



Province of Alberta

The 30th Legislature  
Third Session

# Alberta Hansard

Tuesday evening, April 26, 2022

Day 24

The Honourable Nathan M. Cooper, Speaker

## Legislative Assembly of Alberta The 30th Legislature

Third Session

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Yao, Tany, Fort McMurray-Wood Buffalo (UC)  
Yaseen, Hon. Muhammad, Calgary-North (UC)

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New Democrat: 23

Independent: 3

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### **Select Special Committee to Examine Safe Supply**

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Frey  
Milliken  
Rosin  
Stephan  
Yao  
Vacant  
Vacant  
Vacant  
Vacant

### **Standing Committee on Families and Communities**

Chair: Ms Lovely  
Deputy Chair: Ms Sigurdson

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Carson  
Dang  
Frey  
Gottfried  
Hunter  
Loewen  
Reid  
Sabir  
Smith

### **Select Special Information and Privacy Commissioner Search Committee**

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### **Standing Committee on Private Bills and Private Members' Public Bills**

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## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, April 26, 2022

[Mr. Milliken in the chair]

**The Acting Speaker:** Hon. members, please be seated.

### Government Bills and Orders Second Reading

#### Bill 11 Continuing Care Act

Mr. Eggen moved that the motion for second reading of Bill 11, Continuing Care Act, be amended by deleting all of the words after “that” and substituting the following:

Bill 11, Continuing Care Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Families and Communities in accordance with Standing Order 74.2.

[Debate adjourned on the amendment April 26: Ms Gray speaking]

**The Acting Speaker:** Hon. members, we are on REF1 of Bill 11. Are there any members looking to debate? I see the hon. Member for Edmonton-Gold Bar has risen.

**Mr. Yao:** Oh, what a great way to start off.

**Mr. Schmidt:** Thank you, Mr. Speaker. I'm so pleased to be able to make the Member for Fort McMurray-Wood Buffalo's evening by starting off debate this evening. I promise that member that I'll keep my fingers in my pockets because I know how sensitive he is about that issue.

I'm pleased to rise and share a few comments on the amendment that is before us, and that is to refer Bill 11 to committee. I think it is prudent to send this bill to committee for further review because this bill is a quite extensive overhaul of existing legislation with respect to continuing care in the province of Alberta. The act rescinds a number of pieces of legislation, a whole bunch of acts related to continuing care, particularly the Nursing Homes Act, the Hospitals Act, the Supportive Living Accommodation Licensing Act, and the co-ordinated home and community care regulation, and attempts to put all of the legislative and regulatory framework for continuing care in the province of Alberta into one overarching piece of legislation. This is no small task.

I think that the work needs to be examined in detail by members of the Legislature in a committee, because in that way we would be able to dig into sections of the legislation in great detail, ask some members of the public, some stakeholders to come and present to the committee and share their opinions on this new piece of legislation, how they think it will improve or affect the continuing care landscape in the province of Alberta. This is something that requires careful consideration, and I think it's only fair that we hear directly from stakeholders about what the impact of these legislative changes will be. Up until this point the only people whose word we can ostensibly rely on is the minister's.

You know, I think the minister is a decent enough guy as far as he goes – and I will say that he is a significant improvement over his predecessor; that's for sure – but unfortunately he is part of a government that is deeply distrusted by the people of Alberta. So for him or any member of Executive Council to come in and say that this is a piece of legislation that is worthy of support of the Legislature even though it completely transforms the legislative and regulatory framework with respect to continuing care, I don't think

that that's adequate. The people of Alberta would not be happy with us if we just came in here and took the minister's word for it that this is the right thing to do. That's one of the reasons that I think the members of the Chamber should vote to send this piece of legislation to committee.

Not only, though, do Albertans deeply distrust what the UCP government tells us on any given day on any given important piece of public policy, but we know that when it comes to managing continuing care, particularly through the pandemic, the government has miserably failed the people of Alberta. As we've heard time and again in debate on this piece of legislation, over 1,600 continuing care residents in Alberta, tragically, have passed away due to COVID-19.

Now, when you're dealing with numbers that high, it's easy to let it just go over your head. What does 1,600 people mean? Well, let me try to put that into some context to make that number more real, I guess. You know, I have a number of high schools in my riding, Mr. Speaker. McNally high school, of course, tragically, has been in the news quite a bit over the last couple of weeks. That school has only about 900 students. Just imagine if every single student at McNally high school suddenly passed away from COVID. We would still only be at half of the number of people who have died from COVID-19 in continuing care because of this government's mismanagement of health care in the pandemic. That's two high schools, two complete high schools, that are lost.

I remember reading an article in I think it was *The Atlantic*. Ed Yong is a journalist who's been providing excellent coverage about the COVID pandemic with a focus on the United States, but I think that the COVID experience in the United States can be applied to a number of other countries, including Canada. What he found – I hope that I have it right. What this article that I recall reading stated was that for every COVID death there are at least nine people who are grieving that person's loss, nine people for every COVID death who are left behind to mourn the loss, bear the burden of grief, wondering what they could have done differently, I guess, to save their loved one.

In this case, 1,600 continuing care residents in Alberta have passed away. Not only is that a staggering number in its own right, but that means that almost 15,000 people had a loved one who was in continuing care whose loss they are continuing to mourn to this day. Fifteen thousand people. That's about a third of the residents of Edmonton-Gold Bar, for example. We've got about 45,000 people who live in Edmonton-Gold Bar. If we put all of those people in one place, at least a third of the neighbourhoods that I represent would be mourning a loss to COVID-19. This is a staggeringly high number, Mr. Speaker.

You know, the fact that nobody from Executive Council, particularly the Premier, has even apologized for a single death, not once – 15,000 people who would at the very least appreciate words of comfort or solace, compassion, empathy from the government, some kind of acknowledgement of their pain, and there is nothing coming from the government in that respect.

It makes one wonder if they even care that 1,600 people have needlessly lost their lives to this disease that they failed to take seriously. They certainly acted way too late even though the warning signs were quite clear five or six waves in a row. Now we don't even hear about COVID anymore. The Health minister makes an announcement once every week, and he limits that to 30 minutes a week, not even enough time to give journalists an opportunity to ask him any questions about what's going on with the state of the pandemic, with the state of our continuing care system, with the state of our health care system in general. It's as if the government just wants COVID to go down the memory hole, for people to forget about it.

7:40

That's why I think it's really important to send this bill to committee, Mr. Speaker, because there are at least 15,000 people who want to know what this piece of legislation will do to protect other families from losing loved ones in this pandemic. It's not over. Just because the government refuses to release any data, refuses to conduct adequate testing, refuses to do any form of contact tracing, refuses to provide timely data – the pandemic is still occurring, and we know that seniors in continuing care are at extremely high risk of contracting this disease and dying from it still.

I think that would be an interesting question for the committee to look into: what will the changes that are being brought forward in this legislation mean for the spread of COVID-19 in continuing care facilities? Is it adequate to prevent the spread of COVID-19? Is it adequate to prevent further hospitalizations and deaths of continuing care residents?

Now, call me a wide-eyed radical, Mr. Speaker, but I don't believe that living in continuing care should be a death sentence. But for at least 1,600 Albertans it was. What more do we need to do to protect people in these continuing care facilities from suffering that same fate? Is this legislation going to be enough, or is there more that needs to be put into this legislation that could be helpful in preventing the disease?

You know, some of my colleagues have raised a number of issues that are not addressed in this piece of legislation regarding standards of work, regulations regarding staffing levels, those kinds of things. Those are critical to not only providing good care under any circumstances but to providing safe care during a pandemic.

You know, I will give the government credit for at least getting one thing partially right. They were dragged, kicking and screaming, into issuing a single-site work order for continuing care facilities, and that was the right thing to do. I shudder to think about how many more people would have died in continuing care facilities had the government not even had the decency to implement that simple measure. But the fact of the matter remains that there are a whole host of additional measures that need to be implemented to keep continuing care residents safe and as healthy as possible.

You know, Mr. Speaker, my impressions of what goes on in continuing care facilities are heavily coloured by the experiences of my oldest daughter, who began her practice as a health care aide in a continuing care facility here in the city of Edmonton in December 2020. I note that that's an interesting juxtaposition, that my daughter was going to work to take care of continuing care patients when members of Executive Council and their companions in the government caucus were jetting off to Hawaii for a bit of a break.

That wasn't the case in our family. My daughter was putting on her scrubs and going to work, doing everything she could to keep the residents in her care safe and healthy and provide them a decent quality of life. That work has been incredibly stressful over the last year and a bit. She has come home in tears more times than she has come home with a smile on her face because of her experiences at work. She's got a workload that is far beyond her capacity and the capacity of all of her companions at work to manage. She deals day in and day out with work colleagues who are stressed to the maximum level because . . . [Mr. Schmidt's speaking time expired]

Thank you, Mr. Speaker.

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

Are there any other members looking to join debate? I see the hon. Member for Edmonton-Ellerslie has risen.

**Member Loyola:** Thank you very much, Mr. Speaker. I'm happy to get up and speak to this referral motion because I believe it's so important that we do so. Already in debate I've highlighted a

number of issues where this bill actually falls amazingly short. I've had exchanges with the minister already on some of those, but I hope to raise a few more today. I acknowledge that Bill 11 is really, you know, an administrative piece of legislation to consolidate bills and regulations and make administrative updates, but we have yet to hear from this government, for example, on the recommendations from the facility-based continuing care review. The minister could've taken this opportunity to bring forward into this House a bill that actually dealt with those recommendations.

Mr. Speaker, here I believe we have another case of this government refusing to actually listen to Albertans and simply going full steam ahead on its own ideological approach. To me, I see it like night and day. You know, I've said it before and I'll say it again, that this government tends to listen to the people that share their ideology and that's it. It's quite unfortunate because, of course, we're here to govern for all Albertans, and as the members on the other side of the House can see and the members over here to my right can see, there are another 24 members in this House that don't particularly share your ideological perspective, and like that, Albertans voted for us to be in this particular space and hold this place, this chair.

I think it's imperative that especially when it comes to continuing care – and, I mean, we've highlighted this before, the fact that 1,600 people lost their lives during COVID. Like, to me, I just find that unfathomable because it's something that could've been avoided had a proper, adequate approach been taken. Now, I get it, you know, because often when we get into debate around COVID, members on the other side are saying: oh, well, did you want to shut down the economy?

**An Hon. Member:** Yup.

**An Hon. Member:** No.

**Member Loyola:** You know, I'm hearing it echoed by murmurs on the other side of the House right now. By no means did we want to shut down the economy.

That's what you get from the other side, Mr. Speaker, this rhetoric of it's either this or that. Always. It always comes down to you're either with us or you're against us. There's no measured approach or capacity – no, not capacity; I would say opportunity to really reflect that it's not the economy over lives or lives over the economy. We can work out in a measured way practical approaches that deal with the issues at hand. We need to get beyond the rhetoric.

I truly would like to get beyond the rhetoric, you know, because it's getting to a state where it's – well, never mind my opinion. Never mind my opinion. Albertans are getting sick and tired of the rhetoric. They want to see concrete action taken. For them, their loved ones are so important, as our loved ones are to us. We're talking about 1,600 people in continuing care.

7:50

I understand that the minister is bringing forward this piece of legislation here, but we have so many other things to deal with. For me, it's – I mentioned it before in debate, when we were on the general bill, and I think it warrants repeating here, and that is the fact that when it comes to the workers in this particular industry, they tend to be racialized Albertans, new Canadians. They don't have benefits. Often they're working one or even two jobs to be able to make ends meet. You know, I'm not even going to get into the fact that Albertans are going through a really tough time right now in terms of affordability.

What I am saying is that the approach that this government and previous governments – I'll be honest, Mr. Speaker. It's the actions of previous governments in continuing care that have got us to the

stage where we are today, previous Conservative governments. When continuing care went to the profit model, I would say that the quality of continuing care went down. Companies were more focused on their bottom line than actually caring for these – I mean, don't get me wrong. I understand that they hire people to do that work. The people that they hire to do that work I believe are committed and dedicated, and they love doing that job, or else they wouldn't be in that industry. I take my hat off to them, and I applaud them because I wouldn't be able to do that job of caring for people in continuing care. I wouldn't be able to do that job. I mean, don't get me wrong. You know, I have a big heart, but let me tell you, having to take care of people day in, day out: maybe I could do it for a while, but I couldn't do it as a job.

I believe that this government desperately needs to hear from those people when it comes to the issues at hand and the fact that, you know, we – the bill does not do enough. It doesn't even answer, doesn't even address this particular issue when it comes to the people who work in this particular industry. It begs me to ask the question: is the government going to share the consultation report on the bill itself, and what is specifically supported by stakeholders, and where are the gaps when it comes to this? Again, when it comes to staffing, it's a shame that a lot of these workers are in a situation where they had to go from one facility to another facility. We saw that, unfortunately, because of the fact that they had to go from one job to another job, there was a risk of them actually spreading COVID to other facilities. What were the companies doing in order to reduce that risk? That's not being addressed when it comes to this particular bill.

According to the facility-based continuing care review, it mentions that close to 6,000 more staff need to be hired. Six thousand staff need to be hired. Mr. Speaker, through you to the minister, I would hope that he could address, like: what is the minister actively doing in order to make sure that those 6,000 staff members could be hired? And why is that not being addressed in this bill?

In my own particular opinion I believe that there's much that this bill does not cover, which is why we need to refer it to committee so that we can hear from more people on exactly what this bill will actually be doing. Of course, it is a huge concern that – for example, let's even get to the seniors in our community. You know, while we were in government, we had the independent Seniors Advocate. That's something that was taken away, but I think that it would go a long way, especially when it comes to continuing care, for the minister to really consider: how do seniors advocate for themselves to this government and to this Legislature? We need more accountability. We need more accountability when it comes to seniors, particularly those seniors who are in continuing care.

It's a shame that this government actually decided to get rid of that office. I think that it would be a good opportunity to hear from stakeholders that do seniors advocacy to actually address some of the issues that they're most concerned about when it comes to continuing care and the fact that we lost so many people during this COVID pandemic, which, of course, is ongoing.

Regardless of what this government wants to say, there are still people dying because of COVID. There are still people that are contracting the virus to this day. Yes, it might be fewer, but it's still an issue. You know, I'm not even going to get into it with the minister, through you, Mr. Speaker, on the effects of long COVID on people and what this government is actually going to do in order to address that particular issue, which I think is something that we can't put on the back burner. We've got to deal with it and how people's lives have been impacted by COVID.

I heard a story about a young man who actually, you know, ironically – I didn't even put this together until now – used to work

in continuing care. He actually ended up contracting the virus and now has long COVID. He was a young, healthy man in his 20s. Now he runs out of breath just making his bed. That's the reality that we're dealing with. This is an individual who used to work in continuing care, of course a new Canadian from a racialized community. What's this individual going to do for the rest of his life? Like the Member for Edmonton-Gold Bar, I wish that this government would actually speak to these people, that they'd have an opportunity to provide feedback, to tell their stories so that they can feel, at the bare minimum, just listened to. It's a grave situation for these individuals. When I heard his story, I couldn't help but just be incredibly saddened by it, a young man not being able to work anymore because he just becomes incredibly exhausted even just making his bed.

So I think that there are a number of reasons why this legislation needs to be referred to committee. It doesn't address any of the, I would say, important and pertinent issues that we could be dealing with when it comes to continuing care here in the province of Alberta. I'd love to hear more from the minister on these particular issues that I'm raising, because we need to get to some kind of resolution on these issues. These concerns I've been hearing from a lot of people in the community. I've been hearing from a lot of people in the community who have been drastically impacted, you know, with a loved one in care. Some of them have passed away.

8:00

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

I see the hon. Minister of Health has risen.

**Mr. Copping:** Thank you, Mr. Speaker, and I'd like to thank the hon. members for Edmonton-Gold Bar and Edmonton-Ellerslie for engaging in the debate on the referral amendment with regard to Bill 11. I'd like to take a moment to answer some of their questions and, as well, speak to the referral amendment.

First off, Mr. Speaker, it appears that, you know, there are two arguments why the members opposite are suggesting that we take the bill and refer it to committee. The first is in regard to lack of consultation, and the second is in regard, quite frankly, to their arguments that we need to do more in this bill. I want to deal with both of those.

First, in regard to lack of consultation, I'd like to share with the hon. members across the way that there has been significant consultation and significant demand for changes that we're making in this particular bill. You know, over the years many continuing care stakeholders have asked the Ministry of Health to review Alberta's legislation to address the challenges that exist in the system, and the legislation review was part of our broader commitment to transform the continuing care system, to do everything that we can to ensure Albertans have access to high-quality continuing care.

We engaged numerous continuing care stakeholder organizations and received 33 written submissions that identified issues and recommendations for improvement. Additionally, input was received through a home-care and nursing home regulation review that took place. The legislative review was also informed by advice and recommendations from the facility-based continuing care review, which received feedback from over 7,000 Albertans, including residents, family members, caregivers, operators, and community organizations.

Mr. Speaker, I want to thank everyone who was involved in terms of developing this, but there has been significant consultation, and quite frankly we don't need to do any more consultation. We need to move forward with this bill, and time is of the essence, but I'll get to that in a second.

The second reason that the members opposite suggested that this should go through referral is not about what's in the bill but about what's not in the bill. [interjection] To the Member for Edmonton-Gold Bar: I'll finish my remarks, and then I'll provide an opportunity for you to speak. But thanks for rising.

They speak to a number of issues, and, Mr. Speaker, I fully appreciate that these are real issues. These issues were identified in the facility-based continuing care review, issues regarding, you know, the number of spaces, issues regarding the need to move to home care, issues regarding staffing and how we provide staffing, which is particularly challenging. And we have turnover.

Mr. Speaker, I want to point out to the hon. members that these are important issues, but the reality is that these issues are program issues, these are policy issues, and these are regulation issues that are addressed through regulations and programs and policies today, and quite frankly that is the appropriate place for them to be addressed tomorrow. Sending this to committee to deal with those issues: that's the wrong place. The right place is when we actually do the regulations and we do the policies as government, as we announce our response to the FBCC. I can tell the hon. members that we are taking the facility-based continuing care review very seriously, and we've actually started the transformation. Where the transformation has to happen is in policy, it's in regulation, and it's in the budget.

At the end of the day, it's the money that we put into the system that is incredibly important to get the results. Mr. Speaker, in Budget 2022 we are spending those dollars to start the transformation. We have input significant dollars, you know: \$1.7 billion for community care, an increase of \$122 million, or 76 per cent, from '21-22; \$1.2 billion for continuing care, an increase of \$16 million, or a 1.3 per cent increase; and, most importantly, \$750 million for home care, an increase of \$81 million. That's part of the transformation to be able to enable home care, more slots, because we understand – we heard it from the FBCC; we heard it from the review – that people want to be looked after in their homes, and we will expand that.

This is, Mr. Speaker, a first step – quite frankly, this legislation is a first step – to be able to take all of the legislation that right now is scattered across our legislative environment. There are holes in between. What will this legislation do? Well, it'll do a number of things. We will have one overarching piece of legislation. This will provide consistency and alignment across the continuing care system. It will replace multiple acts with one piece of modern, streamlined legislation. It'll improve transparency and accountability, which is incredibly important, particularly learning lessons from COVID. It will enable a person-centred, flexible, and innovative system of care for Albertans now and also in the future and establish a consistent approach and alignment for legislative requirements and services across the continuing care system.

It'll address gaps in our current legislation and provide greater authority to effectively monitor and enforce compliance. No longer will we only have either “do nothing” or “pull the licence or the certification,” but we'll have a middle road, where we can apply administrative penalties. What's important, Mr. Speaker, is that we provide the service that Albertans need in continuing care facilities, in the continuing care environment, and ensure that we change behaviours to enable that.

This legislation, Mr. Speaker, starts the journey, just like Budget '22 starts the journey in terms of our transformation. The appropriate place for the details, what the hon. members across the way are saying are not in the act, is not in the act, and they actually even recognize this with the language that they use in terms of regulation. That's where it belongs. It belongs in regulation. We

need flexibility to modify and change that over time. We've had significant consultation. The members opposite are quite right. This is a matter that we must address, and we must address it now. This legislation will enable us to do this. It'll enable us to start addressing all of these issues once we move into the regulatory framework.

Sending it to committee, quite frankly, Mr. Speaker, is not a good use of our time. A good use of our time is actually passing this legislation, putting it through the Legislature. Then we can continue the challenging and hard work – and it'll take some time – to continue to work with the stakeholders and continue to hear from Albertans to get the regulations done and then also respond to the FBCC, apply the budget dollars associated with that so that we can actually improve our continuing care system.

Mr. Speaker, I'll take just one more moment, and then I'm happy to take a question from the Member for Edmonton-Gold Bar. I'll ask all members of the Chamber to vote against this referral amendment. I'd ask you to support the legislation for what it is, which is bringing disparate pieces together in one place to provide a single framework so that we can continue the important work of improving the continuing care system.

I appreciate the comments from the Member for Edmonton-Ellerslie, you know, that this shouldn't be ideological. This should be a focus on “How do we improve our continuing care system?” which we're doing. This is a first step to put in place a framework. I'd ask the members opposite to evaluate it for what it is, which is that, which is a framework. This is far better than the legislation that we have here. It will enable us to make meaningful steps moving forward.

If the Member for Edmonton-Gold Bar would like to ask a question or make a comment, I'm happy to listen.

**Mr. Schmidt:** I appreciate the minister's willingness to engage in debate on this matter; I truly do. The question that I have is asked in good faith. I appreciate that he is saying that we are at the beginning of a journey to reform continuing care and, hopefully, for the better, but I think an important part of the journey is reconciling with the past, particularly with the past mismanagement of COVID. What forum will the minister provide the people of Alberta to share their stories and experiences with loved ones who were lost in the continuing care facilities due to COVID so that they can at least have their experiences heard, validated, and acted upon by this government? Will the minister commit to providing that kind of forum to the families who have lost loved ones in continuing care during the COVID pandemic?

**Mr. Copping:** I thank the hon. member for his question, and I appreciate that people, sadly, passed away due to COVID and in continuing care facilities. This has happened not only here in Alberta but, quite frankly, around the world. As I indicated previously in this House in other questions and debate, there will be a comprehensive review of the government's response to COVID. But I would like to point out that we already have heard in terms of some concerns that were raised on COVID in our facility-based continuing care review.

**8:10**

One of the key items that came out of that, which we're already taking action on now, Mr. Speaker, is a recognition that, you know, when we took a look at the data – and this is a general observation – the correlation was generally between not public or private or not-for-profit, but it was, really, older facilities versus newer facilities. Really, what that was about was about those facilities where there were shared rooms or shared bathrooms, which tended to have a



higher propensity for outbreak. Not all the cases, but there are certain – Bethany, for example, is an exception to the rule on some of this. But we’ve already learned from that, right? We’ve already heard the concerns raised associated with that, and we have taken action on that.

We’re actually moving away, quite frankly, and we’re actually providing the funding to move away from dual-occupancy rooms and moving to a single base room. Mr. Speaker, you know, I’m very pleased that our budget, Budget ’22, not only includes additional funding for continuing care spaces, but it also includes operating expenses. We will have an additional 1,500 more rooms built this year in continuing care, and those are single-occupancy rooms. We are also investing another \$204 million in capital in terms of additional continuing care spaces. That includes our standard congregate care spaces but also smaller – we’re looking at RFPs right now – more homelike or campuslike spaces, that are very small and in a smaller number, those types of continuing care facilities. We’ve already put out an RFP for Indigenous communities to build facilities, because we recognize that people want to live closer to home. Also, there will be an RFP for renovations of current facilities in certain areas, and that’s just the first step.

Mr. Speaker, we have heard and taken the lessons learned already in regard to COVID. We are investing capital. We’re putting our money where our mouth is, right? We’re investing capital and additional funds to be able to support the start of our transformation. But, again, the first step in getting our legislation right is this bill, so I’m asking all members to vote down the referral, to actually move forward in terms of supporting this bill so that we can get it right and can move on to the next step, which is doing the policy changes and doing the regulations, you know, in concert with operators, in concert with individuals who use the system, to make sure that we get the regulations right so that we can transform the system and respond to the facility-based continuing care review.

Thank you.

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

I see the hon. Member for Lethbridge-West has risen.

**Ms Phillips:** Thank you, Mr. Speaker. I’m pleased to rise to speak on this referral motion. I’m grateful that the minister has taken the time to be in the Chamber to hear the debate as well. I think that is exactly how things should go when we are proposing large pieces of legislation that have an effect on people’s lives in such a direct way.

In order to illustrate the point that I think some of my hon. colleagues have made around the need to have some public conversation around what happened over the last couple of years for folks in continuing care – it’s not just people who had COVID and perhaps had complications and then died from it but people who were accessing medical care in the continuing care system during COVID, and the types of challenges that they and their families went through at that time were considerable. What it did was that it laid bare, Mr. Speaker, essentially, the fact that continuing care is barely adequate during normal times and broke in many cases under the strain of the pandemic.

I will tell one story, and that is of one of the minister’s own constituents. She lived in Calgary-Varsity. When I helped pack up her house, it had been 50-some years that they lived in Varsity. About a year ago, over Easter, Mary Braun had a stroke. She was scheduled to go into an assisted living facility with her husband, and that never happened. She moved between acute care and continuing care for the next several months, about six months, eight months, in which her one son that lived in town visited her at least once a day if not twice to make sure that she was getting the hours

of care that she needed, because the people who were there either in the acute-care system – but, more specifically, once she was moved to continuing care, she did not have what she needed.

The folks who staff continuing care facilities are run off their feet. They are ill-equipped to provide the level of care that someone at that level of health risk needed. They’re oftentimes health care aides, the HCA, or those kinds of designations. They are not RNs or nurse practitioners or even often LPNs. So the level of care for someone going through rehabilitation, a very elderly person, from a stroke was not there – was not there – for her.

She needed to be in the hospital, but a pandemic was being managed according to hospital capacity, which then affected people who caught COVID, for sure, but as well those who didn’t but needed the health care system. Taking the health care system to the brink meant that Mary Braun’s life was deprived in her end days of the level of care she needed, and ignoring what doctors were saying about the management of the pandemic likely cut her life short during the fourth wave. It meant that in her dying days she was cared for by people who gave their all but who didn’t understand why their government didn’t value their work and was attacking them at that time.

Now, we have a mixed-market system that sometimes can and does regress to the lowest common denominator in continuing care. What the pandemic has taught us is that that does not serve people when we have people in continuing care who do not get the level of care that they deserve. You can queue-jump if you’re willing to pay for it. You absolutely can. That presents an awful set of decisions and dilemmas for families to make very difficult decisions when they are going through very difficult end of life and end-of-life care decisions as it is.

In a better managed system Mary Braun’s husband of 62 years wouldn’t have been across town when she died because there would have been a way to make sure that that assisted living and continuing care system merged so that he could have been there. In a better managed system she wouldn’t have been moved three times in search of relief from the heat because of a completely nonsensical policy of no one being able to open a window during a heat wave, so the rooms were 40 degrees. Elderly people, who are probably not eating enough, probably not drinking enough anyway, stroke patients who cannot eat and drink in the same ways that we can were sweltering, perishing in that heat for bureaucratic reasons.

Now, the goals of legislation need to be that we have standards and targets and rules that we run our system by. This legislation does that, but it does not set fees, set out conditions and standards around occupational health and safety or other pieces that we know we need to protect those workers, make sure they’re not doing the kinds of lifting and so on that will hasten their exit from this important work. It does not set out staff-patient ratios and hours of care. Now, the minister may be right that some of these decisions are best subsumed to regulation, but I would submit to him that probably not all, that at least in some cases, when we have such a clear crisis in long-term care, in assisted living facilities, when the pandemic laid bare so many failures of policy, of regulation, all of the things that the minister says are under the iceberg of legislation – and he is quite right. There must be one or two that we can elevate into saying, as an expression of this Legislature, that these are the rules, thus far and no further.

**8:20**

Even better, given that these are people who have given their entire lives to this province and have worked extremely hard to build their lives here, in the minister’s own constituency in Mary’s case, educating children for 50 years, maybe legislation isn’t just about saying, “Here are the basic rules,” but maybe legislation also

aspires to something better for people in their last days, because when all that is left is a twice-daily visit from the most proximate son to make sure that you have something to eat and drink, when all that is left is the daily advocacy from a family member to make sure that you are not sweltering in the 40-degree heat, you need the public, you need this Legislature, you need your community and your neighbours to care about what those standards are and to do better.

One year ago the minister's own review indicated that 6,000 FTEs were required to solve the problem, that we needed to increase the proportion of full-time staff, increase the amount and hours of care, and ensure better conditions of work. Those promises are not fulfilled in this legislation. It is not just people at the end of their days to whom we owe that respect and that dignity and that public responsibility for how we leave, but it is also to their families. So we don't just do it for the care and comfort of the elderly, as if that should not be enough, because it should and it is. But the amount of stress that we put on families, the decisions that people have to make, whether to hire more care, whether to go into for-profit long-term care at the cost of thousands upon thousands of dollars a month just to get what one would consider basic – those are not decisions that family members should have to make, and we should aspire to better.

I think a very quick committee exercise might be able to identify one or two of those metrics or standards or targets or staffing ratios or commitments or absolute public policy goals that we will not waver on, that a cabinet table cannot simply brush aside. Those are endeavours that are worthy of this House, that are worthy of people being able to point to say: see, we believe in this, we care about this, and we want to alleviate the suffering that this system currently does not advertently cause but definitely inadvertently causes.

I cannot tell you how depressing it is, Mr. Speaker, for a family member to be riding in an elevator in a continuing care facility with an outside medical professional who was coming in to visit a patient and being told that the facility is just a place where we warehouse the dying. We can do better than that. We can do better than that for people like Mary and her family, who navigated this long-term care system through COVID-19. She was a public school teacher her entire life. She educated generations of children. I met someone recently that learned to read because of Mary Braun. So I think we can all take up our share of the work and the burden of making sure that the legislative framework that we have for long-term care is also literate in terms of its standards and what it sets out as our goals as a society.

Thank you, Mr. Speaker.

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

Next I see the hon. Member for Edmonton-Castle Downs.

**Ms Goehring:** Thank you, Mr. Speaker. It's my pleasure to rise this evening to speak to Bill 11. I believe we're on REF1, a referral from my hon. colleague to not have this piece of legislation read a second time but to have it referred to the Standing Committee on Families and Communities. I really need to acknowledge the powerful story that the hon. Member for Lethbridge-West just shared. I think that hearing Mary Braun's story and her experience was something that this Legislature needs to hear.

There are over 1,600 continuing care residents in the province that, tragically, passed away from COVID. Mr. Speaker, I know that my office has been inundated with heartbreaking, tragic stories like that of Mary, that we just heard. I think the importance of giving voice to those family members, those loved ones, those caregivers is so important, because the best way to learn is to

examine what went wrong, and the best way to do that is through human experience, through human story, to hear from those that were directly impacted by those loved ones in continuing care.

I think that referring this to committee is exactly what needs to happen. I don't believe that waiting for government to make up the regulations is something that we can trust. We watched this government during – I'm not even sure which wave it was, to be quite honest: took grieving families' right to seek justice away. I heard the hon. Member for Edmonton-Gold Bar ask: how are those that were impacted going to be able to share their stories? The only way to truly make a change is to hear those stories, be present and listen and then learn from it and do better. I think that having it in front of committee – I think you would have a lot more than a few individuals respond, because my office hears from individuals all the time, whether it's a friend who is caring for a loved one or a family member or a staff that works in these continuing care facilities. These stories need to be brought to light. They need to be shared.

We saw what happened when the military went into different provinces across Canada to support the continuing care facilities and the horrific stories that came out of those experiences. To me, Mr. Speaker, the only way that we can truly have an impact and make meaningful change is through having those shared, and having the referral to the Standing Committee on Families and Communities does exactly that. I used to chair this committee, and I can tell you that when we did outreach and asked for community engagement, we had huge success. It was a place where people could submit their stories, their recommendations, their ideas, their thoughts to members that were tasked with doing just that. It wasn't something that happened behind closed doors around a minister's cabinet table. It was wide open for the community to see. Members of the public could come and sit and watch and engage through writing in a submission, asking to present in person.

I have to tell you that being able to be part of that process is so meaningful. Healing occurs when that happens. When we're talking about the importance of this legislation and the desire that the minister shared to get it right, I think this is the logical next step in getting it right, being able to refer it to a committee where that direct focus work can actually occur. I would encourage all members to really reflect on the messages that you've been hearing because I know that it's not just Edmonton-Castle Downs and members of the NDP caucus that are receiving this information. It's being CCed to the minister's office. It's being CCed to the seniors office. We need to bring it to light and share it in committee.

With that, Mr. Speaker, I would like to take my seat. Thank you.

8:30

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

Are there any other members joining debate on REF1? I believe you opened this. I think there's actually only one. I believe that Edmonton-Rutherford has spoken to this. Yes, you have. There is actually only one member of that caucus, I believe, who hasn't spoken to REF1. You have already spoken. [interjection] Yeah, to REF1. You were the – one, two, three. I believe you were the fourth speaker. There is one should he so choose.

Hearing none, I am prepared to ask the question.

[Motion on amendment REF1 lost]

**The Acting Speaker:** We are back on the main bill, Bill 11, Continuing Care Act. Are there any members looking to join debate? I see the hon. Member for Calgary- . . .

**An Hon. Member:** Bhullar-McCall.

**The Acting Speaker:** . . . Bhullar-McCall. I was close, though.

**Mr. Sabir:** I rise to move that we adjourn debate on Bill 11.

[Motion to adjourn debate carried]

### **Bill 16 Insurance Amendment Act, 2022**

[Debate adjourned April 26: Ms Renaud speaking]

**The Acting Speaker:** I see the hon. Member for Edmonton-Ellerslie has risen.

**Member Loyola:** Thank you very much, Mr. Speaker. Again, you know, here we have another example similar to the bill we just finished debating, or the referral on the last bill that we just finished debating. We have such serious issues that need to be dealt with in terms of insurance. We've spoken at length in this House already about how – you know what I find funny? You know, what I find funny, Mr. Speaker, is that repeatedly the Minister of Finance will get up and he'll be like, "Oh, prices are coming down," but that's after they've gone up 30 per cent. To get up and have the gall to say, "Oh, well, they're coming back down a little" after they've gone up 30 per cent: pardon me for saying so, but to me that's like a slap in the face to Albertans. Really, it is. It's a slap in the face, right? I mean, there's no other way to describe that, to be like: "Hey, we're taking this cap off. Your prices are going to go up by 30 per cent. Oh, but you know what? They've come down just a tiny bit. They've come down just a tiny bit."

At a time when inflation is at its worst, repeated legislation brought forward by this particular government has increased prices on Albertans in dramatic ways, especially during COVID. That exacerbated the economic crisis. Here they had an opportunity to actually address Albertans and the fact that their insurance has gone up so high, yet we got this piece of legislation before us right now. So I find it incredible that they would bring this in. Like, I understand – okay? – maybe this is something that obviously needs to be done in order to help out companies. I get that. But then I ask myself: why is this the priority when Albertans are the ones that are suffering the most?

Albertans are the ones that need some kind of help when it comes to insurance costs. That's the real issue here. That's what most Albertans are concerned about. I mean, I can't tell you the number of e-mails I received regarding this particular issue. To me – yeah, there's no other way to put it, Mr. Speaker – it's a slap in the face. Yet again this UCP government has refused to take any action whatsoever to reduce the auto insurance bills that are punishing families since they removed this rate cap, and Albertans would like them to answer for that.

You know, I see that the members from the UCP caucus are copied on the same e-mails that I'm getting, so I have to ask myself: why are members of their caucus so silent about this? Why do they refuse to even get up in this House and actually discuss what could potentially be done? Give us some kind of an alternative on your side of the House that would actually deal with the skyrocketing costs of insurance in this province. But all we get is rhetoric from the other side, them just blaming it on us, like we do everything in this House. They've been in government for three years, yet all they can do is go to their rhetoric of: well, what's happening right now is your fault.

When it came to utilities, you know, they got up repeatedly in this House and blamed the whole utility costs on us, yet we demonstrated that this is the result of them privatizing the system, actually going all the way back to the decisions made by previous Conservative governments, including Ralph Klein, Stelmach, and Redford. It's incredibly disingenuous – incredibly disingenuous –

that members on that side of the House, the minister of natural gas himself get up and blame high utility costs on the Alberta NDP. Incredibly disingenuous.

You know, they like to say that we're responsible for historical revisionism. It's them, Mr. Speaker, who are guilty of this, not us, and they need to address it. They need to address it. Here was an opportunity for this government to actually address the skyrocketing, high insurance costs that Albertans are experiencing right now, at such a drastic time that is COVID, yet we have nothing.

You know, they refused our proposal for a legislative committee that would investigate why auto insurance premiums are so high. Why? Why not study this in more detail? Again, Mr. Speaker, why not have an alternative to actually address the issue? No alternative, no opportunity to actually put together a committee that will delve into why the cost of insurance is so high, but we've got plenty of rhetoric, blaming it all on us, again another reason why Albertans cannot trust this government. They just cannot trust this government when it comes to this particular issue. [interjection] For sure. Go ahead, Member.

**Mr. Williams:** Mr. Speaker, this is the second speech I've heard this evening from the Member for Edmonton-Ellerslie saying that we have to stop throwing stones in a glass house. To me, it looks a lot like the kettle calling the pot black. The previous sentence before the intervention was accepted was: you have to stop just blaming us. Also: this is just the Conservatives' fault, going back to Klein. If the member has an issue with a particular piece of the legislation, I encourage him, I challenge him to cite the problem with the bill exactly. Please pick one section of the bill you have an issue with. I'm happy to engage on that. But a general sort of mudslinging of saying, "Conservatives blame us, so we blame you back" and also "You can't do that" is not helpful to the debate in the House.

**Member Loyola:** Well, thank you for the intervention from the member. Unfortunately, you don't get to dictate debate. You don't get to dictate debate.

Of course, where I was is that this government can't be trusted because all they do is bring rhetoric into the House. They don't give opportunities. I mean, yesterday alone, Mr. Speaker, we had four proposed amendments for one of their pieces of legislation, and they turned down each and every one of them.

**An Hon. Member:** Hear, hear.

**Member Loyola:** And they're proud of it, which shows that, you know, they can't play with others in the sandbox.

**8:40**

**Mrs. Frey:** How many amendments did you accept from the opposition?

**Member Loyola:** I can tell you that we accepted. We accepted. I don't have the exact number off the top of my head, but I can tell you, Mr. Speaker, that we did accept amendments from the opposition while we were in government. I remember doing it.

To date this government has yet to accept even one amendment from the opposition, which, again, just goes to demonstrate that all they're focused on is their own ideological approach. They listen only to people that share their ideological perspective, and they do not even want to consider amendments that will actually help Albertans, Mr. Speaker. There were four amendments that could have helped Albertans.

You know, this is the thing: we have, again, repeated pieces of legislation that come before this House that don't even deal with the priorities that Albertans have when it comes to the high cost of

living here in the province, inflation. We could be dealing with so many issues, yet we get these bills on – I'm sure they're needed; don't get me wrong, Mr. Speaker. But what I'm talking about is prioritizing and working on behalf of Albertans and making sure that certain things are getting addressed, like the high cost of utilities, which we were debating last night.

They weren't capable of accepting even one of our proposed amendments here in the House last night. I can only hope that with this piece of legislation we can actually – well, there's the thing, Mr. Speaker. The fact is that over the last three years this government refused to accept even one amendment. It actually gives you no hope that they're going to accept any. There's actually no political will on this front bench to actually work with us for the benefit of Albertans. That's what we're seeing from this government.

It's not a strange thing to say that they're just so focused on their own ideological approach that they refuse to actually debate any of their bills or accept any amendments or work with us in any particular way to actually . . .

**Mrs. Frey:** Point of order, Mr. Speaker.

**The Acting Speaker:** A point of order has been called.  
Go ahead.

#### Point of Order Relevance

**Mrs. Frey:** Yeah. Under 23(b), relevance, Mr. Speaker. I am really confused as to when the member has ever cited the Insurance Amendment Act, 2022. FYI, that is the bill we're on right now, Bill 16, the Insurance Amendment Act. I haven't heard him say "insurance" in the past three minutes. I've heard the same rinse-and-repeat speech that we've heard on just about every single bill from that member, so I'm curious if he could get back on the task at hand, or maybe he needs new talking points.

**The Acting Speaker:** Anyone willing to respond? I see the hon. Member for Calgary-Bhullar-McCall.

**Mr. Sabir:** Thank you, Mr. Speaker. It's not a point of order. It's possible that the member didn't like what my colleague was saying. We are on second reading. We are discussing the principles of the legislation, and usually there is a broad, I guess, range of things that we can talk about. Insurance is one of those things that directly has bearing on the cost of living that Albertans are facing. He was certainly bringing up relevant examples of how other things are adding and piling on to this insurance. I think that he was well within his right when he was discussing about the cost of living.

**The Acting Speaker:** Well stated, and I agree.  
The hon. Member for Edmonton-Ellerslie.

#### Debate Continued

**Member Loyola:** Thank you very much, Mr. Speaker. You know, let me get to this point, then. If they're not happy with the fact that the primary concern of Albertans is the fact that the cost of everything is going up – and, yeah, I was giving the example of utilities and the fact that they refuse to accept any amendments on any of the things that we had proposed yesterday in debate. Fine. After a hundred years of this government producing a report on insurance to Albertans to let them know what was actually happening with insurance premiums and profits in the industry, they decide that they're going to cover up this report. They're not going to release it. They're not going to try to talk about it, of

course, this after a 30 per cent increase to Albertans when it came to their insurance.

**An Hon. Member:** Can you table that?

**Member Loyola:** I have several e-mails from constituents stating so.

Mr. Speaker, this is what Albertans are concerned about. This government tried to cover up the fact that immense profits were being made by insurance companies when it came to Albertans because they know that the costs had gone up significantly, and then when we called them out on it, they finally decide to release the information, to release the report. I can tell you that Albertans are even more irate than ever. At a time of economic crisis worsened by COVID, the fact that insurance companies raised costs to such a considerable amount on Albertans – and then they see how much in profit these companies were making: again, another slap in the face to Albertans. That's what this is truly about.

I would like this government to actually prioritize – I would like this government to actually prioritize – the needs of Albertans. When we have a bill like this, which I get – I understand that it's necessary, and I'm not particularly against any part of this particular bill. My primary focus is Albertans first, Mr. Speaker. This government could have used this opportunity to bring forward a bill into this Legislature that would actually deal with the primary concern that Albertans have, which is the high cost of insurance. This government has refused to work with the opposition in any way in order to address any of the issues, has turned down the request or proposal to actually have a legislative committee that could actually delve deeper into these questions.

**The Acting Speaker:** Are there any members wishing to join debate? I see the hon. Member for Edmonton-North West.

**Mr. Eggen:** Thank you, Mr. Speaker. I appreciate an opportunity to make a couple of comments on Bill 16, the Insurance Amendment Act, 2022. I guess, you know, I generally feel okay about this bill. I know that there are some elements of commercial insurance that needed to get cleaned up. Indeed, it's an emerging market in regard to industrial insurance, especially insurance for the industrial space around energy, right? It seems obvious that the energy industry is having a harder time acquiring insurance, especially for conventional drilling and so forth.

8:50

You know, one of the background issues that I would think is making that more difficult is that it's becoming clear that over a long period of time lots of drillers – it seems to be part of their business plan to go out, create a company, drill, extract, then leave and somehow disappear or go bankrupt or change the name or do some other legal thing that would somehow extricate them from the responsibility they have to clean up that well. We've seen some version of that played out tens of thousands of times around the province of Alberta. Thus, we have the huge abandoned well problem that is all of our problem, really, just because so many companies maybe chose to do that even as part of their actual business plan to extract the oil or gas from any given site.

Over a long period of time – of course, insurance companies don't fool around, right? They look at probabilities, and they make calculations as to, you know, how likely they are going to have pay out on any given policy. I would suggest that part of the issue around energy companies having a hard time getting insurance is this long-standing circumstance where lots of people were engaged in this kind of irresponsible behaviour, drilling and then leaving, changing the name, going bankrupt, setting up something else, and

away they go, right? So whenever we look at having to reform the insurance acts, amendments, in this province for industrial commercial insurance, I think we need to look at the larger landscape in which that insurance is functioning.

It seems to me that, you know, industrial companies and energy companies in particular are constantly looking for different ways by which to get insurance and new insurance vehicles, and I think that part of our responsibility as a provincial Legislature is to make sure we create a landscape that is fair and just and invites insurance companies to function here in a reasonable sort of way, because if it seems like it's a bit of a Wild West where people are allowed to engage in this kind of rogue activity, then insurance companies will say: well, we're not going to participate in that, thank you very much.

Part of what I see with this commercial insurance situation is that, of course, people are having to go overseas more often to get insurance for their industrial commercial insurance. Again, Mr. Speaker, any time that we see some business activity going overseas, then we're less likely to be benefiting from that here in the province, right? If people have to go to Bermuda or whatever to get their insurance and not get that insurance here, locally, then somehow that seems like lost business to our own province, right? That's an issue, I think.

I just want the government, perhaps during the course of discussions around Bill 16, to let us know: like, what's the plan here? It seems to me that – I mean, again, I can see the utility of having to make some of these reforms, but at the same time it just begs that question, for sure.

Of course, the other issue, much larger issue, is that, you know, considering all of the personal insurance issues that we have here in the province of Alberta, I think that, again, this just leaves the door wide open for people to say: well, yeah; let's talk about insurance; let's talk about my own personal property insurance and insurance on vehicles and so forth. We know that those forms of insurance are contributing significantly to the inflationary pressures that families are feeling here in the province of Alberta, more than other jurisdictions. Well, people will often try to say: oh, well, it's all the same in all the other places in the world, too. But in Alberta we have a very special problem where auto insurance, for example, and personal property insurance are increasing at a rate higher than other jurisdictions right across the country or even right across North America.

When at the very same time that food prices and energy prices and really pretty much the cost of living in general are going up, tacking on this outrageous insurance increase for property insurance and car insurance in particular just pushes a lot of people over the edge, especially when we consider that over the last 24 months or more people were driving a lot less. I mean, I know that I was, certainly. It bears out from statistics across the province that people were driving less, travelling less because of COVID restrictions. At the same time as that, their insurance went up significantly. You know, when people look at why and where and what is the cause of this, it points right back to this Legislature.

Just as a word of caution, when you put out a bill with the word "insurance" in it, you know, sure as heck you're going to attract lots of people that are very interested and will read it. Their anger will only continue to simmer when they see that, in fact: oh, the government is not actually dealing with my insurance problem, but they seem to be dealing with some other more esoteric industrial insurance issue that other people must need somehow, but it doesn't affect my problem that I have because I can't afford to insure my car. Like, that's the context in which we're operating, Mr. Speaker, and I think that we need to respect that because it's real, right?

Words are real, and they have meaning, and there's an insurance problem in this province right now.

Another issue that I just wanted to ask and put it out there rhetorically – and then, hopefully, the minister responsible will talk about this, right? – is this whole issue around unlicensed insurance, where you use a, quote, unquote, special broker. You know, those words: again, perhaps I don't understand what this is, but it seems a little bit dodgy. A foreign unlicensed insurer – like, really? – domiciled, say, in Bermuda doesn't pay. I mean, all of those words together, Mr. Speaker, will make you kind of sit up and go: "What? Like, is this something you get when you go to the back of a bar in Bermuda somehow and you can access that special unlicensed insurance?" I mean, insurance is all based on trust and law and, like, established procedures, so anything that doesn't sort of use the words that would describe that, to me, I think, is a red flag.

I'd like the minister responsible – I presume it's the Minister of Finance – to explain that. Are we in such a dire circumstance for getting industrial insurance that we have to somehow aid and abet unlicensed insurance brokers from foreign locations in order to try to get some version of insurance to function? I mean, I just find that a little bit – you know, at first blush, maybe there's an explanation, and, sure, I bet the Finance minister will do that for us because that's just the kind of guy he is, right?

Anyway, I mean, those are the main issues that I saw from first glance around Bill 16, the Insurance Amendment Act. I mean, I know that there's some version of this that I could see government – let's say us – doing, you know, some version of these things, but we would certainly do it, Mr. Speaker, in concert with reforming the overall insurance landscape here in the province of Alberta, because that's on fire, in case you didn't notice, right? People are literally having a hard time paying their property insurance, their house insurance, their perhaps life insurance, and especially their car insurance.

Well, I could sort of – I always try to visualize, right? Let's say we're trying to do some insurance amendment act, two thousand whatever, for industrial insurance. I'd say: "Okay. Yeah. Let's do that, but let's make sure that we solve this personal insurance problem because it's on fire, right?" We would all say: "Yeah. Let's do that, and we'll have two insurance bills at the same time." And people would say: "Wow. You guys are really acting on this insurance thing, not just for the big energy companies, God bless them, but for my family, too, which I care about even more."

With that, Mr. Speaker, those are my constructive criticisms about this one, and I hope that my questions will be answered. Thank you very much.

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

I see the hon. Member for Calgary-South East.

9:00

**Mr. Jones:** Thank you, Mr. Speaker. I'm enjoying the debate tonight. Bill 16, the Insurance Amendment Act, 2022, enables new insurance options for businesses, which will support jobs and economic growth in Alberta. Alberta businesses looking to bring their foreign insurance captives home will be able to do so without interruption to their operations. This bill also facilitates access to reinsurance, which is basically insurance for insurance companies, hopefully helping to address some scarce insurance options in portions of our market.

Facilitating access to reinsurance in Alberta's market will have a positive impact on expanding insurance capacity, which I know is a priority for everyone here, which, in turn, should help traditional insurers in serving Albertans and Alberta businesses. In fact, if Bill

16 is passed, Alberta will be the first Canadian jurisdiction to allow provincial insurers to have a reinsurance-specific business model.

Currently the reinsurance industry in Canada is limited, comprised mostly of foreign-based enterprises located in Europe, the United States, and Bermuda. This makes it more difficult, as you can imagine, for Canadian or Alberta-based insurers to access reinsurance. It's critical that we do everything we can to enable the insurance industry to build additional capacity in Alberta and to help diversify our provincial insurance sector. Bill 16 does this, again, by enabling Alberta businesses to bring foreign insurance captives home without affecting their operations and by facilitating access to reinsurance. Bill 16 also proposes a number of administrative amendments to the Insurance Act to enhance clarity and the efficiency of our regulatory framework.

It's a step forward. I don't see any major issues. I think it's a great bill, and I would encourage the members opposite and my colleagues to support it.

Thank you.

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

Are there any members wishing to join debate? I see the hon. Member for Edmonton-Gold Bar.

**Mr. Schmidt:** Thank you, Mr. Speaker. I'm pleased to rise and offer some of my comments on Bill 16, the Insurance Amendment Act, 2022. I, first of all, want to start off by thanking my colleagues from Edmonton-Ellerslie, Edmonton-North West, and Calgary-South East for their comments on the legislation this evening, and I would like to do my best to add my own comments, building on the things that my predecessors mentioned in their remarks.

I want to particularly thank the Member for Calgary-South East for a very concise summary of the bill. He said that he would do nothing less, and he's certainly done nothing more, but I do appreciate the concise summary from the member, getting us back to what the bill entails. As that member said, this bill makes several changes to the insurance industry here in Alberta. It makes some changes to captive insurance companies and allows for captive insurance companies to redomesticate here in Alberta, bringing captive insurance companies home without any disruption in coverage.

As some of my colleagues have mentioned, a lot of these captive insurance companies are currently domiciled in Bermuda. Allow me to take a brief tangent, if you will, Mr. Speaker, on the topic of Bermuda. I want to extend my congratulations to the Canada under 17 women's soccer team, who defeated Bermuda this afternoon with a score of 5-nil. So congratulations to them. Of course, the U-17 Canadian women's soccer team has an important connection to Edmonton-Gold Bar. The grandfather of one of the players on the team is a resident of Gold Bar and a friend of mine. We are all very proud of the accomplishments of the under 17 women's Canadian soccer team in their defeat of Bermuda. So, you know, Bermuda, we came for your soccer team today; we're coming for your insurance companies tomorrow. You've been given notice. Bermuda, of course, is a jurisdiction that is no stranger to piracy. I guess we are raiding their insurance companies now but not at the end of a gun or with the use of a ship but with the stroke of a legislative pen. Anyway, this is probably good news for the insurance industry in Alberta.

The other pieces of this legislation allow reinsurance companies to be licensed here in Alberta for the first time. I think that this is an important step to addressing some of the really pressing issues around liabilities in the oil and gas sector in particular. It's my understanding that the government is making these changes in an attempt to allow insurance companies that are insuring oil and gas

operations to apply for reinsurance to limit the risk to taxpayers for being on the hook when it comes to the massive oil and gas liabilities that can exist in the province of Alberta. This is an incredibly important piece of public policy that needs to be addressed. I am not convinced that just allowing reinsurance companies to set up shop here in Alberta will be the solution to the problem, but I don't think that there is any risk to the taxpayers in allowing this to happen.

Then, finally, the bill makes it easier for Alberta companies to access unlicensed insurance. It sounds like a risky proposition to me, Mr. Speaker. I certainly wouldn't want to encounter an unlicensed driver. I wouldn't want to go to an unlicensed doctor. In fact, I'm afraid when I come across an unlicensed dog. So the concept of unlicensed insurers sounds a little bit risky to me, but I understand that there's a small market for that, and I think that these changes will probably be good, on balance, for the province of Alberta.

But, Mr. Speaker, one of my main concerns about this legislation is not the legislation itself but what's left out. As my friends from Edmonton-Ellerslie and Edmonton-North West have indicated, the people in our constituencies are not gripped every day with the issue of reinsurance or whether or not they can bring their captive insurance company home from Bermuda to set up in their garages in Edmonton-Gold Bar. I don't think that there's a single person who has written to me on this very issue. Nobody has said: you know, I sure would like to start a captive insurance company out of my garage and diversify the economy that way. This is something that only very sophisticated, high-finance types really operate in or understand and will benefit from. I don't think the average person in my riding will see any tangible benefit to their daily lives because of the measures that are contained in this bill.

But what they are gripped with is the rising cost of insurance across the board for all of the insurance products that they do buy. Now, my friends from Edmonton-North West and Edmonton-Ellerslie tonight have raised the issue of the skyrocketing cost of auto insurance, and I would echo those concerns. It's incredibly concerning to me, Mr. Speaker, that according to the government's own report auto insurance companies raked in \$400 million more in premiums in 2020 than they did in 2019. Four hundred million dollars more in premiums. That's as if every man, woman, and child in the province of Alberta wrote a \$100 cheque to a car insurance company for nothing, for getting nothing more than the services that they got in 2019.

Now, I can tell you, Mr. Speaker, there aren't very many families in Edmonton-Gold Bar who can afford to have every member of their household write a \$100 cheque to an insurance company. They could certainly put that money to much better use. If you've seen the price of groceries in the grocery store these days, you know that \$100 will buy about four gallons of milk, two boxes of cereal.

**9:10**

My point, Mr. Speaker, is that the price of groceries is exorbitantly high; \$400 wouldn't even cover my electricity bill last month or my gas bill. The people of Alberta are facing incredible cost pressures in their daily lives, and they don't need to be sending a \$100 cheque over and above what they sent to their car insurance companies last year. That's patently unfair. I certainly wish that this legislation acted on the concerns of everyday people with the urgency that they've acted on the concerns of the big insurance companies.

But it's not just automobile insurance that has gotten incredibly expensive. I continue to receive letters into my office every day about the rising cost of house insurance, and these letters have prompted me to look at the rising costs of my own house insurance.

I'm paying \$300 more a year to insure the same house that I was in 2019. And let me tell you, Mr. Speaker, that the way I look after my house, it's certainly done nothing but gone down in value. Shingles need to be replaced; the windows are old. My kids are incredibly irresponsible and reckless, left massive holes in the carpets and in the linoleum, and they've let the faucets in the bathroom leak to the point where I don't think that anything can be fixed anymore. I'm sure that the city of Edmonton property evaluators say, "Well, let's take 20 per cent off what we evaluated this shack at last year," yet I'm paying \$250, \$300 more than I was in 2019 for this same house. That's not fair, and there's nothing in this legislation to address the rising cost of house insurance.

I know from the letters that I'm getting into my constituency office that I'm not alone. My friend from Calgary-Bhullar-McCall could fill up entire volumes of *Hansard* with stories about the rising cost of house insurance in the northeast part of Calgary. In fact, he's done a pretty good job of building a very successful political career on the issue of the rising cost of house insurance in northeast Calgary, because it's that serious an issue. The government is completely silent on it.

The one final area of insurance that is also going up is life insurance. Mr. Speaker, you know, people who take out life insurance policies want to know that after they leave this world, there will be a little bit of money left behind for their loved ones to look after their funeral expenses, maybe all of the related losses to losing a loved one, that those expenses are covered.

[The Speaker in the chair]

The cost of life insurance is going up significantly, too, in the province of Alberta. So why is it that the Minister of Finance has made the great effort, worked in great detail, to solve what I would say are legitimate concerns about the insurance industry in Alberta but ones that don't benefit everyday, average Albertans? Why couldn't he put that same effort into addressing the insurance concerns that everyday, average Albertans have? Take some meaningful steps to get the cost of car insurance under control, get the cost of house insurance under control, get the cost of life insurance under control so that the people in my riding and the people in the ridings of Calgary-Bhullar-McCall and Edmonton-Ellerslie and Edmonton-North West can rest assured that they can afford to pay the bills and make sure that their loved ones are looked after when they die, that their cars and any damage that they would incur while driving are covered and any losses to their homes are covered.

It's extremely frustrating, Mr. Speaker, that the priorities of this government are always on big business and in this case big insurance companies. Everyday Albertans are forgotten and in this case are left to pay the price for this government's concern with insurance industry bottom lines.

In closing, I will say that I will vote for this bill. I don't think that there's anything here that is going to damage the people of Alberta greatly, but again I don't think there's anything in this bill that will benefit the people of Alberta significantly either.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, before the Assembly is second reading of Bill 16. Are there others? The hon. Member for Lethbridge-West.

**Ms Phillips:** Thank you, Mr. Speaker. I rise to provide some comments at this stage of debate, where we have a motion to refer this Bill 16 for some further consideration. I do so largely because of what is not in this bill, as my hon. colleagues have indicated. What is on people's minds is their house policy, their business

policies, and most certainly people's auto insurance policies. There is no question that the amount of correspondence that we have received on this matter since the removal of the cap on increases has been dwarfed, really leaving aside the COVID-related correspondence only, by curriculum and certainly in the office of Lethbridge-West the tremendously unpopular move to strip-mine the Rocky Mountains for metallurgical coal.

But auto insurance followed closely by utility bill costs are certainly on people's minds, and one of the things that could be in this bill, seized as it is with the importance of various commercial insurance arrangements, is better disclosure to people. There is no question that after 107 years the superintendent of insurance would release a report on the claims ratio of how much insurance companies brought in in premiums versus how much they paid out in claims. Now, the legislation indicates that the minister may make this report public. Here is a fantastic opportunity via Bill 16. Certainly, the public was not amused when they found out from the Official Opposition that this 107-year tradition of telling people what the claims ratio is – that is to say, how much money insurance companies are making from us, direct debited every month. People were not amused when they realized from the work the Official Opposition did that this information had been withheld from them for the first time in 107 years by this government.

Certainly, when it was revealed that auto insurance companies brought in \$385 million more this year than over previous years in premiums at a time when, of course, people were phoning them and having policy changes and all sorts of things because their driving habits changed so much, the people were very alarmed, and that's just another reason why people do not trust this UCP government. It's one more reason why a good, solid conversation with the voters of this province might be both edifying for the members of the government side but also give some insight into the types of action that people want to see because it is not just auto insurance, as my hon. colleague for Edmonton-Gold Bar indicated.

9:20

People are also quite concerned about their home insurance policies, the actual extent of the coverage. As we learned in northeast Calgary, insurance doesn't cover a whole bunch of things that now happen with alarming regularity, particularly in Calgary and in central Alberta, that is to say very devastating storms, particularly hailstorms.

But, you know, back to my original point, there is no question that this legislation could have provided that disclosure to Albertans and just simply edited the "may" into a "shall," and then people would know. They would know how much insurance companies were bringing in in premiums versus how much they were paying out in claims and whether that ratio reflected the public interest, because ultimately that's what we're here to do, not to make sure that insurance companies are making wild profits, which they, in fact, did in Alberta. It might allow us just a bit better peek behind the curtain so that we can actually work on solutions to a quite difficult problem, the question of Alberta's insurance market, both on the commercial side, with which this bill concerns itself, but also for individuals and certainly businesses, smaller businesses.

There's no question that a committee, which was proposed by this side of the House, was, in fact, a good idea to find solutions. Perhaps if the specific amount of a rate cap was not a tenable solution, we would find that out via committee, but the government voted that down because ultimately they are not interested in saving people money at all. They are interested in at least moving forward with that \$385 million more that they took from Albertans, that the insurance companies took from Albertans during a pandemic year,

that they were enabled to do so by policy, by a specific policy choice of this government, one of the first things they did.

We also would learn about the hardship that people have gone through over the last couple of years, with workforce attachment being far more uncertain through pandemic time, through even things like whether people are going to go to university or what kinds of programs they are going to take, all of these kinds of things, living arrangements. All of that was upended during the pandemic. Then, lo and behold, people were getting 30 per cent car insurance increases in the mail as well.

Now, I went and had a look at SGI's annual report on this matter of transparency and just speaking to people about the public and making a case for, you know: where's our money going, what are we paying for, and what are we getting for it? They are pretty easy, simple, straightforward questions to answer for the electorate. Voters like it when a government levels with them, which is why they were outraged when that report that had been published for 107 years was withheld from people.

I went and looked at Saskatchewan's auto fund 2020 annual report. Now, of course, the Premier has dismissed Premier Scott Moe's commitment to the Saskatchewan auto fund and Brad Wall's before him as a Soviet policy. Okay; Brad Wall is a Soviet, I guess. But last year, under the Moe government, the Saskatchewan auto fund took in roughly – I mean, it's not quite apples to apples in terms of the claims ratio and how they present their financial statements, but it was roughly the same amount. It was roughly 1 to 1 of premiums to claims, not this wild ratio where you see far fewer claims being paid out than you see premiums in the system that we have here.

Not only that, Mr. Speaker – not only that – but from what I can tell here, the auto fund gave, in turn, \$85 million in premium relief to drivers in Saskatchewan, a far smaller province than here and probably a lot fewer sort of large vehicles that people use for small business and that kind of thing just because it's a smaller economy, and interestingly the Saskatchewan auto fund also funds STARS air ambulance and a few other pieces off their investments because, of course, there are a number of investments made by the auto fund to ensure that the auto fund is always there, that insurance product is always there for people.

So, you know, the fact of the matter is that the insurance market is not as difficult for other drivers as it is here in Alberta, and there have to be some solutions for people, but all we see before this House right now is a bunch of solutions for the commercial sector.

Now, this is not to say that the bill before us right now does not have merit. In fact, there are a number of initiatives in this bill that we do not take issue with whatsoever. The changes to captive insurance companies such that there is a redomestication provision: that is an appropriate response to some of the challenges of the hard insurance market here in Alberta, and in fact folks were pleasantly surprised with the uptake in the captive insurance market. Firms will potentially have to use higher regulatory standards and potentially have to pay a little bit more in tax than they would in Bermuda, but they save on other costs and risks such as foreign exchange. This may have an additional benefit of creating both some additional tax revenue for the province if large firms like, for example, Suncor repatriate their captive insurance and also contribute to a financial services market and a financial services sector and the diversification thereof in this province. That's a good idea, and we should do it.

There are also provisions in here to license stand-alone reinsurance companies in Alberta. The government is hoping that the enormous amount of capital circulating in Alberta's oil and gas sector might be pooled to create a local insurance company. It is unclear whether this will work as there are potential liabilities and

they are enormous and companies need billions in coverage, but this legislation does create a policy space for a potential solution. Fantastic. This is a good-faith attempt to find a solution that does not represent much in the way of downside risks to the province.

Were we to take this same approach for ordinary people, people would be so much better off. There are a variety of creative solutions in here for the hard market that is the commercial insurance market, but absolutely no consideration is given to ordinary people who have also seen their insurance costs skyrocket. Creative solutions for some, and a great big hundreds-of-millions-of-dollars bill and 30 per cent increases for others. The fact of the matter is that the vast majority of us are the others.

This bill also makes it easier for Alberta companies to access unlicensed insurance, and some hon. colleagues have expressed some concern about that, but the only reason a company goes down this path is because there are few alternatives, and in fact the insurance product is licensed somewhere. It is just simply not licensed here due to its niche characteristics as an insurance product, so companies can go find a policy on their own, or they go through a special broker. This legislation makes changes to the tax rate paid on premiums when companies do not go through a special broker.

The tax rate change is significant here, Mr. Speaker, going from 50 per cent to 10 per cent. That's not significant compared to other provinces, and what it might mean is that there are no instances where companies do not report in to the superintendent of insurance that they are accessing an unlicensed product that is licensed elsewhere. In that sense this is a common-sense change, again, a creative solution for very, very specific, small, niche groups of people and small corporate interests – well, they might be large corporate interests, but they are a relatively small slice of the insurance market – but nothing for the vast majority of ratepayers.

That is why this bill should be referred, because for once, you know, I think it's time for the government to hear from ordinary people on this and on this issue, and for that reason I believe that that amendment should be supported by the House, and now I would like to move to adjourn debate, Mr. Speaker.

[Motion to adjourn debate carried]

9:30

### Bill 15 Education (Reforming Teacher Profession Discipline) Amendment Act, 2022

[Adjourned debate April 26: Ms Pancholi]

**The Speaker:** Hon. members, the hon. Member for Edmonton-Rutherford is next.

**Mr. Feehan:** Thank you, Mr. Speaker. I appreciate the opportunity to address this bill. I always enjoy my time here in the House and am disappointed when I'm told I've already spoken to a bill and can't do it again, but here I am speaking for the first time on Bill 15 at the second stage. I ought to, you know, address a few sort of contextual issues, as is appropriate at stage 2 of the bill, about what this bill is about.

I think the fundamental thing that I want to say in a direct way is that the government has failed to articulate a problem for which they are creating a solution. They certainly have suggested that they want to divide the ATA, but they haven't actually demonstrated that there have been significant or even examples of problems with the current situation.

I know I have on occasion heard members opposite make statements about problems, but fundamentally I don't think they have a foundation in the actual experience of the current circumstance.



That's the politest way I can say it. And I believe that if the government is saying that we need to have a change in the system, they actually have a responsibility, then, to articulate what it is that is problematic with the system the way it is.

For very many years in this province the ATA has had responsibility not only for their contractual obligations to their members in terms of employment and negotiation with school boards and so on but has also had responsibility with regard to discipline.

However, if we look back on the history of the legislation and the powers available to the ATA, the ability to do things with regard to that discipline has been limited not by the ATA but has been limited by the government. As such, in cases where horrendous things have happened – for example, I know that at least once in the House someone had suggested that there was a situation of a teacher who committed a sexual offence against a child or multiple children and was not removed from the profession, and this was blamed on the ATA. Yet if we look back on the legislation, they actually had no authority to do that. They did exactly what they could, and they certainly did bring the case to their disciplinary body, and they went to the full extent of the ability of the ATA at the time, the disciplinary body, to deal with that particular case.

So it's not that I don't see that there may indeed be a problem. I fundamentally believe that any teacher that has had sexual contact with a child should be immediately and permanently removed from the teaching profession, no question about that. I spent much of my career trying to make sure that kind of thing in fact happened.

The simple solution would have been, of course, to provide the power to the ATA to do exactly that, to make the decision that a person would lose their licence and be able to remove that person's ability to teach. And, hopefully, we could work it out with jurisdictions across the country such that it wouldn't only be jurisdictions here in Alberta but, of course, across the country. If there was a problem with that, if that has not been happening, then we should have just made sure that the ATA had the ability to do that.

I just don't see that the government has articulated that the ATA having the dual responsibility led to any particular problems. It certainly, you know, has argued that it is somewhat unique in its set-up. That is, that it's not similar exactly to the teaching professions across the country, and it's not exactly the same as the circumstances in other professions in the province of Alberta. But to suggest that we change something merely because it is unique is an inadequate argument. There has to be some argument that in its uniqueness it is failing to perform some function or that it is doing something that it should not be doing, neither of which has been presented as arguments by this government. As such, I just don't think that there has been the basis for this bill to be brought into the House.

Now, it's also ironic that in arguing that this current situation is unique and needs to change, the government's solution is actually to create a new situation which is itself also unique as compared to other situations in the province. In this particular case what we are seeing is that the decisions that could have been handed to the ATA and allowed for in the current situation are now being pulled into the minister's office, and the minister is being put in the position of creating a board of people who are appointed by that minister and who make all the decisions with regard to the code of conduct and the penalties applied to teachers who are found to be in violation of that code of conduct.

This is giving a huge amount of responsibility to a minister who is extremely unlikely to have any particular knowledge about the teaching profession, you know, may incidentally have had some involvement. Occasionally, I suppose, in the history of this

province there may be a minister who actually was educated in education and did have a knowledge of these kinds of things, but it's not normal for us to require a minister to have training in the particular area in which they are a minister, for some good reasons sometimes, because we don't want their personal prejudices from their own personal experiences to interfere with the decisions that are made. In this particular case what we have is the minister taking over massive amounts of responsibility instead of leaving it with the profession to be a self-governing profession.

I think there are numerous examples of professions which are self-governing that have done so quite reasonably well for many decades in this province. The Law Society comes to mind, for example, a self-governing profession that has a board. The benchers, as they're often referred to, are not appointed by a minister but, rather, are voted in by members of the Law Society, and they make all of the explicit decisions about what will happen. In fact, one of the government ministers is in front of that particular board right now for some of their behaviour while being a member of the Law Society. We know that the idea of a profession self-governing and using members of the profession to sit on the board, as elected by members of that profession to represent the values of that profession, is widely used in professions throughout the province.

As such, you know, there's nothing unusual about that kind of thing occurring. So the minister stepping in in order to draw power into herself or whoever happens to be sitting in that chair to appoint the members of the committee, to set the terms of the codes of conduct, to set the punishments is really taking the power away from the people who have the greatest expertise with both their training and their lived experience and moving it into the hands of people who ultimately don't have that expertise, as ministers don't tend to in any ministry. This is not any particular criticism of this minister or ministry in general. It's just a fact that ministers don't tend to actually be trained in the profession for which they are responsible in their ministry.

9:40

You know, I guess I'm very concerned that this choice was made. The minister could have addressed whatever they imagine to be the problem, although they haven't articulated a problem, as I've said. They could have done that by just simply establishing a process within the ATA similar to the Law Society, in which a separate entity within the ATA is established and voted on by members of the ATA in order to deal with this as sort of an internal college, not dissimilar to the types of colleges that are done in other professions. Nursing, for example, has a separation, but it does not go to the minister to make decisions about bad nursing practice. It goes to the appropriate place in the nursing college. So there were various solutions here.

I'm very concerned that the minister has the right to put people on this board, because, you know, frankly, that puts us in the position of: do we trust the minister to make decisions about appropriate things? I've got to tell you that, after my experience with the education curriculum that we've had over this last year, I don't believe that we have the trust in this minister.

I can't tell you the number of people in the Indigenous community that were outraged that Chris Champion was brought in to write the curriculum given the things that Chris Champion had said. So if the minister is picking people like that to write curriculum, people who clearly know nothing at all about important factors in curriculum development, for example, such as age appropriateness, scaffolding of information, all of those really important pieces in actually establishing a curriculum, and instead brought somebody in who happened to have a philosophical

opinion that apparently the minister agreed with, that turned out to be quite outrageous to the Indigenous community.

Now we're asking that minister to, again, appoint people to a board who are not members of the profession but who the minister wants to have on that board. Given the history I think it's very problematic.

I know that working with the Métis community, for example, looking at the curriculum, the members of the Rupertsland Institute spent a significant amount of time looking at how they could put together information on Métis history, cultures, and traditions that would have been spread throughout the curriculum from kindergarten up to grade 12 at an age-appropriate level and would help to enhance people's knowledge of the Métis, an often-neglected community in our society. After having conducted extensive work on that, when they actually read the curriculum, they were devastated to find that the vast majority of the information that they had presented and the work that they had done was not represented in the curriculum.

That's the problem here. That's the problem when you allow governments, that change in terms of their ideology, that change in terms of their personal belief systems, to actually set down important pieces like curriculum or, in this case, discipline. Those things should be left to people who are the most versed in the area. You know, accountants should take responsibility for the misbehaviour of accountants, doctors should take responsibility for the misbehaviour of doctors, and in this case teachers should take responsibility for the misbehaviour of teachers. If they are not for some reason, then you have to look at the structures that prevent them from doing so. Do they have the powers? Do they have the resources? Do they have the understanding of the needs in this particular case?

I guess I'm just really concerned, so I have to ask myself: if the government has failed to articulate a reason why we need to move ahead and they're acting in this extraordinary way, creating an entity that's not, you know, consistent with the usual practices in this area, then there must be some other reason why they put this bill together. I have to look at the history of the relationship between this government and the teachers in this province. We can just look at everything. I've already mentioned the curriculum and how there has been very little support from the professionals, both from the academics, universities, and teachers in the classroom, for the process of the curriculum and for the curriculum itself.

I also look at the other actions by this government, who have continuously done things like taking teachers' pensions away without any consultation with the teachers at all. It seems that there's one attack after another on the teaching profession. We certainly hear the Premier attack the teachers on a regular basis on some ideological stance, often which is not based in reality, and it's very discouraging to see this.

**The Speaker:** Hon. members, are there others wishing to join in the debate on Bill 15? I see the hon. Member for Lethbridge-East.

**Mr. Neudorf:** Thank you, Mr. Speaker. I rise today to speak to Bill 15, the Education (Reforming Teacher Profession Discipline) Amendment Act, 2022. It is meant to reform the discipline process for all teachers, teacher leaders, and administration. It's taken me some time to make up my mind on my support of this bill. I think I've looked very deeply into the amount of work the minister and her ministry have done to develop this, and I've spoken to a number of teachers in Lethbridge that have called me on this. I think their viewpoints would be generally undecided or opposed to it, and I have taken their consideration and their talking points to heart.

As I looked further into this bill, I thought of some of the experiences that I've gone through. My background is in construction, engineering. My wife is an emergency room nurse. Her profession has a union; mine did not. One of the considerations that I gave great time to was that as a contractor our work was always independently inspected by a municipality or another governing body to see the work that we did. There are jurisdictions in Canada that don't necessarily have that same process, or if they do, there are many stories. In fact, there are TV shows about it, about general contractors and the job they do. So as a professional in the construction industry I was always very glad to have my work inspected by an independent body so that one of my jobs would never be on one of those television shows showing the train wreck of what happens when things go wrong. From that perspective, having an independent body review work and provide discipline in governance was actually a comfort, not a concern.

One of the other factors that I consider is being a father to five children, all of whom have gone through the public school system in Lethbridge. My youngest is now in grade 11. So we've had a tremendous amount of experience with multiple schools, from French immersion, different elementary, different middle, different high schools. I worked in the schools, and I have nothing but praise for nearly every single teacher that my children came into contact with, whether they're male, whether they're female, whether they're old, whether they're young, whether they were experienced or just starting out in that profession. I found that they provided and they had a singular objective to see that my children succeeded in their classes. I thank them for that. I believe my wife and I developed a very strong relationship with those teachers and are very proud to support those teachers and those public schools that they attended.

Beyond that, my mother was a teacher for almost 40 years, and currently my sister and her husband are both teachers in B.C., so I have some personal connection with the industry. I'll share a little bit more of a story, a couple of personal stories, actually, that create a juxtaposition in my argument in defence of this bill. Way back, a long time ago, my mother was a teacher. I can remember back to when in B.C. teachers were not unionized and they went through that process of becoming unionized. My mother and several others were hopeful – they didn't necessarily want to become part of the union – but I saw as a young boy the power and the potential negative of a very strong governing body, which basically forced and bankrupted several teachers or ruined their careers and forced them to become part of that union. So I had a very early exposure to a distrust of a union that did not work necessarily in the best interests of all its members though they would argue that they did work for the best interests of the majority of their members.

9:50

The opposite position was the story with my wife as an ER nurse. She was on duty several years ago when a significant negative outcome event took place, as can happen from time to time in emergencies. This particular scenario ended up with an investigation. There were legal questions, and it was actually a very scary time for my wife and for us as a family. I will say that the united nurses association, that union, stood by, provided counsel, advocated one hundred per cent for my wife. She felt very taken care of and very protected by the union body set in place to advocate for her, as I believe a union should do.

How a union can be the advocate and defend someone in a position like my wife or a teacher if they were in a circumstance as well as provide the opposite side of the argument and be the discipline or investigative body: it does create a conflict, in my

mind. I don't see how they can do that well, and I think that's at the bottom of it.

That's what concerns me about the current system as well as it being 85 years old and seeing some of our closest neighbours in terms of provinces, Saskatchewan, B.C., moving in a different direction. I believe that this should provide confidence to teachers, actually, that their union can work without a duplicitous mandate, not only to defend them but also to discipline them. I think that that unifying fact should be a comfort to many teachers as well as remove any question marks that there may have been in terms of conduct. I believe that that can be seen as a benefit and a positive and not a negative.

So having weighed these facts and these considerations from my own life, both from contracting and engineering and those independent bodies, from the experiences I grew up with with my mother being a teacher, and now as an adult my sister and her husband being teachers, and my wife as a nurse who is part of another very large union here in Alberta, I believe that this reform is due. I believe that this reform is reasonable and well considered, well thought through.

Having looked at the bill, it is not a small piece of work. I believe that it represents a considerable amount of thinking, of dedication, and protection not only for teachers but more specifically for students and parents, and having given that type of consideration to it from my own life experience and to represent the people that elected me from Lethbridge-East to be here and represent them, I would urge every member in this House to support Bill 15 and see it passed for the betterment of our education system, for our students predominantly, for teachers, and parents.

Thank you, Mr. Speaker.

**The Speaker:** Are there others? We'll go to the hon. Member for Edmonton-Gold Bar, followed by the Member for Camrose.

**Mr. Schmidt:** Thank you, Mr. Speaker. First, I want to take this opportunity to make a few comments of my own on Bill 15, the Education (Reforming Teacher Profession Discipline) Amendment Act, 2022. Let me first start off by thanking my friend from Edmonton-Rutherford for his thoughtful comments. Let me also say that I savour every word that comes from the Member for Edmonton-Rutherford's mouth now that he has expressed his intent to retire at the end of this term. Knowing that his time here with us in the Legislature is growing shorter by the day, I will appreciate every intervention that he makes in debate. I think that's an important reminder, that none of us knows how long we are here, and we should treat each other with the same appreciation and respect that we treat our friends who have already announced their retirement.

I also want to say that I was pleasantly surprised to hear the Member for Lethbridge-East say something positive about unions. We haven't heard a whole lot of positive talk about the role of unions in the working life of Albertans. The Member for Lethbridge-East should be commended for recognizing the benefits that unions play for hundreds of thousands of Albertans in this province, and I appreciate him bringing that to light. Now, he may get himself in some hot water with the Premier for making these positive comments about unions, but that doesn't make the comments that he said any less true. I appreciate him bringing that comment to the floor of the Legislature.

Before I address the particular clauses of this piece of legislation, let me just first start off by making a comment on the issue of student safety, because we've heard the minister and many of her colleagues in the government caucus say that these amendments are designed to address the issue of student safety in the classroom.

Now, I will say that student safety has been top of mind to the citizens of Edmonton-Gold Bar for the last month following the tragic murder of Karanveer Sahota, a 16-year-old student at McNally high school who was beaten and stabbed to death by, allegedly, seven other youths who attacked him at a bus stop outside of that school on April 8.

I had the honour of attending his funeral on Sunday. It was attended by hundreds of friends and family members, community members who were there to mourn his passing. I know that the entire McNally school community is grieving a significant loss and grappling with what the future of student safety looks like in their school. I think we can all agree that no student should lose their life at school. To my knowledge, Mr. Speaker, this is the first time that a student has been killed in an attack like this in an Edmonton school, and my thoughts and support are with the McNally community as they grapple with the issue of how to keep their students safe from an incident like this happening again. I certainly hope that all members of the Legislature do everything that they can to provide the resources to our schools to make sure that an incident like this happens never again in the province of Alberta.

It's extremely unfortunate, though, Mr. Speaker, that that task is made much more difficult by the budgetary choices that this minister has made. When Edmonton public school board has a shortfall in funding of 1,700 students, that's more than an entire high school; that's two McNally high schools who have no funding whatsoever. So here we are in a position where McNally high school has to make some incredibly difficult decisions about what they need to do to promote and enhance student safety in their school building and on their school grounds with no resources at hand. The minister has cut their budget. The minister has cut the Edmonton public school board budget by the equivalent of 1,700 students.

I'll take the minister at her word that she is genuinely concerned about student safety, and I will issue her a challenge. If she is genuinely concerned about student safety, not only will she focus her efforts on passing this piece of legislation, but she will go back to Treasury Board and find the money for Edmonton public schools to provide the safe and caring educational environment that every student deserves and provide them the resources to do that.

**10:00**

The next comment that I want to make, Mr. Speaker, is on the issue of what a self-governing professional association looks like in the province of Alberta. My friend from Edmonton-Rutherford went on at length about this, but I want to underline the point because I think it bears repeating. I appreciate the minister's intent to create a self-governing professional body for teachers that is separate from the union, but that's not what she's done here. She's created a system where the government holds all the tools, holds all of the levers of power over professional conduct and discipline.

Now, it's my understanding that this system will allow the minister to create a code of professional conduct. Well, Mr. Speaker, to my knowledge, there is no self-governing professional association in the province of Alberta where the minister imposes a code of professional conduct. That certainly wasn't the case in APEGA, the Association of Professional Engineers and Geoscientists of Alberta, which I was a member of. I had the privilege of serving on APEGA's investigative committee, where we were tasked with investigating complaints against our members for violations of the code of conduct. That code of conduct was developed by the members of the association itself. It wasn't imposed upon them by the minister. It was up to the engineers and geoscientists to decide what a sufficient code of conduct was for its

members and to hold its members accountable to that code of conduct once it was established.

If the minister is sincere in her intent to create a similar professional association for teachers, then she wouldn't be in a position of imposing a code of conduct onto teachers. She would allow the teachers to develop that themselves and then allow teachers themselves to hold the members accountable to that code of conduct. I think it's the issue of holding teachers to account that is the crux of the matter here, Mr. Speaker. [interjection] I see my friend from Edmonton-North West has gotten out of his chair. I had first assumed that he was going to the bathroom, but he's looking at me with a question in his eyes, so I will take that.

**Mr. Eggen:** Okay. Well, thank you. I appreciate it. I guess I'm curious, because we were having this discussion this morning, with – you have the UNA and then you have the AARN, right? And then LPNs have their version of their professional association. These magazines come to my house because I've got both in my house. With APEGA, like, do you know much – I want to ask, through the Speaker, how this kind of evolved. It's a professional association. You said that you served as a geologist in APEGA. How did this sort of evolve over time? I'm curious because, of course, if we want to treat professions the same, then we should probably look at these similar parallel structures and how they evolved and how they support the profession.

**Mr. Schmidt:** Well, I want to thank my friend from Edmonton-North West for his question. I wish I could provide a more complete answer. I don't know how the practice of engineering and geoscience has evolved over time, but I do know that professional engineers and geoscientists have been a self-governing profession in the province of Alberta for many decades. This is legislation that goes back many, many decades. Certainly, as a professional association they've learned from their experiences in the past and revised their codes of conduct and investigation processes, discipline processes as a result of that. I think that the people of Alberta can rest assured that the practice of engineering and geoscience is in good hands because a self-regulating professional organization like APEGA is the responsible body for setting out the expectations for the work of these people and then holding them to account.

Now, I will say that, you know, it's not entirely up to the professional association to conduct their business as they see fit. The legislation is prescriptive somewhat in what it can do when it comes to investigating members and disciplining members and what it can't do.

I know that APEGA has been engaged in a review of their governing legislation for a number of years, and I certainly hope that the government takes a serious look at what can be done to improve the professional practice of engineering and geoscience in the province of Alberta. But the point remains that the minister is largely hands off when it comes to the practice of engineering and geoscience in the province of Alberta. I think that it would be only right, then, that the Minister of Education be similarly hands off when it comes to creating a self-governing professional association for teachers here in the province of Alberta.

It's incredibly concerning to me, as my friend from Edmonton-Rutherford pointed out, that members of the professional conduct and competency panel would be appointed by the minister. Now, I understand that it's the minister's intent to appoint teachers and members of the general public, and that's, I think, not a bad idea as far as it goes. But as my friend from Edmonton-Rutherford pointed out, a truly self-governing professional association would have the

majority of its members selected by members of the association itself and not by the minister.

Now, it is not uncommon for members of the general public to be appointed to the boards of professional associations by the minister. That's certainly the case with APEGA. We did have public members appointed to the board by the minister for that organization. Let me just say that, you know, the effort and commitment that public members made varied. We certainly had some very dedicated public members. We also had some public members who were appointed, I think, as a gift from their friend, the minister at the time, and didn't take their responsibilities very seriously.

It's quite concerning to me as a member of a professional association like that when we have no recourse when we've got members on our board who are not taking their responsibilities seriously and not living up to the expectations that are placed upon them as public members who are appointed by the minister. Professional members don't have any power to remove them or replace them. But it's not a big issue in an organization like APEGA because the majority of members are selected by the membership itself and they're subject to regular elections, yearly elections. I think that if the minister was intent on creating a truly self-regulating professional association, she would incorporate that kind of model and not this one that we're dealing with today.

You know, one final issue, Mr. Speaker, that I'd like to address before time runs out is this issue of sufficient sanction. If the model that the minister was presenting here today was sufficient to dissuade teachers from acting inappropriately with their students, then I will vote for it immediately. I wouldn't even debate it; I would just say, "Let's pass this as quickly as possible" and get it in place. But the fact is that there is no investigative and disciplinary system sufficient to prevent teachers from acting inappropriately with their students. The minister has trotted out a few examples and hasn't said explicitly but has implied heavily that if we had only had this model in place, then those teachers wouldn't have been able to do that.

**10:10**

**The Speaker:** The hon. Member for Camrose if she still chooses to do so.

**Ms Lovely:** Thank you, Mr. Speaker. Today I rise in support of reforming the teaching profession discipline process. I'm happy to stand behind this bill which makes the education system safer for students, their families, and teachers. Reforming teacher discipline is important to me, and I hope it's just as important to everyone here today.

The disciplinary system that is currently in place is 85 years old. I would like to think a lot has changed within this time. It's disturbing to know that the ATA has spent millions on media campaigns against to create fear and division among Albertans. They continue to fight, with false claims, to keep this archaic structure in place and, quite frankly, their perceived total control over the education system.

They are doing all of this with the support of the NDP. The members opposite are fighting, in collaboration with the ATA, to keep transparency away from the process and to keep the conflict of interest. The ATA collects union dues and is mandated to advocate for all their members. Why are they fighting to keep the disciplinary power of the members that they rely on for their funds? Why are the NDP fighting to keep it? I find these actions irresponsible. They claim to care about students and teachers, but this is just another one of their facades so that they can help their

union friends keep their power, power that belongs to the people of Alberta.

I'm happy to see Bill 15 includes the creation of an Alberta teaching profession commission along with the appointing of a commissioner upon its creation, ensuring an independent and transparent disciplinary process. This will lead to more appropriate and timely actions on cases that are brought forward.

Most teachers are dedicated professionals who love their jobs and care about the future growth of all students and children, which is why we need to come together in supporting this bill. This bill will bring all teachers and teacher leaders under the same process no matter who they work for. The central focus of this new disciplinary process will be the best interests of students, their families, and teachers across the whole education system.

Everyone needs to be under the same reformed disciplinary process, that is separate from the ATA. With the ATA handling all disciplinary processes, the number of cases that involve conflicts of interest will continue to rise. By separating them, we are eliminating any perceptions of conflicts of interest, making the process fair and one that we can trust.

Bill 15 makes the disciplinary process fall in line with other jurisdictions and regulated professions across the province such as nurses. Some of the best parts of this legislation are the increased accountability it will bring to the education system along with an increased transparency. Many constituencies across Alberta are seeing the construction of additional schools and school expansions while welcoming new families from across the nation and the globe.

I had the pleasure of recently hosting the Premier in the Camrose constituency. We had a tour of the recently completed Chester Ronning school, meeting all the wonderful students and staff. We also attended the sod-turning of a new high school, the Elk Island Catholic school.

I want to pause there for a moment and just emphasize the fact that my mother was a teacher, and I'm very proud of the teaching career that she had. I have a sister in Saskatchewan who is also a teacher. They work very hard, and they care very deeply about the students, as the majority of teachers do.

This legislation will give all families in Alberta, as they choose to enrol their kids in our education system – they can do so confidently, bringing more opportunities to public, Catholic, and private schools. Everyone has the right to choose what school they get their education from. They also deserve the same environment that is provided to any other school.

I encourage all my colleagues to not just support this bill but also support better environments for current and future generations. I want all students to grow up and learn in the safest environments possible. By supporting this bill, we can come together to do just that.

Thank you, Mr. Speaker.

**The Speaker:** Are there others? The hon. Member for Brooks-Medicine Hat.

**Mrs. Frey:** Yes, Mr. Speaker. I move to adjourn debate.

[Motion to adjourn debate carried]

## Government Motions

### Committee Membership Appointment

21. Ms Issik moved on behalf of Mr. Jason Nixon:  
Be it resolved that the membership of the Standing Committee on Private Bills and Private Members' Public Bills be replaced as follows: that Mr. Singh replace Mrs. Frey.

**The Speaker:** Hon. members, this is a debatable motion pursuant to Standing Order 18. Are there any members wishing to provide comment?

Seeing none, I am prepared to call on the member to close debate.

[Government Motion 21 carried]

### Adjournment of Spring Sitting

23. Ms Issik moved on behalf of Mr. Jason Nixon:  
Be it resolved that pursuant to Standing Order 3(9) the 2022 spring sitting of the Assembly shall stand adjourned upon the Government House Leader advising the Assembly that the business for the sitting is concluded.

**The Speaker:** Hon. members, this is not a debatable motion. As such, I will put the question to the Assembly.

[Government Motion 23 carried]

### Select Special Committee to Examine Safe Supply Report

22. Ms Issik moved on behalf of Mr. Jason Nixon:  
Be it resolved that the Legislative Assembly extend the deadline by which the Select Special Committee to Examine Safe Supply must submit its report to the Assembly in accordance with clause 6 of Government Motion 115 from April 30, 2022, to June 30, 2022.

**The Speaker:** Hon. members, this is a debatable motion pursuant to Standing Order 18. Is there anyone that would like to join in the debate?

Seeing none, I am prepared to call the question.

[Government Motion 22 carried]

**The Speaker:** The chief government whip is rising.

**Ms Issik:** Mr. Speaker, I move that the Assembly be adjourned until 9 a.m. Wednesday, April 27, 2022.

[Motion carried; the Assembly adjourned at 10:18 p.m.]



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