going to see that we're less transparent, less accountable to Albertans, and that's shameful.

Thank you very much.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak to Bill 21?

Seeing none, I will call the question.

[The remaining clauses of Bill 21 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Deputy Chair: Opposed? The vote has been carried for Bill 21.

Bill 22 Resident and Family Councils Act

The Deputy Chair: The Committee of the Whole now has under consideration Bill 22. Are there any comments, questions, or amendments to be offered in respect to this bill? The hon. Member for Edmonton-Centre.

Mr. Shepherd: I apologize, Madam Chair. You said Bill 22? Excellent. Well, thank you. I appreciate the opportunity to rise and speak to Bill 22, Resident and Family Councils Act.

Madam Chair, I have a number of seniors' residences here in Edmonton-Centre. I can never remember the exact count, but I know that it's at least more than a dozen. I do make an effort every year to visit each of those residences at least twice a year to have the opportunity to meet with residents and to speak with them, to hear their concerns and be able to share with them the good work that we're doing here at the Legislature and some of the events and things that I've been working on here in the community.

I can tell you, Madam Chair, that seniors in Edmonton-Centre are engaged. Out of all these opportunities I always enjoy the opportunity to hold a bit of a town hall, to take questions from the seniors that I'm visiting with, and they always have a number of very prescient questions. They're well informed about a lot of the work we're doing here in the Legislature. Indeed, I'm happy to say that a majority of the seniors that I meet with and speak with are very supportive of the work that our government has been doing and appreciative of many of the steps that we've taken on behalf of seniors.

But one of the things I have often heard from them about while we talk about government policy and other things: they often raise with me concerns about the residences where they live. Seniors, Madam Chair, are very engaged in building their communities. They're very engaged in speaking with each other and with looking at the different issues that happen. In some cases I've heard from

residents that they have concerns about how they're able to raise those concerns and being able to have them be heard. They've talked with me about, you know, raising concerns with management about one issue or another or speaking with others and trying to have issues addressed and that they feel that they have been shut out or that they're not able to have their voices heard or that they have difficulty engaging.

That's in a variety of different residences, Madam Chair, whether that's in public hospital facilities in some cases, in some cases other forms of affordable housing that have been provided, and, indeed, in some cases even in facilities like, say, life lease facilities and others, so I was really happy when I saw that the Minister of Health was bringing forward this bill to ensure that all seniors, all residents in these facilities will have the opportunity to engage in a council, to have that opportunity to be a part of the process to ensure that their voice is heard in the consideration of issues that affect them directly.

If passed, this legislation will expect the establishment of a resident and family council in all long-term and licensed supportive living facilities. We recognize, of course, that there are going to be some facilities that may have already set these up. Of course, we recognize that these are important mechanisms for giving them the chance to present their requests, their concerns, and propose solutions. It gives the opportunity for them to work together with the folks that manage these facilities to set up a resident or family council, to have that discussion.

The family part is important as well, Madam Chair, because indeed not only have I heard from residents of these facilities, but indeed we recognize that in some cases residents are not always able to advocate on their own behalf. This provides the opportunity for families to now have that opportunity to engage and to be able to look out for the care of their loved ones and to be able to have a well-established and defined process by which they can raise concerns and participate in discussions that are going to affect the lives of those they love.

You know, one of the reasons, Madam Chair, that I ran to be an MLA is because I saw that many people felt disenfranchised within the political system. I saw that many people felt that there was no point in being involved in politics, that there was no point in even voting in some cases because they felt that government would never hear their concerns. One of the reasons that I ran was because I wanted to improve that, that if I was given the opportunity to serve as an MLA, I would work with my community to help them better understand the way government functions, to inform them when they had opportunities to engage, and, indeed, demonstrate to them that their government representative, in fact, did care, wanted to hear their thoughts, and would fight on their behalf.

I see this much the same way, Madam Chair. This is an opportunity now for residents in these facilities to have a part, I guess, in what in many respects is a bit of a smaller government that looks after the affairs that affect them in their everyday lives.

I, for example, lived for eight years in a condominium that I own here in downtown Edmonton. Having the opportunity to participate on the condo board at that building was very important for me, and indeed that was my first taste of politics and where I sort of cut my teeth and sort of learned about organizing individuals and advocating for ideas and, indeed, having the opportunity to make change. This is an opportunity that we're now having the opportunity to extend – boy, I'm saying opportunity a lot today; word of the day, yes. This is a chance now for individuals who live in these facilities to have more of a connection, to participate in the decisions that are being made that affect their everyday lives.

I'm very happy to see that this bill covers persons with developmental disabilities who live in residences as well. That was

something that came forward after we had some initial conversations with advocates who represent the residents and families. They also felt that councils would be a great benefit to their loved ones and to the family members, give them a chance to have a greater voice and opportunity to engage.

10:30

Once this legislation comes into place, any facility resident or family member is going to have the opportunity to establish a family or resident council. It's led from the ground up, which I think is a good approach. The act will support self-governing councils, and it's going to be flexible, which is great.

Last night I was at an event, and I had the opportunity to speak with Mr. Greg Christenson, whose company, Christenson Developments, has built many seniors' facilities across the province and around the city. I had a chance to speak with him a bit about this bill, and he expressed general support. It was important for him that there be recognition that not all circumstances in all buildings and all facilities are going to be exactly the same.

This allows some flexibility to enable residents and family members to determine the best processes and procedures for their individual councils, those being what roles members would play, the meeting format and the frequencies, and when and how the facility representatives should be involved in the council meetings. If a facility already has some form of group in place at the time, then the group has the opportunity to consider how the resident and family council would best integrate with the purposes of this legislation. I really appreciate that the minister has taken this into consideration, offering the opportunity for what is really the intent of this bill. This is to help facilitate communication.

In many respects, Madam Chair, my experience as an MLA has been that in a large majority of the cases when people come to me with questions and concerns, having the opportunity to sit down and talk through it, having a conversation to be able to explain clearly what policies and procedures exist often will solve a large majority of the problems. In many cases, when an individual may be angry, it's easily resolved by simply having the chance to sit down and talk it through.

I'm very happy to see this legislation come forward. I look forward to standing and voting in support and being able to go back to my constituents and let them know about this new opportunity. Thank you, Madam Chair.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak to the bill? The hon. Member for Chestermere-Rocky View.

Mrs. Aheer: Thank you, Madam Chair. I would like to bring forward an amendment if I may.

The Deputy Chair: Oh. Sure. If I could just see the original and five copies, please. Once I have them, you can go ahead.

Mrs. Aheer: Thank you.

The Deputy Chair: Thank you, hon. member. Your amendment will be referred to as A1.

Mrs. Aheer: Sorry. Pardon me, Madam Chair. As . . .

The Deputy Chair: As A1. You can proceed.

Mrs. Aheer: Thank you, Madam Chair. I'd like to move that Bill 22, Resident and Family Councils Act, be amended as follows: section 2 to be amended (a) in subsection (3) by striking out clause (b) and in clause (d) by striking out "and not less than every 6

months thereafter until a resident and family council is established"; and (b) by striking out subsection (4). Also, section 5 is to be amended in clause (b) by striking out "or (4)(b)" and in clause (k) by adding ", if one has been established by the facility" after "whenever to the best of the operator's knowledge no resident and family council has met within a 6-month period."

I'd like to thank the member for bringing this bill forward. It's always wonderful to be able to open the lines of communication. As you have as well, I have spoken with many, many seniors in different facility groups and with special needs and disabilities. There is definitely a lack of communication at times for facilities that needs to come forward. The only concern that we have is that we want to make sure that the establishment of these councils is actually the choice of the folks that are in the buildings.

Any time you're establishing a board, for those of us who've been on those boards, there really has to be the momentum to be there. So if it becomes onerous to force an owner of a facility to create these councils, we have to make sure that the bill reflects that because within the structure of what's going on in these places, we would love to be able to legislate goodwill. If that was possible, I think all of us would like to be able to do that, but it's not always possible to legislate that. On top of that, we have to make sure, again, that the facility and the folks within that facility are actually asking for this particular thing.

The reason for the amendment to this is that there is a humongous burden that is then put on the facility owner to make sure that these councils are occurring. The question, I suppose, that I have, Madam Chair, is: if the residents do not want a council, then how will the bill facilitate that or support the groups that are coming forward that may of course want to communicate? I don't think it's a matter of questioning whether there's a need for communication. I think that's a very, very good point. My question is actually how you hold the facility operator accountable to create that.

Secondly, what if the people within the facility are actually not in need of a council and actually have something that functions for them? Does what they have already fall under the premise of what's being put in the bill? Can it be altered to manifest for what's already working in a particular building or facility? Those are some of the things that this amendment, I think, probably covers.

The other thing is that the amendment gives an initial set-up period where the owners have to play ball. What is the consequence for not setting up this facilitating group should it not be set up the way that is intended by the bill? Is there a consequence for the property owner? Is that more red tape for them to have to go through? As we know, there's a humongous burden on these folks already to make sure that facilities are operating the way that they should. By creating this group – again, I think it's a bit ambiguous. We're not quite sure how that legislation will impact those groups that are already there and, even more so, the owners of the facilities.

I appreciate the spirit of the bill. I really do. Like I said, if you could legislate goodwill, that would be wonderful. But as we know, in most of these facilities these are, you know, human beings, that function together. I'm not quite sure I understand the rigidity of the space and time in terms of putting that council together, especially if they have one. Then how do they come forward, again, and show that their program is working if it doesn't follow along the lines of what's being legislated here? These are just some questions that I have. If the member is able to answer those, that would be absolutely lovely. I'd appreciate that so much.

Some other concerns that I have. You'd mentioned that it's quite flexible. To the point of what I'm asking, maybe that's part of the legislation that I don't quite understand. I think, again, something that this amendment will help to bring forward is to make sure that whatever intended flexibility is to be there for the property owners,

that can probably be laid out in a way that, again, doesn't become quite so onerous for the facility owners.

When you're creating any sort of council, if you're forcing a group to come forward, my only concern, I suppose, in this situation: some of these folks that we're talking about could be considered vulnerable, right? You were mentioning that sometimes families may be stepping in to help out with the councils and have a say. As much as I'd love to believe that 90 per cent of those people are going to have, in good faith, the best interest of their family members that are there, the concern is: what if the intention is not so good, right? Do we have an availability to be able – I wouldn't know how to judge that, right? If there are vulnerable folks involved, which, technically speaking, we could be talking about at this point in time, the desire to create a council in order to communicate is great, but if the communication is being taken over by a really, really, you know, very adamant and animated family member based on their needs in that space, that also could become very onerous to the facility owner, which could cause problems between the folks who actually live there and the facility owner. Just something to consider in the grand scheme and the broad spectrum of what you're trying to create with this legislation.

10:40

One of the things I really like that you said is that you're wanting to build communities. I understand, again, what you're trying to do there, and I totally understand the process of wanting to put in a structure that could eventually, you know, potentially have that ability to build community. We just want to make sure always that the folks that are in charge are the folks that are in charge, right? [interjection] Well, if we're talking about a community – right? – and putting in a council to do that, the council obviously would be the communicator to the facility owners, as I understand it.

We want to make sure that that council is actually respecting and understanding what's in the best interest of the people that are there, not necessarily self-interest towards the owner, because, again, we only have a small group of people that are then representing the best interest of the people there. It's hard to oversee that. Again, if you could legislate goodwill and the ability to manifest good government in that space, that would be wonderful, but I don't think we can as a government have that sort of oversight. It has to be a choice, and it has to come from the residents of that building.

I was reading in this legislation that the structure and the procedures – there's a tool kit, as I understand it, that will come as a guide. The government would be making a tool guide to go forward?

Ms Hoffman: Yeah. It's already in *Hansard*.

Mrs. Aheer: Yeah.

These are some of the things that I'm just asking, within that tool guide, to consider with this amendment, the space in order to make this be a form of choice for these people and not to be legislated into creating something that by all rights – I totally understand where you're coming from. We want to make sure it actually is reflective of the residents that are in there and not of a group of people who, like I said, may have the best interests but might be a little bit, you know, self-involved, too, which happens, right? It happens to all of us. I've been on lots of boards. Sometimes you're in your bubble and you get stuck in the bubble, and as a result of that, you kind of forget why you're there in the first place.

I'm not sure how you'd legislate that, so hopefully within the tool kit that you're bringing forward is the ability also to help with how it is that you're collecting information, surveys, whatever it is, within that building to make sure they have concrete evidence going

forward to make a decision on the board to go to a facilitator – right? – those kinds of things. I'm sure you've thought about all those. It just wasn't in the broad spectrum of what I understood in the legislation.

The other thing is that – and I'd mentioned this before. When you give it up to the residents and the families to take the lead, as a mother of a child with special needs – although, believe me, my son is completely capable of taking on his own life. He's got his driver's licence. Just saying: watch out. He's awesome. I know for myself – and, those of you who know me in here, I'm a little Type A, and I have a very vocal voice – I love to participate in my son's life as much as he would like me to. I'm his major advocate in the world, but he would, I think, many, many times appreciate me stepping out of his life even as much as I'd like to be in his life. This was my concern. I'm actually using myself as the person that could oversteer my son's individuality and his right to make decisions because I think I know what's better for him.

I can only base it on self-anecdotal information, so that's where that piece comes from. Hopefully that's helpful because, like I said, I don't think that there's a family member out there that would willingly hurt or go against what their families are wanting. But, you know, things can get carried away with, especially if you see your family member in distress and something going on and the facility owner doesn't seem to be providing or doing what they need or the elevator is broken or whatever. There are lots of different things that we all know happen in these facilities that make it very difficult for the folks that live there. Again, I understand the spirit of this. I really do.

The other thing is, too, that we want to make – my assumption is that this bill is to actually create communication. By creating communication, you want to actually create allies. In the wording of the bill I think that that's very important. Again, the time that it would take in order to create these boards, I think, will create allies versus more of a sort of battleground between the board and the facility owner. If you can look at it from the point of view that by burdening a facility owner with more onerous tasks, we might be actually creating a situation where you're not creating an ally of the folks that we're actually trying to help and protect.

If within the tool kit or however it is that this is going to be presented the owner and the facilitator are part of the well-being of the people that are actually going to be impacted by these decisions, I think you're going to go a long way to creating allies versus a battering ram effect because if you're burdening the business owner with more red tape – you know, there's already a lot for a facility owner to do and take care of. Again, I would really highly recommend that with the time and the space – and I think this amendment does that. It gives that space and also honours whatever councils and facilitators have already been put in place in order to deal with the facility owners.

Again, you just want to make sure that this doesn't breed resentment. Within these facilities and the things that go on and for those of us who rent or own condos and those kinds of things, we know that that can happen. I think that if that line of communication is done with a sense of working together, you will get a lot more bang for your buck, as it were, and a lot more headway with these folks.

So I'm hoping that the government will accept my amendment on this. Like I said, I just feel that in the space of what's trying to be accomplished here, if we can make it less onerous to the owners of the facilities, if we can make sure that if the facility operator has to go and beg and plead to set up a council that legitimately the folks within that space don't necessarily feel that they need, again, we have to honour choice because these are individuals. You know, we're not trying to impose onto a group of individuals that live in a

space how it is that we feel they should live. We need to make sure that that choice is there.

More importantly, the amendment gives an initial set-up period, where the owners are able to come in and be able to find out and facilitate and make sure that that's actually going to happen for them. If we can unburden the business owner and actually make them an ally in this particular situation, I think it will go a long way to making sure that these folks actually get what they need.

Thank you so much.

The Deputy Chair: Thank you, hon. member.

The hon. Minister of Energy.

Ms McCuaig-Boyd: Thank you, Madam Chair. While I thank the member opposite for the amendment, I am going to speak against it. I want to say first of all that of all the things I put on my Facebook, I have had more positive response to this, thanking the minister for doing this bill. I live in a small rural constituency, and as of just late yesterday afternoon I have 26 likes and several comments thanking the minister on this.

You know, this bill is about empowering seniors and making life better for seniors. It's going to provide a tool kit for their right to have these, and it's not just the seniors but also their families. I'm pleased to see that this also includes lodges. I've had the occasion lately to visit a couple of my lodges, and they are very active people. They come from their homes, they go into lodges, and they want to continue to be on committees, to be part of a community, and they are part of that lodge community. When seniors move in, they don't want to give up their interests, and they want their homes to be meaningful, so this legislation allows them to have a say in their new homes.

I can assure my colleague that in rural Alberta people watch these things and will be very aware. I honestly see this as my job as an MLA, to go around and make sure that all my seniors know that it is going to be their right to have this council available to them. Many of mine already do this kind of thing, but this makes it more formalized, and I'm very pleased to see that this is an important venue to provide concerns. Recently in one of my lodges we had a need for some mental health support that we weren't able to get, but having a group like this would be very much helpful for that.

Madam Chair, our government is committed to ensuring seniors can continue to live with security and dignity. I'm proud to support the bill as is, which empowers seniors as well as others in supportive living to have more involvement and influence on the things that matter to them as their home.

This amendment, actually, I think would weaken the legislation. I think there are lots of ways to ensure that every six months this comes up. Residents come and go, and as new residents come, they will be, you know, notified that this is a right of theirs. I think it's incumbent upon all of us in the House as MLAs to make sure that our seniors do know that when this bill is passed, they do have this right. So I am in support of the bill as is, and I feel that I need to speak against the amendment.

10:50

The Deputy Chair: Thank you, hon. minister.

Are there any other members wishing to speak to amendment A1?

Seeing none, I will call the question on the amendment.

[Motion on amendment A1 lost]

The Deputy Chair: We are now back on the original bill, Bill 22. Are there any other members wishing to speak? The hon. Member for Fort McMurray-Wood Buffalo.

Mr. Yao: Thank you very much, Madam Chair. At this time I'd like to propose another amendment.

The Deputy Chair: Hon. member, if you could just wait till I have the original and five copies, then you can proceed.

Mr. Yao: Certainly.

The Deputy Chair: If you could, please, provide me with the original and five copies . . .

Mr. Yao: Yes, yes.

The Deputy Chair: . . . and then you can proceed.

Your amendment will be referred to as A2. Please proceed.

Mr. Yao: Madam Chair, with this amendment I would like to move that Bill 22, the Resident and Family Councils Act, be amended in section 5 as follows: (a) in clause (b) by adding "to the extent reasonably practicable," after "attend, or ensure a facility representative attends," and (b) in clause (c) by adding "to the extent reasonably practicable," after "document, or ensure a facility representative documents,".

What does that all mean, in a nutshell? Madam Chair, the legislation does not appear to prevent the formation of multiple councils from residents, and if I might take the copy of the Alberta Continuing Care Resident & Family Council Toolkit, which was created by Alberta Health Services and Covenant Health and other allied services, which will be tabled this afternoon, as an example, this talks about who can set up a council. Residents and families can set up a council on their own initiative or with the care centre staff and administration, who can create the council. But, anyway, this enables people to set up a council at their own will, which is great. We want to encourage that because this bill is a good bill.

I understand what the good Minister of Health is trying to accomplish with this. There are a lot of complaints that come through or a lot of issues. A lot of them can be resolved locally within that facility. Only then, if they can't resolve them internally, would they go to the advocate. Or, better yet, just send letters to the Minister of Health. I receive probably a few per cent of what she receives. I can only imagine. But I guess I've experienced those one-offs, those people that are extremely – I don't know if I want to call it passionate or overbearing, but they do become very extreme.

The clauses I add in here don't discourage these groups from forming, but what it does do is ensure that there's a practical level to the engagement of the agency. Again, when you look at the most extreme, there is the opportunity for people to set up their own groups within just the way a lot of this is drafted.

This toolkit is a practical, step-by-step process to follow for setting up and managing a Resident and Family Council . . .

Are residents and their families interested . . .

How prepared is your care centre?

They even demonstrate different models of administration for a lot of these. So if someone does not like an executive structure for their council, they could go with a leadership team structure, or they could even go with a more round-table structure.

But the point is that even within the definitions they provide more than one structure, and if it is not suitable for a certain individual or group, they may choose to go another path. So there does remain the opportunity or possibility of more than one group, or you have a group that is just simply incessant and very aggressive in their time. Some of these families have the ability to meet every day if they so desired and wanted to, and they would ask that there's a representative from the facility that attends each meeting or even a

weekly. Then if you have two or three of these groups, it could become cumbersome.

Again, the bill itself ensures, at the very least, that there will be a venue for these things to occur and for these boards to be created. But we need to ensure on the other end of it that it doesn't become too cumbersome because it does become about bureaucracy. We definitely want to see these people, these families, have their input and discuss these issues to address them at that local level in the facility, but we have to recognize that we just need to show some restraint there and have that ability.

That is what my amendment is, and I do ask the government side and all members of this House to consider this as a reasonable and practical amendment to this very fine bill. Thank you so much.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak to amendment A2? The hon. Minister of Health.

Ms Hoffman: Thank you very much, Madam Deputy Chair of Committees. I really want to begin by saying that I appreciate the tone with which the member is proposing his amendment and the collaborative nature that I feel today. Certainly, when we were in second reading yesterday, I was worried it wasn't going to be that kind of a dialogue, but I appreciate the opportunity that committee gives us to put out questions or concerns.

I want to just begin by saying that I think that existing AHS and Covenant tool kits could be a very useful piece in developing the broader tool kit that will flow from this legislation, but those are only for AHS and Covenant facilities, and this legislation will apply to all facilities, whether they're privately funded or publicly funded, no matter who the operator is. I think it's important that we take that into consideration. When I hear some language around, you know, overly cumbersome for the owner or for the company, those types of things, it speaks to why we absolutely need these councils, in my opinion, and why I think this amendment could be damaging to the intent of the original bill.

The language "to the extent reasonably practicable" I think is essentially creating a giant loophole that could allow operators who actually don't want to have these move forward to, in a way, diminish resident voices and family members' voices. It's right that the current structures that are in place in the tool kit – I think that the amendments as proposed could be taken into consideration for the logistics around, actually, how to support these through a tool kit, but most of these councils that currently exist in some form, which is in about 70 per cent of current facilities, are very communal, grassroots, much like school councils, to be frank, where people come together with good intentions to talk about ways they can help make life better for the students in their school, and that's exactly the intent with this.

I have to say that from my own personal experience as a family member, when there is an actual form or structure, sometimes people who are the most vocal have, actually, a structured, formal way to raise their concerns rather than creating a lot of distress for all of the people in a facility or all of the staff in a facility. I actually think this is a good way of finding a win-win in terms of having a structure.

To be completely frank, my intent is to empower the voices of the residents, and that is what I think this legislation in its current form can do. I understand the concerns around logistics, and that can certainly be taken into consideration in the tool kit. It will definitely be posted publicly, and I would welcome feedback. If there are specific pieces as a tool kit for all facilities rather than just one specific tool kit for AHS facilities or another one for Covenant or other allied facilities, I think it would be useful. And I think that acknowledging that there are a whole variety of different private,

public, publicly delivered-publicly funded, publicly funded-privately delivered, not-for-profit-delivered lodges, long-term care facilities, assisted living facilities, congregated sites where people have a variety of needs will be very helpful, and I look forward to having opportunities through the tool kit to empower resident voice. Residents, in my opinion, should be the driving force in this legislation.

I'm of the opinion that this amendment sort of creates too large a loophole for opportunities to not empower the residents in having their voices heard. I understand the intent behind it, and I think that there are probably some structures that can be acknowledged through the tool kit that is created. I imagine much of it will be cribbed from other existing resources. I think it's good public policy that when you know something is working, to find ways to take it and amend it moving forward. I do want to say that for the reason that I feel this creates too large a loophole and could diminish resident voice, I am going to be voting in opposition to this amendment.

Thank you.

11:00

The Deputy Chair: Thank you, hon. minister.

The hon. Member for Chestermere-Rocky View.

Mrs. Aheer: Thank you, Madam Chair, and thank you so much to the minister for speaking on this. I couldn't agree with you more. The intent of the bill is definitely to empower the voices of these folks, and that's fantastic.

I'm not quite sure I understand the aspect of the loophole. In fact, I think that this amendment may actually close that loophole. If you're having the potentiality of warring boards with any facility, this actually helps to make sure that that doesn't happen. Presumably, if they're being able to establish their own governance structure and procedure, if there are other issues or if they don't feel like they can talk to each other, you could put that into the tool kit every single day, but this actually helps to stop that from happening. So if your structure is intact, I think it would be more efficient and probably function better to actually empower the people to have a voice.

You know how that can be. If you have sort of two warring boards against each other, again, it's not exactly going to be helpful to facilitate on behalf of the people that are there. It becomes more of a war over a particular situation or an issue that's happening within that particular council.

To your point, you were saying as well that 70 per cent of these places already have this, so the thing is that, again, we don't want to impose a structure on a choice that's happening. If you're truly wanting to empower people, they have to want to do that, right? They have to feel empowered to do that. You can put in the structures – and I understand where you're going with that – but 70 per cent already have that. By not putting in that amendment, do you think that you could be counteracting the 70 per cent that are already there and functioning if, by chance, by putting this in, you create the space for another board to go against what's already working and functioning there? I think that's actually the spirit of this amendment, to actually make sure that whatever is actually functioning works within the space of what you're trying to accomplish here.

You had mentioned also that the bill is sort of the driving force behind making sure that the residents have their voice there. I would assume that we have to make sure, for example, depending on how often they meet – and some councils might have a lot more, you know, desire to meet more often or less often. If they're meeting daily, do they always have to meet in a particular facility? Does the

facility representative always have to be there? Is that part of the way that this is going to work? I'm not sure. Is that going to come out in the regulations or in the tool kit? I don't know if you can answer that for me, if you have any clue about how that's going to work.

Again, I think that the bill in its essence is very good. I mean, you want to be broad enough to be able to handle all of the different groups. These are all very unique facilities. Like you were saying, there is every type of facility that you can know that's going to be under the auspices of this bill, and I actually think that this amendment closes that loophole a little bit. I would love it if you could look at it from that perspective. I think it actually would be quite helpful in empowering.

Thank you so much.

The Deputy Chair: Thank you, hon. member.

Ms Hoffman: Just to respond to the points raised, my concern is that this essentially creates a loophole for administration to not attend the meetings, to not document what's happening, and to not follow up on the advice given by the folks who are there. If we do want to empower their voice, somebody needs to listen. Your point is well taken. I think we can consider it, potentially, in the tool kit, but I want to be clear that if folks are gathering to be heard, somebody shows up to listen.

The Deputy Chair: Thank you, hon. minister.

The hon. Member for Fort McMurray-Wood Buffalo.

Mr. Yao: Thank you, Madam Chair. I'm not sure if I've explained this amendment well enough just by the fact that the good minister might be disagreeing with it. These clauses that we're trying to put in are just to kind of put a bit of a ceiling on these things or enable a facility the ability to provide the service but only within reason.

Again, if I might look towards someone else's tool kit, the one that was created by Alberta Health Services and Covenant Health, which will be tabled later this afternoon, I might add, it does leave things very open if I might say. It talks about the structure of it.

This style has elected, formal positions (chair, vice chair, and secretary) and defined and assigned responsibilities.

Its benefits include:

- clearly defined roles – for some people, it is more comfortable to know exactly what their responsibility is.

As well, familiarity: people understand the formal structures with chairs, vice-chairs, and secretaries, much like the good minister worked on an education board, I believe. I've been on some boards as well.

Again, they also throw out other options here, a leadership team structure. Someone who might not agree with the one structure might say, "I want a leadership team" because they're more of a team player, if you will. That team structure provides more of a shared responsibility, duties that don't really particularly fall on any individual. They emphasize more collaboration and learning and playing on the strengths of the team, certainly.

Then there are other considerations for deciding the council's structure. Again, it's led by residents and family members, but with any of these groups the care centre staff and administration must collaborate, document, and respond to council items. Again, we recognize that with any council that is created, the facility will be bestowed to them and accountable to them.

From some experiences that I've seen, you do get some people who are on the extreme, people who become very, very vocal, who feel that they're being treated unfairly. It might not be the system,

but they are insistent and they are incessant. If I might provide an example, someone who is, say, under the care of human services. Maybe people in this room aren't as familiar with the health care aspects, so we'll go to human services. In my constituency, as many of you guys have dealt with, you get the people who fall through the cracks.

We had one. We had this family who has a child who has a lot of developmental disabilities. When they transition to 18, everything changes for them, as I know you guys have encountered as well, and we were helping this person to navigate. I found out through human services that they've had a lot of issues with people, and it wasn't the child. They had concerns about the mother. It was the mother who was actually the impediment to her child's care. She was very vocal, and she was very aggressive towards staff and other people. Then when the child turned 18, she was feeling all sorts of issues.

Our human services actually flew a team up from Edmonton to Fort McMurray to address this, an entire team of human services specialists to help this person get through this, to navigate this process. That's what makes me feel good. As an MLA I felt good that we were doing something good in our constituency and that we had government officials coming in here to assess this individual who required supports. The problem was that they couldn't help this person because it was the mother that was the impediment, and she is to this day, and it makes it very, very difficult when they can't treat it. Anyone here who has any experience in human services and that might have experienced something to that effect.

Certainly, I have also encountered that in the health care facilities. I was only a paramedic or a supervisor at the time, but I guarantee that we've seen those people, who are very aggressive. They become very aggressive at staff. I'm not talking about the patient; I'm talking about the patient's family. They're very rude. For lack of a better term, they're, like, very obnoxious. They would throw things at people, and these weren't even inhabitants in the care facility.

If we could give them another venue – I appreciate that this is more of a formal venue in which they could create that influence and possibly make it a positive influence – it would help things. But, again, like with anything, they can take it to an extreme. That extreme is that they would actually become a very cumbersome weight on a facility when more of the facility's resources are put towards this outlier group, much in the same way that the government has to deal with an opposition who's always in their faces. Surely, you understand that and recognize how much people can really get in your face and be aggravating to you when you're just trying to do good, but you're forced to listen to these guys over here, right?

11:10

Mr. Panda: Are they really trying to do any good?

Mr. Yao: Well, we hope they're trying to do good. We're trying to provide them with guidance to do things even better.

I guess, again, I just need to emphasize that that is what this amendment is about, putting in restrictions. You at least can call the time limit and say: "You know what? The House is closed. It's 3 in the morning. We're not listening to the opposition anymore." Some of these facilities might not have that same ability based on this legislation, and we need to ensure that they do have the ability to say: "Enough is enough. We've tried to find a reasonable amount, but we can't deal with multiple issues like this." Again, the words are "to the extent reasonably practicable." I didn't even know that was a word. I thought it was "practical." Me none too smart.

We need these clauses in here. We need to provide limits. Everyone is about limits, and we need to ensure that there are limits to these things. As an example, using the Covenant Health and

Alberta Health Services document here – and this is a fantastic document – it explains everything quite well as to what this government side wishes to do with these family councils. It is a good and noble thing. Again, as you stated, there are many facilities that already have this kind of documentation out there. Covenant Health even explained the background, how they've been experimenting with this for seven months in a few facilities. We need to promote it, and I commend this Health minister for identifying this and pushing it forward to ensure that the facilities who do not have it have that guidance to provide that. Again, it is about just tweaking things just ever so slightly so that they don't have to do what the government does and deal with an opposition that's always all over them, right?

Again, you as the government do have the ability to rein us in, to say that enough is enough, to stop, and ultimately you do have the vote. What we don't know with these councils is to what extent they will have that ability to restrain other groups. I have seen these other groups. They are the ones that go to the Health Advocate. The Health Advocate alone can provide you a list of these outlier people and many of these agencies who are actually barred from facilities because they were so aggressive. Those are the very same people that would be trying to start a board. We need to ensure that they do have that venue, but there needs to be some inherent restraint within that.

[Ms Jabbour in the chair]

If it is not in the legislation, if it is not drafted as such, there will be people that will abuse it for their own – I don't want to use the word "malicious" because I think they really want what's best for their family member. But, again, they misinterpret. I truly believe people misinterpret and don't understand the health care field. They don't understand that we have to, like, lift someone up and pull them up so that we can wash their back or clean their buttocks after they've messed themselves. When you watch someone who's a professional and so good at that, someone who's not used to it might think it's rough and aggressive, but what they do is actually very efficient in how they can do it. It shows a certain level of strength and discipline in how they're able to do it and take care of their patients oh so well. The problem is that someone else might not interpret it as that, and they might lay a complaint against that person. I've seen that.

They don't like how a person is feeding their mother or their father when they're really using great care, and you see that they do have a great bond. Then that outsider family member comes in and becomes aggressive towards the caregivers. I've seen that many times. They accuse of withholding drugs or things like that or giving too many medications, and they're simply following doctors' prescriptions. There are a lot of issues that can come out when you give people that venue, which is great, but again it's about enabling a restriction on how much they can impede a facility. That's what it ultimately does sometimes. It could lead to impeding the ability.

Again, what about multiple groups? These facilities are going to have to provide someone to attend each meeting. As it stands now, I hope many of these facilities are demonstrating a lean administration and more front-line workers, but when they have to assign more and more people to these meetings, they could become cumbersome. There are no limitations on these things. We might ultimately become overbureaucratic within these facilities, and they would become immobilized. You guys know all about that, right? Bureaucracy? Immobilization?

With that, I do ask and plead with the government side and the Health minister to please consider the words "to the extent reasonably practicable" with both these clauses. I'm not asking for something extraordinary here. I just want to put a slight limitation in there. It doesn't discourage this legislation. Again, I agree with

this legislation. It's great. I would ask you to mull that over and consider it. Please talk to your subject matter experts. I'd love to have access to those guys behind the scenes and pick their brains on stuff, but I'm not the Health minister.

With that, I do ask you to please consider this amendment. Thank you so much.

The Chair: Any other speakers to amendment A2? The hon. Member for Grande Prairie-Smoky.

Mr. Loewen: Thank you, Madam Chair. When looking at Bill 22, I think it is an important bill. I think it's important for the residents of these long-term and supportive care facilities to have their voices heard. I know that in our constituencies we quite often get concerns brought forward by family members of these residents and by these residents themselves. Obviously, it is very important that these concerns are heard and dealt with in a proper manner. These councils have the potential to be very constructive and to help and enhance the quality of life for these residents, so those are good things.

I think what this amendment is trying to do is to just try to bring some common sense and some reasonableness to this process, and I think that's a good thing. I think we can have amendments like this come forward and bring some balance to this. You know, we don't know what could happen with these councils. These councils could have daily meetings or even multiple meetings per day, and facility representatives would have to attend each one of these. Of course, we don't know what kinds of documents could be requested or what kind of information could be brought forward at each of these meetings.

Again, if you're having multiple meetings a day, multiple requests for information, then it could become burdensome to the people that are providing the care. We want the people that are providing the care to focus their attention on providing the care and not, you know, attending an overabundance of meetings that may not be necessary. Now, of course, this is not saying that these meetings wouldn't be important. This is important. We agree with that. It is important to have these kinds of groups be able to be set up and represent these residents, but there needs to be, I think, just some sort of reasonableness to this.

For instance, when we look at these meetings and everything, I know in my constituency I've had multiple concerns brought forward about a particular resident from different family members. These family members don't always get along. They're not always talking to each other. They both have the common interest of the resident and the best interest of the resident in mind, but they don't always see eye to eye themselves. They don't see eye to eye in what they think that care should be and what's wrong with the situation.

When you have situations like that, obviously you could have one resident that could have multiple groups set up to represent their care. When you have situations like that, then you have the people that are the facility representatives being drawn into different meetings, talking about the same person with different groups having different interests.

11:20

I think that's what this amendment is trying to do. It's trying to bring some reasonableness to this process to make sure that this doesn't become a burden on the people that are being represented by these groups.

Now, when we look at the bill itself, it says in clause 5:

- (b) attend, or ensure a facility representative attends, all meetings of a resident and family council where invited to do so by the council and all meetings convened by the operator under clause (k) or section 2(3)(d) or (4)(b).

This amendment would be adding “to the extent reasonably practicable” after “attend, or ensure a facility representative attends.”

Of course, there’s nothing in this amendment to suggest that these facilitators not attend or avoid attending any of these meetings. They just need to have the opportunity to have that, to be able to make a judgment call and say: “Okay. Is this reasonable or not?” I think we can trust these operators to have that kind of reasonableness and to be able to make that decision themselves.

We go on to where it says:

- (c) document, or ensure a facility representative documents, any requests, concerns and proposed solutions expressed to the operator or a facility representative by a resident, a member of a resident’s family or a resident and family council.

Of course, add to that “to the extent reasonably practicable.”

Again, obviously, these facilities – you know, I think it’s important that they document these requests and concerns. I think that is important. But we need to make sure that if we have multiple people representing the same resident and having an inordinate amount of meetings and document requests and documentation to be kept track of, that we kind of bring some balance and have these operators have that opportunity to make that decision themselves.

I’ve met a lot of these different facility operators and the people that are working in them. I know that these people have a great amount of care for the residents that are there. They’re doing their best. They’re trying to make things as comfortable for the residents as possible. Let’s face it. It’s a job that, you know, takes a lot of love and devotion. It isn’t something that you just would show up and do without having a care for the people that you’re in charge of. These people, I think, can help in this decision process as far as what is reasonable and what isn’t in dealing with the residents and these groups that will be formed to represent the residents’ concerns.

So I think this is a reasonable amendment, and I would encourage all members of this House to accept this amendment. Thank you.

The Chair: Any other members wishing to speak to amendment A2? The hon. Member for Red Deer-North.

Mrs. Schreiner: Well, thank you, Madam Chair. I’d like to thank the member for bringing this amendment forward. First of all, I want to talk about that this should be a safe community for any of the residents and any of their family members and those that are working in any of these facilities, these long-term care facilities or supportive living facilities. If anyone comes into the facility that is violent in any way, I would strongly recommend that they phone the police immediately. This is the residents’ home, and we have to make sure that we take good care of them and that this is a safe place for them.

I want to talk about this bill. I think it’s such an important bill, and I think there’s maybe a little bit of confusion on the other side when it comes to this amendment. I’d just like to say that right now 72 per cent of facilities already have resident and family councils in place, that have been in place for years. Myself, I’ve worked in long-term care for many, many years, and just about every facility – and I’ve worked in many – have had and do have a resident council and a family council already set up, and they’re working great.

It’s a voice for the residents. This is the residents’ home. It’s their voice. It’s a venue for them to bring things forward, even when it comes to cabbage rolls, that we talked about yesterday, how they should be cooked or whether or not we want an aquarium with fish in it for the residents to look at or the cleanliness of the facility – maybe someone has an issue with that – or what they would like to

see Christmas look like this year. It’s their voice to be able to bring forward what they would like to see when it comes to their quality of life. That’s what this is about. It’s about a good quality of life for our residents here in Alberta.

The resident councils that are in place right now and the family councils are deciding what that looks like for each individual facility, what the members’ roles would be, what the meeting format would be, how often they meet. I have heard some members on the other side talking about, you know, meeting daily. Well, I’ve worked, like I said, in a lot of long-term care facilities, and I’ve never seen resident councils meeting daily. They probably meet weekly or monthly. It depends on what’s going on, what time of year it is, and what issues are going on, but that could be determined by the people that are attending the committee meetings.

I just want to remind everybody that this is a venue for residents, their loved ones, and the facility operators to come together and make things great for the lives of the residents and their loved ones and the employees and the employer. It’s just making things better for all.

I have to say that I think this is a good bill, and I don’t think we need to look at this amendment because everything that we need to do in the bill is already covered. Thank you.

The Chair: Any other members wishing to speak to amendment A2?

Seeing none, are you ready for the vote?

[The voice vote indicated that the motion on amendment A2 lost]

[Several members rose calling for a division. The division bell was rung at 11:28 a.m.]

[Fifteen minutes having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

Aheer	Panda	van Dijken
Cyr	Pitt	Yao
Loewen	Schneider	

Against the motion:

Babcock	Hinkley	Phillips
Carlier	Hoffman	Piquette
Carson	Horne	Renaud
Connolly	Kazim	Rosendahl
Coolahan	Kleinsteuber	Schmidt
Cortes-Vargas	Loyola	Schreiner
Dach	Luff	Shepherd
Dang	Malkinson	Sigurdson
Drever	McCuaig-Boyd	Sucha
Eggen	McKitrick	Turner
Feehan	Miranda	Woollard
Goehring	Payne	

Totals:	For – 8	Against – 35
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[Motion on amendment A2 lost]

The Chair: We’re back on the main bill. Are there any further questions, comments, or amendments with respect to Bill 22? The hon. Member for Bonnyville-Cold Lake.

Mr. Cyr: Thank you, Madam Chair. I have to say that anything that we can do to help our seniors within these facilities is a good move forward. I think everybody in this Chamber would agree with that, that the people that created our province and grew our province to

what it is today are the ones that should be respected within these institutions that are dedicated to them.

I would like to say that I believe that the opposition had a part in this bill, in the creation of it. Let me explain. What we had over in Lacombe hospital and health centre was a very tragic situation. I'm going to read some from an article that was put out on May 9, 2017. The article's name is AHS Investigation Discovers Serious Problems at Lacombe Long-term Care Facility, and this was written by Keith Gerein. Now, what's tragic here is that during this time frame we had one of our institutions fail our seniors. This is terrible. Nobody wants to see that. Nobody.

Now, the concern was brought forward by a Wildrose Party FOIP that was released. What happened here was that a report was done when nursing students were doing their practicum, and they found that there were very strong problems within that facility. What we need to be doing is taking that very seriously. In this facility there were 75 residents. Seventy-five people. Now, if there had been a resident and family council at that facility, there may have been a layer of protection for those residents so that we may have been able to identify these things.

What's tragic here – and according to the document that the investigation found, I would argue that any one of the things that I'm about to read are something that would cause alarm for most Albertans. I'm just going to go through this because these are actually very incredibly insulting places that we've put these poor seniors into.

"Inconsistently updated care plans and patient charting." So if there's a problem, this isn't even charted. That is just phenomenal.

"Incomplete fall risk assessments, dietary assessments, vital signs monitoring and wound care interventions." Now, I have to say that I have heard that one of the leading causes – and I can be corrected – is falls for seniors. Once they fall, it becomes very, very hard for them to recover from that injury. So the fact that we're not creating a fall risk assessment on these individuals that are in these care facilities, which is their greatest risk: in my opinion, that is unfortunate.

"Improper security of private client information." Now, we had other instances where FOIP was broken, and this made news across Alberta because we all want our privacy. These are just part of the problems that they were having there. This is crazy.

The "presence of expired aseptic supplies such as wound care products and catheters." I don't know where to go with this, saying that we could have grabbed the wrong medications, and that could have led to one of our seniors going into – well, unfortunately, a fatality. This is the kind of stuff that we need to be watching for.

11:50

Now, we've got "dirty products stored with sterile products." I'm sorry, but I've got to assume that doctors or nurses are taught from the very beginning that sterile items need to be kept sterile. That's got to be the first thing they're taught. How is this not, in this long-term care facility, something that priority is put on?

Now, we've got "used client razors left unattended, and tubs found to be dirty." So we've got people taking risks based on the fact that we're taking shortcuts. That's awful.

We've got "soiled linen and garbage found . . . overflowing into hallways." Now, the soiled linen is unacceptable. I think we all can say that maybe the odd overflowing garbage – eh, it's not something that we would panic about, but I will tell you that soiled linens are something that we need to be very angry about.

Then we've got "unsafe medication practices, including a client administering his own insulin when it was unclear if he was competent to do so." Wow. Like, is that not what these facilities are for, these long-term care facilities, to ensure that they get the medications when they need them, to have the food that they need

to have to sustain them, to be able to move forward in this and be healthy and be in a place that is respectful for what they have done for our province?

We've got "medication rooms left unlocked." I've got to say that sterile has got to be first. Making sure the medications are always enclosed and watched and under key needs to be the second thing a doctor would learn, you would assume.

We've got "poor documentation around whether clients had received required tooth brushing and bathing." Now, I've heard that a lot of my seniors are actually in a lot of pain because of the fact that there's not enough dental care within these facilities, so the fact that we're not making sure that these individuals – because I will tell you that not having an active brushing regimen leads to cavities, and that leads to more pain that these people need to sustain.

We have "inconsistent practices to ensure safe water temperatures for bathing." This was a big problem that we had earlier in, I believe, 2016 – and I could be corrected – that we actually said that the facilities had to actually watch the temperatures and have temperature gauges and put priority on that because people were getting burned.

"High infection rates and antibiotic use." So we were getting people sick and using antibiotics to cure them when the potential was that they shouldn't have gotten sick in the first place.

We saw the government react to something the opposition did. They created a bill that says: let's bring accountability. This is what the good function of opposition is. I think that we should rename this to the Wildrose Protects Seniors Act.

I've got to say that it's disappointing that we have a long-term care facility within our province that has done this, but I will give credit to the Minister of Health for stepping up and doing the right thing and putting protections in place for our seniors because in the end it always comes down to honouring these people – honouring these people – who have been before us and have taken care of us all. You know what? We all will end up in a facility just like this one day, and we do not want this level of care. We want these councils in place so that we get our input to make sure that we are respected and able to at least have some input into our own care.

Thank you, Madam Chair.

The Chair: Hon. members, pursuant to Standing Order 4(3) the committee will now rise and report progress.

[The Deputy Speaker in the chair]

Mr. Hinkley: Madam Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 21. The committee reports progress on the following bill: Bill 22. 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: Opposed? So ordered.

The hon. Deputy Government House Leader.

Mr. Carlier: Thank you, Madam Speaker. I'd like now for all of us after the good work we've done this morning to adjourn until 1:30 this afternoon.

[Motion carried; the Assembly adjourned at 11:56 a.m.]

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