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The 30th Legislature
Third Session

Alberta Hansard

Tuesday morning, April 26, 2022

Day 24

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta The 30th Legislature

Third Session

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Legislative Assembly of Alberta

10 a.m.

Tuesday, April 26, 2022

[Mr. Milliken in the chair]

Prayers

The Acting Speaker: Lord, the God of righteousness and truth, grant to our Queen and her government, to Members of the Legislative Assembly, and to all in positions of responsibility the guidance of Your spirit. May they never lead the province wrongly through love of power, desire to please, or unworthy ideals but, laying aside all private interests and prejudices, keep in mind their responsibility to seek to improve the condition of all. So may Your kingdom come and Your name be hallowed. Amen.

Please be seated.

Orders of the Day

Government Bills and Orders Second Reading

Bill 15

Education (Reforming Teacher Profession Discipline) Amendment Act, 2022

[Adjourned debate April 21: Mrs. Allard]

The Acting Speaker: Hon. members, are there any members looking to join debate? I see the hon. Member for Edmonton-Glenora has risen.

Ms Hoffman: Thank you very much, Mr. Speaker and to my colleagues for gathering this morning as we consider government Bill 15, which is currently titled Reforming Teacher Profession Discipline. That's the subtitle, actually; Education Amendment Act more generally.

I just want to start by saying that every child in Alberta deserves a high-quality educational opportunity, which should be consistently available for every child no matter where they live, no matter which system their parents choose – public, Catholic, francophone – and that system, that school, should be supported with excellently trained professionals, who have access to a number of different training programs here in the province of Alberta.

I did my education degree at the University of Alberta but know many exceptional teachers from the University of Calgary, Lethbridge, Concordia right here in Edmonton, and the list goes on. We have some of the best education programming available anywhere in the province, and the Minister of Advanced Education is probably well aware of the exceptional programs we have in Alberta to ensure that teachers can receive the right kind of support and educational opportunities to be prepared for the classroom.

One of the classes that actually really got me excited when I was doing my after degree in education was law and ethics. It is a mandatory course at most postsecondary institutions, maybe even all. From the ones that I considered, it was certainly a mandatory course for every aspiring teacher.

For good reason, Mr. Speaker, because we all must, when put in a position of power and trust – power and trust for a variety of professionals, including teachers, of course, but also health care professionals, doctors. Members of this Legislative Assembly are certainly put in a position of power and authority and trust when it comes specifically to political staff working in this building. Lawyers, of course, are in a position of trust; engineers, who we

count on to design critical infrastructure to ensure that we are all safe and can move freely. All of these professionals are in significant positions of power and authority and hold a great deal of trust in society. Ensuring that we have proper oversight and mechanisms in place to ensure that professionals in positions of trust are held to a high, high, high degree of accountability and that everyone can drop their child off at school with confidence that they will be safe, protected, and respected in that learning environment is crucial.

One of the other components that very early on in that law and ethics course, and maybe even in some others, was instilled in us deeply was that teachers are in loco parentis. They're in the role of the parent when it comes to that time of responsibility when they are working together with that child. So that really is a significant degree of confidence and trust that's placed in teachers.

I have to say that when the minister started sort of foreshadowing this legislation and highlighted some egregious examples of times where teachers broke that trust and harmed children, of course, every Albertan who heard about those was heartbroken, devastated, and a high degree of not just empathy but imagining if that was your child or somebody you cared about was front of mind for many Albertans. At that time the Premier and the Education minister and others in cabinet said, "This is one of the reasons why we need to change things," because they believed that the current system didn't work because of specific cases that they highlighted from the past.

I want to say that nobody wants teachers who break that trust to be in the classroom, not another teacher who's in that school, not a member of the ATA disciplinary board, not the minister, I hope. I don't think anybody wants somebody who breaks the trust in a professional capacity, and of course today we're here talking about teachers specifically, to continue in their profession when they have caused significant harm.

I also want to highlight that one of the number one issues that was highlighted about the one specific case that received the most attention was the fact that the ATA didn't notify the police. The number of people who were informed about that egregious act: not a single one notified the police, not local folks closest to the child who found out about the issue, not the ATA, and definitely not the minister. There is a well-documented paper trail between the minister being the one who actually asked to revoke the teaching certificate and therefore received information. All of the information that the current minister received was received by prior Conservative ministers at the time that these horrific incidents took place, and none of them notified the police.

I think that there is certainly an opportunity for us to improve on the process to ensure that police notification is initiated by one or all parties when it comes to any type of horrific breach of public trust when it comes to any professional in this province. I certainly wish that the school or the ATA or the minister would have notified the police. When I read the subtext of what the minister was saying, I hope that she feels the same way as well rather than trying to specifically attack one of the groups that was privy to that information.

Again, every child in Alberta should have access to a high-quality educational opportunity with high degrees of trust, with reasonable class sizes, with appropriate oversight and professional development for all adults working in that building with that child or team or young adult. We are put in a high degree of trust as teaching professionals, as principals, as educational assistants, as school leaders to ensure that every child in that building has access to the right supports when it comes to educational supports as well as a high degree of confidence in the safety and well-being of one another.

The minister has highlighted that it is an incredibly small number of teachers who've broken this trust, and that is something that I

hope all of us and all Alberta parents can reflect on, that the vast, vast, vast majority of adults who work in schools with kids are there for all of the right reasons, and they want to do their absolute best to make sure that every child has an opportunity to succeed and feel safe and supported at school.

We know that the opportunities for that additional support under the current government have been significantly breached. Reflecting on the first Education budget, there were promises made by the Finance minister in this House that enrolment growth would be funded, and of course it was not. Immediately the government froze the Education budget even though the number of students was continuing to grow in the province.

Then, not long after, the public health crisis of COVID-19 hit and immediately – well, not immediately. The first week the minister sang the praises of folks like educational assistants and school bus drivers who were continuing to find ways to support families. In this very Legislature she talked about school nutrition programs that had been suspended but bus drivers were delivering food hampers to families in need throughout the province. About a week after she made those very remarks, she gave notice to every school district that they must terminate educational staff who weren't providing direct teaching support. That meant the school bus drivers. That meant educational assistants and many others who were working in schools to find ways to support kids in one of the scariest times of their lives, certainly, when the world changed significantly on a dime.

10:10

Then when we actually look through the budget documents – you can compare the tables of certificated staff, which are teachers, and noncertificated staff; typically educational assistants would be the vast majority within that line item – you see that over the three budgets that we've seen from the current government, from the UCP, the number of certificated staff is down almost 1,000. The minister has said, "Well, that's not in this year's budget," because they adjusted the tables for last year's budget to show a significant reduction in the number of teachers, but the black-and-white truth is that if you compare when the NDP was in government to this current budget that's just recently been passed in this House, the UCP is planning and has delivered 1,000 fewer teachers for Alberta students.

If you want to talk about opportunities to provide support and trust and collaboration for kids, making sure you have exceptional teachers who are well trained, who are held to a high degree of accountability when it comes to their behaviour, their conduct, and their delivery of educational supports and information to children, I'm with you. You can't do that in a sustained way by continuing to reduce the number of teachers in schools. [interjection] I welcome the interjection from my colleague for Edmonton-City Centre.

Mr. Shepherd: Thank you, Mr. Speaker. I've been listening closely to my colleague from Edmonton-Glenora. I certainly appreciate the thought she's brought forward, and as she was speaking about the situation in schools – the loss of staff, the incredible pressure those staff are under, the vindictiveness, perhaps, in some respects with which this government has approached the teaching profession – it's certainly put me in mind of the challenges that we are facing in health care in the province of Alberta at the moment, where I don't think we've ever had a more exhausted and demoralized workforce and indeed the challenges, the understaffing that has been created by the actions of this government and the pressure that creates and the difficulty that creates, then, in providing the level of care that is expected for patients and the situations, in fact, dangers, that could present. I was wondering if the Member for Edmonton-Glenora

would agree that we seem to have a bit of a parallel here in this behaviour and that, you know, trying to disempower teachers further or attack them in the way that this government has could further jeopardize that situation.

Ms Hoffman: Thank you, Mr. Speaker. I want to start my response by saying that a strong foundation in public education and public health care are two of the main reasons why I find myself aligned with the NDP and have for quite some time now, because not only is the NDP the party that brought medicare to Canadians, something that I am incredibly proud to continue to be a steward of as we serve as Members of this Legislative Assembly, but because of the opportunities that I had growing up as the daughter of two teachers, going to public school, most of that time in northern Alberta in a small village called Kinuso, and the impacts that that had on creating opportunities for me and many of my classmates to reach our full potential.

In quality public education, which everyone should be aspiring to, I hope, in this place, every child is in and every child has an opportunity to succeed, and to have the right conditions in place to make that happen, as my colleague from Edmonton-City Centre says, you need to have adequate supports, so you need to have a teaching complement that is reasonably sized, that has fair class size conditions so that teachers can work closely and track the learning and progress of all the students that they are in charge of. We continue to see under this current government, as has been highlighted, now 1,000 fewer teachers when the number of students has not gone down, really, when you look at the numbers when the NDP was in government versus today, and we know that the educational needs have grown significantly.

The term "learning loss" is often used, and I probably have used it myself. I want to be clear that kids didn't lose learning; they lost the opportunity to achieve greater knowledge. When you look at where they're at in terms of their projected growth, if you look at assessments like MIPI or the SLA in terms of where you're at today and where you're projected to be two years from now, almost every child in this province saw setbacks from where their anticipated growth was headed. [interjection] I see an opportunity for an interjection, and I welcome it from my colleague for Edmonton-Highlands-Norwood.

Member Irwin: Thank you to the Member for Edmonton-Glenora. You know, I know she's quite passionate about education, and she and I have actually had the opportunity to visit a few schools together, both in person and virtually. We were at a school not too long ago – gosh, time is confusing – and it's a school where they're very much stuck for space. I was thinking about the member's comments on learning loss and just thinking about how a school like that that we visited, where the teachers and the staff and the students are dealing with so much and they're doing so in a space that's not been adequately funded – they're doing so in a francophone setting, and they're doing so in a space where everybody is doing all they can to make it work, in the midst of a pandemic, might I add. I just wanted to ask the member to tell a little bit more about what she's hearing from the schools that she's visited.

Ms Hoffman: Thanks very much to my colleague for Edmonton-Highlands-Norwood for the opportunity to reflect on what kids are facing in schools today. The school that she speaks of is one that I am proud that the NDP opened in the time when we were in government, and certainly the demand has far exceeded original projections for the community that it serves in Sherwood Park. Now is the time to grow that building significantly to ensure that it can continue to meet the Charter-protected rights of minority language

speakers in the province of Alberta, French speakers in the province of Alberta, and to ensure that all the parents who choose francophone education for their children have an opportunity to see their kids reach their full academic potential and language and culture potential as well.

One of the number one issues that folks have raised with us over the last six months in particular, I'd say, are the significant impacts to child and adolescent mental health. When we were in government, I was proud to serve as the Health minister, and one of the projects that I was very keen to see evolve and move forward was the number one priority for the Royal Alex hospital, and it also became a very high priority for the folks at the Stollery Children's Hospital Foundation. It was to build a stand-alone child and adolescent mental health facility here in Edmonton between the Norwood long-term care facility, which is being renamed Gene Zwodzesky, and the Glenrose.

The purpose of this stand-alone health facility would be to provide in-patient and out-patient services and one-stop opportunities for families to know, if you live in central or northern Alberta or in the capital region, where it is you can receive the expert support in a stand-alone health facility. This is still needed even though the current government, the present government, has decided that it's not a priority for them. It is absolutely a priority for families in Edmonton and surrounding area, and it is a priority for those who work in health care and in education. This doesn't mean that there aren't currently ... [interjection] Oh, another opportunity for an interjection by Edmonton-Highlands-Norwood.

Member Irwin: Thank you, Edmonton-Glenora. I know it can be a little bit tricky at times with interventions, but I appreciate so much your willingness. You know, just your comments on health and health care and the connections to education – you and I have talked a lot about a holistic approach to education, particularly mental health. One of the things that I'm so proud of is our advocacy, your advocacy in particular – that member's advocacy, I should say – on the need for mental health supports. I know you don't have a lot of time left, but I wondered if you might just touch on the critical need to continue to take, when we're, hopefully, back in government, a holistic approach to education, wherein the health of every student is prioritized. We know this pandemic has exacerbated the mental health crisis in schools, and without investment, without supports, I fear very much that students' mental health is going to continue to be further impacted.

Thank you, Member.

Ms Hoffman: May I have a time check, Mr. Speaker?

The Acting Speaker: Yes. I was actually going to let you know that instead of one and a half minutes, you have three and a half minutes according to what I believe.

10:20

Ms Hoffman: I will take that opportunity to say that the stand-alone health facility would be absolutely a significant benefit to the people of Alberta, for the mental health of children and all of us. We also need embedded in the health care system, in the education system opportunities for enhanced support and mental health awareness and crisis support in schools.

This is one of the reasons why we've proposed for quite some time during the pandemic that we get Alberta back to having a counsellor in every school.

The Acting Speaker: Hon. member, I hesitate to interrupt you. I apologize. It's only 45 seconds left.

Ms Hoffman: Okay. Thank you.

Having a counsellor who is available in each and every school: these are things that could be done to make sure that children who are in positions of harm or who have been hurt by somebody in a position of trust or otherwise have an opportunity to actually receive the additional mental health supports that they are so rightfully in need of and that the government should be providing. I would love to see the government take some time to bring forward a bill to actually address the mental health of students who have been facing significant hardships, whether it's by the pandemic or whether it's by others who are in positions of trust.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you.

Hon. members, I believe the individual who first caught my eye was the hon. Member for Calgary-East.

Mr. Singh: Thank you, Mr. Speaker. I rise here today to take this opportunity to express my support for Bill 15, Education (Reforming Teacher Profession Discipline) Amendment Act, 2022. Firstly, I would like to express my appreciation to the minister for taking this important step, that brings changes to support our Albertan families first but, most importantly, our children. As well, I commend the minister for taking time to hear the feedback that many of the parents, educators, teachers, teacher leaders, stakeholders, and licensing staff had given.

Mr. Speaker, let's not forget the great efforts our teachers in Alberta have dedicated, especially in the past couple of years, where there were difficult decisions made by our government. If it had not been for our teachers' and our teacher leaders' resiliency and great efforts, our children and families would have been faced with numerous challenges within the education system. This province has been one of the best education systems. It provides quality education through the standardized curriculum, our highly qualified, government-certified teachers, and our modern schools and technology across rural and urban Alberta.

Mr. Speaker, let me remind you that the teachers' union has spent millions of dollars on advertising campaigns to instill fear in Albertans and teachers alike, arguing that changes to the present disciplinary framework will demolish the teaching profession and damage the whole education system. This tale is completely false and incorrect. Bill 15 is introduced in the Legislature to only enhance the standards of the teaching profession by eliminating potential conflicts of interest, increasing openness and accountability, providing peace of mind to parents, and, most importantly, protecting our children.

In Alberta the government has made a promise to take important actions to reform and revise our laws that will benefit Albertans all across the province, and Bill 15 aims to improve the discipline process for all teachers and teacher leaders in order to serve the greatest interests of our kids, families, educators, and the general public.

Mr. Speaker, our system allows our children to become the best, fullest versions of themselves. It teaches how we can become self-aware and conscious about the world we live in, and Albertans and families have been trusting this government to ensure improvement and opportunities continue to make the lives of our children better.

The Alberta government is revising the teaching profession's disciplinary procedures in order to make the educational system safer for kids, their families, and instructors. This involves the establishment of the Alberta teaching profession commission and the appointment of a commissioner to oversee teacher and teacher leader conduct and competency complaints on a reasonable basis.

Mr. Speaker, Bill 15 will protect the entire teaching profession by bringing all teachers and teacher leaders, regardless of who they work for, under one reformed disciplinary process, bringing everyone together under a common touch point and putting the best interests of students, their families, teachers across the education system, and the public at the centre of the teaching discipline processes.

Mr. Speaker, Alberta is the only Canadian province where the teachers' union has sole responsibility, set out in legislation, to deal with the discipline for their active members, with no other alternative. If this is not a clear indication for change, then I don't know what it is.

Bill 15 will put Alberta in step with other jurisdictions and regulated professions such as nurses by removing the conflict of interest that exists when a union advocates for its members while also conducting disciplinary proceedings. In addition, Bill 15 would reinforce requirements for stakeholders in the education system and employers to report to police where there may have been serious harm or a threat to a student's safety.

It would also expand on the employer's duty to notify the registrar when conduct-related employment action is taken against a teacher or teacher leader. This enhancement would minimize information gaps that would threaten student safety. This legislation builds on the students first act, which received royal assent on December 2, 2021. The online teacher registry enabled under this act will make publicly available all hearing, appeal, and minister's decisions where there is a finding of unprofessional conduct or professional incompetency as well as making hearings and appeal dates public.

Mr. Speaker, the students first act amends the Teaching Profession Act, the Education Act, and the College of Alberta School Superintendents Act and was introduced to create a public, online, and searchable database of Alberta teacher and teacher leader information, bringing Alberta in line with other provinces, as well as requiring school authorities to conduct criminal record and vulnerable sector checks when hiring a new teacher or teacher leader and again every five years throughout their employment as well as improved oversight and timeliness of disciplinary matters for teachers and teacher leaders.

Furthermore, the students first act now requires the Alberta Teachers' Association, the ATA, to inform the Ministry of Education about all complaints made against its members, including when a complaint is filed, and improves the efficiency of disciplinary processes by simplifying the ATA's disciplinary committee structure to align with the structure and processes used by the College of Alberta School Superintendents and Alberta Education's registrar.

10:30

Mr. Speaker, this database would allow parents to view the status of teacher and teacher leader certificates, including if certificates have been suspended or cancelled for unprofessional conduct or professional incompetency. This will balance individual teacher and teacher leader's rights to privacy, procedural fairness with the public's right to know when a teacher or teacher leader has been disciplined for a serious matter.

Again, Mr. Speaker, let me remind everyone in the Chamber that the great majority of teachers in the province are professionals who are concerned about the safety of the children in their charge. By eliminating any idea of a conflict of interest, the act would raise the status of the teaching profession as well as improve the teaching profession's accountability and openness, that will protect kids and provide parents with peace of mind.

This legislation will build a healthy and trusting relationship with families that have been frustrated for many years with the lack of support they received from the previous government. We are

continuing to prioritize children and families by working to improve Alberta's teacher and teacher leader disciplinary systems from kindergarten to grade 12. The initiative of the ministry will strengthen the education system by increasing accountability, openness, and timeliness while ensuring that the laws and related rules that supervise these procedures do not constitute a conflict of interest.

Through Budget 2022 Alberta's government continues strong support for the education system. It provides an increase of more than \$700 million over the next three years to support teachers and to address cost pressures in transportation. This increased funding also recognizes enrolment growth. It includes a 1 per cent increase to both base funding and operations and maintenance funding. In 2022-2023 this increased funding will ensure that school authorities can hire the required number of teachers and support staff, address increases in property and vehicle insurance premiums, support schools in maintaining enhanced cleaning protocols, and mitigate the impacts of the COVID-19 pandemic on student learning. Targeted funding of \$110 million over the three years, including \$30 million in 2022-2023, will enable schools to support students experiencing academic challenges and create school environments supporting student well-being and positive mental health.

In closing, Mr. Speaker, I just want to reiterate that this legislation will not only make the educational system safer for kids, their families, and their teachers, but this act will improve the standards and will help us identify gaps within the education system. I just hope that every member of this Chamber respects the rights of a safe education system for our children. Again, I commend the minister for having made this bill into reality for the benefit of the entire province.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you, hon. member.

Are there any other members? I see the hon. Member for Edmonton-Decore has risen.

Mr. Nielsen: Thank you, Mr. Speaker. I'm happy to rise this morning to add some first initial thoughts here around Bill 15, the Education (Reforming Teacher Profession Discipline) Amendment Act, 2022. I guess before I get to a couple of the comments from the previous speaker, first I'd just like to thank my good friend from Edmonton-Glenora for the insight that she brings to this subject because of her experience as not only a school trustee but also as a school board chair, and obviously for many years she served very, very well there with one single focus – and that was on: how do you get the best outcome for our students, our young emerging leaders, here in the province? – you know, in that former role, at least in the Edmonton area. So I just want to thank her for that.

You know, Mr. Speaker, when I look at Bill 15, I can't help but feel like this is a little bit of a get-back-at piece of legislation. The reason why I feel that way is that I understand – I don't think there's any teacher anywhere that doesn't want the best outcomes for their students. They want them to be able to learn in a safe environment. But just like anything else, unfortunately, you're always going to find at least one bad actor. I could say that about large corporations. I could say that about a trade. I could say that about a politician. When you start to go down the path where you're constantly butting heads and then all of a sudden you see something that sort of creates a bit of an upheaval – as we all know, the curriculum has been a very contentious piece coming forward, and the ATA has been very, very vocal about that. Now all of a sudden: well, you guys aren't doing your job.

Now, I understand that the case that this is mostly based off – again, as I've told this House time and time again, it always seems

to come down to the language, and the language that was available at that time: we can certainly have a debate about whether that was, you know, right or wrong. Clearly, it wasn't enough, but those were the steps that had to be followed at the time. So, as my friend from Edmonton-Glenora said, it looks like the ball was dropped at the minister's level, the minister of the day.

You know, we've seen some significant difficulties imposed on the teaching profession over the course of this government's term. We've seen significant funding decreases in education, hence some of my initial comments to the previous speaker talking about increasing funding. Let me ask this question, then, Mr. Speaker: if we are funding education at the levels that they need to be able to hire teachers and staff, then why do we have Bill 21 in front of us right now, which seeks to extend the time that education boards can dip into their reserve funds to be able to pay for things? Why is that necessary if we are indeed funding at an appropriate level?

We know that's not happening. We're short a thousand teachers. We have a lot of students that won't actually have specific funding for them, so we're forcing boards to have to be very, very creative and teachers to be very, very creative to be able to provide that service to those students. I think that kind of debunks that just a little bit, you know. I would expect, then, if that was indeed the fact, that funding is at appropriate levels, that we shouldn't need that section in the bill that has just been tabled in this House yesterday, Bill 21, to seek to extend, allowing boards to dip into their reserve funding to pay for things.

Getting back to the things on the ATA side, as I said, they've been very, very vocal. This seems like a little bit of, as I mentioned in my earlier comments, a piece to get back at education. There are two courses I think you could have taken this. You could have actually dealt with the shortfall in the current language rather than creating this commissioner position. Let's be honest. Really, this is about the minister. This is about the minister having all kinds of authority to be, well, quite frankly, judge and jury or jury and judge and maybe even ultimately executioner. Who knows?

10:40

You know, members of the government bench, members of the government caucus who served in the 29th Legislature, as I said, very consistently and persistently were very, very opposed to any additional measures that were given to a minister. Yet here we are, and all I'm hearing is crickets. Did you actually believe that at the time when you said it, or is it just, "Well, now I'm in charge, so it's very, very convenient now, and it works for me," which, of course, means that you didn't really actually believe it to begin with? Again, this is a very significant piece being allowed to the minister around that, so I question why that's happening.

The other direction that it could have gone – and we've seen this now with, for instance, chiropractors and physiotherapists and whatnot, having their profession split up into two organizations, kind of like the nurses. You know, you have the professional organization that will deal with the professional issues, and then you have UNA, which deals with the members, the advocacy on behalf of the members, things like that. Why didn't you go in that direction, then, and force them to split off into two? That would certainly solve it. Then you would have a profession dedicated to only dealing with that, and then you would have the other half that would deal with the membership. Again, I can't help but keep coming back to that, well, this is a little bit of a get-back at the ATA for speaking out quite loudly about the changes in the curriculum and the unwillingness of them to support it.

You know, when we've placed teachers at such a disadvantage, I mean, the work that they've tried to accomplish over the last year – I've got a few friends. They're teachers. I've heard the struggles

that they've gone through. I have 26 schools in Edmonton-Decore. All three high schools north of the Yellowhead freeway – all of them – are in Decore. So needless to say, I get the opportunity to speak to teachers, and I hear about their struggles. Saying that you'll be able to hire a few more teachers is not enough. I'm telling you right now that it's not enough.

As my friend from Edmonton-Glenora mentioned at the beginning, all of the cuts that happened right at the beginning of the pandemic, where all of a sudden 25,000 teaching professionals were gone, EAs – one of the biggest things I've heard is about the educational assistants and the lack of them.

Mr. Hunter: It happens every summer. [interjection]

Mr. Nielsen: Oh, I see there's an interjection from my friend from Edmonton-Glenora.

Ms Hoffman: Thank you very much to my colleague from Edmonton-Decore. I'm hearing the other side shout: well, it happens every summer. What was different this year is that kids were still expected to learn. Disabled children were sent home to learn online with no support, and the one lifeline they had, the trained educational assistant who, in many circumstances – I actually talked to a family from the Member for Taber-Warner's riding who said that the educational assistant would call in the morning to help wake up the child, who they had this relationship with for eight months, and have a conversation about what the day was going to look like and how they were going to support them in learning online, and then that lifeline was cut off.

Mr. Speaker, this was incredibly different than what had happened in previous situations because in previous situations kids weren't expected to still be learning. They were on summer break, and this was no break, I will remind all members of this Assembly, when it comes to the hardship kids faced under the leadership of the UCP during the pandemic.

Mr. Nielsen: Well, thank you, Mr. Speaker, and thank you for those comments. I appreciate that. Yeah, I've heard the exact same thing. The comment of "Well, it happens every summer; it was in summer when this happened": you know, again you're flying out comments to try to sound like you're being oppositional, but the facts don't back it up. I consistently see that with this government. Facts don't line up with what they're saying. What they say about legislation isn't lining up, and it's persistently, consistently butting heads every single time, okay?

You know, it would be one thing if I'd heard from only one or two teachers of the struggles, the large class sizes, trying to manage all the students, and then on top that the students that do need that extra attention, that do need that extra help, aren't getting it simply because the teacher physically cannot provide all that help and still be able to teach their students. It's one thing if I've heard it from one or two teachers; the problem is that that's not the case. I'm hearing from dozens.

As I said, 26 schools in Decore. You know, all three of my high schools are full. My Catholic high school has portables at the back of the building that, quite frankly, are unsafe, but that's a discussion for another time. They need those for students to learn in. That's no longer enough. They're actually going just down the street to St. Cecilia junior high to hold classes there in their classrooms. It's been quite the juggling act. Teachers are trying to manage those situations.

I'm hoping that, you know, the member from the government caucus who was speaking earlier is correct, and there is actually funding. There better be a lot of it because we need space in Decore,

we need teachers in Decore, we need EAs in Decore. That's not to mention the rest, all of your ridings where there are schools.

You know, I was surprised at the number of class sizes there were. I remember the work that the previous government did trying to build schools, trying to modernize schools, and it had a slight effect, a very, very small one. But that just goes to show you just how far behind Alberta was in terms of its school infrastructure.

I know there's a lot of growth out in northeast Edmonton, and my friends from Edmonton-Manning and Edmonton-Castle Downs have some growth up in that area. That doesn't begin to touch the growth that we've seen just in south Edmonton. There's a responsibility on our part to be able to provide that infrastructure that's there.

You know, I've always found that when you treat people with dignity and respect, you pay them a decent wage, you give them some benefits, you genuinely praise them for the work they do, they'll step up, they'll bend over backwards, and somehow they'll come up with solutions to some pretty amazing problems. Teachers are no different. Going after them like this was not the solution. And based on your own words of the past, again, handing all this authority to the minister was supposedly against what a large portion of you agree with. I bet you that if you'd have gone to the ATA and said, "I think we're going to create two sides to the coin here, have you split up, just like we've done to other professions over the course of this term," like I mentioned earlier, chiropractors, physiotherapists, I can't guarantee they'd be happy, but they'd certainly be a lot less angry than they are right now.

10:50

You've pretty much pointed a finger and accused them of not doing their jobs, and that's not the case. They did their jobs based on the language of the day. Am I happy about that outcome? Absolutely not. Can we always do better? We should, but this was certainly not the way to do it.

The Acting Speaker: Thank you, hon. member.

Next I see the hon. Member for Edmonton-Whitemud has risen.

Ms Pancholi: Thank you, Mr. Speaker. It's a pleasure to rise and speak at second reading today of Bill 15, the Education (Reforming Teacher Profession Discipline) Amendment Act, 2022. I want to begin by thanking my colleagues for some of their comments already. You know, I want to begin that when we're talking about teachers, the primary thing that I think we're all concerned about, of course, is the special, unique, and trusted role that teachers play in children's lives. They are professionals who are trained and are held to professional standards with respect to their competence and, obviously, instilling not only the love of learning but, of course, the basic skills, also critical thinking skills, and all the important parts that teachers play from early age all the way through the end of high school.

Teachers play that role, but they also play a really important role considering the amount of time that they spend with children, and my colleague the Member for Edmonton-Glenora referred to this. We actually know that, legally speaking, teachers are considered to be in loco parentis, which means they are standing in the role of the parent, not only because of the hours of the day that they spend with children and students but also because of that role that they play in teaching and mentorship, the closeness. We know that that's incredibly important and that there are actually standards of care that are higher for teachers because of that unique role and because, of course, of the vulnerability and young age of children even all the way through high school. That role is critically important.

When we're talking about Bill 15, I think we're all united in this House in wanting to ensure that children and students are safe and are protected, but also I hope we are all united in the goal that they have every opportunity for learning. I sometimes have some questions around that, though, Mr. Speaker, about whether or not we're really united in those goals, but around safety I think we can all agree.

I say this, you know – I'll come from a few different perspectives on this. One is that I worked in my career for many years both within Alberta Education but also for school boards managing issues, to some extent, of teacher discipline and concerns around conduct, not so much around the performance, obviously, or competence, because that's really not the area in which I worked. However, I will say that I think it's important to note that in a profession as large as the teaching profession is in Alberta, as it is across the country, it is easy to pick out really bad examples of bad judgment, sometimes criminal judgment and action, by not just teachers but even those who are responsible for managing those situations, those who it's been reported to, who have not, I guess, taken action properly, and it's easy in those situations to point to those and paint a brush of all teachers.

But we have to remember, to begin with, when we're talking about these issues, that we are talking about a very, very small percentage of teachers, just as is the case, unfortunately, with the general public and with professions at large. Certainly, you know, as a member of the legal profession I'm sure everybody has a story of a lawyer who has not performed properly or has not complied with what people, the general public, would expect as high standards of ethics and conduct. There are bad actors in every group. There is no doubt about that, and we need to make sure that we have appropriate mechanisms to make sure that we can quickly and effectively respond to those issues.

In this case there's an added onus because of the fact that they're dealing with children. So I want to highlight that we are all committed in this House to making sure that we are taking appropriate steps to address really significant conduct issues, that may put children and students at risk, as quickly as possible. But we also have to remember that it is just a small percentage, and we should be careful not to brush all teachers with that same brush, I guess, that same colour, because really we know what an important role teachers play.

Actually, one of the issues that came up at the beginning of the pandemic in my role as critic for Children's Services, which highlighted the important role that teachers play, is that we know that when students had to move online to virtual learning, particularly in that initial shutdown but also as, like, progressive waves happened after that, the second wave, the third wave, many students were often sent home, but particularly in that first, initial shutdown the biggest risk that many children faced, who were already vulnerable, was that they actually would not have issues of safety that may be occurring at their home reported.

What I mean by that is that child abuse that may be taking place at home – teachers are actually often the only trusted adults in a vulnerable child's life, and when they're not around teachers, when they're not in classrooms where teachers can see what's happening, can see, perhaps identify some challenges that that child is facing, there were fewer reports of child abuse, not, of course, Mr. Speaker, because child abuse wasn't happening. In fact, it may have been happening at higher rates because of the isolation that families and children were experiencing. The lack of access to teachers actually ended up putting children at higher risk because there were fewer adults around to actually make those calls and reach out and support them. So that just highlights, again, my view of why it's so

important to recognize the role that teachers play and the high standard that we hold them to.

I mentioned, of course, that I have my own personal professional experience with school boards and with Alberta Education, working with teachers. Of course, as MLAs we all hear from our constituents, whether they be teachers, whether they be parents who have concerns, who want to make sure that teacher discipline is addressed properly.

But, of course, I'm also a parent, and many of us in this room are, and I send my children off to school every day, and they have wonderful teachers who, over the past few years of the pandemic, in particular, really rose to incredible levels of excellence and professionalism, of stepping forward in remarkable ways to accommodate the shift in learning but also to keep our children feeling safe and secure when they're at school, calming some nerves now and then, making sure to find creative ways that they can still engage in learning even when they couldn't do field trips or they were doing virtual learning.

I was constantly in awe of my children's teachers in terms of what they did to support student learning. But I also know that I am trusting every day that my children are safe and secure, and I'm so glad that I have a hundred per cent certainty that my kids are safe and secure in their schools with their teachers. That's a comfort that we all deserve and all children deserve as well.

So I think, certainly, steps that are taken to ensure student safety are important. However, I have to say with respect to Bill 15 that there are a number of concerns regarding the particular model that this government has chosen with respect to basically giving the Minister of Education the ability to appoint somebody and making the Minister of Education the judge and jury in terms of teacher discipline, and that actually is not consistent with how other professions are managed.

You know, I'm sure every member of this House is very familiar with a number of colleges, colleges of social work, of physicians and surgeons. The Law Society is another example, for the legal profession, where there is a separate college that actually is the one that assesses conduct and can do investigations and hearings and determine that.

What Bill 15 is asking Albertans to do is trust that the Minister of Education, essentially, can do that, and if there is anything that Albertans do not have right now, other than extra dollars to pay their bills because the cost of living has gone high because of the way this government has raised fees and costs for all Albertans, it is trust in this government, particularly the Minister of Education. It's actually hard to just pick which minister Albertans trust the least, but on this front I can certainly say with confidence that the Minister of Education is probably one of the least trusted ministers with respect to the decisions she's made and how they've impacted learning and students and teachers and schools. I know my colleagues have listed a number of examples.

11:00

I just want to point out a few things. There are a number of issues with respect to not enough school infrastructure, and I need to say, as the MLA for Edmonton-Whitemud, that southwest Edmonton is bursting at the seams. I am beyond disappointed. Reflecting the concerns of my constituents, our local high school, Lillian Osborne high school, is a great school, but it is bursting at the seams. For that reason, the school board has had to go to a lottery this year, which means even parents and students who live across the street from that school may not get in. In fact, those decisions are rolling out as we speak. It has been a priority for many years that the Edmonton public school board has put forward to this government to build a new high school in southwest Edmonton, and they failed

to do so. So I can't let a conversation or an ability to talk about education without representing my constituents who are deeply frustrated with this government's lack of planning for high school space in south Edmonton – I have to comment on that.

When I think about two of the issues that came up during the pandemic that really hit me hard as a parent, that really concerned me, and that I feel we're going to, unfortunately, bear the consequences of for years to come, and not just we as a society but specifically these children and these families, I think about how many young children did not enter into kindergarten or prekindergarten programs in the 2020 school year and the year after that, the huge drop in enrolment that we saw in early childhood education programs, particularly kindergarten, because it is optional in this province for kids to attend kindergarten and this government made parents feel that it was not safe.

I can tell you first-hand I heard from parents. My daughter was in kindergarten in 2020, and parents of kids in her age group who were coming up with her from daycare: I had those parents saying to me, "Well, I don't feel like it's safe to send my kids to school right now because this government has not done anything to assure me that schools will be safe in the pandemic; I don't feel comfortable, so I'm just going to keep my child home." That may be an individual parent choice, but it has implications for that student's learning, and it has implications for all of us. We should all be deeply concerned about the learning loss that has occurred in those critical early years for far too many young Alberta students. They are going to have greater challenges succeeding as they go forward through school. These were kids who were anticipated to enrol in kindergarten and did not. So that is a big challenge that we're going to be facing.

The other thing I have to comment on, Mr. Speaker, in the context of education is that if I had to pick one comment that I heard repeatedly during the pandemic that hit my heart deepest, it was how many parents of children with disabilities that I spoke to who said to me that they felt that their child simply lost a complete year of schooling. They just didn't get school that year, the 2020 school year. That happened, going forward earlier, because they lost their EA for a quarter of their previous school year, when the shutdown happened and this government fired EAs. They lost their EA. Then when they came back in September, most of them did not feel comfortable going back to school, so they were at home. They were not getting an EA. Literally, parents with defeat in their voice is actually what resonates with me, that they actually said to me: well, my child did not get an education this year.

We should all view that as an utter failure. We should all take responsibility for that, but in particular the Minister of Education and this government have to take responsibility for that. In our society if any child feels like they could not get an education when they're entitled to – we are supposed to be one of the wealthiest provinces in the country. We're supposed to have the best education system in the country, and we're saying that certain children were just failed. That's why Albertans have trouble trusting this government on education.

I could speak about numerous other things, Mr. Speaker. I could talk about the curriculum. We've all heard from our constituents on the curriculum. Again, as a parent of two young kids in elementary school who are actually going to be learning from this curriculum starting in September . . .

Ms Issik: Bill 15. We're reading Bill 15.

Ms Pancholi: . . . I have read that curriculum, Mr. Speaker. I have read the updated curriculum. My children are going to be learning from it, and it fails to address a number of the concerns that have

been raised. It's disappointing to hear that, you know, the Associate Minister of Status of Women wants to heckle on the curriculum, because I'm certain she's heard from her constituents as well. I'm deeply disappointed that this government is not addressing the concerns about the curriculum, and kids like mine are going to have to learn from it.

Mr. Speaker, when it comes to Bill 15, you know, student safety is a high priority, is the top priority for all – all – of us in this room. But the mechanism by which we do it, I think, needs to be challenged when it's placing far too much authority and responsibility for teacher discipline into the hands of a Minister of Education that, frankly, does not have the trust of Albertans, and unfortunately for very good reason she does not.

With that, Mr. Speaker, I'd like to move to adjourn debate.

The Acting Speaker: Thank you, hon. member.

[Motion to adjourn debate carried]

Bill 16 Insurance Amendment Act, 2022

[Adjourned debate April 25: Mr. Toews]

The Acting Speaker: Thank you, hon. members.

I see the hon. Member for Edmonton-City Centre has risen to debate.

Mr. Shepherd: Thank you, Mr. Speaker. I appreciate the opportunity to speak to Bill 16, the Insurance Amendment Act, 2022. Certainly, the question of insurance is one that has seen much discussion in debate in this Legislature, much more so recently as we've had revelations of the high profits that have been made by insurance companies in the province of Alberta at the same time as this government chose to remove the cap that was in place to protect Albertans against soaring insurance rates. Certainly, many questions about what lobbyist the Premier was meeting with and other folks in his cabinet, some of his former staff and advisers involved in that lobbying effort.

Of course, Bill 16 is not dealing with that kind of insurance. Bill 16 is dealing with a more corporate end of insurance. This is building on some of the previous work that the Finance minister brought into place regarding captive insurance. Specifically, this bill is doing three basic things. It's making some changes to how the captive insurance companies will function. As I said, late last year we saw that the minister brought forward and the members of this Chamber did pass legislation, the Captive Insurance Companies Act, allowing captive insurance companies to be set up, be licensed, and operate in Alberta.

This legislation is making one substantive change to that legislation, creating something called redomestication provisions. That specifies how an Alberta-based company that has a captive insurance company operating outside of Canada can bring them home while continuing to operate so that there's no disruption in coverage. Certainly, there are good reasons why a company might want to do this. I think Alberta does have higher regulatory standards than places like, say, Bermuda. Companies will have to pay some higher taxes, but they will save on other costs and risks, like, say, perhaps to do with foreign exchange.

Now, with the introduction of the Captive Insurance Companies Act, certainly, our caucus did put forward a bit of skepticism that companies would move their captives to Alberta. I was not in the technical briefing, but it's reported to me that officials in that briefing did state rather bluntly that they were pleasantly surprised with the uptake on this, with companies actually beginning to do

that. Suncor, apparently, for example, was quoted in the government's news release. It looks like they are planning to repatriate their captives. That, admittedly, has the secondary benefit of creating some additional tax revenue for the province. On that, you know, Mr. Speaker, I will not always criticize the government. I will recognize when something they have done is successful, and in this case it seems that there is some benefit that is coming from this.

[Mrs. Frey in the chair]

Now, the government is also making some changes to allow Alberta to license stand-alone reinsurance companies in Alberta. That's insurance for insurance companies. Whether those companies will be raising their own policy rates, I suppose we'll have to wait and see, Madam Speaker. But, generally speaking, the reinsurance industry is dominated, apparently, by about 50 large players on the global scale, with the top five holding the majority of that market share. Increasingly, those companies are unlikely to insure insurance policies for certain sectors, and one of those is, unfortunately, the oil and gas sector.

Certainly, we recognize that the oil and gas sector continues to be an important part of the Alberta economy, and it requires that insurance to continue to function. With this legislative change my understanding is that the government is hoping that the enormous amount of capital that's circulating in our oil and gas industry here in the province of Alberta could be pooled to create a local reinsurance company or potentially companies.

11:10

At this point – I am certainly not an expert, Madam Speaker – it's unclear, I guess, whether this would work. Certainly, the potential liabilities that are involved are rather large. Companies will need billions of dollars of coverage, but this legislation is simply creating that policy space for that potential solution. It's, I'd say, a good-faith attempt to try to find a solution that doesn't represent any significant downside risk for the province. I have no issue with that provision.

Lastly, it's making things easier for Alberta companies, to my understanding, to access unlicensed insurance. Now, currently Alberta companies only access insurance from unlicensed insurance companies when there is no domestic insurer that will write an insurance policy for a particular risk. Now, certainly, there are some risks involved with using an unlicensed company. For an unlicensed insurer, say, who is domiciled in – well, I don't mean to pick on Bermuda, but it seems to be a handy example. They don't pay – there's really not much recourse for the companies here. It creates difficulties across jurisdictions. The only reason, though, that a company goes down that path with those risks involved is because they don't have many other alternatives. Again, creating a captive insurance company is one such alternative, so if they want to access that unlicensed insurance, companies either go through a government-licensed special broker or they just simply go out and find a policy on their own.

This legislation makes changes to the tax rate that's paid on the premiums when companies don't go through a special broker. Now, as mentioned earlier – well, as has been noted, I guess, Alberta is currently in a hard insurance market. This change brings us more in line with other provinces, makes it easier for industry to access a viable insurance product even if it is from an unlicensed provider. Certainly, I think that as a general matter of public policy we want our industry to be insured so that in the case of a catastrophic event the associated costs aren't ultimately borne by taxpayers.

In general I don't have particular concerns with this bill, but when we are talking about insurance, as we are here in Bill 16, certainly,

Madam Speaker, I think it is worth noting that while all of this may be useful and helpful for the industry and may ultimately have some benefit for the people of Alberta, one of the major challenges that we continue to have in insurance is one that goes completely unaddressed by this government, and that is the soaring rates of auto insurance in the province of Alberta.

You know, we have seen that since 2019, when this government came into power and chose to remove the cap on insurance late that summer, the average auto insurance premium has climbed by about 30 per cent in Alberta as compared to about 17 per cent in Atlantic Canada, 4 per cent in Ontario. That was just over the course of 2020, Madam Speaker. We know that it has continued to go up since. Certainly, that is something I have heard about from many of my constituents. Certainly, none of my constituents have written to me about their concerns about captive insurance.

Now, again, that doesn't mean that – as I've said, we support this legislation, the direction it's being taken. Certainly, it's important to ensure that companies have access to insurance to protect against liabilities coming back to the taxpayer and to keep those dollars within the economy in Alberta. But, also, dollars in the economy of Alberta come from individual taxpayers, who are paying sky-high auto insurance rates thanks to decisions of this government.

Indeed, the report that we finally saw released by this government, after significant pressure, after they've made deliberate changes to try to hide that report, shows that the car insurance industry in Alberta charged Albertans hundreds of millions of dollars more in premiums after this UCP government removed the cap on insurance. They shamelessly generated massive profits on the backs of Albertan drivers, and they are doing it with the help of the UCP government. Now, again, that report was something that had been released every year for 107 years, Madam Speaker – 107 – and this government decided that they wanted to try to hide it because they did not want the public to know that the car insurance industry collected \$1.15 billion more in premiums than they paid out in claims. In 2019 and 2020 they collected \$1.324 billion more than they paid out.

Again, Madam Speaker, we recognize the importance and the value of the insurance industry. Certainly, again, when we're talking about captive insurance, as we are here in Bill 16, and other changes to make it easier for companies and corporations to be able to access the insurance they need, certainly we recognize the value of that to the economy. Likewise for Albertans, for them to make their contributions to the economy, many, many, many of them need to be able to drive, and the ability for them to afford to keep a vehicle insured means that they are able to contribute more to the economy, and this government has chosen repeatedly to make that far more difficult.

As insurance companies are charging millions of dollars more to Alberta families and business – let's not forget that this affects corporate vehicles as well. Many, many businesses will have a fleet of vehicles that they use to earn their income to pay their taxes to contribute to the economy, and their jobs, their businesses have been made more difficult to operate because of choices by this government.

Certainly, again, we have no objection to the changes that are being made here to benefit some corporations in the province of Alberta and some businesses in the province of Alberta, some of which indeed make significant contributions to the economy, but we cannot forget that there are small businesses, individual Albertans who are trying to earn a living, and this government is making it far more difficult, far more expensive, far more costly for them to do so, and we hear nothing from the government members about concerns for those businesses, but that just goes to show again, Madam Speaker, that this is a government, in many respects,

that is far more concerned about large corporations, their wealthy friends, than average Albertans, small businesses in the province of Alberta, who contribute so much to the economy provincially and locally, provide the majority of jobs in this province.

Now, of course, there have been real questions about this. Certainly, we know clearly, reading this bill, who likely spoke with the Minister of Finance about asking for these changes. It's quite clear who the corporations were that benefit, and, again, knowing that, we can again say that we have no real disagreement with this bill. It makes good changes, and there has been much more transparency here than, I think, we have seen from the Premier and his staff, certainly the ministers, in regard to the lobbyists on raising the auto insurance cap.

You know, the Premier has gone on the record multiple times saying that he doesn't recall meeting with any insurance lobbyists, but we know that his own former campaign manager and staffer, Mr. Nick Koolsbergen, is now one of the consultants who lobbied his office, his key advisers, about lifting that insurance cap to give these companies the opportunity to significantly raise costs of Albertans, taking billions more in premiums at a time when Albertans were struggling and continue to struggle, Madam Speaker. So when we talk about Bill 16 and captive insurance, certainly, it's clear here who the minister was talking with and the reasons that it was undertaken.

Here we have the other side when it comes to average Albertans, small businesses, who make significant contributions to the economy, and indeed under this government people paid more in personal taxes last year than was taken in in corporate tax. So the people who are taking the disproportionate burden under this government are paying more in insurance, and the Premier is refusing, the Minister of Finance is refusing, this government is refusing to provide transparency on just who they spoke to in the insurance lobby to make those decisions, which clearly have not benefited the average Albertan.

Now, we recognize, again, that pieces in Bill 16 here indeed may benefit the Alberta economy by bringing some of these captive insurance companies home from foreign jurisdictions to pay tax here. That is a benefit. Ensuring that oil and gas can continue to operate, certainly, as an important part of our economy is a benefit. Where is the benefit, Madam Speaker, in forcing Alberta families who are struggling with soaring inflation even as this government rides that wave of inflation with their unindexed personal income tax? They take more money away from Albertans every single year. Where is the benefit for the Albertans, then, who are being charged the soaring insurance premiums by insurance companies who are pocketing billions?

11:20

Certainly, we know that in the run-up to the last election we had UCP MLAs who were talking at great length about the costs that were being put on Albertans' business, churches, other locations, quoting extremely large numbers about those costs, but we hear little from government members now about the costs that their government is imposing on Albertans.

I find it extremely unlikely, Madam Speaker, that the Premier cannot recall having met with a long-term colleague, someone he knows as well as Mr. Koolsbergen, that this government has no idea or claims perhaps that it just simply cannot recall who they might have met with. I think that is information Albertans deserve to know. Frankly, this government's loyalty should be to Albertans, not to lobbyists for the insurance industry, not to the insiders, the corporations that want to line their pockets on the backs of Albertans. Of course, we know that seems to be who this government chooses to favour in respect to its policies.

Certainly, we think about the government's current utility rebate, which it was complaining that the opposition was holding up. Well, Madam Speaker, the government is basically saying: hurry up and wait; pass this bill so we can eventually maybe get some money out in July, August, maybe September. Rejected amendments that were brought forward that would have got those dollars out quickly to Albertans, but it rushed to hand favours out to corporate entities. The insurance cap was off within months of this government coming into office, of course, likely due to the able lobbying of Mr. Koolsbergen and his compatriots. The government rushed to lower that corporate tax rate to the point now where Albertans individually are paying more personal income tax than corporations in the province of Alberta.

So while in general we do not have a particular issue with the provisions that are put forward in Bill 16 and we recognize the value of some of these steps that are being taken, other pieces we'll wait to see what the potential benefit might be. Certainly, we, again, as I said, had our skepticism around some elements under the captive insurance act. But we have seen that some of what the minister suggested might happen, in fact, has. It's unfortunate that we have not seen that reciprocated, that when they removed that cap and we warned that that was going to cause huge costs for Albertans, the government did not listen. And when we have called on them to take clear steps to help ease the cost burdens on Albertans, that are soaring under this government, many because of active choices this government has made as it prioritizes corporate Alberta over individual Albertans, they have chosen not to listen.

On this side of the House we will continue to support when there is legislation that we feel could be of value or certainly where we feel that the government has done its homework and appears to be coming forward with something of value, but we will also continue to call this government out when it continues to take steps that seem to be far more rooted in its own ideology, that fail the people of Alberta, that continue to drive up costs at a time when Albertans are already hurting. Certainly, that is a major concern.

I should also note, Madam Speaker: not only car insurance; condo insurance. Here's a representative for Edmonton-City Centre. We have a phenomenal number of condo buildings. Indeed, I personally have lived in and owned a condo, and I am well familiar with how much condo insurance rates have skyrocketed over the last couple of years. It is creating an immense burden for many condo owners because when those policies rise by thousands of dollars, that goes immediately on the backs of those owners in terms of their condominium fees. So not only are individuals, thanks to this government, paying more in terms of their car insurance, paying more income tax, continuing to pay soaring utility rates on a wing and a prayer that this government will eventually get around to figuring out how to deliver a rebate; they are now also facing the burden of additional costs on their condo fees because of soaring condo insurance.

Madam Speaker, I have not heard a word from the Minister of Finance, indeed from the Minister of Service Alberta, from any member of this government recognizing the immense costs that this is creating for individuals who simply want to be able to own a home, not a word of acknowledgement that those Albertans are paying much higher costs, are facing a much higher burden because of choices by this government.

As I said, no major concerns with Bill 16. We certainly appreciate the number of housekeeping bills this government has brought forward this session, dusting out the closets as it were, I suppose. A lack of substantial legislation, perhaps, certainly very little to actually help Albertans with many of the significant concerns they have, but despite those concerns, we don't have any particular

concerns with this particular act, and I imagine that I will likely be voting in favour of Bill 16.

Thank you.

The Acting Speaker: Are there any other hon. members wishing to speak? The first speaker who caught my eye was the hon. Member for Edmonton-Decore, followed by the Member for Edmonton-Rutherford.

Mr. Nielsen: Well, thank you, Madam Speaker. I appreciate the chance to add some comments here to the debate on Bill 16, Insurance Amendment Act, 2022. I have to admit that when I first saw this bill appear on the Order Paper – you know, we've heard the government talking about all the work that they're going to be doing on insurance companies and changing legislation to make life better for Albertans, reducing their costs and things like that – I was cautiously optimistic. I really was. Then Bill 16 came out, and it seems a little thin for substantive changes to insurance.

Now, I don't think I have any concerns with the language that's proposed in Bill 16 around captive insurance. I know there are some challenges within, for instance, the energy sector, finding insurance. I appreciate that the government has moved to address those, but I have to ask: what about the challenges that Albertans have finding insurance?

You know, I've brought this up before in this House. I remember having a senior in my office who brought four bills to show me. One showed what his insurance was at the start of the year, before the insurance cap was removed, and then he brought me the one where it started after the insurance cap was removed. For a senior, having your auto insurance go up 47 per cent creates a challenge to say the least, but that wasn't all. He also brought me the two bills from his condo insurance. His condo insurance went up 56 per cent.

Now, that's certainly one of the high ends that I've seen and heard of. I have seen much lower. I've seen some people saying: yeah, my insurances have gone up 10 per cent. I know my insurance at home has gone up roughly about 15 on our house. You know, the Premier stood in this House and very boastfully talked about how he went to the insurance companies and asked for their help for Albertans to try to reduce their costs, and the Treasury minister talked about how they're going to be approving some reductions in around the 3 to 5 per cent. Well, again, going with this one insurance example from one of my seniors, 47 and 56 per cent, how is 3 to 5 per cent going to help them? Not to mention everything else that's been lumped along the way by the UCP government making life more expensive.

Again, here's language not lining up again. We hear talk about how we're making life better for Albertans. Their bills aren't showing that. So why didn't we see some changes in this bill to help Albertans as well? Like I said, I've always said that I don't have a problem with businesses making a profit, creating some wealth. I get that. But when you're building it on the backs of people, now I start to have a little bit of an issue with that. I think you can make a profit without unnecessarily gouging Albertans, and that's what we're seeing in insurance right now.

11:30

We all know about the report that came out on insurance, of course, at – what was the time? – 4:37 or something like that, 4:40 p.m., on the last day of a four-day long weekend, not just a long weekend but an extended long weekend. We know, Madam Speaker, that that was done very, very intentionally. We've seen it done before with a report that, quite honestly, doesn't paint a very favourable light for this government. They try to very quietly put it out there, and hopefully nobody notices. Well, not only did we in

the opposition notice it, but there were Albertans that noticed it. I quickly got a flurry of calls and e-mails about that saying: "What? Were they trying to sneak this in?"

[Mr. Milliken in the chair]

You know, when it comes to, as all of you have tried to say over and over again, building the trust or rebuilding the trust, actions like that do not build that trust. It's no wonder, like I said, that people seem to think politicians are sneaky and trying to do all kinds of unsavoury things. It's actions like that that create that perception to begin with.

As we know, it wasn't good news for Albertans. We knew it wasn't. Frankly, I was astonished, Mr. Speaker, just how unfavourable it was. I know that my friend from Edmonton-City Centre had mentioned that. I mean, profits over a billion dollars. Again, I'm not begrudging them, but a billion dollars in direct profits versus what they're paying out? I'm sorry. They're building that profit on the backs of people, especially during a pandemic, when people weren't driving quite as often. Stay-at-home orders there for a while: those were never factored in. People started to work from home: that wasn't factored in.

Yet I guess the only reward that Albertans are now getting for literally paying the price of that is somewhere between 3 and 5 per cent, which the Premier, again, as I mentioned, boastfully stood in this House and talked about. I mean, you know, if that's the kind of advocacy that Albertans are going to get, maybe the Premier should hire Koolsbergen back to advocate to the insurance companies for some reduced rates.

You know, Mr. Speaker, why is it that we continually see opportunities for the government to be able to take actions to help people? You boasted about it. You said that you were going to do something. Bill 16 was that opportunity to do that, and you've dropped the ball. I guess that maybe there's something else that will be coming here in the session to address this, not just some kind of – I don't know – fake rebate, like we've seen for the gas and electricity. I remember talking about it in question period. One of my constituents comes in with a \$500 bill for one month, and all he's being offered is \$50 for that one month. That's \$450 that he still has to come up with.

You know, we're debating a bill right now that doesn't say when that 50 bucks is going to show up. I'm going to take a guess here that it's sounding like it's not going to show up in their actual pocket, that you'll just give it to the corporations. Maybe you should just give it to Albertans and let them decide where they want that 50 bucks to go.

I see a lot of rhetoric, but I guess, to wrap things up on Bill 16, again, I don't really have an issue with the bill itself and what it's trying to accomplish. I don't really see a reason at this time to not support it, but I'm not going to stand in this House and congratulate you for yet again siding with the big corporations when, really, you should be siding with Albertans. The corporations don't vote for you. It's the people of this province that vote for you. Maybe you want to at least try to coax some of those, because I'm certainly hearing a lot of people not very happy with you right now.

I'll wrap up there and look forward to the rest of the debate, Mr. Speaker.

The Acting Speaker: Thank you, hon. member.

Next I see the hon. Member for Edmonton-Rutherford has risen.

Mr. Feehan: Thank you, Mr. Speaker. I appreciate the opportunity to speak to Bill 16. Bill 16 is a good example of one of those quiet bills that probably won't get very much attention in the community yet is quite a reasonable thing for the government to be doing. I

want to spend a little bit of the beginning of my time here just talking about some of the things that I appreciate about the direction of the bill and the purpose of it, with, of course, commentary about things that I hope the government might consider. Then perhaps I'll add a few little commentaries about some of the other things that I certainly wish the government would do with regard to insurance in this province.

At the beginning, I understand that we are in a difficult time for insurance, particularly with regard to the industrial and energy sectors. It's often referred to as a hard market, a situation where, because of a variety of factors, certain corporations, partly perhaps because of what it is that they actually do or the circumstances that they're in, find it difficult to get the adequate insurance that they need, and of course if they do not have adequate insurance, they could be in a very difficult situation if a crisis occurs. If, for example, a tailings pond happened to break and cleanup was required, we certainly would want all the corporations to have the resources necessary to appropriately engage in that cleanup, and if they don't have appropriate insurance, it may be very difficult for them to do that.

You know, I don't think Albertans are against corporations having insurance, but I think we should also pay some attention to why it is that we have a hard market with regard to industrial- and energy-sector insurance costs. There are a variety of reasons, of course, but one of those reasons is that many of the major financial organizations in the world are making decisions about the types of things that they want to insure. It's not simply whether they can make a profit or not. Rather, they are using value-based decision-making. BlackRock, for example, has made decisions not to do investments in certain areas.

We see other companies making similar kinds of investment decisions, and I think that we should pay some attention to that here in Alberta if we are going to be in the right place, the right time with regard to our future in this province. Now, we know that what's happening is that there are many corporations that are incorporating what is often referred to as ESG, or environmental, social, and governance, factors in their decision-making. What that essentially means is that corporations are acknowledging that while businesses have a fundamental task of providing profits for their shareholders or for their owners if it's an independently owned business, that doesn't mean that those businesses somehow are exempt from the fact that they are owned by human beings who have values aside from acquisition of profit.

11:40

Essentially, what this is: it's a request by the community to bring some balance to the work that we do. The community is saying: certainly, we understand that business has a function and that business should pursue that function to the best of their ability, but they cannot do so without looking at the externalities. One of those externalities is based on our values of ensuring that people are treated fairly and equally, that the environment is preserved not only for ourselves but for our children's generation, and that, you know, individuals such as the Indigenous community, who have been systematically excluded from the benefits of the profit-making that has happened in this province over the last hundred years, should be considered with somewhat of a preferential eye to ensure that they find their rightful place in amongst all of us who benefit from corporate governance and profit-making in corporations.

My point here is that this bill is allowing corporations to engage in some new kinds of behaviours, which is, I think, satisfactory, but it is not addressing the underlying cause as to why they need to engage in those kinds of behaviours. It's not actually saying: "Why is it that there is a hard market? Why do we need to have alternative

arrangements for insurance?" There is certainly an incredible insurance industry in Canada and around the world. I mean, when I lived in Waterloo and I was taking my master's degree many ages ago, perhaps even before the Speaker was born, I was able to see the benefits of having insurance companies, as many of them are headquartered in Waterloo, and see how they contributed to the community and employment and so on. So I know that we have a very strong insurance system in this country, and I would have expected, you know, that it would have been adequate.

I see, however, there are a number of things that this government is choosing to do. The first one, of course, is the redomestication of companies that are used to provide the insurance, if necessary, in the hard market. We know that a number of companies have previously created these kinds of organizations in order to provide themselves with insurance but have had to establish them outside of Alberta, so this bill allowing them to bring those dollars home to Alberta to help the Alberta economy seems quite appropriate.

I'm a bit curious as to why this was not included in the bill that we addressed in the fall given that that was the very focus of the bill in the fall. Perhaps it could have been included at the time, but I certainly am not one to condemn a government for finding its errors and correcting them. I certainly wish the government would do it on a regular basis. Of course, we've seen them return to this House a number of times to improve bills that they didn't adequately address when they first introduced them to the House. In this case the idea is that the redomestication of these companies, these captive insurance companies, would be a boon to the province of Alberta, hopefully increasing capital in the province of Alberta, potentially increasing even revenues to the province over the future. So I'm glad to see that happen.

I'm also happy to see the potential for supporting growth in the reinsurance area. Of course, something that I think is very important is that we understand that insurance companies are a complex web of insurance and reinsurance, which ensures that if a particular tragedy occurs, the pain from that is spread as wide and as far as possible so that no particular institution or government or province bears the full brunt of whatever it is, whether it be a natural disaster or something more horrendous such as war, for example. I'm happy to see that this bill is actually making some moves on the reinsurance area, and I support the government in hoping that maybe a strong reinsurance industry could be centred here in Alberta. As I say, you know, when I was in Waterloo, I certainly saw the benefits of it there. I'd love to see Edmonton or Calgary or perhaps Red Deer or Lethbridge or Fort McMurray, Grande Prairie all be considered as good places to establish reinsurance corporations so that we in the province of Alberta would have the insurance that we need for adequate protection.

The third area that this bill covers and that I have a little bit of concern about is the area of unlicensed insurance. Again I want to point out that we have to look not just simply at what's happening here in this bill but the reasons why this bill was brought forward in the first place. That is that there are some corporations that find themselves in a place where they're simply unable to get insurance, and this bill is trying to open up the door a little bit, just a bit, to allow more access to unlicensed insurance; that is, unlicensed in Canada, maybe licensed somewhere else but within the Canadian regulations.

Now, this is of concern to me because if people are unable to get insurance in the Canadian licence system, which, as I had described, is quite substantive and quite successful and quite storied, in fact, in Canada, then it seems to me that there's something of a message there from, you know, the corporate community about the risk factors involved here. If we are setting up a circumstance where

businesses can just ignore the feedback that what they're trying to engage in is too risky even for our local insurance agencies, then I'm a bit worried that we're opening up a door that basically tells people that they don't have to pay attention to risk.

That worries me for the consumer at the end. We know that if you go to an unlicensed insurance agent, they are agents that are headquartered in countries other than Canada, and as a result it creates a jurisdictional problem if there ever is a dispute in this area, because you cannot go to Canadian courts to resolve the problem. You have to go to the courts of another country, which is problematic and increases the risk that insurance will not be paid out when it's supposed to be. You may have the insurance because of the availability of unlicensed insurance being available to you, but you may never get a benefit from that if that insurance company is outside of our jurisdiction and we cannot force them to do the things that they need to do. I realize that that's a very, very tiny piece of the insurance system, and as such it's not something that would make me not want to support the bill, but I am concerned that we are sort of opening a door.

There's always the wedge issue, you know, and I think we should pay attention to that. I don't necessarily use wedge concerns to prevent me from making choices, but it certainly makes me want to pay attention to them and to follow up to see if the wedge does indeed get wider as time moves on.

You know, in total, I've said that I have some concerns here. I think the particular moves the government is making are at least satisfactory, but I'm concerned that they're not actually paying attention to the underlying problem here, and we should pay more attention to those underlying problems so that we don't have to worry about them when we bring forward these kinds of pieces of legislation. We certainly know that this government is quite good about creating more space and more space for corporations to do well, but I'm very concerned that they have done very little to protect individual citizens in this province. As they increase the opportunity for corporations to do more of a wide range of things, I have to ask: are they increasing risk for individual insurance holders here in the province? I'm worried because I don't believe this government has a focus on individual citizens in this province and the risk factors that they have to deal with.

11:50

We know, for example, that this government removed the insurance rate cap and caused insurance rates to go up dramatically for individual insured Albertans. As many of the other MLAs have indicated, people came into our offices with increases in insurance that were easily 30 per cent and often more for things like house and car insurance, not across the board, of course, but the fact that the cap was removed did allow that to happen.

Then, of course, we subsequently learned that all of this was occurring at a time that the insurance costs to the industry were going down, perhaps associated with COVID, and that their profits were going up, so what we had is a circumstance where Albertans paid about \$385 million more in insurance at the same time that the insurance corporations made over a billion dollars more profit. Now, of course, this was not disclosed in full transparency to the people of Alberta. In fact, a report that had been presented by the province of Alberta to Albertans for over 100 years was suddenly not reported in the same timely manner in which it had been reported for all those many years and was only released on the Easter weekend, when nobody would see it. That is a total lack of transparency.

The Acting Speaker: Thank you, hon. member.

Are there any members – I see the hon. Member for St. Albert has risen.

Ms Renaud: Thank you, Mr. Speaker. I was going to wait to see if any government members wanted to add their comments to this piece of legislation. It's unfortunate, once again, their silence. Anyway, happy to rise and speak to Bill 16, Insurance Amendment Act, 2022, and, you know, thank my colleagues who have gone before me to do a really great job outlining what this piece of legislation is. I'm just going to emphasize a few points since perhaps some of the government members weren't paying attention.

Anyway, this latest piece of legislation is an interaction of changes to the Insurance Act and is focused on a couple of insurance products that are unique. I'm sure I'm not alone in this Chamber in stating that I had to do a little bit of research to understand fully what these products are and why the changes to this legislation were needed. You know, it does make sense. It's a need for insurance products in industrial or energy areas, and they're the really niche products. As a caucus I think that based on our review of the information, we don't have concerns with these changes. I guess it remains to be seen sort of how successful these changes will be in creating solutions for companies that have asked for the changes, but we'll have to monitor that and see.

This legislation, though, unfortunately, makes zero changes to insurance products that all of us, I think, have heard from in the last couple of years; for example, home insurance. Some of my colleagues talked a little bit about condominium insurance, auto insurance, and life insurance, which continue to be problematic in many ways in that they are becoming affordable to a lot of Albertans.

This piece of legislation basically does three things. The first thing is that it makes changes to captive insurance, which, you know, basically, as some of my colleagues have described it, is self-insurance. Last year we know that the government passed the Captive Insurance Companies Act, which allowed captive insurance companies to step up, get licensed, and operate in Alberta. The legislation makes one substantive change to that recent piece of legislation, and it created redomestication provisions, which basically allow these captive insurance companies that were operating outside of Canada to come into Alberta. Now, of course, there are a lot of regulatory differences, and as some of my colleagues noted, we'll have to monitor and see how that goes.

The second thing that it does is that it makes changes to allow Alberta to license stand-alone reinsurance companies. Now, for those of you that don't know, for the nine people watching at home, reinsurance is insurance for insurance companies. Generally speaking, this market is dominated by about 50 large global players, with the top five holding the majority market share.

The third thing that it does: it makes it easier for insurance companies to access unlicensed insurance. Alberta companies only access insurance from unlicensed insurance companies, so insurers that are not licensed in Canada, in circumstances where no domestic insurer will write an insurance policy for a particular risk. Now, using unlicensed companies presents a new set of risks because if a foreign unlicensed insurer is, say, in Bermuda and doesn't pay, there's little recourse for companies here in Canada, here in Alberta. You know, obviously, there are some risks involved. As my colleagues – and I'm adding my voice to that – have said, we'll have to monitor this and see what happens.

The legislation also makes changes to the tax rate paid on premiums when companies don't go through a special broker, and then the legislation goes into a fair amount of detail about that.

As mentioned earlier, Alberta is currently in a hard insurance market, which means that these changes bring Alberta more in line with other provinces and makes getting a viable insurance product

easier for industry, the key word being “industry.” No problem with this if this is a niche area or these were legislative changes that needed to happen to support industry – obviously, that supports our economy – and all of those great things.

I have no doubt that there was some serious lobbying going on to get this work done, which brings me to my point about lobbyists, Mr. Speaker. You know, earlier this morning some of my colleagues and I attended the Public Accounts meeting. It's our one opportunity to ask questions with the Auditor General there and officials from different ministries, to be able to ask questions around their annual report and audit and policies related, decisions related. One of the lines of questioning that we pursued was around lobbyists: can you tell us about the Premier's office, the work in Executive Council around lobbyists, in particular the insurance industry? We know that there have been a lot of things going on.

Sadly, I just wanted to note on the record that the people that were sent to answer questions – I actually felt fairly bad for them – were unable to answer most of our questions, so it was incorrect people sent. You know, always willing to give a little bit of the benefit of doubt, but it certainly seems like there's an attempt to not answer questions or to deliberately muddy the waters or not to pursue any kind of transparency.

What we do know is that there are a number of things that have happened around insurance that are problematic. We know that the superintendent of insurance, an official of Alberta Finance, has released an annual report for the last 107 years. We know, as my colleague just mentioned before me, that not everyone probably knew about that, and I'm sure not everyone eagerly anticipated to read it, but it's an important document that talks about the difference between premiums that are collected and then what is paid out in claims, basically describing the profit margin. What is a profit margin? That is not a bad word. That is not a bad phrase. That is a good thing. But to have an officer of the Finance ministry release a report allows us as legislators to look at that and to see: are the policies that are being passed in this place doing what they're intended to do? Is it benefiting Albertans? Is it benefiting industry? Is there a solid balance?

You know, I would submit that the fact that it was hidden – and by “hidden”: it wasn't released when it should have been released or as it had been released for the last many, many decades. Why is that? Why was that being hidden? Well, I would suggest that in 2019, when the UCP removed the rate cap on insurance premiums after lobbying records clearly point out some busy beavers in the lobbyist department in this area, that they had some influence – too bad we couldn't get answers this morning, Mr. Speaker. We did try. Hopefully, the officials that did show up will take those questions back and table written responses to that committee, but that remains to be seen.

You know, I would just like to add my voice to what my colleagues have said before me about premiums that have gone up during a pandemic. We all know that we've been driving less. We all know that people have been literally working less. They have less money. This government has failed to address those issues.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you, hon. member. I hesitate to interrupt you.

However, under Standing Order 4(2.1) we are now adjourned until 1:30 today.

[The Assembly adjourned at 12 p.m.]

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