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The 30th Legislature
Third Session

Alberta Hansard

Wednesday morning, April 27, 2022

Day 25

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta The 30th Legislature

Third Session

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Legislative Assembly of Alberta

9 a.m.

Wednesday, April 27, 2022

[Mr. Milliken in the chair]

Prayers

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

Orders of the Day

Government Bills and Orders

Second Reading

Bill 11

Continuing Care Act

[Adjourned debate April 26: Mr. Sabir]

The Acting Speaker: Hon. members, we are debating the main bill. I see the hon. Member for Calgary-Mountain View has risen.

Ms Ganley: Thank you very much, Mr. Speaker. I'm pleased to rise and speak to the Continuing Care Act. This is, I believe, the first opportunity I've actually had to speak to this bill. I think it's a bill – I don't want to say that it is incredibly important, because the bill itself isn't, but it ought to be incredibly important to the lives of residents of continuing care. What this bill actually does is sort of put a series of acts together. Now, I chaired the Legislative Review Committee of cabinet for four years, so I'm aware of the importance of keeping legislation up to date and putting things in the right place and having functional provisions. I don't want to suggest that that's necessarily wrong. I think the problem with this bill is what it doesn't do.

We are living through a pandemic and have been doing so for two years now, and there have been a lot of deaths, unfortunately. That is the sad truth. There have been a lot of deaths, and a lot of those deaths have been in older people. That has been hard for them, hard for their families, and because of those risks a lot of people have spent a lot of time locked down in facilities, and that has been extremely challenging, too. I think anyone who has ever observed the progress of dementia in a loved one can tell you that the inability to get out and socialize, the inability to engage in society: those things have a big impact on the progress. That's tragic because you don't get that back in a lot of cases, Mr. Speaker.

I don't think it's possible to overstate the importance of what we're looking at here today because it saves the lives of people who – well, not what we're looking at; what we ought to be looking at. I should be clear about that. This was an opportunity. It was an opportunity to make major change in a system that has developed over time, and I don't really think it's fair to place blame. I think the system has developed over time, people have certain efficiency goals that they would like to achieve, and sometimes they can pursue those goals with blinders on, so to the exception of all else.

Sometimes they can think of our seniors, of our parents and grandparents and loved ones of the people who have built our communities, as bodies in a facility and sometimes they can think of them as costs, and therefore they can focus on efficiency to the

exclusion of all else. I think that if the last two years have taught us anything, it ought to have taught us just how wrong that point of view is. If the past two years have taught us anything, it should have taught us that human lives should be viewed as human lives; they should not be viewed as costs on the system.

This act should have done a lot of things which it doesn't do. There was a report here in Alberta that came out of sort of continuing care and the difficulties that arose. Some of the commitments that this government made were around more home care, increasing the number of hours of care, and increasing the proportion of full-time staff. I agree with 100 per cent of those. Those are incredibly important things.

One of the things that I'm proudest of is the work that the Member for Edmonton-Glenora, when she sat as the Health minister, did to increase the amount of home care available. The truth is that increasing home care is, in my view, the way of the future. Now, that won't alleviate the need for long-term care, particularly dementia care, as we move forward with what is likely to be a sort of crisis of dementia care resources. But moving to home care for those people who don't yet need to be moved into a facility is, I think, incredibly important. This bill doesn't do that.

The number of hours of care: that's also a big one. Again, this sort of drive towards efficiency and failing to see that the people in question are, in fact, people and not numbers has resulted in fewer and fewer hours of care. Honestly, the provincial standards in this regard, provincial standards which, incidentally, this government altered to decrease, are insufficient. Those hours of care can give people back years of their lives. They can give people back quality of life. Those are things that should matter to us.

Finally, the proportion of full-time staff. That's important for a couple of reasons. This is a thing that happens. When we get into these conversations, people are like: well, efficiency, fewer dollars per unit; that's the best possible way to go. But they don't consider any of the collateral cost. They don't consider the fact that if you treat people better in a lower level of care facility, they won't move to the hospital as quickly.

I used to volunteer in a hospital, Mr. Speaker. I volunteered on a neurorehabilitation unit. One of the people that was there was, actually, roughly the same age as me, but he had suffered a brain injury. He was in the neurorehabilitation unit, and he belonged in a long-term care facility. He resided in that unit for the better part of two years, as I recall. It was a terrible use of resources and not good for him either. So ensuring that we have the necessary number of spots is incredibly important.

The proportion of full-time staff: why is that important? Well, because, again, this race toward the fewest dollars per unit, which I actually think is mislabeled as efficiency – I actually don't think that, if you view the system overall, we should be calling that efficiency. Sometimes the things we measure are not the right things. In this instance we tend to measure the dollars per unit, and the result of that is that you wind up with part-time staff working everywhere because homes don't have to pay benefits for part-time staff. They maybe don't get the same vacation. They maybe don't have the same level of pay. That is bad. It is bad for efficiency overall. It is bad for the residents because, you know, if you're in a position where you've contributed your whole life and now you're needing a little help for various reasons, it just seems respectful to be able to know the person who's taking care of you. Some of these tasks are very personal, and yeah, I think it's just respectful to allow someone to work with the same provider and to have those providers there full-time.

It's also better for the care providers. You know, this is a problem in the world generally, and it's a problem increasingly. We call it the gig economy in sort of younger people in the economy. Having to race between multiple jobs to try to make enough to pay your rent and buy food and raise your children: this is a problem. It's a problem with which government ought rightly to concern itself. This isn't how we want the world to be going forward. It's not unreasonable for people in a developed country, in a country with the wealth that Canada has, in a province with the wealth that Alberta has to think that they should be able to, with or without a university education, go to work and work a reasonable number of hours and work at one job and be able to have a life, buy a home, and raise their kids. That's not an unreasonable dream. It's a dream that a lot of people have, and I think it should be a lot more achievable than it currently is for young people coming up through the system, for new immigrants coming into the country.

9:10

Increasing the proportion of full-time staff, in my view, is something that has benefits for the residents of these homes, it has benefits for the system overall, and it has benefits for the economy overall in terms of, you know, allowing people to have the style of life that, say, people had 30 years ago, which is really all anyone is asking for. Those are the things the act doesn't do and that I think it ought to do.

There were a lot of recommendations in this report. There are 11 sort of policy directions, if you will, and 42 recommendations, and one of the ones that I want to talk about, and I guess I've been talking about it already indirectly, is about establishing quality of life as the number one priority and goal for Alberta's continuing care system. It almost sounds so obvious, like it shouldn't need stating, but if you actually look at the system and the way it's operating now, it definitely needs stating because, again, in this sort of relentless lens, this lens where we want to decrease the number of dollars per unit at all costs, we only look at the one system, so we look at the continuing care home and we say that we want to decrease the number of dollars per unit, but what we don't look at is how decreasing the number of dollars per — and the unit is a person. Just keep in mind that these are people. They're seniors who have contributed to our province and who have built it.

By decreasing those number of dollars per unit, you get a more rapid decline generally in terms of medical things and particularly in terms of dementia. What you have is a result that those people have to be moved to a higher level of care more quickly, and higher level of care beds are much more expensive. This is the other thing that gets missed when we're talking about the system. I will often hear, when I'm talking to people out in the community: oh, private providers are more efficient because they get more beds per dollar. The thing is that people are comparing apples to oranges because a dementia care bed requires way, way, way more staffing than the lowest level of care, which I believe is 4 if I'm remembering correctly. I may have reversed it. I can't remember whether it goes 1 to 4 or 4 to 1. The point is that the lowest level of care bed is, like, say, a staffing ratio of 1 staff to 10 patients, and the highest level of care, the dementia care beds, are a staffing ratio of, like, 1 or more staff to 1 patient, so yes, of course, it costs more money because it requires more care. So when we consider efficiency, we ought to be considering those effects as well, and we don't.

I think the saddest thing about the strict focus on dollars per unit, about the strict focus on making it less expensive to care for people in a very narrow view of less expensive, is the impact it has on the quality of life of those people. Those lives are worth something. The happiness or unhappiness of those people is worth something, and we should consider that in our deliberations, and the current

system in the way it's set up often doesn't. I think there is a lot that can be done to improve that, and I think this bill doesn't do any of it.

Another one of the policy directions, number 2, is closely related. It talks about enhancing the overall care "with emphasis on residents living with dementia." This is a huge one. People have been predicting for quite a while a sort of mass wave, as sort of more people age, of dementia patients. That is something that we are going to have to grapple with. It's going to land at some point, and no doubt someone, some silly thing like the Canadian Taxpayers Federation or whatever, is going to jump up and down and say: look how crazy this government is; they're spending, spending, spending. But the truth is that we've been predicting that demographic shift for years, and it's coming whether we want it to come or not, so we ought to be thinking about how to take care of that and how to take care of those people and how to ensure that we give them the best quality of life possible.

Yes, of course, we should be considering the overall cost to the system. That's why moves like more investment in home care so that when someone is at a place where they still need a lower level of care, they can stay in their homes — that is vastly less expensive for the system. Vastly less expensive. And it's much better for the individuals as well because they're able to stay in the communities that they have lived in for their whole lives. They're able to continue to engage in what they have engaged in.

What I really feel, Mr. Speaker, about this act is that it is a missed opportunity.

The Acting Speaker: Thank you, hon. member.

I see the hon. Member for Calgary-Buffalo has risen.

Member Ceci: Thank you, Mr. Speaker, for the opportunity to address this bill. I spoke to it as recently as last night on the referral motion. I think, reflecting back on some of the words that I said and some of the words that my colleagues said last evening, that I'd like to extrapolate a little bit and maybe improve upon the things that I tried to communicate about this bill, Bill 11, Continuing Care Act.

First, before getting into the bill, I just wanted to recognize that the preamble on page 4 of the bill has a series of whereases. I often look to those, if they are part of a bill, to kind of get a sense of what the government or the minister really feels about the bill that they're bringing forward. The third one struck me. I'll just read it into the record: "Whereas the Government of Alberta is committed to ensuring that the delivery of continuing care and the design of the continuing care system in Alberta are based on a person-centred approach." That certainly speaks to me and, you know, my personal experience not only as a professional social worker but as a person who has had relatives, over the course of my lifetime, go into continuing care and require home care and other aspects of care for themselves that are aspects of this bill or part of this bill.

The person-centred approach, those three words: the concept is one that I'm familiar with. It's client centred in terms of social work. It's doing things from the experience of the person who has to live them or trying to understand how best to design a system so that the person is at the centre of it and their needs are considered in the system that they're experiencing or are a part of or are being taken care of by. I want to start off with that concept and how important that is and then reflect on the bill itself and some of the recent experiences that we've had not only in Alberta but in Canada with respect to the various waves of COVID that have been across this country, that people have experienced.

I think I wouldn't be out of line by saying that the person-centred approach that happened, that people experienced in, for instance, continuing care centres was not very good when COVID was

ravaging continuing care centres across Canada. We know that in parts of Canada the military was brought in to supplement, to help, to, in some cases, totally take over from the exhausted or the workers in those places that couldn't keep up with the needs of people in their charge.

We know that in this province – and my colleague has just kind of reflected on it as well – over 1,600 continuing care residents, Albertans, tragically, passed away from COVID-19, and that tragedy must be a call to action to do better in the future. Regrettably, I don't see where this bill is taking that call to action seriously.

9:20

I also believe that too much in this bill will be left to regulations, and it's impossible for me or others to know if the call to action to do better will in fact be followed through with by government. When things are left to the regulations, they will be presented as opposed to transparently talked about, as in this place here where we have an opportunity to see what, in fact, the regulations could be or if the government intends to make regulation. They're not here, and that's a problem.

I reflected on the words that were said by my colleague from St. Albert last night when we were debating, and I must tell you that I feel like I've been schooled a little bit in just reading some of the things that she talked about. When I was up talking after her, I was mostly focusing on older Albertans, elderly Albertans and believing that they were the bulk, that they were most of what was thought about in terms of the Continuing Care Act, this bill.

When I reflected on her words, I saw that she talked a lot about younger Albertans who were disabled and who need to rely on the care provided by others, so younger Albertans also are people we need to think about who would benefit from improvements to continuing care situations, whether those are supported living accommodations, facilities, or home care. I've known many disabled adults who have lived their entire lives in their own homes, but they rely on personal care attendants, both living with them and those coming into their homes. So Bill 11, rightly, should do more and be transparent on how it's going to improve the lives of those Albertans. That's something my colleague from St. Albert kind of impressed upon me when I was reading this *Hansard* from last night and previous days.

I also want to talk about the importance of home care generally and how I believe, as I said last night on the referral amendment we had before this House, that home care is something that we need to invest a lot more in in this province. I don't get the sense from any of the whereases that that's a goal of this bill and future budgets. We know that a pound of prevention equals a – no. The other way around. An ounce of prevention is a pound of cure. Home care is that prevention that keeps people as well as they can be in their own homes. Certainly, I have experience with that not only with my own immediate family but with extended family as well.

I know the workers in those situations are doing the best that they can, but there are many improvements – both they and my own observations of those experiences tell me – that can be made to that program not only investmentwise but in other ways as well. The quality of life of people can be improved dramatically with home care, good home-care staff, good home-care programs, but there's never an adequate amount of time those workers can spend with, in my observations, their clients. There's never an adequate amount of time. They're always rushing to get to the next, the next, the next client.

There certainly needs to be more staff not only in home-care situations but throughout the whole continuing care system, the supported living system. I think that the employment situations in

those facilities are very truncated in terms of being able to hire people full-time. It seems that too many employees of continuing care facilities have to stitch together two or three, you know, jobs to make life work for them and their families and to get a full-time salary. We need to see that change.

I know that the federal government – as well, I think that there was some topping up by this provincial government and provincial governments across Canada – topped up the salaries of employees in continuing care facilities so that they could work in one place as opposed to a couple of or three places over the course of their workdays or workweek and that that decreased the spread of COVID in the early days while it was ravaging those facilities and, you know, not coincidentally improved the quality of life of those workers when they can count on being in one spot as opposed to having to move once or twice a day to different places to work.

Just before I go on to reflecting on the bill again, I want to talk about dementia. I think it was my colleague from Calgary-Mountain View who talked a lot about her experience of working in neuro wards and with people who have dementia, volunteering. That is something, I think, that is on the minds of so many people now in the world in terms of, you know: what can they do to off-set or delay or recover from dementia? It's a very personal thing to me as well.

The act is not as robust in terms of what it could say about this whole area that would give more – not hope for a cure; of course, that's not what this act is intended to do – hope to people whose loved ones have dementia and need to go into continuing care facilities, which, thankfully, are starting to be more specifically attuned and built and staffed and programmed to the needs of people who have dementia.

I know that in the southeast part of Calgary, Dover, Southview, there is a new facility that's opened up there just within the last two or three years. In addition to taking tours of it when it was under construction and officially opened, I hear good things from people in the community who know people who are residents of that facility. They call it a neighbourhood. It's designed on a neighbourhood basis, or another word I've heard them say is that it's a butterfly facility in that there's a lot of contact with the residents and they can be in a lot of different places to help their adjustment to that disease.

This bill could have, I think, pointed more towards how it would address the needs of those individuals who have dementia and given more comfort to the families who have loved ones who have dementia. It seems like more and more Albertans, more and more elderly Canadians are experiencing that, and it's a great concern.

9:30

The other thing that I wanted to talk about with regard to Bill 11 is that, of course, we know it'll collapse many different acts into this bill, which is a good thing, but it needs to be more transparent, and I think I've made that point clear. The bill is – I guess the way I think about a bill is: if I was the minister, would it hold me accountable to . . . [Member Ceci's speaking time expired]

Thank you very much.

The Acting Speaker: Thank you, hon. member.

I see the hon. Member for Edmonton-Highlands-Norwood has risen.

Member Irwin: Thank you, Mr. Speaker. It is an honour to rise in this Chamber and drink a little bit more coffee. Feeling the need for coffee this morning. I don't know about the rest of you. You know, it is hard as well just to – I came in just as my colleague from Calgary-Mountain View was speaking, and from what I heard, it

was a very thoughtful analysis of Bill 11, and then Calgary-Buffalo followed, and equally thoughtful. Anyways, my point is that it's hard to follow Calgary, so I will do my best to represent Edmonton.

All right. It is an honour. I have not had a chance yet to speak to Bill 11. You know, as I've read through the bill, the Continuing Care Act, it just had me thinking about seniors and about the vulnerable folks in my own community. Actually, I was reflecting on the fact that – and just let me preface this by saying it's not “woe is me” because I am incredibly privileged as an MLA, but I was thinking about how I've not had a chance to really visit a lot of seniors in my riding over the last while simply because I just really want to be cautious, and of course for a while there a number of the seniors' residences in my riding were closed to visitors. So I thought about me and thought about how I miss that, but more importantly I think about seniors who have experienced such high levels of isolation and loneliness.

It's hard, you know. Two years of, for many folks – I just think about being a senior who may not have loved ones in the area and needing that sense of community and not being able to connect. So I'm thinking about them, and I'm thinking about vulnerable seniors in my own area. Just this morning I shared a post from my friends at Operation Friendship Seniors Society. They're an organization that I always love to give shout-outs to. I know the focus of the bill – and don't worry, Mr. Speaker; I will connect to the bill. I know the focus of the bill is protecting those who are continuing care residents, but I think about how Operation Friendship Seniors Society supports a lot of seniors who are unhoused or precariously housed in our riding. And there are a lot of them beyond our riding as well lately; certainly a lot of folks in my colleague from Edmonton-City Centre's riding as well. He and I tend to see the most visibly unhoused folks in our communities.

Yeah. Just thinking about, you know, those front-line organizations and those health workers who are supporting our seniors no matter what situation they find themselves in, whether they're housed, they're unhoused, they're precariously housed, and so on. So I think about them.

I also think about some of the continuing care operators in my riding and how, you know – I won't claim to speak for any of them – I can imagine, to echo my colleague from Edmonton-Riverview's comments, who, of course, is our critic for Seniors and Housing, they would have wanted to see more in a piece of legislation.

You know, when this bill was first introduced, she talked about the fact that, listen, we've had over 1,600 deaths in continuing care due to COVID-19. She notes that many of these deaths were preventable, and she was hoping for significant and transformational changes to the continuing care system to be announced, like improving working conditions for continuing care staff or increasing the amount of full-time staff to provide care.

But, unfortunately, what we see in Bill 11 are primarily housekeeping changes, and we've seen that with a lot of bills, to be honest, from this government so far this session. It seems to me – and trust me; I don't have the energy to get a lot of folks up and heckling today, although feel free if you choose – like this is a government and a Premier so focused on just saving themselves and a Premier just saving his own leadership that, you know, at a time when governments should be really assessing the impacts of this global pandemic on their citizens and looking to fill in those gaps that have been so clearly laid bare due to this pandemic, instead of responding with transformational change, with real, tangible legislation and policy that would truly improve the lives of Albertans, this is a government that's choosing to really do a lot of housekeeping, a lot of throwing a bunch of things into bills and calling it red tape reduction or whatever it might be.

That's disappointing. That's disheartening to see, so I echo the comments of our critic for Seniors and Housing, from Edmonton-Riverview, and want to get on the record my disappointment.

What I started to say there is that I can think about the folks who operate in this area of continuing care in my own riding and how much they've been through. I think about the Chinatown Care Centre in my riding, not necessarily in Chinatown proper depending on how you define the borders, minor details, but in the Boyle Street neighbourhood, for sure. You know, that is a centre that has – gosh, I don't know the exact numbers, but they lost a lot of their residents to COVID, Chinese elders who'd built the communities.

I talked to one person. She doesn't live in the area, but her grandfather was in the Chinatown Care Centre, and she just expressed that it didn't have to happen. He was old. I didn't pull up the details, so I can pull those up. I can't remember his exact age, but I believe he was in his 90s. She said: “Yeah, you know what? He was old, but he was healthy, and he shouldn't have died.” What happened at the Chinatown Care Centre is that COVID just spread so rapidly, and it impacted a lot of residents and staff, too.

I think about them and I think about the impact there on my constituents and how they deserved better and how we would hope – in fact, I remember that I wrote a letter along with my colleague at the time from Edmonton-South to the centre and talked about the fact that we were there to support them and that we wanted to do all we could to protect their residents and pointing out that we along with our Health critic and our Seniors and Housing critic would ensure that we would be speaking for their residents. You know, I'm disheartened to have to report back that, sadly, we didn't get a lot of action and we didn't get a response from this government that would really invest in the continuing care system.

9:40

You know, I think about Chinatown Care Centre, I think about Virginia Park, I think about all these centres in my riding where workers are doing so much and have tried to do so much to protect their residents in a very difficult time. But they need support. They need support, and they're not seeing that from this government. I guess I shouldn't be incredibly surprised, with a government that has at every opportunity chosen not to side with workers, right? It wasn't that long ago – and, gosh, the list of this government's record on workers is a long and troubling one.

I think about how just recently, you know, this government chose, at a time when, wow, we should be very much supporting those front-line workers, to propose significant rollbacks to a range of health care workers, including social workers, mental health workers, respiratory therapists – right? – folks who, oh, my goodness, have truly been on the front lines of saving lives of COVID patients. This has been this government's response. Again, I know I shouldn't be shocked. But I think about respiratory therapists and workers like that, who've done so much.

I just met with a respiratory therapist, gosh, was it – last week, I believe, who was just telling me a little bit about her work. I can't imagine how hard it's been. In fact, you know, she was there with her – I think I mentioned this already in the Chamber, but it's just such a cute story – soon-to-be wife, who's a nurse. I will be marrying those two in September, in fact.

Ms Hoffman: No. They'll be marrying each other.

Member Irwin: Well, yeah. I know I can't marry – you know what? You're just so pedantic there, Member for Edmonton-Glenora. Okay. I won't be marrying them both, but I will be officiating their wedding. I prefer to just say: marrying them both. It gets, you know, people talking. For *Hansard's* record I am still

single, still looking. Sorry. I went off on a tangent there. The point being – for all those women in my age range reading *Hansard*, that will be great. Anyways. Getting off track here, and I'm turning quite red as well.

The point being that I chatted with this nurse and respiratory therapist, and they talked about how hard it's been. One was headed to night shift that night; the other one was going off to work in the morning. I think about folks like that, you know, who've just worked ridiculous schedules over the last two years. Anybody in this Chamber who's talked to health care workers is most certainly hearing the same thing from health care workers. This pandemic, despite what some folks in power might say, is still going on, and our health care system is still under significant strain.

All right. Back to Bill 11. Sorry for that little tangent there. You know, I want to just get on the record. This is a bill that doesn't fulfill the Minister of Health's own promises. What did that Minister of Health say here in this Chamber? He said that he would increase home care, he said that he would increase the amount of hours of care that residents would receive, and he said that he would increase the proportion of full-time staff. This bill does none of that. Again, it does a lot of minor administrative changes, housekeeping changes, consolidates pieces of legislation and regulations. And, as one of my colleagues has already stated, we're concerned about how much in this bill is being left to regulations.

You know, we have a great team with a lot of analytical folks, who will be going through that, but we're worried. We're worried that this bill is leaving a lot to regulations. And those regulations are set to come through in the spring of 2023. I don't know if anybody in this Chamber has been paying attention, but there's a lot that's expected to happen in the spring of 2023, probably sooner, hopefully sooner. Albertans are hoping for sooner, that's for sure. But to be serious, this is too big a risk to ask residents and workers in long-term care to just wait, right? They've waited long enough. They've been through two-plus years of a pandemic. It's another example of Albertans not being able to trust the UCP.

Let's as well get on the record the fact that this is the same government – speaking of trust, they've not acted on the recommendations from the facility-based continuing care review. What are they waiting for? What about consultation? Will this government share the consultation report? Who have they spoken to? What specifically in this bill is being supported by stakeholders? Again, there's not a lot of meat here – there's a lot of housekeeping but not a lot of substantive changes – because when we talk to front-line workers, when we talk to residents, when we talk to families impacted by continuing care, this isn't what they're asking for. They're asking for what was outlined in the review. Where is that information?

The Acting Speaker: Thank you, hon. member.

Next I see the hon. Member for Edmonton-Glenora.

Ms Hoffman: Thank you very much, Mr. Speaker and to my colleague from Edmonton-Highlands-Norwood for her thoughtful remarks and also for bringing a little levity to this morning's debate. I am happy to speak to Bill 11, the Continuing Care Act.

I have to say that generally it feels like the kind of bill – and being the former Minister of Health, I want to say that I'm quite familiar with the legislation that's being amended even though there are many acts that are being amended through this one bill. I spent a considerable amount of time with the Hospitals Act and with the continuing care provisions as it relates to that, and one of the reasons is because in long-term care – there are different types of continuing care in Alberta, and they differ significantly between supportive living at the lowest levels or dementia care or long-term

care. One of the biggest differences between lower level supportive living and long-term care in terms of the legislation that governs it is that when you are in a long-term care, you are essentially living in a hospital. You require medical care, and therefore the provisions of the Hospitals Act apply to the care you receive in long-term care.

Some of the biggest differences between lower level continuing care and the highest level of long-term care are around “Who pays for drugs?” and the fact that when you're in a hospital, that's covered under the Canada Health Act. In turn, the provincial government is responsible for paying for medications in those settings. Not the case when you're in continuing care even though a lot of people who are in continuing care designated supportive living level 3 certainly can't live on their own and require constant medical care. It's considered a different level of care, and therefore the provision of medications is not included in the suite of services that they receive in their home, the home they plan on living in long term.

Another one is the requirement around having a registered nurse on-site, essentially a charge nurse. Even in long-term care one registered nurse is not usually, I'll even say, enough. I think a lot of people expect a higher level of nursing care than what is currently provided under the legislation. There are buildings not far from here, for example, where there will be one or two charge nurses for 100 or 200 residents. That is not a high RN staffing ratio, but it is legislated. If we move to the lower standard universally for continuing care across the board, there won't be that requirement anymore around having a registered nurse on-site to provide the oversight for care. That does leave me with some concern.

I know that generally as we've seen many of the changes this government has made as they relate to health care, driven – for example, in their first budget, where one of the first things they talked about was that they were going to be removing folks from the seniors drug coverage in Alberta, which caps the payment of prescriptions at \$25 per prescription for the copay portion. Before, if you were a senior who was on the seniors drug plan and you had dependants and others in your life, like a spouse or – sometimes people will have dependent adult children or even be raising their grandchildren. Because it was your drug plan, you could opt your family members and your direct family members in to be a part of your drug plan as well.

One of the first things this government did in their first budget is kick all those dependants off, so only the seniors were eligible, and the dependants had to be on other programs privately delivered or the low-income programs, which, of course, have an even higher copay. Seniors regularly will tell me – and I'm sure that they tell other members of this House – that that \$25 copay is significant for them. So to have to pay even more for their dependent children or grandchildren or their spouse was a significant burden for many seniors in the province of Alberta.

9:50

When I was the Minister of Health, I was very proud to be able to bring forward the requirement to have patient and family advisory councils. That model is something that happened in other parts of the country but also what happens in other parts of Alberta in other sectors. For example, having a background in education, I was really proud of the work that we were able to do in a collaborative way with parents through school councils, school councils tied to individual schools but also collectively through the Alberta School Councils' Association. The reason why we have – and sometimes people say, like, PTAs or these types of things. There are types of models that exist in other places, but in Alberta it was legislated that a school must make efforts to form a school council.

It is an advisory body to the administration of the school and the other leaders of the school authority, those primarily parents, but there are also often students who participate in school councils, members of the staff. There are some, I know, where there is a senior who lives close by and feels a deep connection to the school or a parent whose children have aged out but had spent so many years contributing to that school that they wanted to stay on for a few years longer after their child was gone. It actually creates a formal body for schools where people can come in and they can collectively give feedback to administration to help guide decision-making processes.

My grandmother was living in long-term care, and my mom regularly attended I think they were called family meetings, where she could come and give feedback on my grandmother's behalf. My grandmother: when she moved into long-term care, it was very hard on her emotionally and psychologically, and she knew that her body wasn't as strong as it once was, but her spirit had never wavered. She was born in the '20s, grew up during the Depression, a hard-working farm girl who at the point when she became a teen moved off the farm to help earn some money to support the family and worked in a hospital as probably what we'd call now a health care aide, without any training. This is what a lot of women, first-generation or second-generation women, in this province did to support their families and to support their broader communities.

When it was my grandmother's turn to move into the kind of facility where she once worked, that was very hard on her. She also struggled with the way some of the staff treated her, and that was also very difficult because, of course, you're in a position of vulnerability. I'm not saying that anyone did anything untoward, but she, like many seniors, struggled to accept their help and wanted to be treated like a peer, not like a dependant. Having a place where my mom could vocalize those hopes on my grandmother's behalf – sometimes my grandmother went to those meetings with her – made a big difference.

There was also a significant Chinese population at the long-term care facility, and there were some family members who would come and talk about the dietary requirements and their hopes for their family members around – for example, the congee was not up to par at the General at the time. They were able to give some advice, provide recipes, and give some feedback.

When I was in a position as minister to try to take some of these models that had sprung up organically in some centres and, I would say, centres that were doing a good job at trying to involve residents and family members in addressing the concerns that they were facing, I thought: why don't we take the best practices that we see here in a number of different care centres? There were many that were very enthusiastic and happy to invite me and others to come participate in their resident and family councils even if they had a different name. Then there were others that didn't have anything in place. We worked with administration. We worked with the public service to create the Resident and Family Councils Act. I am grateful that we were able to get there.

We still know that not every centre will have a resident and family council, but they do have a requirement to post about the opportunity to have one, to invite people to meetings on I think it's an annual basis right now – maybe it's twice annually – and to create space and an opportunity for people to vocalize their hopes in an advisory capacity as it relates to their care. Knowing that this act impedes our ability to ensure that that continues, I think, is problematic.

That's one of the reasons why I was so hopeful that this would go to a committee and we'd have an opportunity to consider this matter wholesomely and ensure that the voice of residents and family members was something that would be enshrined moving

forward as well as the requirement to pay for medications for those who are in long-term care and the nursing requirements. I think that those are things that were put in place for good reason, and I think maintaining some oversight in that regard would be beneficial to the residents and to us as the stewards of these publicly funded and some publicly delivered care centres that we have throughout our province.

Also, I know I've been speaking a lot about seniors. It's not just seniors who live in long-term care or supportive living settings. As our colleague from St. Albert often points out, there are many adults with developmental disabilities or people who've acquired a variety of illnesses or injuries. I think about the young mom with a brain injury who was on the same floor as my grandmother for a while, and her daughters, who were six and eight, would come every weekend and spend the entire daytime of their weekend with their mom in her long-term care home. I think about the young man with MS who couldn't live on his own anymore and deserved to have a very high quality of life and to have his home, his long-term care centre, as his place of celebration and to be able to thrive and enjoy his hobbies, his personal choice, and to have a sense of community there.

By doing something that's packaged as housekeeping, that takes away some of the individuality of different types of centres – I think that there could be some risk. I won't say that I think that that's the government's intention. I think it probably is the government's intention to cut drug coverage for people who are living in long-term care. I think it probably is the government's intention to get rid of registered nurses in a number of these centres. The registered nurses were something that was also in their first budget. The number of registered nurses, FTEs, that they were planning on contracting in the province of Alberta was significant. Of course, I'm glad that they didn't have an opportunity to execute that plan because we certainly have needed every nurse that we've had in the province of Alberta, and we need more. That's what a lot of families, I think, especially learned over the last two and a half years.

Over 1,600 continuing care residents in Alberta have, tragically, passed away from COVID-19, and this tragedy should have been a call to action for all of us to ensure that we have single-site staffing capacity. A lot of people say: well, as long as they're getting the hours, it doesn't matter. Like, let me tell you why it's good for patients to have single-site staffing, and then let me tell you why it's important for workers. When you think about being in that vulnerable position of requiring somebody to care for your most basic needs, including feeding you, toileting you, providing your medications, which if you don't have those consistently, can have very negative outcomes to your health – having to accept the care of somebody else is hard enough. Having to accept the care of somebody else each and every day is humiliating for a lot of people. Being able to build a trusting relationship with a few caregivers that you can have an ongoing relationship with is good for the patient in terms of their own self-worth, their own confidence, and their own vulnerability.

But it also means that that caregiver can notice changes in behaviour and changes in medical conditions. You don't need to be necessarily a doctor or a nurse practitioner to be able to pick up on some of those things. It was the health care aides who often would flag for us when my grandmother – and they wouldn't necessarily say these words. You know, for a lot of seniors living in long-term care, they suffer from urinary tract infections. For many of them, it can cause significant psychological trauma when your body is fighting an infection, and it would be the health care aide who helped provide my grandmother with meals who often would pick up on it: something is a little bit off with your grandma. Then we

would be able to talk to the charge nurse, a registered nurse, and get some blood work done and urine analysis and be able to treat the issue at hand.

10:00

Having that type of information available is good for patients. It's also good for workers because they can be at one site and can focus more fully on their patients, and they can hopefully get enough hours to be able to support themselves and their families.

That's some of the nervousness, the hesitation that I have as we continue to consider Bill 11. Really, this does, once again, come down to trust. Do you trust the government, when it comes to developing regulations, to put your family at the forefront?

With that, I move that we adjourn debate. Thank you.

[Motion to adjourn debate carried]

Bill 16 Insurance Amendment Act, 2022

[Debate adjourned April 26: Ms Renaud speaking]

The Acting Speaker: Hon. members, we are on Bill 16. I see the hon. Member for Edmonton-McClung has risen.

Mr. Dach: Thank you, Mr. Speaker. A pleasure to rise this morning to speak about insurance and the Insurance Amendment Act, 2022, Bill 16, which I will say is a very clear example, once again demonstrating the government's priorities in this province.

The legislation before us, of course, opens up the Insurance Act, and while the act is open, the government has chosen to deal with measures that I would say serve the macroinsurance industry, the upper echelons of the insurance industry, while there are many issues of the insurance industry concerning consumers of insurance products, individual Albertan consumers, that have left the attention span of the government. The government has chosen to once again serve the corporate end of the insurance spectrum but not the consumer spectrum, and they once again refuse to take any action whatsoever to reduce auto insurance bills, that are punishing Alberta families and businesses since the UCP removed the rate cap.

Now, we don't have issues with what this bill actually does. We don't have concerns with its content. What it does is allow profitable insurance corporations to repatriate insurance companies that are now operating offshore, captive insurance companies, and it allows companies to do things which would satisfy the needs that they have in a large insurance world, where particularly the oil and gas sector is having difficulty becoming insured. The captive insurance market and repatriation of some of these companies is something that has been welcomed by some in the energy sector hoping to take advantage of the pools of capital in that sector, and the intent, I believe, is to have those pools of capital used to self-insure.

We appreciate that element of the legislation, but while the bill is open, there are hundreds of thousands of Albertans who are really struggling with their insurance costs, particularly automobile insurance. Highly profitable insurance companies charged Albertans \$385 million more in premiums in 2020 than they did in 2019. Well, that's a lot of money sucked out of the pockets of Albertans to go pay for something they really don't have a choice in having. They need to have their car insurance although, Mr. Speaker, I must say that some people are parking their cars, not because of the pandemic, which is something that was done during the height of the pandemic. People weren't going to work. They

weren't commuting as much. Of course, car insurance companies as a result had fewer payouts and as a result were much more profitable, and that's where some of that \$385 million more in premiums came in versus the amount that was paid out.

They're making enormous profits as a result of that, but Albertans were hurting, Mr. Speaker. They were suffering at the hands of these companies who were profiting enormously but not allowing the consumers to benefit from the lower payouts that they were making.

That's why, Mr. Speaker, the people of this province have lost faith in this government, because they see the priorities of the government always focusing on the larger corporate world and not on the individual consumers and citizens of the province, and the hope is always that there will be a trickle-down effect to the citizens and the consumers in this province as a result of giving benefit to the corporate world.

In this case insurance companies, profitable insurance companies, were allowed to charge fees that were much higher than necessary in the insurance climate that we were facing in 2019, and as a result Albertans paid more than they needed to at a time when they were having costs escalate in all kinds of places.

A lack of trust emanates as a result of government decisions such as this piece of legislation we have before us, where sort of the macrolevel insurance evolutions are tended to but where the government is paying no attention to elements of the Insurance Act that could have been changed to benefit everyday Albertans. They're putting the profits of insurance companies ahead of the budgets of everyday working families. All of us know this, and all of us feel this, especially younger people who are trying to insure a vehicle to get to work. In many cases employment requires that a person have a vehicle, and of course that vehicle has to be insured by law, and it presents an entry barrier to young people trying to get into the workplace if indeed insurance is unaffordable. This legislation does nothing for those families, for those young people trying to enter the workplace facing barriers to employment such as high and unaffordable insurance costs.

We must do better. We can do better. I think the government should have taken more time, when this Insurance Act was open, to take a serious look at other elements of the insurance industry that could have been considered when there were changes being made to the legislation.

Why is the government taking no action as to the auto insurance premiums, which are skyrocketing? We had a rate cap, and the government today says that, of course, they removed it as a result of their desire to let the market find its own level of insurance premium. Yet, indeed, the cap protected Albertans. It was a 5 per cent rate cap, and it protected Albertans. It wasn't an artificial cap. It was a cap that allowed insurance companies still to be profitable yet made insurance affordable for Albertans. Once again the priorities of the government showed clearly that their interests lie with the insurance companies, not with Alberta consumers and citizens and voters.

Consistently that's the theme that we find in pieces of legislation that keep being brought forward by this government, in particular this one, the Insurance Amendment Act, 2022. You know, even things like the requirements for insurance companies to report on an annual basis: why not make it necessary that the Minister of Finance must by law – by law – prepare the superintendent of insurance's annual report every year? Now, for over a hundred years that annual report was presented voluntarily because it was an expectation, a custom that it be done in this House, and it didn't happen this year, Mr. Speaker.

10:10

This year the government decided not to present that report in the regular way, that has been done for over a hundred years and by making a public announcement. In fact, it basically tried to hide it by not saying anything about it. This information has been produced like clockwork for over a hundred years. Now, of course, the government is saying: "Well, it's available online; therefore, we didn't hide anything. It's there for the public to see." Yet there was a difference in procedure, which is important to note, and that is that the announcement wasn't there, and the public presentation of the report wasn't done as it had been for over a hundred years.

It seems to be a practice of the government, Mr. Speaker, in other areas as well to use the excuse: the information is available online; therefore, we don't need to make a public announcement. They just quietly allow the information to be put online without any public disclosure or announcement. They're trying to pull the same stunt with the private school fee payments. The government is saying: well, the full disclosure is available online. I think that we'll probably end up seeing a number more of this type of effort on the part of the government to fail to announce publicly the reporting, the financial reports of different elements of the government operations, whether it be insurance company reports, whether it be private school funding.

Just simply allowing things to be reported online without any annual announcement about it is a dereliction of duty. It's a way the government is using to allow information to just simply fade away, to fade to grey. It's a tactic that I think is rather shameful. I hope by feeling the backlash from the public and by us in the opposition raising concerns about this practice, it will encourage the government to see fit to properly exercise its responsibility to bring forward reports in the manner that they have been traditionally for over a hundred years – for example, the superintendent of insurance annual report on an annual basis – and publicly announce the report rather than just simply having it available online without announcement whatsoever.

There are other elements of the legislation, Mr. Speaker, that should have been brought to light and haven't been. The Insurance Act is not open to anything except, as I said, the macro level of changes. We still can't get answers from this government on insurance and lobbyists. Like, how many times did members of Executive Council or political staff in this government meet with Nick Koolsbergen or his Wellington team on insurance? Why do insiders get access instead of Albertans? The result of that type of influence on government policy is that when such acts as the Insurance Act are opened up, the legislative changes that are made serve those lobbyists' interests. They don't serve, necessarily, the public interest, the consumer interest. They serve the interests of the lobbyists, who have at heart the corporate clients' benefits in mind.

That insurance change as a result of the lobbying here in this bill, this piece of legislation, in and of itself is not what we have an issue with. The changes that have been made are, I think, good attempts to address global insurance issues that particularly the large oil and gas companies have in obtaining insurance and reinsurance for those companies that do actually insure the large oil and gas companies. It's just that the lobbying that is done is the end of the government's investigations into what could be amended while the act is open. There's enough discontent, there's enough heartache, there are enough people who are hurting badly as a result of the skyrocketing insurance premiums in this province right now that that in and of itself should have been a, quote, unquote, lobby effort that the government listened to. But it's falling on deaf ears.

We constantly hear a retort from our – hearkening back to the rate cap that we had in place when we were in government, a 5 per

cent cap on insurance premiums, which made insurance affordable and still allowed the insurance companies to be profitable. The government decries that as an interference in the marketplace, when, in fact, what it did was respond to the very desperate hue and cry from the public that they are not able to survive economically in the workplace by being forced to pay these enormous insurance costs.

That's not the only thing they're getting hammered with, Mr. Speaker. That's on top of a huge escalation in food costs, in rent costs. The price of everything is going up as a result of very many global events that are coalescing all at one time, and it's the government's responsibility to do what it can on a local basis to try to lessen that burden, and it has not addressed the requirements to exercise that responsibility in this legislation.

The latest changes to this Insurance Act are focused on a need for insurance products in the industrial energy areas and niche products and their specific concerns within the sector that are supported by the energy sector, which is a good thing, but, once again, the total and sole focus of this government has been on the macro elements of the insurance sector.

The Acting Speaker: Thank you, hon. member.

Next I see the hon. Member for Calgary-Buffalo has risen.

Member Ceci: Thank you for that introduction, Mr. Speaker. To follow my colleague from Edmonton-McClung, I just want to speak to – this is my first time speaking to the Insurance Amendment Act, 2022, Bill 16, and of course we all know that this act will amend the recent act that was before this House in the fall, which allowed the creation of captive insurance companies, companies that will provide insurance for their host company. I think all of us learned a great deal from that fall review of captives and their need to be present in Alberta.

I can remember the discussion taking place from the Minister of Finance talking about how this was a hard insurance market and that the creation of captives would facilitate the availability of insurance for companies, particularly within the energy sector, the oil and gas sector in this province. This amendment will further assist that sector in particular, which is an important one to this province and has been the source of a great deal of GDP growth over time since the '50s, '40s in this province. We're going to 80 years or so of the sector being an important employer, generator of wealth. Having problems with that sector being able to get insurance for their operations is obviously a problem, so we need to consider this bill in that light.

I think, as my colleague was saying, while there are no specific concerns with the changes proposed in Bill 16, and these changes were supported by validators in the energy sector as well as task force members, which is indeed really helpful in terms of important stakeholders to reach out to, there is much missing with this opportunity to open up the act for the second time in six, seven months. While I will talk about what's missing shortly, I just want to reflect again on what this bill does do.

10:20

The need for insurance for particularly the energy sector can't be overstated, because of the important corporate and public policy reasons that I'll elaborate on. We, of course, know that from time to time catastrophic incidents can occur, have occurred across the world with regard to producers of energy, whether that is – well, it has happened across the world, has happened here in this province. So catastrophic events need to be backstopped with appropriate insurance through those companies. The industry needs the ability to access that insurance. And when there is a hard market and

difficulties in accessing insurance at a reasonable price, the Minister of Finance appropriately brought forward to this House ways to address that in this province. That was the previous bill – I don't remember the number – that we dealt with in the fall, and this one now.

We want industry to be insured appropriately so that any catastrophic events and the associated costs can ultimately be addressed by the company and by the industry. We don't want those costs to be borne by taxpayers or passed on to taxpayers in the event that a company lacks the appropriate funds through insurance to deal with that situation, whatever that catastrophic event could be. So viable insurance products. This bill talks about the domestication of stand-alone companies that are somewhere else coming back to this province. It facilitates that to happen. So I'm certainly onside with that.

There are a number of terms here that are new to me, of course. One is that it creates a redomestication provision, specifically how Alberta-based companies who have a captive insurance company operating outside of Canada – I think they call it extraprovincial jurisdictional or something like that, which basically means outside of Canada, likely in the United States or Bermuda, for example – can bring those home and continue operating here without any disruption in their coverage. That's critical because though the chances are small potentially that there is an interruption in coverage between the bringing home of a company that is in, say, the United States to Alberta, there is a chance. And that's what insurance does. It derisks those situations.

So that's a good reason to support this bill, and I will support this bill. There are other things, of course, that companies might want to do, but that's one good reason to do that, to support this bill.

It also talks about the taxation of premiums. It goes on and on and on that what this does is lower the taxation on premiums. I don't necessarily have a problem with that. I know that many stakeholders have looked at this and said it's okay. It works. It'll help companies repatriate their insurers here. So I'm okay with that, too.

A second thing this bill does is that it makes changes to allow Alberta to license stand-alone reinsurance companies in Alberta. There are several pages of that. I certainly learned from doing my own research that the reinsurance industry is dominated by large players and that some of those large players, not unlike investors, are having some challenges with energy sector companies and are helping, I guess, to create a hard market for being able to access insurance.

Companies doing this, taking up this bill and repatriating their reinsurance company and creating a captive: you know, it's probably companies taking their action to ensure that they control their own destinies rather than be at the whim of other companies that are less knowledgeable about their processes and the kinds of business they do.

The oil and gas sector has certainly had some challenges with finding appropriate capital, but we have that capital here in this province. There are many who have grown up, investors who have grown up with the industry and are comfortable with it, and they would also probably be the people who would look to start up reinsurance companies in this province and know the risks they're dealing with, probably more so than others who are not residents of Alberta. With this legislative change the government is hoping, as I just said, that the enormous amount of capital that's in Alberta's oil and gas sector might be pooled to create a local reinsurance company or companies.

The bill generally has the recommendations from the task force, and industry has indicated in terms of validation that it's a good-

faith attempt to find a solution that, in my view and the view of others, does not represent a downside risk to this province, so that's a positive step in the right direction.

The third thing I'd like to cover briefly is that this bill will make it easier for Alberta companies to access unlicensed insurance. Unlicensed insurance is not fly-by-night or sketchy in any way; it just means that those insurers are not licensed in Canada. They're in other places. Alberta companies only access insurance from unlicensed insurance companies in circumstances where no domestic insurer will write an insurance policy for a particular risk. So in those cases, where a company does not repatriate or create a company for reinsurance on their own, this act will facilitate them to access reinsurance companies elsewhere.

There's talk, of course, about a special broker using a current domiciled insurance company to get an unlicensed insurance company to provide insurance, so that's something that's in this bill as well, and the taxation on premiums is identified here as well.

I just want to make a few comments about the hard insurance market that my colleague talked a little bit about. When we were government, we worked – and it was particularly around the auto sector insurance, or auto insurance. There were challenges in that, and we did significant work to try and make sure that there was fair treatment with both the companies and Albertans. The cap on premiums was not intended to be a forever thing. It was intended to be a "let's get down to work and figure this out" approach, very much meeting with the presidents of companies. There were numerous meetings and a multitude, a number of presidents – I think there were, like, over 20 or so – that weighed in on what we were doing and what we were requesting of that industry.

10:30

The cap was an attempt to generate their willingness to work together and to provide information to the government of the day or the superintendent of insurance of the day that would help the government better understand what the increases to premiums that they were requesting were based on.

We set up a task force with each other and were doing that work when it was interrupted by an election. Work was suspended and ultimately stopped by the incoming government. But it was a genuine attempt to try and understand what the costs to the industry were all about and why that was being transferred into increases in premiums and what the government could do to reduce those costs. We were on that track of doing that work.

But that's not what the hard market for this area is, that is talked about in particular. We've learned a great deal with regard to, as I said, captives, that was brought in in the last bill. This amendment is to facilitate, again, the efforts of the energy sector in particular.

Thank you.

The Acting Speaker: Thank you, hon. member.

Next I believe I see the hon. Member for Edmonton-Whitemud.

Ms Pancholi: Thank you, Mr. Speaker. It's a pleasure to rise and speak to Bill 16, the Insurance Amendment Act, 2022. This is actually my first opportunity to speak to this bill, so it's a pleasure to put my comments and thoughts on the record with respect to this. I think my colleagues have done a good job of talking about what this bill does, and I think we've already indicated that we do generally support the content of this bill and the efforts that are made here to, you know, create some new, I guess, insurance products and opportunities in Alberta. The hope is that these changes will actually be useful. I know some of them are a bit – well, we don't know yet for sure what the outcome of them will be, but certainly we support that.

If I can go over a little bit about what the bill includes and then make some broader comments with respect to insurance in Alberta right now as this is certainly the topic of this bill. You know, the bill does open up the Insurance Act once again in Alberta and makes a few changes. In this Legislature we considered changes earlier this year – my apologies; it might have been last year – to captive insurance to allow Alberta companies to basically insure themselves. It's different from self-insurance in that it's actually setting up a separate company, a subsidiary company, to insure the broader parent company. We supported that bill when it came through the Legislature.

I understand that the proposed Bill 16 makes a few other additional changes; for example, with respect to the Captive Insurance Companies Act. The legislation now, as my colleague from Calgary-Buffalo and my colleague from Edmonton-McClung set out, makes some changes to that bill to allow for redomestication of those captive insurance companies, specifying how, specifically, an Alberta-based company who has a captive insurance company that's operating outside of Canada can bring that captive insurance company back home while continuing to operate so that there's no disruption in coverage. Certainly, that sounds like something that is – there are good reasons why companies would want to do this.

We understand, of course, that, you know, if an Alberta-based company is operating in another jurisdiction, where there may be more lenient or less stringent insurance requirements and regulatory requirements, a company bringing their captive insurance company back to Alberta may be facing more stringent regulatory requirements and standards here than in a place like, say, Bermuda. They will of course pay higher taxes here. But there are savings on other costs, and that may be a benefit to some Alberta companies who choose to do that. That's one provision of this bill, to redomesticate those captive insurance companies back in Alberta.

Bill 16 also makes changes to allow Alberta to license stand-alone reinsurance companies in Alberta. Reinsurance is, obviously, insurance for insurance companies. I understand that the hope, I believe, with this change is that some of the capital that's currently circulating, particularly in the oil and gas market, could be pooled to basically create a local reinsurance company. This, I understand, is not a guaranteed outcome – and certainly it has some potential liabilities – but it does create an opportunity or at least a space in which a possible solution may arise. Certainly, that sounds like something that companies will have to consider and see whether or not mitigating the risks is possible or worth while to them. Certainly, if it's creating a space for that kind of opportunity, it seems like a good idea.

Of course, the third thing that this bill does is that it allows or makes it easier – I shouldn't say allows – for Alberta companies to access unlicensed insurance. Alberta companies currently only access insurance from unlicensed insurance companies in circumstances where there is no domestic insurer that is able or willing to write an insurance policy for a particular risk. This will allow these companies to access unlicensed insurance. You know, it brings it more in line with other provinces and makes getting a viable insurance product easier for industry. Again, this is important. We do have a vested interest in Alberta in making sure that, for example, our oil and gas industries are able to access the insurance that they need. Especially in the event of a catastrophic event or a huge challenge, we want to know that those companies will be able to manage that risk and access insurance.

You know, broadly speaking, Mr. Speaker, Bill 16 does seem to be something that I'm willing to support, and I believe that some of my colleagues have indicated their willingness to support this bill. However, I think it's important to note that when we think about

insurance – and I'm not sure what members of the government caucus are doing, but I know members of the opposition caucus have been very busy knocking on doors, not just in our own ridings but across the province, to talk to Albertans and see what's on their minds, and insurance comes up quite regularly.

I'm certain that if I were to tell Albertans – and, in fact, I'm going to test this theory out when I go out door-knocking in my constituency this week – that the current government is bringing in legislation around insurance, many Albertans would expect that that means this government is doing something to address the very real rise in insurance costs that are affecting them in their day-to-day life, which is insurance costs on auto insurance and home insurance and life insurance and all the day-to-day products that Albertans rely upon. I'm certain that many would say: oh, great; that's good. I know that I've been hearing from my constituents – I know all the members in this House have – about the steep increase in insurance premiums since this government has come into power. Certainly, that would be what their expectation is.

If this government, at a time when Albertans are struggling with high insurance costs, is bringing in legislation around insurance, it must be to help them out: that would be the assumption. As I said, I'm going to test this theory out when I go door-knocking, because every single time I go door-knocking, insurance is raised by people at the doors. So I'll ask them, I'll say: "What do you think? They're bringing in legislation." They will probably be very excited, and then I'll get to say: "Oh, I'm sorry, but once again this government is actually not bringing forward legislation that would help you with your household budget costs and your daily costs. That's, actually, not at all this government's priority. That's not what this bill is about. This bill is about, you know, creating new insurance opportunities for industry, for companies, okay?"

You know, nobody can doubt, as we've said, that this is something we support, but it is not what's most pressing on Albertans' minds when they think about insurance. In fact, we know that not only has this government not brought forward anything to help people with their average insurance costs; they've actually deliberately, intentionally made this more expensive for Albertans, and we know that this is precisely what they were lobbied to do, Mr. Speaker.

10:40

As we all know now, the NDP had a cap on insurance rates, that actually would be incredibly helpful to Albertans right now. But what we know – and this is a matter of public record – is that this government was actively lobbied by the insurance companies to lift that rate cap. In fact, Mr. Speaker, you know, for example, the biggest lobbying company, Wellington, that did the lobbying of the insurance companies, was incorporated as a lobbying entity on March 26, 2019, just a few weeks before the provincial election in 2019.

As we all know, on April 30, 2019, the Premier was sworn in. A mere three and a half weeks later, May 24, 2019, according to the lobbyist registry, Wellington registers as an official lobbyist and indicates that their reason for lobbying is to "advocate for market-based auto insurance rates vs an artificial rate cap." That was their filing, May 24, a mere few weeks after the Premier was sworn in. Guess what, Mr. Speaker? A few months later, August 30, 2019, this government lifts that insurance cap and speaks highly of the rate-based market for insurance.

Now, it's not really a surprise that this government did that. We always knew that they were not in support of things that make it easier for average Albertans to pay their bills, but we know that they were specifically lobbied by some very specific interests to do precisely what they did.

Now, in 2019, you know, that was under cover of a lot of things that were happening, but we know that many Albertans reported their insurance rates going up, their premiums going up upwards of 30 per cent. That was a significant amount back then. It's even more in terms of the impact on daily budgets now because of the cost-of-living increases, inflation increases, and then, of course, all the things that this government has done to make life more expensive for Albertans, whether it be property tax increases, utility rates going up. They're paying more in school fees and postsecondary tuition. For a while there they were paying more in child care fees. They're paying so much more. So when you pile all that on, the increase in insurance is significant.

We also know that when the government – it was surprising. It's a hard thing to sell, but, my goodness, the Minister of Finance has worked really hard to sell this, that we should be feeling sorry for the insurance companies because, you know, they really just wanted to get new products out into the market, the poor, poor insurance companies. Then, of course, to fulfill that narrative or complete that narrative, we know that this government took the unprecedented step of not actually releasing the superintendent of insurance report, which had been released every year for 107 years. Why would they want to suppress that report? Why would they not want to release that information for Albertans?

An Hon. Member: One guess.

Ms Pancholi: Yeah. There is only one guess. I wonder if it's because it shows that – guess what? – the insurance companies have been doing just fine, in fact not even just fine; they've been profiting even more significantly than before.

That actually doesn't fit with this government's narrative about insurance companies, so they suppressed that information and finally had to succumb because of the pressure put on by the Official Opposition and then the rising swell of Albertans saying: "Well, hang on. Where is that report? What does it say?" Then, you know, as is prone to happen, the day before a long weekend they tried to bury that report. But it came out, and what does it show? Well, yeah, it shows that, actually, insurance companies collected \$1.151 billion more in premiums than they paid out in 2019 and that in 2020 they collected \$1.324 billion more than they paid out. Keep in mind, as all of us remember what was happening in 2020, that it was the pandemic. Many people were working from home, many people had parked their cars, some people had lost their jobs, so actually Albertans were driving less, but insurance companies were making more.

Again, Mr. Speaker, I look forward to talking to Albertans when I go door-knocking in my constituency and, of course, you know, when I go door-knocking in various other constituencies like Calgary and around this province and saying: oh, did you know that this government is bringing forward legislation on insurance but not to help you – not to help you – because this isn't the government's priority?

We see that with the same approach they've taken months after, again, the Official Opposition had been calling and Albertans had been certainly writing their MLAs across this province about the increased utility rates. You know, first of all, the Associate Minister of Natural Gas and Electricity was saying that everything was working exactly as it was supposed to and they weren't going to do anything to help Albertans. Months later they finally agreed to bring forward some semblance of legislation to actually deliver a utility rebate but with no timelines.

They actually rejected amendments put forward by the Official Opposition to make sure those rebates were delivered in a timely fashion. We think Albertans should have gotten this months ago

but certainly by the end of May. Couldn't this government commit to doing something meaningful to help Albertans with their daily costs by the end of May? Perhaps they're too distracted with something else, Mr. Speaker. Perhaps that's why they can't deliver for Albertans, because they're too busy trying to deliver for the Premier. So once again Albertans aren't seeing any of the benefits. They can't even get this government to take these issues seriously.

On the one hand, I could say that it's kind of, you know, unfortunate that the government brought forward a bill on insurance at a time when Albertans are struggling with insurance rates and they are doing nothing about it. At worst – and I think, unfortunately, we have to believe the worst at this point, Mr. Speaker – it shows that once again this government is not interested in looking out for average Albertans, is not interested in meaningful solutions to help Albertans pay their bills and to get by and put food on the table and to participate in the local economy. They're not interested in those things. We always do know where their priority is, and it's on saving their own skins, perhaps supporting their own Premier. Perhaps it's infighting, perhaps it's undermining, but it's not on Albertans. When that's the case, everybody pays except for the lobbyists.

The Acting Speaker: Thank you, hon. member.

I believe I see the hon. member for Edmonton-Highlands-Norwood.

Member Irwin: Thank you, Mr. Speaker. I rose slowly because I thought perhaps the Finance minister would want to, you know, refute some of our statements, but he must . . . [interjection] Yeah, I know. I'm not saying whether he's here or not, but I thought he may want to join debate.

Ms Hoffman: Maybe after you.

Member Irwin: Perhaps after me. That's right. Actually, he's also free to intervene as well, interject. Yeah. Absolutely. I welcome interjections.

Okay. It is a pleasure to rise again. I will try to keep my marital status out of this speech.

Mr. Schow: He's already spoken to the bill.

Member Irwin: Oh, well, he can interject.

All right, Mr. Speaker. Let us speak about Bill 16, insurance. Now, it is challenging to follow my colleagues, who have just laid out a pretty good analysis of this bill, but I will try my best. You know, like my colleagues, like my colleague from Edmonton-Whitemud, I can also point out that insurance is an issue that comes up a lot at the doors and not just in Edmonton-Highlands-Norwood but, as my wonderful colleague from Edmonton-Whitemud pointed out, when we door-knock in other ridings. In fact, I know we're both planning to go to the lovely city of Calgary soon and both plan to do much door-knocking while down there. I can predict quite reasonably that insurance will come up at the doors.

As I've stated many times in this Chamber, you know, I do my best to endeavour to really listen to folks when I'm at the doors. I don't say: "Oh, what issues are top of mind? How are you feeling about insurance?" No. I leave it pretty wide open, so unsolicited feedback on just rising costs, affordability in general. On its own you might say, "Okay; well, auto insurance is probably not debilitating to folks," but for some it is. In fact, it's the entire suite of changes or, I should say, lack of changes, inaction from this government that's really impacting affordability for my constituents, right?

We're talking about things like increases to home insurance as well. We're talking about things like tuition. We're talking about – you know, obviously, inflation: I know we cannot solely blame this government for that. I understand. But when a government has an opportunity to address affordability and then chooses not to, that's concerning. *Déjà vu* from when I spoke – oh, gosh – less than an hour ago on the previous bill, continuing care: that was an opportunity for this government to really address the gaps in the system and present legislation that could be transformational and could tangibly improve the lives of Albertans.

10:50

Similarly, again, another bill in front of us, Insurance Amendment Act. You know, this could have been an opportunity for this Finance minister and his government to really address the affordability crisis that so many Albertans are facing and to lower insurance premiums for our constituents, but instead they chose not to. Again, you know, a number of sort of housekeeping-type changes that won't have a direct impact on Albertans. Instead, a bill, a piece of legislation that supports insurance companies.

I want to talk a little bit about – you know, I found this fascinating. I found it fascinating that – and my colleague from Edmonton-Whitemud pointed this out quite well – we've seen from this government multiple times, in fact, a government that is willing to put profits ahead of people, corporations ahead of constituents. I'm not sure what other forms of alliteration I can do, but the point is that this is a track record with this government, continuously choosing corporations over their constituents.

A great example of this would be what we saw – oh, gosh, I think it was released, yeah, just prior to the long weekend. This UCP government dropped a report that showed that insurance companies are reaping higher profits than ever before, and they're doing it with the help of this UCP government. Don't quote me on this; let me point to evidence. I'm reminded of yesterday, the evidence, the Associate Minister of Mental Health and Addictions pointing out that this opposition might like evidence and science. Yes, we do. We do like evidence and science. So it was the superintendent of insurance 2020 annual report that specifically outlined that the car insurance industry charged Alberta drivers \$385 million more in premiums in 2020 than they did in 2019, and, no, those profits didn't trickle down to Albertans. Absolutely not. It boosted their own pockets and expanded their already-gross margins. No surprise.

I'd love to hear why. Again, we haven't yet heard from the Finance minister his justification on this, but as my colleague pointed out, the UCP attempted to suppress this report for the first time in 107 years. So, folks watching, of which I know there are at least probably three, you know, when this government talks about transparency, accountability, you cannot trust them. You cannot trust them one bit. Why would they cover up that report? Because this report showed that the car insurance industry collected \$1.151 billion more in premiums than they paid out in claims in 2019, but in 2020 they collected \$1.324 billion more than they paid out. Interesting numbers.

And that Finance minister, as my colleague from Calgary-Mountain View pointed out in response to this very interesting report, likes to say that these have been tough times for the insurance industry. Well, that's absolutely factually untrue because these are highly profitable companies that are truly fleecing Albertans with the help of the UCP. Again, this is at a time when, you know, the UCP is choosing to make everything more expensive for Alberta families.

So we called on, my colleague from Calgary-Mountain View called on Albertans to really – you know, every time you see your

car insurance bill, remember that this is a UCP government that chose to ensure that your premiums continue to rise, the same government that chose . . . [interjection] You know what? I will absolutely defer to the Finance minister.

Mr. Toews: Well, Mr. Speaker, I'd like to express my appreciation to the member for giving way. I just want to – I know I only have a minute here – make a couple of comments. I need to correct the record. Firstly, Bill 16 is about, again, further enabling captive insurance corporations in Alberta, further ensuring that we have another insurance product in the province, and also enabling the business of reinsurance to take place in the province of Alberta. It's about adding capacity and competition, something the members don't talk about because their solution is always a rate cap. It's a Band-Aid. We observed what happened when you put a Band-Aid on an issue without dealing with the systemic problems: it results in a pullback of capacity. That's what took place in automobile insurance. This government has worked to correct that. We did it in Bill 41.

Member Irwin: Thank you. I appreciate the minister interjecting. Yes. Absolutely. You know, what's interesting is – again, we've talked a little bit about some of the ins and outs of the bill, but your intervention doesn't answer why at every opportunity you continue to prioritize profits before people and why you continue to choose those already-profitable corporations' best interests instead of the best interests of the people that you represent. So again I would ask: why? Why hide the superintendent's report after 107 years? Why did this UCP government and this minister choose not to be transparent?

Again, we've pointed out that we don't have major concerns with the content of this legislation, but it's what's missing that we're concerned about: no relief for drivers, no relief for homeowners that are seeing soaring home insurance policies. I mean, as we've seen, just ask the residents of northeast Calgary to talk about what they've faced with hail damage.

You know, again, if we didn't see a track record with this government on insurance, of one that continually shows that Albertans can't trust them – again, after 100 years why would this Finance minister not want to produce that report, right? He finally released it, but only – only – thanks to the good work of my colleagues, like my colleagues from Calgary-Mountain View and from Lethbridge-West, putting pressure on this government to come clean and to be transparent.

All right. I'll get a couple of questions on the record before I end my remarks. Why is this government taking no action? How many billions in profits are enough for your friends in the insurance industry? If the Insurance Act is open, why not make certain that the Finance minister must by law prepare the superintendent of insurance annual report every year? Again, why try to hide it?

We're not getting answers from this government on insurance and on lobbyists, and as my colleague from Edmonton-McClung quite aptly pointed out – how many times did members of Executive Council or political staff meet with Nick Koolsbergen or his Wellington team on insurance? Why is it that time and time again lobbyists, insiders, friends of this government get their ear, yet Albertans who are struggling – and we've stood up. We've had Albertans share their stories on the rising costs that they're facing, including rising auto premiums, and this government refuses to listen to those voices. Why are you not listening to the people that you represent?

I'm certain he's busy, but I have to believe that the Finance minister in the Grande Prairie-Wapiti region is hearing from his residents up there. I've spent some time in Grande Prairie. You

know, lots of big pickup trucks up there, right? I'm looking at the Member for Grande Prairie, too. I know she's probably hearing from her constituents about rising auto premiums. So why isn't this government listening?

11:00

All right. Again, I'll just get on the record our grave concerns. You know, we've been quite clear that it's not the content. The minister is pointing out to us at every opportunity that the rate cap is our solution. Well, we know that this government has refused to take action, any action, since they removed that rate cap that was put in place by our NDP government. We are proud of our record on insurance because we didn't see these skyrocketing increases impact our constituents like this government is seeing right now.

With that, I just want to point out and summarize that, you know, these rising costs are just one example of many that our constituents are facing, and I and my colleagues here in the NDP opposition will continue to speak out and stand up and amplify the voices of our constituents who are struggling right now with affordability. It's one more example that we cannot trust the UCP government.

I'm not sure how much time I have, but I will . . .

The Acting Speaker: Two minutes, but it'll be increased if you give way.

Member Irwin: Sounds good. I give way.

Mr. Toews: All right, Mr. Speaker. Thank you to the member for giving way. I just want to again correct the record. This government has taken action on automobile insurance. We, in fact, took action in Bill 41. We dealt with the systemic issues, certainly some of the systemic issues, that were driving up claims costs, soft injury costs, that were creating more contention in the courts around insurance and driving up premiums.

Mr. Speaker, again, I want to point out for the record that we've had seven insurance companies now apply for a reduction in premiums. That's encouraging. That's contrary to the narrative we hear across the way. The members opposite, when they were in government, simply brought a rate cap in and did not deal with the systemic issues that were driving up costs.

Mr. Speaker, I just wanted to correct the record.

The Acting Speaker: Thank you.

Just for clarity, to the hon. member, for graciously allowing more than one intervention, it means that there are two more minutes added to your time. So there are four minutes now.

Member Irwin: Oh, goodness. I may not take that full time, but it is nice to give way to the minister even though what he is saying is not supported by the evidence. You know, he is claiming to be clearing the record on this. He can speak all he wants, saying that he's taking action on insurance, but that is not trickling down to our constituents, right? This is not having an impact on the bills that our constituents are seeing. They're seeing rising auto insurance premiums. Again, the minister can claim that they're taking tangible action, but it was steps like ensuring a rate cap that truly supported and helped our constituents.

You know, with that, I'd be willing to speak more on this bill, but I know we will – well, actually, I don't know if I will have another opportunity. Regardless, I know the time is such that I will adjourn debate.

The Acting Speaker: It's my understanding that you're making a request for a motion to adjourn debate, correct? Yes. All right.

[Motion to adjourn debate carried]

Government Bills and Orders

Third Reading

Bill 12 Trustee Act

The Acting Speaker: I see the hon. deputy government whip.

Mr. Rutherford: Thank you, Mr. Speaker. I am pleased to be here today to move on behalf of the Minister of Justice and Solicitor General third reading of Bill 12, the Trustee Act, which will make it more efficient to manage trusts and lessen the need for Albertans to go to court.

We believe it is our responsibility to continually revise and reform legislation to meet the needs of the modern world and the needs of Albertans. I have been encouraged by the lively debate on this important legislation. If passed, the new Trustee Act would replace existing legislation, which is significantly outdated and based on mid-Victorian era legislation. The new Trustee Act would clarify a trustee's role and their administrative powers, outline specific processes so that in many instances trustees and beneficiaries do not need to go to court, and set out clear provisions to support and improve day-to-day functions of trusts and provide a basis for trusts that do not have extensive terms or that do not cover off all the situations the provisions apply to while making sure people can still set their own terms.

Mr. Speaker, before I conclude my remarks, I would like to just address a few questions that arose during the second reading debate, beginning with Henson trusts. Quite simply, Bill 12 has nothing to do with Henson trusts – as I attempt to flip the page, Mr. Speaker – and Bill 12 does not affect a person's eligibility for government benefits such as the AISH program. I'd also like to be clear that Bill 12 adopts 87 of the 90 recommendations from the Alberta Law Reform Institute. The three recommendations that were not adopted were minor housekeeping provisions. I would encourage everybody in the Assembly to support Bill 12. I will conclude my remarks with that.

Thank you.

The Acting Speaker: Thank you.

Hon. members, are there any members looking to join debate? I see the hon. Member for Edmonton-McClung has risen.

Mr. Dach: Thank you, Mr. Speaker. I'm pleased to join debate today on Bill 12, the Trustee Act, and I certainly look forward to, in due course, expressing my support for the large gist of this Trustee Act replacement that we're looking at. It's not an amendment. It's a new Trustee Act, as the member who just spoke rightly referred to. It was certainly a process that has taken some time. It's welcome to see the act before us now because, of course, the legislation has been in need of updating for a long time.

I think all of us who have been in a position of being asked in the past to be perhaps an executor for the estate of a family member or friend at some point may have considered it to be an extreme honour to be asked to act in that position and perhaps, once actually exercising that role, realized that it was a fairly onerous responsibility to undertake because of the trust requirements that an executor, for example, is forced to undertake. There were lots of situations that were not readily defined under the old act and left the individual who was the trustee in the case of an estate wondering exactly what options existed. There was a lot of clarification that was needed.

This act, I think, goes a long way to doing that because, of course, it adopts about 87 of the 90 recommendations of the Alberta Law Reform Institute but also was based on Bill 12, the Uniform Trustee

Act, 2012, as developed by the Uniform Law Conference of Canada. The ALRI tailored that to reflect Alberta's trust law practice over the course of a number of years. I know the initial report was brought forward for public discussion in 2015, and now, of course, we're looking at 2022, so it's been a long time in the development process, with lots of discussion back and forth within the legal community and within those who are involved in trusts. I think that the result of all that discussion has come to serve us well and that this bill before us addresses many of the long-standing deficiencies of the former act.

Often, Mr. Speaker, as I alluded to when I was talking about people being named as executors, trustees are lay people. They don't have specific knowledge of what it is to be a trustee, and until they actually have the appointment invoked and are in that position may really be unaware of the responsibilities that they have agreed to undertake. I think that this act and the recommendations that have been adopted therein from the Alberta Law Reform Institute go a long way to providing guidance to an individual who has accepted a trusteeship role, particularly if they are a layperson, because it does give specific and very detailed references to numerous situations that may occur during the course of a trusteeship that will potentially involve an estate or an executor role.

11:10

On top of that, Mr. Speaker, what it does as well – and I commend the Alberta Law Reform Institute for bringing forth this recommendation, and I'm glad that we see it in the legislation – is that it creates a two-tiered standard of care. Of course, as a layperson who finds themselves in the position of a trustee, one would not expect the same standard of care from that individual as you would from a professional trustee. The legislation recognizes that, and I commend the drafters for that. Now, all trustees must exercise ordinary care and diligence, as the recommendations say, when dealing with trust property, but professional trustees must exercise a greater degree of skill. This tiered standard will ensure that any trustee who brings or should bring special skills to the performance of his or her trustee duties will be held to a higher standard. That, I think, is something – it is a principle in the legislation that is well founded in reason. The public who engages a professional trustee has a right to expect a higher standard of care from that trustee than they might from Uncle Sam or Uncle Sally, who happens to be named as an executor and is a layperson in that same role. I'm glad to see that element embedded in the legislation as a principle.

The Alberta Law Reform Institute final report really drills into the minutiae of the scenarios that might come forth during a trusteeship. I'm glad that we are finally getting to a point where a layperson, in particular, and not only that but a professional trustee as well can have clarity and rely upon the legislation in such detail as we find it to seek answers without perhaps going to court. The answers are there in the detailed responsibilities that are laid out in the various scenarios that are dealt with in the 87 recommendations that were adopted. It goes a long way, I think, Mr. Speaker, to addressing the concerns that many have expressed over the decades leading up to the development of this legislation. They were in, basically, a black hole of information where the only recourse was to go to the courts because there was no clarity to the existing legislation. I'm pleased to see this legislation.

But you know what, Mr. Speaker? On other fronts within the justice field in this province there are serious deficiencies that haven't been addressed but that could have been while the justice system was being considered for legislative change by the government. For example, we've recently had the Alberta Crown

Attorneys' Association accuse the UCP government of, quote, chronic underfunding, which, they allege, has caused a crisis in the justice system. It seems that it's probably reached a point beyond which we may have ever seen in this province, where the system is so badly in need of greater funding that the Crown prosecutors' association has even threatened to strike. That's a pretty serious measure that they are threatening to take. There are some developments on this front now, but it highlights just how difficult the situation has become and how threatened the system of justice in this province is due to the lack of funding that they faced for a number of years and gotten to the point at which the Crown prosecutors have threatened to strike to highlight the need for proper funding of the justice system in this province.

It comes at a time, Mr. Speaker, when according to the association over 3,000 cases are beyond the 18-month timeline established by the Jordan decision, the 18-month timeline since charges were laid. The government has not addressed this chronic underfunding situation. It chose to, you know, deal with the Trustee Act, which is good, but there are other elements in the justice system that one would have hoped would have gotten the light of day and the attention of government, particularly one that is so extremely dire that the Crown Attorneys' Association, of all organizations, has threatened to strike to highlight the crisis in the justice system that's been caused by underfunding.

[The Speaker in the chair]

Another element of our justice system, Mr. Speaker, that all Albertans are seized with is the notion and the proposal or the desire of the current government to establish an Alberta provincial police force, something that is most unpopular with Albertans, and they have expressed this widely. The government seems to be ignoring that. Even though it would cost approximately \$170 million to transition if the RCMP were replaced with an Alberta provincial police force, that consideration, that economic consideration, seems to be of no consequence to the government, who blindly seem to want to simply replace the RCMP as a pet project of theirs. Now, additionally, that transition cost would be between \$366 million to \$371 million according to a study commissioned by the government.

Now, that indication by the government to want to replace the RCMP with a provincial police force is something that they've refused to respond to when the public has so vociferously indicated that this isn't a direction they want to go in. That's, I think, a failure on the government's part, when it's dealing with justice issues in the province, to properly respond to. The notion should have been dropped a long time ago. Why the government keeps alive the idea that they plan to potentially replace the RCMP with a provincial police force only speaks to their desire to serve a small percentage of the electorate, a base portion, which they require. If they feel that they wish to call an election and hope and try to win it, they have elements like this, like the proposal to replace the RCMP with an Alberta provincial police force, to act as a lure to that element of their electoral base that would support it.

But, by and large, Mr. Speaker, it's not a popular notion in the province, and most Albertans, I would say a large majority, would wish the government to simply drop it. If there are investments to be made in policing, as there are in the justice system in general, as the Crown prosecutors so rightfully claim, that money should be invested in the current RCMP police force that we have in Alberta rather than in the notion that the UCP government has to replace them with a provincial police force, which will cost a whole lot of money that otherwise should be invested to solve issues with the current difficulties that the RCMP may be facing in enforcing the law in the province.

Bill 12, the Trustee Act, is a piece of legislation within the justice realm that we welcome and we largely support. I think it will offer benefits to the world of estates especially, and the legal community, the legal profession will probably be sighing some relief knowing that individuals who are laypeople and acting on behalf of a family member or a friend in an executor role or in other trust situations will have better guidelines or a manual of guidance to refer to while they're exercising their roles as trustees, therefore keeping them out of the court system. I know that the professional trustees also will be comforted to have the detailed guidance as well of the many recommendations that were adopted from the Alberta Law Reform Institute that are forming part of the new Trustee Act, because it also will clarify amongst professionals what the practices should be.

11:20

On those two fronts I think the legislation will be welcomed. I think it is a model, perhaps, for legislation of this import, when we're not just amending an act, Mr. Speaker, when we're actually replacing an act which encompasses such importance as the trusteeships and how they operate in the province, to really have a very well-seasoned consultation. That, I think, is what we've seen here, where there have been over seven years of discussion and heavy involvement by members of the legal community, many of whom have been anxious to see these changes and have been unending in their volunteerism, in many cases, to be willing to sit on committees and talk and discuss amongst themselves and with the Alberta Law Reform Institute and respond to questions and discussion papers to develop these 87 recommendations.

Many thanks are owed to the legal community and many individuals who are noted in the Alberta Law Reform Institute's final report, because these things don't happen by themselves. They take hours and hours and hours of work and dedicated study on the part of professionals who spent the time to put it together. I think the quality of that time and that work is reflected in the recommendations that were ultimately made in the Alberta Law Reform Institute's final report. Knowing that, you know, the initial report was put forward for public discussion in 2015 and that that process has been ongoing since then shows us the depth of knowledge and the importance that the legal community attaches to the new Trustee Act.

If this standard was applied to other pieces of legislation, particularly to replacing an existing act rather than simply amending it, I think that we'd end up with better legislation in the final analysis. That's one of the reasons, Mr. Speaker, why I'm willing to support the Trustee Act. I think that it gives one a level of comfort knowing that the amount of deliberation and debate that went into it was very exhaustive and that the results are before us now in 87 recommendations out of 90 that were accepted. That doesn't happen because the recommendations were made lightly or simply drawn up in a hurry. That happens because they were well considered, well debated, had lots and lots of consultation and back and forth amongst members of the legal community and those who were affected by the measures of the Trustee Act.

As a result, we have a piece of legislation that the opposition is willing to support and that the government, I think, has rightfully brought forward incorporating the Alberta Law Reform Institute recommendations, that have been in discussion for so long and have been brought forward so carefully. I have no qualms about supporting the Trustee Act.

However, there are, as I say, numerous issues within the justice system that, hopefully, the government will turn their attention to that are equally compelling if not more extremely concerning than the Trustee Act, that is now before us. Those, namely, are the crisis in underfunding in the justice system as well as the government

proposal to replace the RCMP with an Alberta police force, which the people in this province don't support. The small percentage that do is simply a group that's being pandered to by the UCP government, and we wish they would stop it.

Thanks.

The Speaker: Hon. members, Bill 12, the Trustee Act, at third reading. The hon. Member for Edmonton-Glenora has risen.

Ms Hoffman: Thank you very much, Mr. Speaker and to my colleagues who have spoken previously here today, the Member for Edmonton-McClung, as well as at previous stages of the bill. I also want to recognize the government whip, I believe it is, who introduced third reading.

My sincere hope was that some of the questions that had been asked in committee and in second would have been addressed in the response here at the beginning of third. Unfortunately, I think many of those are still outstanding, and I'm sure my colleagues will have more to say to remind the government of the specific questions that were asked at prior stages of the bill that we were hoping to get some clarity on.

As you've probably heard us say at prior stages, we are inclined to support this bill. It would be a lot easier if we could get some answers to the questions that we've actually asked. I think that any time a government bill comes forward that isn't going to make things worse and might actually make things better, it would be nice to have some collaboration on both sides so that we can feel enthusiastic about supporting the bill. I'm going to be frank that the reason why we have trepidation is because of this government's record on many issues.

This, of course, is a justice bill. I will recap just a couple of the justice issues that we've faced in the three – I was going to say “in the three short years”; for some people, they feel like three long years – years that the current government has had the honour of serving the people of Alberta as the actual government.

So let's go through a bit of a recollection of some of the chaos that has ensued in response to the leadership of the current UCP government. For example, one of the things that the Premier has sort of postured about quite significantly is his desire to create an Alberta provincial police force. This is something that has been incredibly unpopular with Albertans and municipalities alike. I think that there is a very clear lack of trust between this Premier and this cabinet and the UCP and the people of Alberta when it comes to following the law and their relationship with law enforcement.

For example, knowing that many members of the government caucus have been part of an investigation as it relates to the Premier's leadership legitimacy to date – and probably questions will continue to rise in the days and weeks ahead. When the government is under investigation by the Election Commissioner and, rather than comply with the type of questioning that's happening and be forthright in trying to rebuild that relationship and have trust and transparency, instead the government fires the Election Commissioner, it creates a high degree of distrust and then, of course, posturing when we know that there's an RCMP investigation into removing Alberta's relationship with the RCMP and instead having an Alberta provincial police force. This creates great uncertainty, and it creates a greater lack of trust.

As it relates to the Trustee Act, Bill 12 is being sponsored by the Member for Calgary-Acadia, who is the Minister of Justice and Solicitor General. Having this as some of the known history as we navigate a new justice bill and when we ask questions that we think are fair and reasonable about, for example, the Auditor General's recommendations and how this bill will implement those and we don't get any answers from government members even as we're

here in third reading, it is no wonder why Albertans find it difficult to trust this government.

11:30

I also want to touch base on another change that was made in justice, and that was around the removal of having access to adjudicate a traffic ticket without having to pay a significant fee. At the same time the government brought in a fee up to \$150 to appeal a traffic ticket. We know that the then Minister of Justice was pulled over for a traffic violation – I believe that it was distracted driving – and rather than pay the fee or go through his own process, that he was in the process of creating, where people would have to pay up to \$150 to be able to appeal their traffic violation, the minister, the Member for Edmonton-South West, decided to pick up the phone and personally call the chief of police.

Speaker's Ruling Relevance

The Speaker: I hesitate to interrupt. However, I have provided the widest latitude possible with members of the opposition discussing the activities of members of the government. However, I have a real tough time connecting many of the comments of the hon. Member for Edmonton-Glenora to how they are relevant to the Trustee Act other than that they are two justice-related pieces of discussion. I'm not convinced that that is relevant to the debate here today. I just provide some caution with respect to relevance to the hon. Member for Edmonton-Glenora.

Debate Continued

Ms Hoffman: Thanks, Mr. Speaker. I'll try to rearticulate the direct connections. May I have a time check, please?

The Speaker: There are nine minutes and 36 seconds remaining.

Ms Hoffman: Great. Absolutely, this is about justice. The bill, in fact, is about trust. It's about trustees: people who are entrusted to take care of, often – assets is one of the main examples that I used in a prior stage of the bill – assets bestowed upon an individual. Regularly some of the examples I've had are minors who might have a parent who has passed away and has bestowed their life's earnings, their savings, their net worth to their minor child, and that needs to be taken care of in a trust. Trusts and trustees, of course, by their nature, are in positions of power and influence, as the government is, as the Justice minister is.

As it relates to Bill 12, the Trustee Act, the question, of course, is – in the reading of the bill I don't see a lot of significant concerns, but I would like to be enthusiastic in supporting the bill rather than not finding any overt negative consequences, which is why my colleagues and I have asked a number of questions about prior decisions as they relate to trusteeship and how this bill will address those recommendations that have been made by folks like the Auditor General as it relates to the Trustee Act. I do want to say again that trust is a significant issue of concern. When it comes to the government saying, "Don't worry; just trust us on this justice bill," there are a lot of current examples as to why the UCP can't be trusted.

I do want to say that in terms of the text of the bill I think that there are some pieces in it that are important for updating. We have had trustees in the province for a significant amount of time, but being able to update legislation to reflect some of the changes that have happened over the last several decades, I think, is important. I am confident that there were a significant number of public servants

who worked to make sure that things were addressed, like establishing the process for a trustee to resign or to be removed.

This is something that some of us have probably heard through casework in our offices, because you are in that relationship of trust, and the example again of a minor child having access to assets that have been entrusted to them through somebody's estate. For example, if an individual is having a difficult time getting access to the assets that they need to be able to live their lives and achieve full and proper care, things like money to be able to access optometry or dentistry or some of these things aren't yet covered under universal medicare, that people are still expected to pay out of pocket for, being able to have a relationship with a trustee to ensure that that's done in a fair and timely fashion is crucially important. Sometimes those relationships break down or sometimes trustees – for many people this is their occupation, and sometimes they will maybe move on to a different occupation or retire, so having a very clear and well-documented process about how somebody is to resign or be removed, I think, is important. I believe the bill does lay out those provisions.

Also, rules around temporary trustees. This is something that, I imagine, happens from time to time. There might be instances where somebody acquires a short-term injury that impedes their ability to make their own decisions, and making sure that there is a process for somebody to be put in that role of trust but for it not to be presumed that it last indefinitely, I think, is important because we all know that there are times where people are put in a position of trust that isn't warranted, whether it be as a trustee or whether it be in this Chamber or whether it be in other occupations in society, Mr. Speaker.

We also know that there is some clarification around enabling trustees to make majority decisions, and there will also be rules around reporting of trustees to beneficiaries, and I think that that is incredibly important. I know from a lot of folks who've practised family law how contentious it can be when things aren't clearly laid out, when expectations aren't well documented, and when agreements are assumed rather than put in writing, and that is, I think, always difficult when people are in difficult financial situations and when grief is involved. It certainly complicates a lot of those relationships, and those are some of the most difficult stories, I think, that I've heard around when somebody passes, the estate becoming a significant bone of contention between family members.

So making sure that there is a greater degree of transparency around the rules of reporting of trustees to beneficiaries, establishing trustees to make majority decisions, rules around temporary trustees as well as the establishment process of a trustee to resign or to be removed, I think, are probably steps in the right direction. I know that the Auditor General wanted us to take additional steps to improve the work and the role of trustees in the province of Alberta, so it would be helpful if the government were to be more forthright on those types of discussions and what role they played in this bill.

I also believe that at the introduction of third the Member for Leduc-Beaumont mentioned that there were some pieces, I think three recommendations, that were referred to as insignificant or housekeeping that didn't actually make it into this iteration of the bill, so my question would be: if they're insignificant or if they're just housekeeping, why wouldn't they be in this bill? Why wouldn't we ensure that all of the recommendations were addressed? Certainly, it is a significant process to open legislation up again and to update it. When we do have an opportunity before this House – this is one of the reasons why I think that the three stages that we go through are so important, because it gives us a chance to go

through proposed legislation in a thoughtful way. Laws aren't intended to be changed on a whim. Rules should not be changed on a whim. We are in this place to bring forward thoughtful recommendations, thoughtful debate, and to do our best work.

I know that there are some rules that have been changed in this place many, many times. I think the standing orders – I've lost track of how many times. I think it's more than 10. It might even be 11 times now that the standing orders have changed just in the three years of this current government being in this place. Again, those are the rules that we agree to function based on. But it shouldn't be standard practice that regularly we come to this place and we change the rules. And it stands for other laws, too. When we bring in legislation, we should have a high degree of confidence that it is our best work, that all of us, all 87 of us, have put our best thoughts, our best work, and taken the advice of others, like the Auditor General, into consideration when we are amending legislation.

11:40

It would have been nice to have had more fulsome responses to the questions that my colleagues have asked. I imagine some of them will reiterate the concerns that they expressed previously since we haven't yet had a response. Hopefully, a later speaker on the government side will actually address some of those outstanding questions of concern.

To reiterate, there are three essential characteristics to create a trust: certainty of intention, certainty of subject matter, and certainty of objects. It would be great if we saw that certainty, if rather than just say, you know, that there were some small housekeeping things that didn't make their way into the bill, we actually saw some clarity around what those recommendations were and why they didn't make it into the bill. If they are simply housekeeping, it would make sense that they actually be incorporated in this draft so we can put forward our best recommendations and put forward a law that we can all be proud of and stand by, which is, of course, our job.

The Alberta Law Reform Institute report of 2017 is something that we should be using as the foundation to make sure that this bill that we are considering has the proper oversight, forethought, and rigour to make sure that it's something that can stand the test of time. We shouldn't be changing rule books. We shouldn't be changing laws 11 times, Mr. Speaker.

The Speaker: Hon. members, are there others? The Member for Calgary-Mountain View.

Ms Ganley: Thank you very much, Mr. Speaker. This is the second time I've had the opportunity to speak to this act. I'd like to speak a little bit about the conversation so far. When I rose to speak about this act the last time, I indicated that generally I was in support, but I had a few questions, questions which didn't get answered. The interesting thing about this is the why of it. Like, why? Why be belligerent about answering opposition questions just for the sake of it? It makes literally no sense.

The questions were whether there were any other recommendations that didn't make it in besides the definition. The answer was that there were three, and they were housekeeping. There was a question specifically around the definition. That's apparently one of the housekeeping things. Why not just provide a response? Like, it's not that difficult. No one is asking the minister to do this work himself. Just by way of process when a bill is up for debate, whatever ministry holds that particular bill, there's an entire comms department in the ministry. Somebody reads *Hansard*, they take out the questions, they draft answers, they send it to the minister's office, and the minister can choose to do with that what they want.

When I was the minister, what I often did was go back and say: "You know, I don't think this answer is fulsome enough. I'm not sure you, like, fully – this isn't satisfactory to me. Could you provide a little bit more information? Maybe we can make a change to the bill." There was an ongoing conversation about being respectful of my colleagues on both sides of the House. I actually believe that the work that gets done in this place is relevant and important. I believe that whether or not people are watching at every moment, this is their House. The people out there send us here to be their representatives. The purpose of representative democracy is that not everyone can be in this place, not everyone can read the legislation, not everyone can have a fulsome debate about it, so they elect people from among them to come here and to do that work on their behalf.

It is important work. Whatever the government may think of the House or this place or the people of this province or the conversations around democracy, it's important. [interjection] Oh. Yes. Thank you.

Ms Hoffman: Thank you very much to my colleague for accepting the intervention. I just was wondering if – we were office neighbours, and I definitely know that she had exceptional staff, many with law backgrounds themselves. If she could talk a little bit about the process and the relationship between the minister, political staff, and the public service in getting fair responses. It's not just the minister. It's not just a handful of political staff. But there is a public service that is certainly willing to get information when asked. So I was hoping that the former minister could maybe talk a little bit about the process and making sure that people's questions were answered, questions that had been asked maybe from members of other parties but certainly deserved an opportunity to be heard and addressed in this place and on record for all Albertans to be able to access. There are times when legislation isn't clear, and the debate that is brought forward in this place helps provide that further clarity to those who are interpreting the law as well.

Thank you, Mr. Speaker.

Ms Ganley: Thank you very much for the question. I do think it's important to understand what these folks are doing. They are servants of the people of Alberta. Everyone who comes to this place, whether a private member, whether a minister, whether a public servant, whether political staff, is meant to be a servant of the people. We are ultimately here to engage in democracy, to engage in that political debate. So when acts would come forward, members of the then opposition, when we were in government, would bring forward questions that maybe were new. I mean, it's entirely possible. That's the purpose of the conversation, that sometimes ideas or thoughts or interactions that are novel come up.

You know, the *Hansard* goes through to the department staff, and the department staff come back and provide responses. Then there's sort of an ongoing conversation between different levels on how to move those responses forward or whether we think they're sufficiently responsive. My political staff and myself would ensure that the responses were, in our view, sufficient.

I mean, it isn't just the opposition that does this. I've seen a number of statements. There are fewer reporters than there used to be, and often you'll just see the statement that was sent out by the minister kind of, like, full text in an article. Statements are often what I would call nonresponsive. They're like an attempt to hide information. Now, I had a press secretary when I was a minister, and her job, most of what she spent her time doing was reviewing those responses to make them more responsive, to put them in language that media and the public understood to ensure that we

were being as transparent as possible on the issues because it is incredibly important to do that.

Now we have press secretaries who spend their time spamming the Internet with misinformation. I mean, it really is embarrassing, and it ought to be.

Ms Gray: Thank you for allowing an intervention. I am sensing a great deal of frustration. The question I have is that we heard the opening speech at third reading delivered by the government whip, which began with: we would like to address the questions that have been asked during debate. I and other members of the opposition were listening carefully to what answers were provided. I just wanted to ask: is your frustration because the answers provided were to a couple of questions while so many other questions were not included? Were they complicated questions? Were they detailed questions?

You were listening to the opening speech at third reading, and the responses to the questions you had asked: I think you found that they were not there. That has kind of brought us to this point, where you're talking about the process. But have you put on record all of the questions they did not answer?

Ms Ganley: Good question. An excellent point. I'll thank the member for that question because indeed I have not. The questions that were asked were: the one about whether any other recommendations didn't go through. We've heard that there were three recommendations that didn't go through. They were all referred to as housekeeping. One was specifically about the definition. I don't think it was particularly housekeeping, so I don't actually think that that was a responsive answer, I would say. Another was about a report from the Auditor General. The report from the Auditor General: these recommendations were made before I had the file, they were made before the UCP had the file, and they've been reiterated a number of times.

11:50

One of those recommendations is about policy controls and how to ensure that there is appropriate policy control and control over – improve and follow policy and procedure. Specifically, what they say in the report is “review and assess whether its policies are appropriate, and procedures are adequate to mitigate the risk that client assets could be mismanaged” – pretty big risk, I'd say – and “improve its processes for ensuring compliance with policies and procedures.” This is something that has been repeated a couple of times by the Auditor General, and what I asked was simply – and you could actually refer to this question as a puffball.

For those who aren't familiar with the term, it's a term used in question period to refer to a question where a government member stands up and essentially asks the equivalent of, like: could the minister tell us why he or she is so awesome? This could be perceived as such a question because it's entirely possible that this act itself is responsive to the recommendation of the Auditor General to improve policies and procedures, because generally policies – so it's legislation, regulations, policies. Those are the three levels. Sometimes the policies are insufficient because the legislation doesn't allow them to be sufficient.

So it's entirely possible that what I asked was for the minister to stand up and tell me why he's so awesome and doing such a great job, yet the government chose to be nonresponsive to that, which is just – it's such a weird choice. Like, why? [interjection] Oh, yes. Sorry. Another intervention.

Ms Pancholi: Thank you to the hon. member. I just wanted to join in a little bit on this because I'd like to hear a little bit more about

the specific questions you asked and why they weren't raised. I also wanted to mention that I actually had the opportunity to work, you know, to be on the other side of things. You mentioned about how, like, these are questions that fulfill debate and you can have their answers. We've already indicated that we generally support this bill. They're just to fulsomely explain what the contents of the bill were.

I've sat on the other side of being a public servant and had ministers under the Progressive Conservatives who would come to me and say: “The opposition has asked this question. I'd like to be able to answer it, whether publicly in the House or to provide an answer to them.” These are not gotcha questions, right? They're genuine questions to fully understand. So, you know, what do you think, given your experience as a minister, would have been a reasonable way in order to address some of these questions? And please go on with any other questions that you had asked that had not been addressed by the ministries.

Ms Ganley: Thank you to the member for that, because she's absolutely right. There is an entire department that works incredibly hard to get answers to these questions for people. This current UCP government has been just nonresponsive – nonresponsive – and the thing is, you know, the members opposite feel like I'm being partisan about this, but the truth is that there are members over there who were private members in the opposition when we were in government, and many of them can probably tell you that I was fairly responsive as a minister. I tried to do my best job because I thought it was in the public interest. The fact that the current UCP ministers are nonresponsive isn't just disrespectful to me as an opposition private member; it's disrespectful to every private member in this place because they aren't in the cabinet discussion either. They don't get those answers either. But they may well be hearing these questions from their constituents as well. So I think that's incredibly problematic.

Just to make sure I get it on the record, because, as it turns out, I've been more long-winded than intended, as always. Just to get it on the record, the fourth question that I asked was about a computer system. It's a pretty straightforward question. Did you get the computer system in or not? It's not difficult to answer the question: they did or they didn't. I can probably go back and check the multiple years of . . .

Ms Rosin: Point of order.

The Speaker: A point of order is noted.

Point of Order Relevance

Ms Rosin: Mr. Speaker, we've been sitting here for – I don't know – so long I feel as though I've lost track of time. Sorry. This is under 23(b), speaking “to matters other than . . . the question under discussion.” I fail to understand how question period or puffball questions or ministers' responses to e-mails or the willingness to engage the opposition has . . . [interjections]

The Speaker: Order. Order. If the hon. Member for Edmonton-Whitemud wants to join in the point of order, I'm sure that she'll have plenty of opportunity to do so.

Ms Rosin: Again, Mr. Speaker, we are on the debate of Bill 12, the Trustee Act, and I just fail to understand how the opposition's, perhaps, disgruntlement with the engagement from government members has any relation to the matters at hand.

The Speaker: Well, I couldn't disagree more. It's very clear that the hon. Member for Calgary-Mountain View has been referring to questions that she asked during debate about this very bill. It's very clear that this is relevant to the discussion, and she can continue should she choose to do so.

Debate Continued

Ms Ganley: Thank you, Mr. Speaker. Yeah. So the point was that I asked a question about the computer system at the public guardian and trustee's office and whether or not that had been implemented because it was, in my recollection, relevant to the policy controls that the Auditor General had asked about, which may in fact be related again to this new Trustee Act. I'm a little surprised that this has generated so much emotion, but there it is.

The point is that – I mean, it has or it hasn't. The RFP went out; the computer system was built. I'm not sure. I suppose I could go back and check the estimates, but the point is that normally a minister in this place would feel the need to be responsive to that question, would get the response from the department and put it into the speech, whether the speech was delivered by someone else or not. It just seems a little bit peculiar to me that they would avoid answering such a simple question just because they could avoid answering it. It just seems nontransparent and inconsistent with the duty of members and ministers in this place. I do find that a bit frustrating.

It's worth talking a little about the definition. The definition in question, that was suggested to be put in, was a definition of represented adult. I've actually now gone back to the ALRI report and to the bill. ALRI had originally and the Uniform Law Conference had originally been recommending a definition of incapacitated person to include different definitions in different acts just so everything works together. There was some public consultation. I'm on page 38 of the report here, and it says:

ALRI received feedback on the proposed definition for "represented adult". Specifically the feedback indicated that replacing the Uniform Act term "incapacitated person" with the term "represented adult" could create difficulty in practice.

Using the term "represented adult", as that term is used in the Adult Guardianship and Trusteeship Act or the Public Trustee Act, will require that a court order be obtained for the appointment of a trustee or guardian for an incapacitated person. However, other adults who have lost capacity may be represented by an instrument other than a court order. The definition of "incapacitated person" should also capture people who have lost capacity and are represented under enduring powers of attorney or personal directives.

I mean, that sounds kind of long and boring, but it's actually fairly important, so I wouldn't call it housekeeping. I would not classify it as that. Now, as it turns out in the act, they have stayed with the definition, and the definition is almost identical to the definition recommended here for represented person, but they have instead stayed with "incapacitated person" as a term.

I guess, Mr. Speaker, the point of that rather long-winded discussion of which term is defined and which term is used is that there was an answer to that question. It wasn't a particularly complicated answer. The ministry could have chosen to provide it, and the minister hasn't just because he could. It just seems so weird to me that in an instance where you could have an Official Opposition enthusiastically supporting a bill rather than, "Gee, I guess this seems okay," you wouldn't provide those answers. We're not here asking questions about the bills to irritate the minister. We're here asking questions about the bill because, again, we were sent here . . .

The Speaker: I hesitate to interrupt; however, the time for debate this morning has elapsed, and the House stands adjourned until 1:30 p.m.

[The Assembly adjourned at 12 p.m.]

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