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The 30th Legislature
Second Session

Alberta Hansard

Tuesday evening, December 1, 2020

Day 74

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta
The 30th Legislature

Second Session

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New Democrat: 24

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Legislative Assembly of Alberta

7:30 p.m.

Tuesday, December 1, 2020

[The Deputy Speaker in the chair]

The Deputy Speaker: Good evening, hon. members. Please be seated.

Government Bills and Orders Third Reading

Bill 50

Appropriation (Supplementary Supply) Act, 2020

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

Mr. Toews: Well, thank you, Madam Speaker. I rise tonight to move third reading of Bill 50, the Appropriation (Supplementary Supply) Act, 2020.

The funding requested through this bill will ensure that Alberta's government has the necessary tools to continue our response to the COVID-19 pandemic and to fund Alberta's recovery plan. The funds will be directed mainly to health care, municipalities, and capital grants and investments for infrastructure projects to position Alberta for future economic growth and investment by increasing our productivity and competitiveness. Madam Speaker, while the response to COVID-19 comes at a cost, we will not cower in the face of the most difficult challenge in decades. The mid-year fiscal update and economic statement shows that the province's finances and economy are showing early signs of improvement.

Madam Speaker, Alberta's government has not lost its focus on fiscal prudence and responsibility. It's more important than ever to ensure that government services are delivered most efficiently. We remain committed to bringing our spending in line with that of other provinces, keeping Alberta's net debt-to-GDP ratio below 30 per cent, and developing a plan for balancing the budget and paying down debt left to future Albertans once the pandemic is beaten.

I ask again that the hon. members support this bill to help the province fight the pandemic and mitigate its economic impacts.

Thank you.

The Deputy Speaker: Any members wishing to join debate on third reading of Bill 50? The hon. Member for Lethbridge-West.

Ms Phillips: Thank you, Madam Speaker. It's my pleasure to rise to discuss the Appropriation (Supplementary Supply) Act, 2020, coming at the conclusion of the second-quarter fiscal update. It's certainly not unexpected that the Executive Council may have to make a request for additional supply given the state in which we now find ourselves, which is that unless one has travelled in a spaceship from another planet recently, the entire world is facing a global pandemic, an infectious disease that we have now begun to understand. I think that it's fair to say that scientific advance has been the real winner of 2020. If the rest of us have noticed that it has not been the best year for many people, it has not.

Certainly, science and the scientific method's ability to respond, to understand, and to provide evidence around the virus has come at unprecedented speed now that in the waning days of 2020 we now find ourselves with, to my count, two vaccines that are entering the phase of the emergency use authorization with the U.S. FDA with at least one more on that track. Certainly, the U.S. CDC expects to be able to begin distribution in the United States the week of December 11, as I understand it, for, obviously, a limited amount.

There are approximately, in that first instance, about 10 million doses with another 40 million coming in early 2021. That's in the United States. I have not committed the Canadian numbers to memory, but Canada was one of the first to order, certainly, the Moderna vaccine.

So what we are seeing, then, despite some worrying signs in terms of the global economy and certainly the U.S. economy as the stimulus measures run out by the end of 2020, is still some signs of optimism around the world and indeed in Canada. In large measure we've had an enormous and tremendous demonstration of scientific advance. We have seen the role of evidence and decision-making, and I think our ability to learn more about the virus and learn how to even do business in this room, Madam Speaker, has been astonishing. Really, when one thinks of where we came from, when the government was first advised of the pandemic and stood up its emergency committee of cabinet at some point in February – of course, we didn't see a substantive conversation with Albertans until March. But we do know that we have learned a lot, and we have also learned about the economy.

As we are asking for supplementary supply, one might want to turn to the evidence of what we are funding in terms of our public health response but also what we are funding in terms of our economy's ability to get through to that other side of when we are finally, at some point in probably Q2 of 2021, able to see a mass distribution of vaccine beyond front-line health workers and, particularly, at-risk populations.

What we've learned around the world: we've learned it in the EU context, we've learned it from the international financial institutions such as the IMF, we have learned it from the U.S. Federal Reserve chair, who indicated – what was it, about two weeks ago? – that the old economy is not coming back. That's the U.S. Federal Reserve chair, and what he was referring to was the deepening inequality that we saw coming out of the pandemic. We also saw the barriers to returning to attachment to the workforce and structured economic life, if one will, because of various barriers, including health status and access to child care in the American context, what he was talking about, but also throughout the western world, in most places anyway, that continual disruption of structured economic life and structured life for children.

We know from the evidence and we also know from the world's leading economic observers – again here I am talking about the central banks, the EU Central Bank, the private-sector banks, obviously, as I mentioned, the Federal Reserve chair. I'm also leaning on here some of the analysis that was done by Moody's analytics and Goldman Sachs of the two democratic and GOP platforms of what actually in this context stimulates economic growth. The evidence is quite clear through public and private sector that stimulus is necessary, and stimulus may look different than it has before. Stimulus takes a different form than it might have in the 2008-09 financial crisis, when, in fact, that was a banking crisis, and access to credit was in fact constricted for some time. That is not the same case as the Fed, and other central banks have consistently lowered interest rates and provided a flow of supply of money into the economy, which has had its own knock-on effects, one of which has been the dramatic rebound in equity markets but other effects as well.

We know that that is one of the policies that's being pursued: stimulus but in a different way. The other piece that certainly economists, central banks, private banks, private equity firms, all kinds of folks out there whose business it is to make money have observed, particularly now when we are seeing the vaccine on the horizon, is that stimulus needs to take the form of an ongoing stabilization of income and purchasing power within the society.

7:40

One of the ways that that is accounted for is making sure that small business in particular and folks who work for small business and folks who work in precarious work, given the nature of the economy – and that’s why stimulus has to look different, that that be a stopgap measure. It’s not forever. It’s just for now so that we can make sure that we are not losing entire segments of the economy between now and a vaccine. In particular here, the Federal Reserve chair in his remarks was quoted talking about the precipitous loss of small businesses and the precipitous decline in income and increased precarity for an already precarious workforce in, for example, the gig economy, which is ever growing.

So we have a number of ways in which the evidence is very clear that we must anchor the economy, and part of it, to be sure, is in infrastructure spending. The Biden platform of \$2 trillion in infrastructure spending, in particular around a refocus on clean technology and renewables and so on, the massive infrastructure spend that the European Union is now undertaking: that is part of it. It is good that this government has accelerated a small part of their capital plan. We will see, as the fiscal year unrolls, whether they are able to, in fact, deliver those funds to where they can put people to work.

But we do see that there have been some funds for the municipal stimulus program, and that is fine, Madam Speaker, as far as it goes. Here, too, we also see the \$400 million of the billion dollars that the province received for well site cleanup to create jobs in the oil and gas service industry. In fact, one can think of that initiative as an investment in our infrastructure; that is to say, a healthy land base on which farmers may make a living. The water table may recover. Waste may be reclaimed. Other productive use can be made of the sites in question, whether that is for geothermal development or otherwise. Certainly, that is good as far as it goes.

However, what we see in this appropriation, in this request for supply, and what we see in the second-quarter fiscal update are glaring holes in terms of what’s not there and a studied indifference to all of the available economic evidence from across the spectrum but in particular coming out of more small “c” conservative, centre-right, various outfits. Also, the chair of the U.S. Federal Reserve can hardly be described in the Trump era as a progressive-left, you know, member of the Parkland Institute. But the advice remains the same across the spectrum: stimulus, yes, but also keeping an eye on that purchasing power for households and keeping communities whole through targeted and important investments in small business in particular to bridge to that other side.

Given what we know about the nature of the virus as well, that testing, tracing, isolating is the evidence-based way to keep the economy moving, we see precious little of that as well in this request for supplementary supply. We do not see, I don’t believe, in the Q2 fiscal update a detailed analysis of the sufficiency of the contact tracers, the actual human beings that have been hired, and a substantive and anything approaching real plan for hiring the necessary number of people in order to accomplish this evidence-based task that we know will help us both keep people alive, yes, but also target our efforts and our public health response in a way that is data driven and that can provide us with the most return on investment, really. When we can isolate those cases, then we know that if it’s in a particular town or a particular work site or whatever the case may be. Once we have done that, we have put a cone on those areas. The virus cannot reproduce itself without us. We can all get back to our business, and the virus will move on – or not move on at all. It will simply not be there anymore in that particular spot if we take the appropriate measures at that time.

Now, the concept of it being an appropriate measure, though, has to be well supported. People have to be able to take time off if they are sick. Businesses have to be able to pay the rent if they have to close the doors either because they have an outbreak behind those doors or because the community spread is so rampant that they can’t put their own workers or their own customers at risk or because their customers are simply not coming through the door, which is the other piece, Madam Speaker.

The longer the public health response lags and the longer the economic response lags and does not provide for people being able to do that testing, tracing, isolating, the longer that uncertainty grows, the fewer customers are coming through that door. Even if there is an average level of spread, you know, if the R is over 1 and so on, that consumer demand is going to be depressed for those businesses.

So that is what we should be seeing in this request for supplementary supply. Instead, what we learned was that the entire commercial rent program for a small business, that disbursement, had in fact been exhausted, is now gone, and there is no request in these documents to increase those amounts. That program is finished, and there will not be any Alberta-specific help for small businesses to top up the federal initiative at all. So our program will be the same as other provinces who do not also top it up, and it will not speak to the specific Alberta reality. It will not speak to the specific nature of our economy because the funds for such an initiative have not been provided for in this appropriation vote that we are about to undertake this evening.

We talked about the tracing piece, and we talked about the support for small business. There is an amount here for a grant. Again, Madam Speaker, fine as far as it goes. Great that the government took our advice to double that grant and lower its eligibility threshold about three weeks ago. We came out with a several-point plan. Or was it two weeks ago? I can’t remember. And now we learn that the government is taking our advice on that. Good. Great.

Now there are a whole bunch of other initiatives that need to get done, and the number one thing that we hear from business is that commercial rent piece. That grant, as far as it goes, is good for replacement of revenues, PPE, and other modifications that have to be made like investments online and advertising so that people know that you’re online. When you’re a small business, people don’t have the Amazon app on their phone, so you do have to take extra steps and do more. That grant is good for those things, but what it does not do is relieve that pressure that so many small businesses feel in terms of the tension between themselves and their commercial landlords, many of whom did not avail themselves of the first round of the federal rent support, and actually meet that challenge with a targeted approach that is relevant to the business climate here in Alberta.

The other piece that we do not see in here is any real conversation around that testing piece, and we know that we’ve had backlogs in testing. I mean, everybody is all proud that we came out of the gate real early in March, April with lots of testing and through the summer – fantastic – but we’re not there now, in no way, shape, or form. Same thing with contact tracing. Sure, we hired the first 50 in the first 90 days of this pandemic and then did what exactly for the next few months?

7:50

Testing, too, is foundational to that economic response piece because if we do not know that people have the virus and are spreading it through various communities, to family members and so on, that ability to respond to it quickly and essentially put a cone over those outbreaks is extremely limited. That’s where we find ourselves

today, where with 80 per cent of our cases, we don't know where they came from, and testing has been backlogged significantly. We do not see a lot of allowance or a specific strategy for fixing that problem.

I guess the other piece that I would argue needs to be here is a specific fund towards broadening the economy and diversification. Diversification is not a luxury. We can certainly afford it, because we can't afford not to. There is not an investment manager who would have all of their portfolio in one equity, and certainly it is not advisable from almost anyone who has studied this matter. I mean, you can go and look at reams of C.D. Howe studies on Alberta and the commodity price roller coaster and the conundrum of diversification. It is actually quite astonishing that we have not really, beyond a couple of boutique programs within economic development and trade, actually taken a thoughtful approach to what the postpandemic reality and economy look like and how Alberta can win in that scenario.

Neither, too, do we see anything in terms of a plan to address . . .

The Deputy Speaker: Any other members wishing to join debate on third reading of Bill 50? The hon. Member for Cardston-Siksika.

Mr. Schow: Thank you, Madam Speaker. I move to adjourn debate.

[Motion to adjourn debate carried]

Government Bills and Orders Committee of the Whole

[Mrs. Pitt in the chair]

The Chair: Hon. members, I'd like to call the Committee of the Whole to order.

Bill 41 Insurance (Enhancing Driver Affordability and Care) Amendment Act, 2020

The Chair: Are there members that are wishing to join debate? The hon. Member for Edmonton-Castle Downs.

Ms Goehring: Thank you, Madam Chair. It's my pleasure to rise this evening to speak to Bill 41, Insurance (Enhancing Driver Affordability and Care) Amendment Act, 2020. Just because it's my first time speaking, I really appreciate that the Member for Edmonton-Highlands-Norwood starts her comments by acknowledging the incredible work that's being done by our front-line care workers right now. We're here debating in the House, and they're out there saving lives. I just have an immense amount of gratitude for all of those that go in and are taking care of us every day. So I just want to share my deep appreciation for everybody that's out working really hard, and I want to encourage everybody to wear face masks, wear them properly, and comply with the recommendations of the chief medical officer.

I've spoken to this piece of legislation quite a bit in this Chamber and have listened to both sides of the House regarding the intention of this piece of legislation. I have some major concerns. We're looking at changing auto insurance. You know, at the beginning, when this government was elected, they reduced the cap that we had put in, saying that they felt that it was a mess and that they would come forward with legislation that would help.

Unfortunately, Madam Chair, this is absolutely not legislation that will help. This is legislation that is going to make it worse for Alberta drivers. There are so many pieces of this legislation that feel like an attack on people that are potentially at risk if they get into an automobile accident. I know that there are parts of this that are quite concerning. When you look at the ability to make a claim

when you are in an automobile accident and if there is some significant injury, the way it stands now, you have any number of medical experts that are eligible to speak on your behalf on the part of this claim, if you're suing. Unfortunately, this piece of legislation is actually decreasing the number of expert medical reports that can be used. This absolutely limits the ability for Albertans to bring forward the evidence that they find necessary.

I've spoken about the importance of having specialists and knowing that all medical professions are not the same and that there are actually classifications within the medical field that are considered expert. An example of that is someone who perhaps deals with brain injuries. Another expert could be someone who deals with something related to the spine or something that's related to whiplash: head, neck, shoulders. There are surgeons that deal specifically with bones.

So the fact that they're decreasing the number of medical experts, to me, makes a person that's experienced an automobile accident decide which medical expert is most important when it comes to their injury. Which one gets the most say when it comes to their claim? This, to me, just doesn't make sense. I don't understand why you would want to limit the number of medical experts that are able to give evidence. It's absolutely unfair to the person that was in an accident. They should be able to have the ability to meet with their team of experts.

There's often a multidisciplinary approach when it comes to health care and looking at a patient, and sometimes that also includes the mental health side of things. Having some sort of psychologist, perhaps, come in and provide testimony, a therapist, or, if we're looking at some sorts of brain injuries, neurologists – it takes a whole team sometimes to look at the overall health of an individual. Reducing the number of experts that you can get a report from just seems punitive when it comes to the ability for an Albertan to bring forward evidence that perhaps their whole medical team deems necessary.

So I'm curious how this decision is going to be made when it comes to filing a claim and how many experts are going to be able to submit evidence. Who's going to decide which evidence is taken? Is it going to be up to the insurance company to look at the medical reports and say, "Oh, perhaps because this is one of the most substantial injuries, we don't want this medical expert to be able to give their testimony"? It's not laid out clearly how this determination is going to come to light when they're making a claim. How is it going to be decided? It seems that it is to the benefit of the insurance company as opposed to the benefit of the person that experienced the accident.

There are also concerns about the cost of what it takes right now for insurance. We've heard stories over and over about people's insurance coming and just these unexpected rates. This was an opportunity for the government to acknowledge that we're in the middle of a pandemic and that people are struggling. People are having a hard time with bills, and the fact that they're being hammered with high insurance rates is just not fair at this point. This was a wonderful opportunity for the government to come in and say: "You know what? We know you're struggling. We would like to look at why we removed the cap that the NDP government had put in, and instead we're going to be doing this to make it a little bit more affordable for Albertans." Unfortunately, that is not what this piece of legislation does. It has got the feeling that the UCP left profitable insurance companies to come up with what they want to see happen, not what Albertans actually need in a time when they're struggling.

8:00

They are doing something that is just really, really concerning to me when it comes to looking at what an injury is, when it comes to

a concussion. There's a proposal in here that a concussion would be considered a minor injury. This alone tells me that they have not spoken to Albertans that have experienced a concussion. This is not the lived experience. It doesn't match what we hear from Albertans that have been impacted by a concussion. A concussion is actually a significant brain injury, and the fact that they're moving it into a minor injury tells me that this was a decision that was not made in the best interests of Albertans, that it was something that was decided that maybe this would make sense. It could perhaps save insurance companies money. I'm not sure what the motivation is, but it certainly isn't to take care of Albertans. I haven't heard anything that is really compelling about why a brain injury such as a concussion would be moved to a minor injury. There hasn't been anything that has come from government explaining this drastic reclassification.

I think that as time goes on, we're learning more and more about concussions. We're learning more about the significance, about the long-term effects. We're learning that these are significant brain injuries that can have lifelong altering effects. One of the scariest things with a brain injury such as a concussion is that they're often misdiagnosed. They're something that isn't seen initially. If you have a physician that hasn't done all of the exams in a timely manner or perhaps hasn't done a follow-up with the patient, you might miss it.

It's something that is quite significant because it can impact ability to concentrate, ability to sleep. It can impact your ability to perform your day-to-day duties. If you're not sleeping, if you're not able to go to work, if you're not able to focus, there are long-term effects, so having it moved into the category of a minor injury is just something that doesn't make sense to me. Had they actually spoken to Albertans, experts that deal with brain injury, I think that perhaps this should have been reconsidered.

Looking at why this change exists, I know that when I was doing sports with my kids, it was mandatory that all of us coaches had concussion training. It was something that in children's football, eight years old, the impact that they could have from a hit could cause a concussion. It was something that was taken very seriously. I would imagine that a concussion that could occur from a car accident is quite more significant than what would happen from eight-year-olds on a football field. I'm curious why this is being considered a minor injury.

I know the brain injury clinics that run out of the province try and do as much education when it comes to sports and the impacts. We've seen the NHL move from no helmets. When I was growing up, it wasn't common that players wore helmets. Now it's absolutely mandatory. It's ridiculous. You hear little kids that are out on the ice, and they know that you have to wear a helmet. Why? Because you need to protect your brain.

What happens in a brain injury with a concussion is the impact actually rattles your brain from the front to the back of your skull. That, to me, just by explanation of what's happening to your brain, isn't a minor injury. It's quite significant. I'm very curious to hear the reasoning behind why this has been determined to be a minor injury and who they spoke to about this. Who in the medical profession said, "Yes, absolutely; when dealing with a concussion from a motor vehicle accident, this is an injury that can be moved to minor status"? I really don't believe that this is evidence or information that medical experts would have provided.

This perhaps is something that this government did. I mean, they're reducing the ability for the number of experts. Maybe this is one of the experts that they decided not to consult with. They decided to reduce the number of experts that they were speaking to themselves to come up with this information, but I can't imagine that an expert would come to the table and say: no, a concussion is

a minor injury, and it should be moved. I would think that there's a lot more happening for someone that has a brain injury, and sports are taking it seriously. I can't imagine why insurance companies would want to reduce their payout for that. It just seems absolutely ridiculous.

It seems like the people that have been consulted with on this are insurance lobby groups. It feels like that's who this government consulted with, that's who they met with, and that's who provided the breadth of this piece of legislation. I can't imagine that everyday Albertans that drive, that have had impact from an accident would have provided this feedback. I can't believe that physicians who deal with automobile accidents would have provided this information and said: no, having fewer experts absolutely makes sense; we don't want to represent the entire health of an individual, just a portion. It just reeks of lack of consultation, which, unfortunately, is a theme that we continue to see from this government.

When it comes during the time of a pandemic, when Albertans are struggling, the fact that they are siding with profitable insurance companies as opposed to struggling, hard-working Albertans is very concerning. Again, it just speaks to how out of touch this government is with what's really happening right now with Albertans. They're struggling. People are not able to make payments for bills. They're not able to do simple things like groceries. They're struggling, and now to have insurance and possibly an injury from an automobile accident is scary. We look at the premiums that were made. I believe it was from last year: \$820 million in premiums from hard-working Albertans in the last year. On top of that, we all know about the \$4.7 billion corporate handout that this government is continuously trying to justify. And how are they doing that? Well, they're going after average, hard-working, driving Albertans.

The fact that the insurance rates are skyrocketing, with an average of, I believe, 24 per cent more for this year with insurance – when the UCP removed the cap, they assured Albertans that they were looking into it and that they were going to come up with a plan that they said was better than the cap. That's not this. This does nothing to make sure that Albertans are being protected from ever-increasing, skyrocketing premium rates. The number of calls that I get from individuals who have perfect driving records, absolutely no reason for their insurance to go up – yet they get their renewal and it's absolutely skyrocketed.

Some people can't afford to drive. They have to make a decision about that. When you look at what the alternatives are in a pandemic, they're terrified to take the bus, to take public transit. They want the safety of being in their own car to go to work, and some people rely on their vehicle for work. They have a job that perhaps is something that delivers food, right? That's something that we see a lot of Albertans doing, and if they can't afford their insurance rates, they're not going to be able to work.

Again, it speaks to the government coming in, taking something that the NDP had done such as capping insurance rates, getting rid of it arbitrarily, promising to fix it, and then doing nothing but coming after Albertans on everyday things that we should be able to rely on. We should be able to know that if you don't have an accident, your premium shouldn't skyrocket over the year. There are things in place that make sense, and I can't see how any of this makes sense. It seems like an absolute attack on Alberta drivers.

I know that there's been discussion from industry about wanting to expand what a minor injury is and having a better definition of it. That makes sense, but when we look at taking what should be considered a major injury such as concussion and moving it into minor injury, I don't believe that that is what Albertans were asking.

8:10

It just seems like this is an attempt to allow insurance companies to pay less when it comes to claims. We know that this is a time that the UCP should be taking care of some of the costs that are – they're monthly costs; sometimes they're an annual cost. This should be an opportunity where the government should step in and say: "We're in the middle of a pandemic. We're going to freeze automobile insurance programs until the pandemic has somewhat ended." But, no, that's not what this government is doing. I'm not surprised because so far we haven't seen any leadership when it comes to how they've been dealing with the pandemic. We've been calling on them to do things that would help. This is an easy win, if you will, to put back a freeze and allow Albertans some of that assurance that their car insurance rate isn't going to skyrocket. In the middle of a pandemic, when jobs are scarce, when layoffs are imminent, it absolutely doesn't make sense to me.

It seems that they're more concerned about helping their profitable corporations make even more money and not considering that Albertans are simply struggling to put food on their tables. I know that my office of Edmonton-Castle Downs hears from people from all over the province asking: "Why have they done this? They had said that they would be implementing some sort of alternative to the cap that they removed. What is it?" When I have to explain to them that, sorry, they're not freezing automobile insurance, that they're actually going to let the insurance rates continue to skyrocket, that they're going to reduce what's considered a minor injury, that they're going to look at reducing your ability to submit a certain number of medical reports, it just feels like an attack. It feels like this government isn't paying attention to the average Albertan, that is really hurting right now. They're looking at these insurance companies that are skyrocketing with their rates. I know that when it comes to the premiums . . . [Ms Goehring's speaking time expired]

Thank you.

The Chair: Any other members wishing to join debate? The hon. Member for Edmonton-West Henday.

Mr. Carson: Thank you, Madam Chair. It's an honour to rise this evening to speak to Bill 41, the Insurance (Enhancing Driver Affordability and Care) Amendment Act, 2020, as this government has chosen to name it. I also want to thank the previous member, who just spoke at length on some of the very important issues that we're seeing within Bill 41 and, of course, within the regulations that this government has already put through that came into effect on November 1, where if somebody was in the unfortunate position where they were in a motor vehicle collision and they found themselves with a concussion, possibly a life-altering one, now insurance companies only have to pay them in many instances just over \$5,000. This is what the Finance minister calls good work, in his opinion.

It's unfortunate. Even through some of the discussions that I've had through my office, you know, in my role as the Service Alberta critic, people reaching out from across the province have shared stories of even before these rules have changed or these regulations were changed by this UCP government, where they found themselves in circumstances where they had a concussion from a collision that they had been in, and quite quickly the insurance company tried to push it off as a minor injury and say that they only deserved X number of dollars, that it didn't necessarily need to go through court, that everything would be fine if you just trust the insurance company that you are using.

Unfortunately, in some of those instances it wasn't the case. They found that further down the line these concussions were, in fact,

long-term and life altering and changed the ability to do work on a day-to-day basis, whether it was because these concussions created instances of insomnia or just impacted the ability to work, whether it be long periods of time or whatever it might be. In those instances, of course, before these regulations were changed by this UCP government and this Finance minister, those Albertans did have the opportunity to go to court and have their evidence brought forward. The previous member spoke about the importance of, really, I think, as best as possible, allowing as many experts into the courtroom as needed, as many experts as the person who was injured for the rest of their life believes necessary to have their case heard and to have the expert reports reflect what happened in that collision and in that instance.

Once again, I appreciate the member who just spoke at length about the importance of allowing those experts to attend trial or to attend the court case because it is very important not only that the evidence is on the table but also that the person who has been injured feels that they have been allowed ample opportunity to have all of their concerns heard. With the changes that this Finance minister has decided to make, you know, specifically on the changes to allowing experts into the courtroom, putting caps on how many people are allowed in, in some instances very low caps, in my opinion, in the conversations that I've had with the people who were injured in collisions, they spoke about the need to bring in five, six experts, potentially even more. That will be limited by the rules and regulations that this UCP government has already passed through orders in council. It's very frustrating, one, that there was really very little, if any, consultation on this Bill 41 but, even further, that they would go and pass regulations without bringing them to the Legislature on such an important aspect that will fundamentally change the ability of Albertans to receive fair compensation.

You know, this Finance minister has said in the past that this is about expanding what is medically covered for people who are injured in a collision, but I doubt very much that an Albertan who has received a concussion, who has been injured will in most cases feel that just over \$5,000 is fair compensation for the life-altering injury that they have potentially sustained.

There's a lot within Bill 41, a lot of changes primarily focused on increasing the profitability of insurance companies. You know, the Finance minister has gone on at length about how this will result in savings for Albertans. I find it hard to believe. We will see, Madam Chair, but I find it very hard to believe that these kinds of, you know, changes are going to trickle down to the average Albertan. If they do, I imagine it will be not substantial by any means. By any means.

Once again, we have heard from Albertans on a number of issues within Bill 41, not only on the changes to expert witnesses, not only on the changes to the AIRB and the willingness of this minister to essentially let the rate board decide without any more influence from the minister. You know, in some instances this might be a good idea, but what we've seen specifically in the insurance industry and the willingness of the Automobile Insurance Rate Board to follow through with the wishes of the insurance industry is that it's very important that the minister is ensuring that they are seeing what is happening in the industry.

What we've seen since the UCP took off the rate cap, which our NDP government had put in place, is the skyrocketing of insurance premiums. That was because there was no willingness to ensure that Albertans were going to be protected from these skyrocketing increases. What we saw over the last year, year and a half is in many instances a 20 to 30 per cent increase on premiums for Albertans and in some instances even higher. I've heard stories coming in through my office about personal vehicle insurance going up by 50

per cent in some instances. What does this mean for, you know, a family that has more than one vehicle, a father that needs to take their child to school and go to work after and a mother that might be taking the other child to a different school or going to a different workplace? This is exponentially increasing the cost for regular Albertans in the middle of a pandemic.

8:20

As I've said in the past, I appreciate that in some instances insurance companies have done their best to reduce costs. I think that the majority of those reductions have come and gone now. Albertans are paying, in most cases, the full price of what their insurance premiums have been, and, you know, unfortunately, Albertans can simply not afford to be doing that right now.

This Finance minister has said that Albertans, because of the rate cap, were having to pay their insurance up front and weren't able to get insurance, but I really don't see through any of this legislation that changing by any means. In terms of the changes that they're making to the Automobile Insurance Rate Board, I think that we could very well see it happening even more often, Madam Chair.

I, of course, have a lot to say on this legislation, as do Albertans and my colleagues as well. I'm going to start with bringing forward an amendment to the House.

The Chair: Thank you very much.

Hon. members, this will be known as amendment A1.

Hon. member, please proceed.

Mr. Carson: Thank you very much, Madam Chair. This is a short amendment, but the action that it's taking is very important for Albertans who have been injured in a motor vehicle collision. It reads that I, the Member for Edmonton-West Henday, will move that Bill 41, Insurance (Enhancing Driver Affordability and Care) Amendment Act, 2020, be amended by striking out section 2.

Now this, quite well spoken to by the previous member, is in regard to the ability of an Albertan who has been injured to have all of the medical experts that they need to be heard in court, that they have the opportunity to have their concerns heard and to have expert medical witnesses brought forward. I would urge that all members of the Assembly support this.

We have spoken at length to why it is important that Albertans feel that their case has been heard, whether they're bringing forward, you know, neurologists or physicians, whatever it might be. Albertans deserve to have all of the evidence brought forward and should not be limited just because the Finance minister believes that it is going to save the insurance industry money and that somehow that is good for all Albertans.

You know, what we've seen through this legislation, once again, is several opportunities for the profitability of insurance companies to absolutely skyrocket with nothing that is going to ensure Albertans aren't continuing to be stuck with these increasing premiums. Now, I have mentioned that I have heard from many Albertans who are concerned about this from direct experiences of how they have had to bring more than, you know, two or three experts into a court to ensure that their entire case has been heard or at least that they feel that it has been heard. With the changes that we see in section 2, once again, it's intending to limit the number of expert medical reports that can be used in a claim to one expert report if the case is under \$100,000 and three expert reports if it is over \$100,000.

This is incredibly important. I've spoken now, to some extent, about why we need to ensure it needs to continue to be the way that it is now. This section, just like pretty much the entire bill, has been put forward by the Finance minister because it will, at the end of

the day, save money for the insurers. But, really, what we should be ensuring as members of the Legislature is that we are protecting the rights and freedoms of Albertans, which this is infringing upon, in my opinion, Madam Chair. Albertans should not be told that they can't bring in as many medical experts as they need if they've been in a collision and if they've been in a life-altering collision that is going to change their ability to gain income, to potentially take care of their family, their children, their grandparents. Yet this government believes that in these very concerning and consequential instances where Albertans need to bring those experts forward, they should be capped on how many they can bring forward.

It's absolutely unbelievable. For a government that stands up for the freedoms and the rights of Albertans to have their cases heard and to, you know, enable the ability to have medical experts brought forward, it's really unbelievable that this Finance minister has gone so far as to limit the number of experts that are allowed in the courtroom to have very important cases heard.

With that, I imagine that some of my colleagues would also like to speak, but once again I hope that all members of the Assembly will support this amendment because it is very important, if somebody is, unfortunately, injured, that they do not have their voice taken away just because this minister wants to save the insurance industry some money.

Thank you, Madam Chair.

The Chair: Any other members wishing to join debate on amendment A1? The hon. Member for Edmonton-Decore.

Mr. Nielsen: Thank you, Madam Chair. I appreciate you recognizing me this evening, to be able to rise and speak to Bill 41, of course, more specifically to the amendment that's before us, A1, which recommends striking out section 2 of the bill here. Now, what we have here is a situation where this language that's within section 2 of Bill 41 puts Albertans at a great disadvantage, okay? I've spoken about this before, where we seem to be seeing decisions by the government that are what I like to call bottom-line decision-making. They're making decisions based on a dollar and not necessarily on what's in the best interests of Albertans.

You know, I recall back and probably not that far into the past, where I'm sure that somebody has stood up from the UCP and has talked about how they won the election by this big majority and were given a mandate to govern and do what it takes, I think they said, to get the fiscal house in order. Yet one of my constituents, Nick, came to my office to talk to me about his condo insurance, which has just gone up by 51 per cent. On top of that, just before that, his auto insurance went up by 24 per cent. Now, this is a senior within my community. I'm wondering: was it the plan to have his insurance rates go up like this?

You know, let's just cut off the whole rhetoric that we've heard before, in the past. I'm sure somebody is probably going to jump up again and say it anyway, that the NDP created a mess, that this is our fault in some way, shape, or form. You guys have been in charge now for almost two years. Time to step up and own what you're bringing forward. What you're bringing forward here is the ability for insurance companies to put Albertans, part of them, that majority that elected you, at a significant disadvantage.

I still remember, when I spoke to this earlier in second reading, bringing up my experience of being involved in an automobile accident. Going home from work, I got hit in the front driver's quarter, and from what I understood, I tied up that intersection at Yellowhead and 142nd Street for the next two and a half to three hours because the individual blew the light when I had the right-of-way. Now, I guess, looking back, I wish there was some way I could

have communicated with myself today the struggles that I still continually face every day with regard to a neck injury. Yes, I received a concussion out of that. I'm pretty sure my head went through the driver's side-door window. I had a concussion, I had whiplash, and I had cuts and bruises. I thought that after about a year, you know, I was young enough, I was strong enough, and I was going to be able to get through this, just like the multiple injuries I've ever gotten playing sports, from the jammed fingers and rolled ankles playing basketball to a back injury playing volleyball. Could those be considered minor injuries? Maybe. Certainly, what I received then: I had no idea of the struggles that I was going to face today. Every week I go to a chiropractor trying to make that a little bit easier.

8:30

When I look at what's contained in Bill 41 in section 2 and in the amendment, quite frankly this makes sense because, you know, again, at the time, was I lucky? Maybe I wasn't. Maybe I was unlucky. I didn't require that many experts, but I did require them. I know that my lawyer did commission some reports should it be the case that it turned out that my injury was going to be a lot more, was going to be a lot longer, and would require extra help on top of what I was already receiving. I mean, as it was, I was off work for just slightly over a month, and my return to work wasn't that easy as well.

This language that we have here in section 2 puts Albertans at a disadvantage over the sake of a dollar. We were all sent here by those Albertans to look out for their best interests. But, you know, in the course of 18 months, almost two years that you've had the opportunity to govern the province, at least one of my constituents has seen a 51 per cent increase in the condo insurance, the only insurance quote that they could get, and an auto insurance rate that went up by 24 per cent, from a senior that I'm betting is on a bit of a fixed income. Should that individual – and I certainly hope not – be involved in an automobile accident, now you're going to limit his ability to be able to seek fair compensation should he require help that goes on for an extended period of time. To limit the number of expert reports does a disservice to all of your constituents, that sent you to this Legislature to look out for their best interests, and we need to do better.

As you can imagine, I'm certainly in favour of this amendment as brought forth by the Member for Edmonton-West Henday. I don't believe that we've had proper consultation on this. It's very clear that the insurance lobby got their word in. There's no doubt about that, but I'm certainly not seeing any balance here, which – I hate to say it – is a bit of a pattern. We've seen multiple pieces of legislation that have come before us, supposedly claiming to try to create balance, but ultimately it always seems that Albertans are at the bottom of the list. They are the last ones that seem to possibly be considered for the benefits. We've already seen insurance rates spiking in the middle of a pandemic. Was that the plan? Was that what you envisioned? You can no longer look back, point fingers, and say that it's all the NDP's fault. You now have to own this one. You've been in charge long enough.

I'm hoping that members will take a very sober look at this by striking out section 2, as mentioned here in amendment A1, and at least allow Albertans a fighting chance. I've always noticed, you know, that when Albertans have to go up against the great, big corporations, at the end of the day they just don't have deep enough pockets to be able to do it. We have an insurance industry that is making a profit – don't kid yourself; they are – so at what point in time do you draw the line and say, "Okay; we appreciate that you want to make a profit"? I don't begrudge them for it – I certainly don't – but I think that to put Albertans in a place where this will not serve them is not in their best interests.

I know that some of my other colleagues here are itching to speak to this. I may have more to say to this later on here as we discuss further amendment A1. Again I encourage you to think: was this what my constituents sent me here to do, to place them in a position where it won't be in their best interests? Insurance rates are already going up. I've only given you one simple example, and I already know that other insurance rates across – other constituents in all of your ridings have reached out to us and said the same thing. Please give this A1 very serious consideration because Bill 41 puts Albertans at a very, very large disadvantage, and it puts their health at risk, too, both short term and long term, all for the sake of a big corporate dollar. That's not what we were sent here to do.

The Chair: Any other members wishing to join debate on amendment A1? The hon. Member for Edmonton-Gold Bar.

Mr. Schmidt: Thank you, Madam Chair. It's a pleasure for me to rise and offer some comments on the amendment that's being considered by the Legislature right now, and I want to thank, first of all, my friend from Edmonton-West Henday for his excellent work in opposing this legislation and standing up for vehicle drivers and vehicle injury victims in this province. He's done excellent work, and I know that his constituents are proud of him, and certainly a lot of people in Alberta are cheering him on as he leads us in this fight against what is really damaging legislation that will do nothing but financially punish the drivers of this province and really make the lives of motor vehicle injury victims significantly worse.

I also want to thank my friend from Edmonton-Decore for his thoughtful interventions. Of course, I appreciate hearing the stories of his constituents who have faced significant increases in their insurance premiums, not just in the motor vehicle realm but also in the condominium realm. I can certainly say that I've heard very many similar stories from my constituents in Edmonton-Gold Bar, so this is not just a problem that is confined to the boundaries of Edmonton-Decore, Madam Chair. This is something that people from all across the province are dealing with.

It was interesting to me that the Member for Edmonton-Decore reminded the House that we weren't actually sent here to fight on behalf of big corporate dollars, and I would like to offer just a slight correction to my friend from Edmonton-Decore and say that we here in the Official Opposition weren't sent to fight for big corporate dollars. But I think the members of the UCP were indeed sent to fight for big corporate dollars, and they are doing a marvellous job of it right now, and I'm sure that they're looking forward to their future rewards for this kind of work. What really bothers me, Madam Chair, is that the Minister of Finance and his compatriots in Executive Council won't at least be honest with the fact that they are standing up for corporate profits in the insurance industry.

8:40

We've heard time and again the Minister of Finance respond to questions from my friend from Edmonton-West Henday about these proposed insurance changes and the effect they'll have on motor vehicle injury victims. The way he makes the state of the insurance industry in Alberta sound: it sounds as if insurance corporate executives have to, you know, spend their time looking for a side hustle just to make ends meet, Madam Chair. Apparently, I had no idea that insurance was such a hard industry to be in that they're just on the knife edge of profitability, at risk of going bankrupt any day. If it were true, I would be passing the hat here among my friends, and we would be taking up collections to help poor insurance corporate executives out, because the way the

Minister of Finance makes it sound, it's as if they should be at the top of everyone's charity list.

The facts are something else entirely. I know that the members of the UCP have a very difficult relationship with the truth, but the facts with respect to the profitability in the insurance industry in this province are very different from the stories that the Minister of Finance spins every day in question period when asked about this matter. In fact, some friends of mine have shared with me an actuarial report that was done on the state of the profitability of the insurance companies in Alberta, and they estimate that in the 2019 year they profited about a billion dollars. That's – what? – 30 war rooms. It's a significant amount of money.

Now, it's not that significant if you are an accountant in the department of treasury and Finance. They could lose \$1.6 billion in a year just like that. Thankfully, our friends at the Auditor General's office are there to lend a helping hand. Perhaps, you know, with the perspective that the Finance minister has, with such casual regard or disregard for an amount, in his view, as trifling as a billion dollars, that might look the same to him as poverty since his own department doesn't take that amount very seriously, but to any other observer – nobody with any shred of credibility or belief in adherence to truth would say that the profitability of the insurance company is in danger. They're making a billion dollars a year, and their profitability, I expect, will be even better this year because insurance rates have gone up and claims have gone down. Most of us or a great deal of us are staying home because of the pandemic.

At any rate, it's quite clear to me that the Minister of Finance is working very hard on behalf of the insurance companies. This is part of a pattern that this government has demonstrated, where they're bringing in policies and legislation and budget decisions that favour the most profitable parts of Alberta's society. Just earlier today we were debating changes to the Workers' Compensation Board which will save businesses millions and millions of dollars at the expense of taking away insurance claim injury payments to people who've been injured on the job. I don't know what this government has against injured people, but it seems like they're out for them. Whether they've been injured in a motor vehicle accident or injured on the job, the government is intent to make sure that they can't get a fair settlement from the people who owe them one.

And speaking of fair settlements, I think that this amendment that's been brought forward by my friend from Edmonton-West Henday doesn't fix the bill – this bill shouldn't be brought forward – but would at least be a step forward in making sure that motor vehicle injury victims have a fighting chance of having their cases heard fairly in court. By removing this limit on calling expert witnesses, the motor vehicle injury victim can rely on the expert witnesses of whomever he or she needs to make sure that all of the facts are viewed by the court and that a decision is made with the appropriate information.

I talked to some friends of mine who had some concerns with this bill, and I asked them about this piece of the legislation that deals with expert witnesses. He said that he was incredibly surprised, first of all, that there would be this arbitrary \$100,000 threshold, because in his experience, this \$100,000 threshold isn't related at all to the number of expert witnesses that would be called in your average motor vehicle injury claim, Madam Chair. The threshold is arbitrary. He's had plenty of cases that were below \$100,000 where they had to call many expert witnesses, and he's had cases above the threshold where they didn't have to call as many witnesses because the cases were more clear-cut.

It boggles the mind, and nobody can really understand why this arbitrary threshold has been set. So, you know, on that basis alone I think it makes sense to remove this section because this \$100,000

threshold isn't related to anything to do with the litigation of motor vehicle insurance claims in court. But, moreover, Madam Chair, the average motor vehicle injury case relies on expert witnesses from a number of people.

Now, my friends from Edmonton-Castle Downs and Edmonton-West Henday and Edmonton-Decore have really focused on medical experts, and no doubt those experts have a lot of information that can be brought to bear on the decisions that are made in court when these cases come before them. But there are a whole host of other experts that are routinely called in these matters, people like accident reconstruction experts, people who are engineers, who can determine exactly how an accident happened and assign fault properly, people like economists, who can look at the potential future lost earnings of a motor vehicle injury victim and forecast a reasonable settlement for those kinds of people who would be injured to the point where they have potentially suffered some lost wages. Often forensic accountants could be called to give their expert testimony on these cases.

The Chair: I need you to wrap it up.

Mr. Schmidt: Okay. You know, neuropsychologists, psychiatrists, psychologists, occupational therapists, orthopaedic surgeons, otorhinolaryngologists, physical therapists, speech pathologists, TMJ specialists, vocational experts, and the list goes on and on, Madam Chair. Those are experts that are routinely called in these kinds of cases, and I don't think that it's fair to say that a motor vehicle injury victim needs to have the number of expert witnesses limited because the Minister of Finance's insurance friends are unhappy with a billion dollars a year profit.

So for that reason, I urge all of my friends here in the Legislature to vote in favour of this amendment and remove this section and give motor vehicle injury victims a fighting chance at having a fair case in court. Thank you.

The Chair: Any other members wishing to join debate on amendment A1 on Bill 41?

Seeing none, I will call the question.

[Motion on amendment A1 lost]

The Chair: We are back on the main bill. Any members wishing to join debate on Bill 41?

Seeing none, I will call the question on Bill 41, the Insurance (Enhancing Driver Affordability and Care) Amendment Act, 2020.

8:50

[Title and preamble agreed to]

[The remaining clauses of Bill 41 agreed to]

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

Hon. Members: Agreed.

The Chair: Opposed? Carried.

The hon. Government House Leader.

Mr. Jason Nixon: Well, thank you, Madam Chair. I move that we rise and report Bill 41.

[Motion carried]

[The Deputy Speaker in the chair]

Mr. Rutherford: Madam Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports the following bill: Bill 41. I wish to table copies of an amendment

considered by Committee of the Whole on this date for the official records of the Assembly.

The Deputy Speaker: Does the Assembly concur in the report? All those in favour, please say aye.

Hon. Members: Aye.

The Deputy Speaker: Any opposed, please say no. Carried.

Government Bills and Orders
Third Reading
(continued)

Bill 44

Financial Statutes Amendment Act, 2020

The Deputy Speaker: The hon. Minister of Finance.

Mr. Toews: Thank you, Madam Speaker. I'm pleased to rise and move third reading of Bill 44, the Financial Statutes Amendment Act, 2020.

Madam Speaker, this bill is a key part of our economic recovery plan. This bill will reduce red tape. It will enable the financial sector to operate in a more legitimate way with less red tape, less bureaucracy. It will allow financial institutions to access capital from the Bank of Canada's liquidity measures should global financial markets require that liquidity for these financial institutions. I'm very pleased tonight to rise and move third reading of Bill 44.

The Deputy Speaker: Any members wishing to join debate on Bill 44 in third reading?

Seeing none, I will call the question.

[Motion carried; Bill 44 read a third time]

Bill 39

Child Care Licensing (Early Learning and Child Care)
Amendment Act, 2020

The Deputy Speaker: The hon. Minister of Children's Services.

Ms Schulz: Thank you very much, Madam Speaker. I am so proud to rise to move third reading of Bill 39.

I've had a chance to speak to this bill a few times and had some great debates with my colleagues and those across the aisle, so tonight I will be brief. The experience of launching true consultations with child care operators, preschool operators, day home operators, out of school care operators, educators, parents, and caregivers as well as licensing staff was a true honour. Government is about service and about listening to those who sent us to this place, Madam Speaker, and I got the chance to listen to more than 10,000 such people. In reviewing this body of work conducted by my colleague the Minister of Municipal Affairs, who oversaw this important consultation, it was honestly somewhat emotional. Child care educators who've worked in child care for over 30 years have never been consulted, and they finally, truly, have a voice.

What we heard from Albertans echoes the priorities of this government, Madam Speaker. High-quality and safe child care has always been and will always be an important part of ensuring Albertan parents can get to work. Many aspects of the accreditation process, a former hallmark of quality child care, are now mandatory in all licensed programs. As a parent myself I know the incredible weight of deciding how best to meet the needs of children and

families in this province. It's a big decision, and it's part of why we've made these changes that will impact all forms of child care in Alberta, but that's not just done through this bill. This is about making tools available to providers and parents so they can make safe and informed decisions when it comes to their child's child care. We're increasing transparency so parents can make these choices and rest assured that, whatever they choose, their children are safe.

I believe these changes in this act along with shifts in regulation and policy will make Alberta a leader in safe, accessible, high-quality, and affordable child care for those who need it most. I know this, Madam Speaker, because I heard it from those who took part in these very important consultations. I do urge all members of this Assembly to vote in favour of this legislation.

The Deputy Speaker: Any members wishing to join debate on third reading of Bill 39?

Seeing none, I will call the question.

[Motion carried; Bill 39 read a third time]

Bill 50

Appropriation (Supplementary Supply) Act, 2020

The Deputy Speaker: Any members wishing to join debate on Bill 50 in third reading?

Seeing none, I will call the question.

[Motion carried; Bill 50 read a third time]

Bill 45

Local Authorities Election
Amendment Act, 2020 (No. 2)

The Deputy Speaker: The hon. Government House Leader.

Mr. Jason Nixon: Well, thank you, Madam Speaker. On behalf of the hon. the Minister of Municipal Affairs it's my pleasure to move third reading of the Local Authorities Election Amendment Act, 2020 (No. 2), an excellent piece of legislation that she has worked extremely hard on.

I expect that she will close debate on this important piece of legislation, but I wanted to eagerly speak in favour of that and make sure that we're able to move it onto the floor and encourage everybody to vote for this important piece of legislation.

The Deputy Speaker: Are there any members wishing to join debate?

Would the hon. minister like to close debate?

Mrs. Allard: Thank you, Madam Speaker. It's a pleasure to join you this evening. It's my honour to move third reading and to call the question, hopefully, on Bill 45, the local authorities elections act.

Thank you.

[Motion carried; Bill 45 read a third time]

The Deputy Speaker: The hon. Government House Leader.

Mr. Jason Nixon: Well, thank you, Madam Speaker. I appreciate all the hard work today. I move that we adjourn the Assembly until tomorrow at 9 o'clock a.m.

[Motion carried; the Assembly adjourned at 9 p.m.]

Table of Contents

Government Bills and Orders

Third Reading

Bill 50	Appropriation (Supplementary Supply) Act, 2020	3677, 3685
Bill 44	Financial Statutes Amendment Act, 2020	3685
Bill 39	Child Care Licensing (Early Learning and Child Care) Amendment Act, 2020	3685
Bill 45	Local Authorities Election Amendment Act, 2020 (No. 2)	3685

Committee of the Whole

Bill 41	Insurance (Enhancing Driver Affordability and Care) Amendment Act, 2020	3679
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