

## Legislative Assembly of Alberta

Title: **Monday, October 30, 1995**

1:30 p.m.

Date: 95/10/30

[The Speaker in the Chair]

### head: Prayers

THE SPEAKER: Let us pray.

At the beginning of this week we ask You, Father, to renew and strengthen in us the awareness of our duty and privileges as members of this Legislature.

We ask You also in Your divine providence to bless and protect the Assembly and the province we are elected to serve.

Amen.

### head: Presenting Petitions

THE SPEAKER: The hon. Member for Edmonton-Norwood.

MR. BENIUK: Thank you, Mr. Speaker. I would like to present three petitions, each dealing with deinsuring induced abortions. Each is from a different parish in my riding. The first is from St. Alphonsus-St. Clare parish and has 144 signatures, the second is from St. Patrick parish, with 58 signatures, and the third is from St. Francis of Assisi and has 150 signatures.

MR. MITCHELL: Mr. Speaker, I rise to present a petition signed by 361 Albertans urging the government

to eliminate all Video Lottery Terminals in Alberta and thereby prevent the devastation they are causing to the lives of the people, families and communities

in this province.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MRS. SOETAERT: Thank you, Mr. Speaker. I, too, have a petition, signed by 428 people from the Rocky Mountain House area, Olds, Cochrane, Banff, and Grande Cache, several areas in the province, urging the government

to eliminate . . . Video Lottery Terminals in Alberta and thereby prevent the devastation they are causing to the lives of people, families and communities.

THE SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. WICKMAN: Thank you, Mr. Speaker. I wish to table a petition in the House with 215 names of Edmontonians who are petitioning the Assembly to urge the government to eliminate all the slot machines in Alberta "and thereby prevent the devastation they are causing to the lives of people, families and communities."

THE SPEAKER: The hon. Member for Edmonton-Highlands-Beverly.

MS HANSON: Thank you, Mr. Speaker. I am pleased to present a petition signed by Edmontonians who urge the government to eliminate all video lottery terminals in Alberta.

THE SPEAKER: The Official Opposition House Leader.

MR. BRUSEKER: Thank you, Mr. Speaker. I, too, would like to table a petition, signed by 127 Calgarians, mostly from my

constituency, urging the government to eliminate video lottery terminals in Alberta completely to prevent the devastation they are causing to the lives of individuals.

MR. DECORE: Mr. Speaker, I note that the Minister of Transportation and Utilities is very anxious about this issue and is chirping away there. I, too, rise to submit to the Assembly a petition, signed by 220 Albertans, who wish to have all VLTs eliminated.

MR. WHITE: Mr. Speaker, I rise in my place to deliver to you and through you to the Legislature the signatures of 306 Edmontonians and Albertans who say that the key word in this presentation is "devastation," the devastation of the lives and the families in our communities. Sir, I present these on behalf of those Albertans.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MRS. HEWES: Thank you, Mr. Speaker. I beg leave to present a petition from 222 Albertans mostly from Edmonton and area urging the government to eliminate all video lottery terminals to prevent the devastation that's being caused to the lives of people and families.

THE SPEAKER: The hon. Member for Lethbridge-East.

DR. NICOL: Thank you, Mr. Speaker. I also rise this afternoon to present a petition on behalf of the 524 people from across southern Alberta. This includes Lethbridge, Medicine Hat, and the communities in the rest of the south. This petition also requests the elimination of video lottery terminals so that we can prevent the devastation to families and communities.

MR. GERMAIN: Mr. Speaker, I beg leave to file with the Legislative Assembly a petition signed by 137 residents of Grande Prairie, 72 residents of Lloydminster, and 48 residents of Fort McMurray asking that the government eliminate all video lottery terminals.

THE SPEAKER: The hon. Member for Calgary-Buffalo.

MR. DICKSON: Thank you, Mr. Speaker. I seek your leave to introduce a petition signed by, I think, 152 Calgarians, which urges the government

to eliminate all Video Lottery Terminals in Alberta and thereby prevent the devastation they are causing to the lives of people, families and communities.

A second petition, Mr. Speaker, urges the government of Alberta

to rescind the changes implemented by the Alberta Health Drug Benefit List in the Alberta Family and Social Services Drug Benefit Supplement, effective November 1, 1993, and thereby reduce the expenditures imposed by this change.

That's signed by 116 Calgarians.

Thank you.

MR. KIRKLAND: Mr. Speaker, I rise this afternoon to present two petitions to the Assembly. The first calls for the reaffirmation of the five principles of the health care system: accessibility, universality, portability, comprehensiveness, and public administration. It also opposes a two-tiered health care system. It also calls for a national standard. The 418 names on this particular

petition cover the area around Leduc, including Millet, Sunnybrook, Thorsby, Warburg, and the likes of that. It was collected by a very aggressive Cliff Reid in a matter of two weeks.

My second petition, Mr. Speaker, is signed by 442 Albertans who cover the central Alberta area. Many are from Red Deer, Wetaskiwin, and Westlock, all members' constituencies, and they are also asking, as other members have indicated, for the elimination of video lottery terminals in Alberta due to the devastation caused to their families by these particular machines.

MR. N. TAYLOR: I, too, rise to present a petition with 505 signatures from Redwater and Barrhead-Westlock requesting that the government eliminate all video lottery terminals because of the devastation they're causing to families.

**head: Reading and Receiving Petitions**

MR. N. TAYLOR: Mr. Speaker, it's my privilege at this time to ask whether a petition I presented last Thursday from 85 Legal and Morinville residents protesting the collection of higher taxes under the guise of Alberta health care premiums now be read.

**THE CLERK:**

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government to stop collecting higher taxes under the guise of Alberta Health premiums. The regressive nature of such a tax is well documented in economic literature, and results in high marginal tax rates. Collection of revenue through the already established income tax system, as is done in most provinces, would avoid this problem.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MR. HENRY: Thank you very much, Mr. Speaker. I would ask that the petitions I presented in the Assembly last week, one on the provision of rural busing and one on full funding of kindergarten in this province, now be read and received.

**THE CLERK:**

We, the undersigned, petition the Legislative Assembly of Alberta to urge the Government of Alberta to ensure that all school boards provide transportation for each eligible child in rural Alberta without the use of transportation fees.

We the undersigned Residents of Alberta petition the Legislative Assembly to urge the Government of Alberta to ensure all Alberta school boards provide the opportunity for each eligible child to receive a minimum of 400 hours of Early Childhood Services instruction per year and to urge the Government of Alberta to allow Alberta School Boards to use money from the Alberta School Foundation Fund to fund 400 hours or more of Early Childhood Services, as determined by the local community, so that there are no ECS user fees for 400 hour programs and so that all Alberta children have an equal opportunity or "level playing field" to succeed and compete in life by having equal access to basic educational resources.

**head: Notices of Motions**

**1:40**

MR. DAY: Mr. Speaker, I would propose the following motion, number 27 on the Order Paper.

That the following changes to the following committees be approved by this Assembly: on the Standing Committee on the Alberta Heritage Savings Trust Fund Act that Mr. Shariff replace Mr. Woloshyn and that Mr. Langevin replace Mr. Stelmach and on the Standing Committee on Private Bills that Mr. Stelmach replace Mr. Pham.

**head: Introduction of Bills**

THE SPEAKER: The hon. Leader of the Opposition.

**Bill 232**

**Lotteries (Video Lottery Schemes Elimination) Amendment Act, 1995**

MR. MITCHELL: Thanks, Mr. Speaker. I rise to present my Bill 232, entitled Lotteries (Video Lottery Schemes Elimination) Amendment Act, 1995.

This Bill would amend the Interprovincial Lottery Act to eliminate the operation of any and all video lottery terminals by December 31, 1998, three years from now.

[Leave granted; Bill 232 read a first time]

**head: Tabling Returns and Reports**

THE SPEAKER: The hon. Minister of Advanced Education and Career Development.

MR. ADY: Thank you, Mr. Speaker. In the continuing interests of accountability and openness I wish to table five copies of the 1992-93 annual report of Olds College, the annual reports for the year 1993-94 of Olds College, the Public Colleges Foundation of Alberta, the University of Alberta, and the University of Lethbridge Foundation, and for the year 1994-95 the following institutions' annual reports: the Alberta Apprenticeship and Industry Training Board, the Athabasca University Foundation, the University of Alberta, the University of Alberta 1991 Foundation, the University of Lethbridge Foundation, the University of Calgary Foundation, the Public Colleges Foundation of Alberta, and the Technical Institutes Foundation.

Thank you, Mr. Speaker.

MR. MITCHELL: Mr. Speaker, I rise to table four copies of A Better Direction: Alberta Liberal Opposition's Response to the Report and Recommendation of the Lotteries Review Committee. It's dated October 1995, and among many other things it calls for the elimination of all video lottery terminals, better known as video slot machines, from this province by 1998.

THE SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. WICKMAN: Thank you, Mr. Speaker. I wish to table in the House the responses to a questionnaire to which over 500 people responded on their feelings towards slot machines. The vast majority of them are calling for the removal of those machines from the province of Alberta.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I rise to table four copies of the United States Gambling Study, which describes many of the negative impacts that legitimized gambling will have on local economies.

THE SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

MRS. ABDURAHMAN: Thank you, Mr. Speaker. I rise to table 87 copies of a report done by the Clover Bar-Fort Saskatchewan constituency on behalf of my constituents: Gambling on Alberta's

Future. This is a thorough review with regards to gambling within the province of Alberta.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. With your permission I would like to table four copies of the May 17, 1994, *Hansard* comments by the minister of advanced education indicating that the Centre for Innovative Management at Athabasca University is "innovative and good for Albertans."

THE SPEAKER: The hon. Member for St. Albert.

MR. BRACKO: Thank you, Mr. Speaker. I'm tabling four copies of a study from the United States showing the adverse effects of gambling in the U.S. For every tax dollar received from gambling, it costs the taxpayer three dollars. In South Dakota slot machines are the leading cause of business and personal bankruptcies. I'm tabling this for a spiritually and morally bankrupt government.

THE SPEAKER: The hon. Member for Edmonton-Avonmore.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to table a copy of Chris Gudgeon's article from his book *Luck of the Draw*. The article is entitled VLTs: The Other Side of (Lottery) Paradise, and it simply points out some statistics and describes the devastation VLTs have done to the lives of individuals and their families, and it describes in detail one particular problem of one particular Calgary man who had an addiction to VLTs.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Meadowlark.

MS LEIBOVICI: Thank you, Mr. Speaker. I'd like to table this afternoon four copies of letters from Albertans indicating that they feel that right-to-work is not economically viable for this province.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Glenora.

MR. SAPERS: Thank you, Mr. Speaker. First, I'm tabling a stack of letters addressed to either the Minister of Health or the Premier regarding the opposition of many Albertans from all across the province to private clinic fees. I table this in response to the Premier's assertions not once but twice that he's had no mail from Albertans against private clinic fees. Here's some mail. I hope he gets a chance to read it.

Mr. Speaker, I have another tabling. My second tabling today is a letter from the West End Physiotherapy clinic sent to the Premier on behalf of the Alberta Physio Therapy Association. It's relating to the community rehabilitation program, and it is the position taken by the association that the CRP cannot be properly implemented in its current form.

**head: Introduction of Guests**

THE SPEAKER: The hon. Member for St. Albert.

MR. BRACKO: Thank you, Mr. Speaker. I'm honoured to present to you and to Members of the Legislative Assembly 50 enthusiastic grade 6 students from one of St. Albert's finest schools, Keenooshayo. They are here to learn more about how the Legislative Assembly works. They're here with their dynamic educators: Bev Finlay and Cheryl Cariou. Cheryl was a student of mine in junior high. Also with them are Mrs. Jeanette Haig and Mrs. Darlene Conroy, parent assistants. We thank you for coming. They are located in the public gallery. I'd ask that they rise and receive the warm welcome of the Legislative Assembly.

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Speaker. It's a pleasure for me to introduce to you and through you to Members of the Legislative Assembly two people who make my life a lot easier representing the people in Medicine Hat. I would like to introduce firstly my constituency assistant from Medicine Hat, who has just come on board in the last little while and is up familiarizing herself with some of the faces that are on the other end of the phone all the time: Mrs. Peggy Gogal. I would also like to introduce, seated with her, my assistant here in Edmonton: Joanne Williamson. I would ask that they both rise and receive the traditional warm welcome of all members.

THE SPEAKER: The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Thank you, Mr. Speaker. It's a pleasure for me this afternoon to introduce to you and through you to members of the Assembly a very distinguished resident of Sherwood Park, who is seated in your gallery: the Reverend Dr. George Rodgers. Rev. Dr. Rodgers is the executive secretary of the Alberta and Northwest Conference of the United Church of Canada. A few years back Dr. Rodgers carried out his ministry at the Sherwood Park United Church, which I attend, and the entire Rodgers family are still very active participants in our parish.

**1:50**

Dr. Rodgers is here this afternoon to watch his daughter Kyla in action. Kyla Rodgers is currently the head page here in the Legislative Assembly, and her father has come to see firsthand what an excellent job she does and how highly regarded she is by Members of the Legislative Assembly. I might add that Kyla continues the tradition of excellence with our Legislature pages, and this Thursday she'll be receiving a Rutherford scholarship for her academic achievement.

Dr. Rodgers is seated in your gallery, and I ask that he rise and receive the very warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Edmonton-Glenora.

MR. SAPERS: Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly two residents of Edmonton: Marilyn Craig and Laura Petersen. Marilyn is afflicted with multiple sclerosis, and without appropriate neurophysiotherapy unfortunately Marilyn must endure extended periods confined to her wheelchair. I would ask Laura to rise and be acknowledged and Marilyn just to wave. Thank you very much for joining us today.

**head: Ministerial Statements****Canada Career Week**

MR. ADY: Mr. Speaker, today marks the beginning of Canada's Career Week, a national event celebrated each year in over 1,500 communities across Canada. Canada Career Week provides Canadians with career information and promotes career planning and development. In an increasingly competitive labour market it is essential that the workers of today and tomorrow have the most comprehensive and up-to-date career information possible.

I commend the many government and community agencies who through their Canada Career activities will be raising awareness and understanding of career planning issues. I also would like to recognize the many career development practitioners and volunteers who on a daily basis share their knowledge and expertise. Through their ongoing dedication and support many Albertans have been given the opportunity to achieve greater personal and professional fulfillment. I encourage you to lend your support to the Canada Career activities taking place in your community this week.

Thank you.

MR. ZARIWNY: Mr. Speaker, this year marks the 16th year that we have recognized Canada Career Week. This annual event is designed to increase awareness of career development and planning across Canada. In order for Alberta to continue to keep pace with technological changes in a quickly evolving global marketplace, we will require a highly trained workforce. Of particular concern is the difficulty that young people face in making a transition between school and the workplace.

Alberta's unemployment rate for the young hovers around 18 percent, or double the rate of other unemployed Albertans. Many young people, after searching in vain for employment, simply give up. Youth participation in the labour market has fallen from 70 percent in 1990 to 62.6 percent in April of 1995. Inadequate education and retraining have resulted in a skills mismatch between employers and young labour force participants. Alberta is facing a failure of its postsecondary educational system, exacerbated by a brain drain of skilled professors leaving the province, many as a direct result of this government's unplanned and chaotic cuts.

Our caucus supports initiatives like Canada Career Week, and we salute everyone who is involved with the many events that'll take place across this province.

In conclusion, Mr. Speaker, emphasis on career development must not be limited to one week. If this government wants to give our province a real Alberta advantage, they must place a greater priority on initiatives such as co-operative education, employer-based training, apprenticeship programs, and career counseling.

Thank you.

**head: Oral Question Period****Surgery Waiting Lists**

MR. MITCHELL: Mr. Speaker, the Premier is already raffling off medical procedures to raise money for his Conservative Party constituency association. Recently, while speaking to a Conservative fund-raiser in Brooks, the Premier said that regional health authorities needed to be more aggressive and advertise to attract patients to their rural hospitals. For example, he actually suggested that Empress should advertise hernia operations.

According to the Premier, and I quote: this is what entrepreneurial medicine is all about. To the Minister of Health: how can the government suggest that hospitals need to advertise when waiting lists for heart surgery, hip surgery, knee surgery, neurosurgery, breast biopsies, and MRIs keep growing and growing and growing?

MRS. McCLELLAN: Mr. Speaker, unfortunately, again the hon. member really shows his lack of knowledge of the system when he asks questions like this. The Premier is dead on in saying that regional facilities and other hospitals outside of our two major centres have got to make it known to people that they do offer opportunities for procedures. I can tell you that we have hip replacements that can be offered in other places. We have knee replacements. While you might face a longer waiting list in the city of Edmonton or Calgary, you could have your needs accommodated in a shorter time in one of the other hospitals.

I think this is very positive for people, and I think that if the hon. member really understood the whole situation, he would clearly know that waiting lists are made up of items such as surgeons' time and surgeons' ability to fit more patients in. Certainly if a patient chooses a particular surgeon, he or she may face a longer waiting list. However, the opportunities are there to have those procedures performed by high-quality, well-qualified people outside of the two major centres.

MR. MITCHELL: Can the minister tell us how advertising for patients, advertising that will promote utilization, will allow regions to control hospital costs?

MRS. McCLELLAN: Again, Mr. Speaker, unfortunately, the hon. member really shows his lack of understanding of the health system. I mean, this is constant. If the hon. member really spent some time going around Alberta and learning a little bit about what the hospitals do do in this province, he would not ask this question. For example, the waiting time for a breast biopsy in Brooks is one to two days. Why shouldn't they make people aware of that? Why shouldn't we tell people that there are opportunities? Why should we encourage people to continue to come to the two major centres, which are already heavily burdened with their own people? This is positive. Let's tell people what our hospitals can offer in Alberta, not just in Calgary and Edmonton.

MR. MITCHELL: If it's one or two days in Brooks, Mr. Speaker, it should be one or two days in Edmonton, in Calgary, in Lethbridge, in Grande Prairie, in Vulcan, and in every place in this province.

Doesn't this government understand that health care in this province should be based upon need wherever it exists and not on the slickest advertising campaign and the highest pressure sales tactics as though our health care system is just another consumer product?

MRS. McCLELLAN: Mr. Speaker, the hon. member still hasn't caught on. He still hasn't caught on. How do you relieve the waiting time in the major centres? By letting people know that these services are available outside of those centres. We should be utilizing the services across this province. We have regional hospitals in Grande Prairie, in Lethbridge, in Fort McMurray, in Medicine Hat, and in Red Deer. Those regional hospitals alone provide tremendous services for the people of this province.

Procedures that can be performed there should be, and the hon. member should understand that. We put a great deal of pressure not only on the facilities in the two major centres but also unfairly on people who are paying costs to travel for those services. I think it's important that we make people aware of where services are available in this province.

THE SPEAKER: The hon. Leader of the Opposition, second main question.

### 2:00                      **Gambling Addiction**

MR. MITCHELL: Thank you, Mr. Speaker. Several days ago the Premier told the Alberta Lung Association, and I quote, that 70 to 80 percent of all problems related to health are brought on by ourselves – I know what you're thinking, Mr. Speaker, and I'm not going to say it – yet this government continues to promote unhealthy lifestyles through its irresponsible marketing of video slot machines. Despite all the evidence that video slot machines are destroying families and eroding our communities, this addicted government cannot resist video slot machines. To the Minister of Health: why does this government promote unhealthy lifestyles and then blame those unhealthy lifestyles for its budgetary woes?

MRS. McCLELLAN: Mr. Speaker, the Premier was referring to a study and a paper released in the *New England Journal of Medicine* that does suggest that over 70 percent of what we treat is lifestyle related. There are many areas in that. Motor vehicle accidents continue to be the highest area of treatment in the health field. There is no question that we can do better by better education, giving people more knowledge to use as a tool to good health. That is exactly what our business plan calls for, and that is what we will be promoting.

MR. MITCHELL: Mr. Speaker, why does this government only set aside less than one-half of 1 percent of its revenues from video slot machines for programs for this province's problem gamblers? If you are concerned about unhealthy lifestyles, why the hypocrisy?

MRS. McCLELLAN: Mr. Speaker, we had a rather extensive report prepared for us by a group on the issue of problem gambling, and that consultants' report suggested that there should be a portion of dollars that would be set aside. When we set aside those dollars, we said that we would assess whether that was adequate, and if it was required that more dollars be set aside, we would address that. We're in year 1 of that. We are reviewing it, and certainly if indications are that there should be more dollars set aside for that area, we will do that.

MR. MITCHELL: Mr. Speaker, how . . . Maybe the Minister of Health would like to listen to this. How can this government justify preying on those who are especially vulnerable to this highly addictive form of video slot machine gambling?

MRS. McCLELLAN: I'm sorry, Mr. Speaker. I may have missed the very first part of that question because it sounded very much like the last question. I'm not going to apologize to the hon. member, for I have difficulty many times trying to find a question in some of the statements that come during question period from the opposition.

However, Mr. Speaker, I can tell you and members of this Assembly that we will continue to review problem gambling in

this province. We will continue to review addictive behaviours, and we will not confine it to simply one area, because there are many forms of gambling in this province: bingo, pull tickets, as well as others. I think it's important that we review all of those. We'll continue to do that and, through AADAC and their agencies, will continue to respond to those challenges.

THE SPEAKER: The hon. Member for Edmonton-Rutherford.

### **Video Lottery Program**

MR. WICKMAN: Thank you, Mr. Speaker. To stem the tide of outrage expressed by many Albertans over the slot machine addiction, the government reportedly spent \$120,000 on the Lotteries Review Committee, which, by the way, the minister described as the most comprehensive review ever undertaken in this province. Yet meetings behind closed doors continue with vested interest groups. To the minister responsible for lotteries: why does the minister feel that the bar and lounge owners have to get their own special consultation process, complete with a special invite from the minister?

DR. WEST: I don't. I don't, Mr. Speaker.

MR. WICKMAN: Mr. Speaker, what information was provided to the bar and lounge operators that has led them to believe that a cap of 8,000 slot machines is now a given?

DR. WEST: No such information or innuendo or any other thing from this minister or from the people involved in that report has been given. If somebody wants to come forth with proposals that they bring forth themselves, I can't help that. But to answer your question: nothing.

MR. WICKMAN: Mr. Speaker, let me ask the minister this question. Which consultation process does the minister intend to follow: the so-called most comprehensive review ever taken, open to all Albertans, or special closed-door meetings with self-interest groups?

DR. WEST: Mr. Speaker, the report of Albertans by Albertans to Albertans was tabled and put back out and a statement was made: we want to hear from you. So all groups could come forward through a letter to me, and then I would refer it on to the chairman of the committee. All groups, all Albertans could come forward and get a sitting with what they thought or the concerns they had. Many wrote letters. Many just made telephone calls. Others set up an interview with the committee, wanting to tell them what they thought of their report. So it wasn't done for any vested group. It was open to all Albertans. If there are other Albertans that want to sit down with the committee or write letters and come forward, please do, because we're still open to their suggestions.

THE SPEAKER: The hon. Member for Highwood.

### **Achievement Testing**

MR. TANNAS: Thank you, Mr. Speaker. My questions today are to the Minister of Education. On Thursday the Minister of Education released the June 1995 achievement results for grades 3, 6, and 9. As all members will recall, for the first time since the provincial achievement exams have been used, students wrote

in all of the topic areas this past June. Did having the children write all achievement exams in one year cause marks to drop and participation levels to sink, the predictions of the skeptics?

MR. JONSON: Mr. Speaker, the results of the achievement tests written last June were very positive. Performance was in an improving or upward trend in the majority of subjects. Certainly the fact that we do have four tests in the core areas at grades 6 and 9 and two at the grade 3 level will provide more comprehensive and better information to teachers and parents and students across this province with respect to benchmarks of achievement.

THE SPEAKER: Supplemental question.

MR. TANNAS: Thank you, Mr. Speaker. Again to the Minister of Education: were these examinations more than benchmarks? In other words, were teachers able to use the results from these tests as part of their students' final grades?

MR. JONSON: Our preliminary indications are that somewhere in the neighbourhood of 70 percent of the teachers involved in administering these tests in fact are using them as part of the calculation of their final mark. I think it's very important to note here as well that having quality, standardized tests administered from the provincial level should eliminate the need for duplication in this area – that is, the use of other standardized tests or system-developed tests – and cut down, therefore, the administrative costs. Certainly, Mr. Speaker, teachers have assessed the value of these tests and included them in the majority of cases in their final calculations.

THE SPEAKER: Final supplemental.

MR. TANNAS: Thank you, Mr. Speaker. Again to the Minister of Education. Can the minister reconcile these results with two great myths: one, that the Alberta education system is in dire straits and, two, that students are not learning what they need to know?

MR. JONSON: Well, Mr. Speaker, I don't know if it's a matter of reconciliation. I think it is first of all a fact that we have a sound public education system in this province. The other factor is that the system is operating quite well. Students are in school, school boards are operating, and students are achieving. Certainly it's a credit to all those participants in the system, particularly the students and the teachers, that the upward trend, the improving trend in achievement test results is there, as I have reported.

2:10

### Physiotherapy

MR. SAPERS: Marilyn Craig is one of many Albertans who depend on home care services. As an individual living with multiple sclerosis, Marilyn requires physiotherapy to help her with mobility and independence. Recently her physiotherapist was replaced with a home care provider who received only a few hours of instruction. Since this change, Marilyn has endured strained muscles, bruising, and a loss of mobility. Her quality of life is being sacrificed for so-called cost-effectiveness, Mr. Speaker. My questions are to the Minister of Health. Is it now the government's policy to replace licensed professional physiotherapists with the cheapest possible provider, regardless of the impact on those in need?

MRS. McCLELLAN: Absolutely not. Again, if the hon. member understood physiotherapy and understood how it is offered in this province, he would also understand, Mr. Speaker, that very much of what you do at physiotherapy is: you visit the physiotherapist, you have physiotherapy, and a great deal of it is maintenance and teaching you to provide that therapy at home. So, yes, there is that component to it. I think anyone who has experienced physiotherapy will know that it isn't just the session with the physiotherapist, that there is ongoing therapy that's required, and that you can manage yourself or with help from a family member.

The hon. member also raised home care in his question. Mr. Speaker, home care in this province has expanded significantly. At the end of question period I am prepared to offer answers for the hon. Member for Edmonton-Manning on the issue of home care in this province, and I will elaborate on that part of it at that time.

MR. SAPERS: Albertans are living in pain because of this government's policy direction: that's what this member understands.

Mr. Speaker, does the minister not realize that not only is this leading to ineffective treatment that is hurting Albertans, but it can't possibly save money, because of the high turnover, the retraining costs, and frequent readmission to hospital?

MRS. McCLELLAN: If the hon. member were really aware of physiotherapy treatment and the availability of it in this province, he would also be aware that there are only four other provinces in Canada that offer private physiotherapy at all.

Mr. Speaker, we have said that physiotherapy is a high need. In fact, we have removed the \$250 cap from persons accessing that to ensure that people with high needs will have their needs met. If any person does not feel that their needs are being met, I certainly suggest that they should work with the regional health authority in which they reside. There is a rating tool that's in place. It is from one to 15. If you are a seven to 15, you will receive the physiotherapy that your practitioner, your physician or therapist, suggests that you need. If you are under that, six and under, it can be paid through private insurance, if you have that.

Again, Mr. Speaker, Alberta does value physiotherapy. As I pointed out before, four other provinces in Canada do provide it. What about all of the other provinces, including some Liberal provinces, that offer no physiotherapy in private practice for their citizens?

MR. SAPERS: Mr. Speaker, will the Minister of Health in the province of Alberta immediately put a stop to the patchwork physiotherapy that's happening in Alberta and put a stop to the revolving-door care providers that are coming in and out of peoples' lives, and will she now guarantee that physiotherapy will be delivered by physiotherapists for those people who need it?

MRS. McCLELLAN: That is already in place. Mr. Speaker, it is not the Minister of Health that makes that determination as to whether you need it or not. That need is assessed by a professional, either a physiotherapist, a physician, or other caregiver. We have said clearly that no person will provide medical services in this province that they are not qualified to provide.

Again, Mr. Speaker, I have to say that if a person is experiencing difficulty in this area, if they are not having their questions answered appropriately by the health authority in which they reside, I invite them to contact me.

THE SPEAKER: The hon. Member for Calgary-Egmont.

### Catholic School System

MR. HERARD: Thank you, Mr. Speaker. My questions are to the Minister of Education. Calgary-Egmont constituents who support the separate school system are concerned about a letter that the minister sent to the president of the Alberta Catholic School Trustees' Association. They're concerned that they're in danger of losing long-standing religious education rights. In fact, it's so serious that I want to quote the Calgary Catholic school superintendent, who says, and I quote: we could lose everything we've gained since 1901. To the minister: what rights has the Catholic school system lost as a result of your letter to the president of the Alberta Catholic School Trustees' Association?

MR. JONSON: Mr. Speaker, I think it is very important to say, first of all, that this minister and this government have been and will continue to be very much in support of and very careful of the constitutional rights of the systems that we have in this province, the separate and the public school systems, particularly the Catholic separate school system.

Mr. Speaker, in the letter that the hon. member is referring to, I clearly outlined what the constitutional provisions are that were provided when this province was part of the North-West Territories in the 1880s and were reaffirmed in 1901 and in 1905. Those particular constitutional provisions are with respect to a student being able to request to be exempted from religious instruction in either a separate Catholic or a public school system. That was something that was provided for in careful deliberations back in the 1880s. It's been reaffirmed in various stages, as I have outlined, and it is being adhered to and supported by this government currently.

THE SPEAKER: Supplemental question.

MR. HERARD: Thank you, Mr. Speaker. Another concern is: can Alberta students be prevented from graduating if they opt out of religious education courses?

MR. JONSON: Mr. Speaker, if students in this province meet the requirements for an Alberta high school diploma, be they attending a public school or a separate school, they are entitled to receive their high school diploma. As it relates to my first answer, if they meet the requirements that are there for a high school diploma, they will receive one.

THE SPEAKER: Final supplemental.

MR. HERARD: Thank you, Mr. Speaker. It sounds like really nothing has changed, but what is it in day-to-day practice and specifically in terms of religious education that they can't do now as compared to before this letter?

MR. JONSON: Mr. Speaker, I would like to emphasize that we have the school system of the province operating today. As far as the separate Catholic system is concerned, we have Catholic school boards. We have Catholic school jurisdictions, Catholic schools operating. With respect to the provision of religious studies courses, such as 15, 25, and 35 at the high school level, those are continuing. The provision of religious education courses has not changed in this province. The system is functioning. Nothing has changed with respect to that. There is the recogni-

tion that there is an atmosphere and focus on Catholicism in the Catholic separate schools of this province, and I do not know why people are giving an impression otherwise, including those people across the way.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

2:20

### Women's Shelters

MRS. SOETAERT: Thank you, Mr. Speaker. Women who are abused

need financial support, physical safety, emotional support, and some assurance that her children are both physically and psychologically safe.

That quote is taken from page 40 of the women's advisory council's report on assessing and reducing the risk for abused women. My questions are to the Minister of Family and Social Services. Given this obvious statement on the needs of abused women, what are you doing today to improve a woman's physical safety when practically one out of every two women is turned away from shelters?

MR. CARDINAL: Mr. Speaker, we continue to redirect dollars to high-needs areas. This is one area that's definitely high in needs. We have over 344 spaces in Alberta that provide that service now, and there are vacancies in those 344 spaces. There are vacancies in certain areas of Alberta. Of course, the Liberals wouldn't know that. How would they know? They don't know anything. How would they know?

Mr. Speaker, in addition to providing services of that nature, we provide funding for over 150 agencies in Alberta, over \$7 million to provide additional support services to people in need, and that's just one of hundreds of programs we fund.

THE SPEAKER: Hon. member, supplemental question.

MRS. SOETAERT: Thank you, Mr. Speaker. My supplemental to the same minister: what are you doing to help improve financial support given that shelters report increasing delays and hassles for women trying to get social assistance? Some shelters have had to extend their maximum length of stay because women are having to wait so long to get assistance. What are you doing? Besides lying.

MR. CARDINAL: Mr. Speaker, the Liberals don't listen. Just last week I indicated that we changed policies in that particular area as of September 1, but I assume they didn't hear that.

MRS. SOETAERT: Mr. Speaker, there's a problem with women getting into shelters. I'd like a truthful answer from the minister. How do you justify now cutting community-based demonstration projects that focused on prevention and education, given that that is also one critical theme of the advisory council's report?

MR. CARDINAL: Mr. Speaker, of course, the Liberals would provide more welfare, like they always do, probably continue with the old programs . . . [interjections]

THE SPEAKER: Order. [interjections] Order. [interjections] Hon. members, order.

MR. CARDINAL: . . . probably continue operating programs that never worked. This government is not doing that. There is

a complete review of how we'll provide services efficiently, effectively in the future. That is why in the last two years we've managed to redirect at least \$178 million to high-needs areas.

AN HON. MEMBER: How much?

MR. CARDINAL: A hundred and seventy-eight million dollars. And we will, you can be assured, continue reviewing the existing programs, ensuring that the programs that do not work are not there the way they've been in the past years. We will continue improving services to these people.

THE SPEAKER: The hon. Member for Pincher Creek-Macleod.

#### **Disaster Assistance**

MR. COUTTS: Thank you, Mr. Speaker. Last summer massive flooding in southern Alberta left many Albertans devastated. Under the federally mandated disaster recovery program some people received disaster assistance and others are still waiting. There are serious exclusions to this program. Due to its extreme rigidity and our strict adherence to that federal program, it denies assistance to many needy Albertans and restricts provincial response to these needs. My question is to the Minister of Transportation and Utilities. Can the minister advise Albertans why inequities in the disaster recovery program are still in place?

DR. WEST: Mr. Speaker, we've been through a lot of devastating natural disasters in the province of Alberta over the years. In 1989 we sat down with the federal government to try to straighten out consistency in a policy that wasn't an insurance program of a hundred percent but would make transition for people of Canada and Alberta through very difficult times to try to mend their way back to a semblance of order in their lives after one of these disasters.

It is not a complete insurance policy, and I reiterate that it wasn't intended to be. It goes into people's lives and takes their prime residence or their prime place of making a living, their business, and brings in a certain level of help. It's up to a \$100,000 per individual residence or individual business. It does not go into the rest of their lives, and that is a tragedy, but it doesn't. It wasn't intended to. I don't think that we as a society could afford to replace every nut and bolt that was lost during a flood or some of these other disasters.

Yes, some people have decided to put moneys into another residence. Maybe they rent that out, but it isn't their prime source of income. Yes, they have put their whole life savings into a recreational property, or perhaps they have an acreage which isn't deemed a farm, and they have beautiful outbuildings and that, and they weren't insured and weren't covered, but the policy will not cover those either. It will cover their prime residence, as I said, and the basic needs, but it isn't a full insurance program.

MR. COUTTS: Is there an appeal mechanism for small businesses, landowners who have been refused benefits due to the strict adherence to this federal program?

DR. WEST: There isn't a formal appeal between the federal government and the provincial, although we do have seven departments with their heads involved in this that will look at extreme cases and review them internally and report that to the head of disaster services, which indirectly, then, will get back to my desk. So that is a form of appeal that people can use. We're

continuing to review some of those hardship cases, and we trust that we can find a middle-of-the-road approach to some of them.

THE SPEAKER: Final supplemental.

MR. COUTTS: Thank you, Mr. Speaker. When could we, then, expect to see any of the outstanding payment for damage incurred during the 1987 tornado in Edmonton?

DR. WEST: That question I appreciate. The Auditor General's report referred to \$10.7 million that was still outstanding from the tornado, and it has been paid up to date. We're reviewing the last parts of the trailing dollars, but the majority of that has been delivered in the last three weeks.

I don't think that speaks well for the system. That was, you know, eight years ago. I'm saying that that doesn't look good for the system, and we're going to have to sit down with the federal government and try to figure out a better way of transferring dollars. I'm sure it's to their advantage not to agree with our audit and with our figures, but that doesn't help Albertans out in a program such as this.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

#### **Centre for Innovative Management**

DR. MASSEY: Thank you, Mr. Speaker. On May 17, 1994, the minister of advanced education promised this Legislature that the Murgatroyd centre at Athabasca University would "be able to dramatically increase service to Albertans with the direction that they're taking." Now the Auditor General reports that the \$1.3 million university-launched loan to the government's friend to run that centre has soured. Some service. Some direction. My question is to the minister of advanced education. Exactly how many tax dollars are at risk at Athabasca University in these institution-launched government loans?

MR. ADY: Mr. Speaker, in fact, yes, there was a loan put forward by the university to fund a program. It was a program of the university. Let me say that not necessarily has it gone sour. It may still be outstanding. However, let's bear in mind some of the things that have been positive from this program of an MBA that was offered by Athabasca University. Some 53 percent of the students in the program are Albertans; 71 percent are western Canadian. It's highly subscribed. The program is on target and in line with its business plan. In fact, due to diligent management on the part of the group it is financially ahead of its targets at this time.

I want to say that the program is amongst the largest executive MBA programs in Canada. The program is an export for Alberta. It's even operating in Europe. So for the hon. member across the way to indicate that this is such a negative program and so devastating - I think he's off on something that's really questionable in the direction that he's taking on this.

**2:30**

DR. MASSEY: Is the minister contradicting the Auditor General's comment that the centre "will be unable to repay the University's investment in the program"?

MR. ADY: Mr. Speaker, the last thing I would ever do is contradict the Auditor General. However, let me say again that this program is highly subscribed. It's on target financially with its business plan and is offering a service to students across the



province. I'm optimistic that they'll be able to deal with the financial circumstances that exist there given the time to do that.

DR. MASSEY: Again, is the minister contradicting the Auditor General when he says that the centre "had an accumulated deficit of . . . \$1.0 million," which is certainly not what was in the business plan?

MR. ADY: Mr. Speaker, I'm not contradicting the Auditor General when he says that there is an outstanding amount owing to the university on the program, but that's not to say that it will never be dealt with. What we're dealing with here is a program that has gotten under way, and frankly in terms of fees it's one of the lowest cost executive MBAs in Canada. Let me say that the University of Lethbridge and the University of Guelph are looking at joint ventures with this program. So it's a highly successful program, and I'm optimistic that they'll be able to resolve any financial circumstances that they have.

THE SPEAKER: The hon. Member for Lacombe-Stettler.

#### **Western Canada Lottery Corporation**

MRS. GORDON: Thank you, Mr. Speaker. A founding member of the Western Canada Lottery Corporation since 1974, Alberta has had a good and effective working partnership with Saskatchewan and Manitoba, wherein the corporation has been responsible for successfully administrating, managing, and marketing lottery products such as Lotto 6/49 and Sport Select. The marketing office is headquartered in Stettler, Alberta. My questions reflect the concerns of my constituents and are addressed to the minister responsible for lotteries. Considering that in today's world the move is to joint partnerships, regionalizing the delivery of services, and working together as a critical mass, why, then, Mr. Minister, has the province decided to go it alone and withdraw from the corporation?

DR. WEST: Mr. Speaker, there's been quite an evolution since 1974 in process as well as in administrative functions in all four of the western provinces. Indeed, when British Columbia was 50 percent of the lottery sales, they withdrew in 1985. We are now 60 percent of the sales. We have just reorganized gaming and lotteries and the Alberta Liquor Control Board into one called the Alberta Gaming and Liquor Commission. The efficiencies and scale of administrative savings are in the tune of \$8 million to \$12 million, and probably more when it is done over three years. That was just too much to overlook in this program.

There has been talk in all provinces – not Saskatchewan, of course; they're still at the lower end of the services in this. There has been talk even in Manitoba in the last two years of how their organization, their lotteries corporation separate from Western Canada Lottery Corporation could indeed take over the works of Western Canada Lottery. That's not a publicly stated thing, but behind the scenes it was being discussed. To us it means that we can still network with the other provinces and continue looking at games and the development of games with them, but we will take on many of the administrative services that are being duplicated now. We will keep those in Alberta.

MRS. GORDON: What in the future will our relationship be with the Interprovincial Lottery Corporation, and will this affect ticket buyers?

DR. WEST: It will not affect the ticket buyers and the front end. I would state that the buying public will notice very little unless it's a change in the dimension of some of the advertisements. Those that walk into their confectionery or to their local cigar shop or their malls or some other area that has an outlet will continue to buy the games. Our relationship with the other provinces: we will continue to talk to them to see if there are some things that we can work through the new outsourcing with technology that we have as well as the development of games that are consistent across the three provinces.

MRS. GORDON: Since these products in the future, Mr. Minister, will be delivered through the Alberta Gaming and Liquor Commission, will the minister commit that a lotteries presence will be retained in Stettler, Alberta, and that the office will be maintained or possibly enhanced as we move to an Alberta-only product?

DR. WEST: The answer is yes, Mr. Speaker. Unequivocally yes. The budget for Western Canada Lottery was \$55 million a year. The marketing end of that was somewhere around 14 and a half million dollars, of which we funded, oh, 60 percent of that or better. We are still going to be spending out of that mass some \$18 million to \$19 million, and we envisage that the functions that we will co-ordinate with the Alberta Gaming and Liquor Commission will be done part and parcel through the Stettler office. We see where we could also help throughout the province in bringing perhaps some inspection services and some co-ordination of those through that office out of Stettler.

So I want to assure the member, and she can assure her community. I got a letter from the mayor today thanking us for our communication to this day that we will be there and that we're not going to waste this investment.

THE SPEAKER: The hon. Member for Calgary-Buffalo.

#### **Regulatory Reform**

MR. DICKSON: Thank you, Mr. Speaker. For many Albertans the scariest thing this Halloween is a government which apparently still sees nothing wrong with making laws in secret, and recently we've seen three scary examples. The first one would be a regulation that said that we don't need RNs, registered nurses, in operating rooms. The second one: we have the highest freedom of information application fee anywhere in Canada. The third one is that we see a massive dilution of environmental protection standards. My question is to the acting deputy Premier. Why does the government persist in making regulations in secret when all of the evidence is that it simply doesn't serve the public interest?

MR. DINNING: Mr. Speaker, I know that the hon. Minister of Health would want to supplement my answer in regards to the matter of nursing. How could regulations be private or secret when they are made public?

MRS. McCLELLAN: Mr. Speaker, I simply do have to supplement because, again, an appalling lack of knowledge of what's going on in this province from across the way. What really did occur was that there was an outdated term in the regulation called "graduate nurse." A graduate nurse today is not what a graduate nurse when those regulations were put in place intended. In fact by that very regulation sitting the way it is, it does not allow a

registered nurse to be in an operating room. However, upon receiving some very good input from the Alberta Association of Registered Nurses, who clearly understood that we needed to change that regulation but wanted to participate in the wording, we have agreed to put the outdated wording back in. We've been living with it until we come to an agreement. If the hon. member knew what that regulation really said today, he would not have made that comment, because the regulation itself today, if taken literally, would not permit a registered nurse in the operating room.

**2:40**

MR. DICKSON: Well, Mr. Speaker, the point is that she made a change after a public outcry.

Mr. Speaker, the supplementary question would be to the acting deputy Premier. Why is it that when the government talks about a new way of dealing with regulations, the only consultation that they provide for is a consultation with handpicked, designated stakeholders and not the broader public interest represented by Members of the Legislative Assembly?

MR. DINNING: Mr. Speaker, I believe that the hon. member is taking issue with the hard work being done by the Member for Peace River and a task force of Albertans from across Alberta that have come to work with him, working with individual ministers across this government, having begun with the Department of Labour and then gone to work with the Minister of Environmental Protection and now working with all the members of Executive Council in an open and public way to find out how we do the business of government more effectively: how can we deregulate government so that Albertans, who must comply with regulations, feel the burden of government on their shoulders just a little lighter? That is more effective for Albertans and for the money they must spend in complying with those regulations. It lightens their load, Mr. Speaker, and it also helps us as a provincial government to reduce our spending and get rid of the deficit, which Albertans sent us to do. They gave us a clear message and a clear mandate on June 15, 1993, when they sent Ralph Klein to be the Premier of this province and to reduce unnecessary waste and duplication and get rid of administration that wasn't necessary and get rid of regulations that weren't necessary. That's exactly what Albertans told us to do, and that's what this government is doing for Albertans.

MR. DICKSON: Mr. Speaker, I wish we had more than two supplementary questions.

My follow-up to the Acting Premier would be this. Why does this government continue to assume that a consultation with a few handpicked stakeholders is the same thing as representing the public interest by allowing Members of the Legislative Assembly to have input before the fact rather than after the fact?

MR. DINNING: Mr. Speaker, what the hon. member is suggesting is that we ought to consult exclusively and only with the Liberal caucus. Well, Albertans rejected that Liberal caucus on June 15, 1993. So instead, what the hon. Member for Peace River is doing in working with the Minister of Labour or the Minister of Environmental Protection, is going out to the stakeholders within the Labour ministry, those who are involved in plumbing and inspections, fire inspection. In the case of Environmental Protection, who are they talking to? They're talking to the Alberta Forestry Association. They're talking to unions associated with the environmental sector. They are casting a net far and

wide so that all Albertans, not just Liberals, not just the tens of Albertans who attend Liberal meetings – we're going beyond that. We're going to ask all Albertans who are affected by Labour, by Environmental Protection, by Energy.

Look at the work that's being done in the Energy department by going out and talking to the industry, asking them: how do we do the business of government more effectively? That's exactly what we're trying to do. I look at my colleague the Minister of Family and Social Services and the work that he's trying to do, Mr. Speaker, across this province. I would only ask for their patience. [interjections]

THE SPEAKER: Order please. I'm sure the hon. Member for Lethbridge-West was completely happy with that reply.

While the time for the regular question period has expired, the hon. Minister of Family and Social Services has indicated he wishes to clarify an answer he gave earlier in question period.

The hon. Minister of Family and Social Services.

### Women's Shelters

*(continued)*

MR. CARDINAL: Thank you very much. Because this is such an important issue, Mr. Speaker, it's important that the answer given is accurate. I indicated that we do have 17 shelters with 345 spaces, six rural family violence preventative centres with 21 spaces, and also second-stage housing with 54 spaces, for a total of 420 spaces. But the most important part that Albertans should know is that there is a 26 percent vacancy in the shelters. Second-stage housing has 60 percent vacancy, and rural centres have 50 percent vacancy and a budget increase in the last two and a half years, in fact in the last 10 years, of 250 percent.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MRS. SOETAERT: Thank you, Mr. Speaker. If there is space for more people . . . [interjections] I do get a supplemental. If there is a vacancy rate available, my question would be: will you confirm that there are still people being turned away? One out of every two is still being turned away in shelters in the major centres. So how do you answer that?

THE SPEAKER: The hon. minister.

MR. CARDINAL: Yes, Mr. Speaker. Of course, you know, if the hon. member would sit down with me and find out from me, from my department if she wants, where the problem is . . . When we have a vacancy like this, trying to provide the best service we can with the dollars we have, I would like to know from the hon. member, where the vacancies are happening, where the problem is so we can deal with it.

THE SPEAKER: The hon. Minister of Health has also advised that she wishes to answer questions that were asked last Thursday when she was unable to answer them then.

### Home Care

MRS. McCLELLAN: Mr. Speaker, thank you very much. The Member for Edmonton-Manning asked a question regarding home care and a survey that was done by the Capital health authority. I would like to give a brief answer and respond to the hon.

member in writing more fully. The document that the hon. member was referring to and the survey that was done by the Capital health authority – certainly the sampling size is one that he might want to request a discussion on with the authority.

Mr. Speaker, the home care program in the Capital health authority has expanded greatly. The home care program in Alberta has expanded greatly, and for the members' and others' information I would be happy to table with the Assembly the graphs that show the expansion of home care in this province over the years.

There was a question earlier today from, I believe, Edmonton-Glenora on the home care program; I'm not sure if it was in the Capital region. Certainly to understand the home care program and how it has changed over the years, we have to remember that the home care program is staffed by physical therapists, is staffed by RNs, is staffed by LPNs, licensed practical nurses, and a number of other people. We are certainly able to meet a higher needs group through that. I believe what the Capital health authority was attempting to do in their sampling was to find out if there were areas of need that are being missed.

Mr. Speaker, secondly, this was the first report from the authority. They will be doing this on a quarterly basis, and I'm sure that suggestions and comments such as the hon. member made on Thursday will assist them in making the next report better.

The last question that was asked was whether there was any correlation between the release of the authority and some release that I made the same day. I can tell the hon. member: absolutely not. In fact, I received this document and knowledge of the document at the same time that others did.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Manning.

MR. SEKULIC: Yes. Thank you, Mr. Speaker. My specific questions last Thursday were pertaining to comments that both the Minister of Health and the Premier of the province had made in this Assembly in response to a number of questions on previous days. The Premier is quoted – and I quote here from page 1876 of *Hansard* – and he's referring to the document: a very good document for informing people of how changes have occurred.

2:50

Along the same lines, the Minister of Health refers to: 90 percent of clients were satisfied with the home care services they received, and 84 percent of day surgery patients were satisfied and very satisfied. What I'm concerned with and what I would like to ask the minister to respond to is that these comments are referring to 37 people that were surveyed when at least three or four times that many can't access that service, and if they were to access that service, they would likely have something different to say. So I'm worried about a small sample size and perhaps I would say almost misinformation when the Premier is saying: a very good document for informing people on how changes have occurred. That's not a very good document; it's a very limited document.

MRS. McCLELLAN: Mr. Speaker, I do believe I answered that in my first comment, and I will write to the hon. member with a fuller explanation rather than take up the time of the members of the Assembly.

However, it was a sample. Mr. Speaker, I believe it is a very good document. It is the first document. It is a report card. It

is a looking-back on a year of change with the regional health authority. They have promised to do this on a quarterly basis. As I indicated, a comment such as the hon. member has made on the size of the sampling can assist them in their next document in looking at a higher sampling.

It's interesting, Mr. Speaker. We seem prepared to accept poll results that maybe cover 400 people out of 2.5 million or 2.6 million in this province, but a sampling of a cross section in this area is doubted. I hope that they can do a reporting system that does include more people and will in the next report.

THE SPEAKER: Order please. The information given today was in response to the hon. Member for Edmonton-Manning, not the hon. Member for Edmonton-Glenora.

Before calling Orders of the Day, might there be consent to revert to Introduction of Guests?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed? Carried.

The hon. Member for Barrhead-Westlock.

**head: Introduction of Guests**  
(reversion)

MR. KOWALSKI: Mr. Speaker, thank you. In the members' gallery today are 11 very good friends of this Assembly and very good friends of mine. They are senior citizens from the community of Westlock, the builders of the province of Alberta. I'll ask them to rise, and I would hope that all members of the Assembly would convey to them a very warm and pleasant greeting.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MRS. SOETAERT: Thank you, Mr. Speaker. I, too, would like to introduce someone to you and through you to the Legislative Assembly. There is a person here that lives in Edmonton-Centre, and he's always told me that he's going to come down one day and watch the proceedings here. It is my uncle Dan McRae\*, and I would ask him to please rise and receive the warm welcome of the Assembly.

**head: Orders of the Day**

**head: Government Motions**  
**Standing Committees**

27. Mr. Day moved:

Be it resolved that changes to the following committees be approved by this Assembly: on the Standing Committee on the Alberta Heritage Savings Trust Fund Act that Mr. Shariff replace Mr. Woloshyn and that Mr. Langevin replace Mr. Stelmach and on the Standing Committee on Private Bills that Mr. Stelmach replace Mr. Pham.

[Motion carried]

**Appointment of Internal Trade Screener**

28. Mr. Day moved:

Be it resolved that the Legislative Assembly concur in the report of the Select Standing Committee on Legislative

\*This spelling could not be verified at the time of publication.

Offices recommending the appointment of the Ombudsman as screener under article 1713 of the agreement on internal trade.

[Motion carried]

**head: Government Bills and Orders**  
**head: Second Reading**

**Bill 49**  
**Racing Corporation Act**

THE SPEAKER: The hon. Minister of Transportation and Utilities.

DR. WEST: Thank you, Mr. Speaker. I'd like to make a few comments on Bill 49, the Racing Corporation Act. I first want to start out by indicating the need for this Act, or what has precipitated us bringing forth the change. Just so that nobody is confused, this relates to and is a replacement of two Acts: the Pari Mutuel Tax Act and the racing Act of Alberta. Those two Acts are the ones that have governed over the last many years horse racing, both standardbred and thoroughbred, in the province of Alberta.

Mr. Speaker, the horse racing industry in Alberta and across North America is presently faced with many significant challenges. These challenges include a gradual yet notable decline in racing attendance and wagering, increased competition from the entertainment industry, and constrictive, overlapping government regulations. This industry generates \$45 million in direct industry income, and this revenue provides the economic basis and support for a diverse range of private services and facilities that support the province's racing operations.

Over 5,000 Albertans are employed within the horse racing industry. It is critical that a meaningful change occur in a form and manner that enables the industry to address its challenges and remain competitive. I'm sure that each and every one of you here knows somebody that is involved in that industry. I call it part of the agricultural industry, but it's an industry that generates economics in so many different ways from the breeding and raising of racing stock to all of the various inputs that go into and about the race track, from jockeys right through to the salaries that are generated and the stable people and the tremendous support mechanisms and horse trailers and everything else that goes into and around this industry.

Coinciding with the horse racing industry's need for a concerted revitalization plan is this government's commitment to reduce its direct involvement in the horse racing industry. To satisfy both government and industry interests, this Bill, Bill 49, the Racing Corporation Act, was introduced on October 25. In repealing the Alberta Racing Commission Act and the Pari Mutuel Tax Act, the Racing Corporation Act not only privatizes the regulatory functions currently performed by the Alberta Racing Commission, but it also successfully creates an infrastructure empowered to effect the renewal of this industry.

A side note here is to remember that the Pari Mutuel Tax Act in the last few years has been in name only. What has happened is that the 5 percent that was taken off every wager was given totally back to the horse racing industry either to run the Racing Commission or in purses as it went back to the various associations. So it really wasn't a tax that benefited anything back to Albertans in the form of, say, a tax that went into health care or went into education or went into roads. It literally was just a

bookkeeping issue that revolved the money. So removing the Pari Mutuel Tax Act does not cause one thing to the bottom line.

The corporation will feature a small and efficient administrative structure and will be charged with the responsibility of unifying the currently fragmented racing industry. Industrywide strategic management, long-term planning, and a co-ordinated approach to many challenges faced by the industry will result from this alliance. I think that it's important to understand that over the years the Racing Commission that we had almost was an arbitrator between the problems in the horse racing industry. Many of the factions, whether they be the standardbred or thoroughbred associations or the horsemen's benevolent association, kind of used the Racing Commission as the middle arbitrator or person who chaired their problems, and now they'll be taking over that completely themselves.

This legislation also formalizes this government's stated desire to get out of the business of regulating and administering the horse racing industry. Through this legislation this industry moves from one that is government regulated to one that is totally self-regulated by a nonprofit corporation. The racing industry is unnecessarily burdened by duplication that exists between the provincial and federal regulatory powers. For example, as noted in the racing industry's renewal plan: to conduct a race meet, a track needs both a permit from the Canadian pari-mutuel agency for pari-mutuel betting and a race date approved by the Alberta Racing Commission. To reduce this kind of duplication, the corporation will assume the responsibilities for regulatory and compliance functions and will work towards assuming the functions of the Canadian pari-mutuel agency, the federal agency involved in the regulation of the industry, including drug testing and auditing of pari-mutuel betting.

**3:00**

One of the corporation's first challenges will be to go and work with the federal government – and I will work with them to do that – along with other provinces to move the federal government back from that role so that we haven't got a huge duplication of people working in the industry, for example, in drug testing. We spend a tremendous amount of money in the province of Alberta, maybe \$1.6 million a year, getting drug testing done out of the province because that's stated by the federal government, who sends all our urine samples and blood samples and saliva samples to British Columbia. Our labs here could well do that. We feel that we could probably do that for this racing corporation for \$800,000 or \$900,000 a year locally here without duplicating a bureaucracy on the west coast and in other parts of the country. This government and the racing industry agree that by removing the frustration, confusion, and duplication, the streamlining of all horse racing regulations should greatly improve compliance and reduce the costs.

Now, my last point, Mr. Speaker, is one which I'm sure Albertans are very, very concerned with, and that's the linkage between the racing industry and the provincial government in racing fairness, industry integrity, and the protection of the public. A central part of the accountability framework of this legislation is the independent appeals tribunal that will be mandated to hear appeals of the industry participants against regulatory or compliance rulings made by the Alberta racing corporation. The tribunal will be appointed by the government and will be independent, although it gets its total financing by this legislation backwards from the racing industry. It will be totally independent and report only to the courts and to this government. That is a huge change. Before, the Racing Commission appointed

the stewards and the judges of the track and then sat in judgment of their decisions, which is totally unheard of with any program. The Racing Commission was literally judging its own appointments. So this will change that.

The appeals tribunal will consist of three members who will be appointed by the minister responsible for lotteries, gaming, and racing. The corporation will mirror the government's commitment to gaming integrity and the protection of the public. These values will remain the primary goal of the corporation's regulatory and compliance functions. The legislation will enable the corporation to continue with the programs now in place to ensure that integrity.

Another indication that this Bill fully recognizes the government's responsibility to protect the public is that the corporation must operate in accordance with the laws and policies governing gaming. This will ensure that any new gaming initiatives have the support of the government and the people of Alberta. They cannot issue their own new, innovative gaming initiatives without licensing from the province, as with all other forms of gambling. We'll put to bed any indication of the innuendoes and allegations that neighbourhood betting parlours, such as there are in England, would ever come to fruition in the province of Alberta. We have no need for that here.

As Bill 49 must be passed before the industry can begin this renewal process, it is important that we understand it and that we get the support from this Legislature on that. I ask for that in speaking at second reading to the principle of Bill 49. I'm willing to be here to answer any questions.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. WICKMAN: Thank you, Mr. Speaker. I want to make a few comments at second reading of Bill 49, the principle of the Bill. Being one of those that have attended the racetrack over the years on a casual basis, it's a sport that I've enjoyed. It is a sport. There is the aspect of gambling that is involved, and like other forms of gambling there are some that do tend to get a bit carried away. But it's not an addictive form of gambling in the same sense as the slot machines may be.

If I go back years and years ago, the very first time I ever attended the racetrack was here in Alberta; it would be about 1959, 1960. So I've seen a lot of advancement over that period of time, until we hit a peak where there were occasions in Edmonton where the pari-mutuel receipts would total more than a million dollars. There were events such as Canadian derby day, where there'd be hundred thousand dollar plus races. It peaked, and it was a tremendously enthusiastic sport at that period of time. Since that time when it peaked, which is a few years back, it's been going downhill not only in Edmonton but in Calgary and virtually throughout North America because of a number of factors.

One of those factors, I believe, is the image that has been brought about of horse racing, a lot of it by the industry itself. There have been many, many instances of drug testing that have taken place, where owners have been accused and accepted guilt in giving their horses improper drugs to try and get that advantage. We've seen the competition.

Probably the most harmful thing to the racing industry in Alberta, if you go out to the track and talk to the people out there, is the introduction of the VLTs. We don't want to blame all the evils of Alberta on the VLTs, but the minister has to get it

through his head that there are very, very many negatives to the VLTs, and the negatives of the VLTs are felt far and wide, including the popularity of horse racing. I think that can be borne out by conversations with the officials of the racing tracks in Alberta. The same of course has happened in other provinces and other parts of North America because of the introduction of new vast forms of gambling, including slot machines, that are more widespread not only in Alberta but in other parts of North America.

We've seen the tracks, Northlands, for example. I've had occasion to tour the new facilities, and they are very, very impressive facilities, a \$20 million improvement. Mr. Speaker, unfortunately that \$20 million spent to improve that facility has not really done a great deal to increase the attendance and the wagering that is taking place, not nearly what they anticipated. Other methods have been tried: the simulcast betting. You can look in the papers now and see advertisements that you can go to the racetrack, catch racing from Hong Kong, catch it from Woodbine, catch it from Meadowlands, catch it from Turf Paradise. You can go at 10:30 in the morning and wager. You can go sometimes at midnight and wager on races coming in from Japan. The racetracks have tried many initiatives to try and stimulate the interest that was once there in racing but to little avail.

So there is a problem in terms of people's attraction to horse racing, but I guess people change in their attitudes, and people change in their preferences in life. I can look at the Edmonton Eskimos. The same enthusiasm isn't there for the Canadian Football League that there once was. We can see that with the Edmonton Oilers. I guess this is just another example of an area where people are losing interest.

On the one hand, I can understand why the minister is taking some initiatives in conjunction with the horsemen and the racing industry to come forward with some approach that possibly could be of some benefit, could possibly stimulate some renewed interest in horse racing. Unfortunately, Mr. Speaker – and I want the minister to hear this very, very carefully. The minister is talking to the Member for Red Deer-North, but he himself asked for the opportunity to have questions asked of him. So I would hope that he has the opportunity to listen to the questions I'm going to put to him. Maybe we should just hold off and let him finish with Red Deer-North, and I can carry on. [interjections] Well, we have some questions of the minister. He asked for some questions, and I want to give him those questions. But I want him to have the opportunity to hear those questions so that he can address those questions. He's been pleading for questions from us, Member for Red Deer-North. So to the minister responsible for horse racing in the province of Alberta, I do have a number of questions.

Now, the minister in his comments touched on – and I'm not sure if I've got it exactly correct. If I could feel comfortable that what he said there is covered in the Act under some provision that I can't see, my attitude towards the Bill may change. When he introduced the Bill initially, I got the impression at that time that he said that this would open the way not only for privatization but also open the way for little betting shops throughout the province.

3:10

Well, if I go back to *Hansard*, there was a statement made at that particular time that made reference to privatization plus that it would enhance or allow for the possibility of, I got the impression, booking shops or betting shops, whatever you want to call them, to take place. Now the minister has said that this is not

good for Alberta and that this wouldn't happen, leaving me with the impression that this is here simply to privatize the body that regulates horse racing in the city. That's one thing, but if this body is going to have the authority to go out there and set up booking shops if they feel it's going to enhance the . . .

DR. WEST: You've got to listen when I read too.

MR. WICKMAN: I was listening, but there appeared to be a contradiction, Mr. Speaker. There appeared to be a contradiction from his opening statement, when he introduced this Bill in the House on the first occasion. I'm going to dig up that *Hansard*, and I'm going to refer back to it.

So when the Bill is in committee stage, the minister has to show us in the Bill where the provision is that will not allow that type of expansion, because that type of expansion in horse racing could lead to other similar activities in gambling such as going to wager \$200 on a football game, wager a couple of hundred dollars on a boxing match, sort of like the Vegas betting parlours or the Vegas betting theatres. Pardon us, Mr. Speaker, for being a bit suspicious when it comes to the government's intent with gambling in this province. At times it appears that the government is intent on making Alberta the gambling mecca of North America, surpassing all with the exception of possibly Las Vegas. So I do tend to get a bit suspicious when there appears to be an opening for further gambling activity.

Secondly, the minister indicates that there was input in conjunction with the horse racing industry, which I understand there was. Furthermore, I understand that the horse racing industry would in all likelihood support the Bill, at least not oppose it, as far as I can gather. However, from the public's point of view, I'm not sure what input was provided by the public, particularly the public that go out there and are the ones that keep horse racing alive to the point that it is kept alive. So that's another question that the minister is going to have to answer during the committee stage.

Thirdly, Mr. Speaker, in recent times because of various infractions or alleged infractions at the racetrack – drug testing and challenges by the horsemen and such – we've seen a number of lawsuits. In fact, I believe there's even one dispute going on as to who the rightful winner is in terms of holding the purse from the Canadian derby. In any case, there are a number of outstanding lawsuits that have been filed against Northlands and the horse racing officials and the industry. My question to the minister is: what happens to those lawsuits if this privatization in the form of this Act takes place? Does that mean that these lawsuits are no longer valid and that they can't be proceeded upon? Of course, the same party is no longer responsible for the regulating aspects of the horse racing industry.

Mr. Speaker, because there are a couple of other speakers from this side at second reading, I want the opportunity to address this again in committee when I've heard the minister's responses to the questions that have been read and when I've had the opportunity to read the Blues or if he sends me over a copy of his written notes there along with the initial comments that he had made when the Bill was introduced last week.

So on that note, Mr. Speaker, I'll conclude. Thank you.

THE SPEAKER: The hon. Member for Edmonton-Glenora.

MR. SAPERS: Thank you, Mr. Speaker. It's true that the horse racing industry is a very important industry in both rural and in urban Alberta. The 5,000 employees and their families, the

industries that they support, the dollars exchanged in our economy are all very important, but unfortunately horse racing in this province has been suffering. Attendance has been continually dropping over the years; wagering is down. There have been several incidents which have tarnished the industry recently. I'm not exactly convinced, especially after reading this Bill, which would really move the regulatory framework further away from the industry, that this is the right time to do that. I'm not convinced that this Bill addresses the problems that the industry is trying to face.

Now, the minister, talking to the Bill when he introduced it, talked about how it's important to maintain integrity and confidence on the part of the public in the industry, and at the same time the minister talked about privatization and setting up a new corporation. Mr. Speaker, I found those comments to be odd, coming from this minister. This is the same minister that brought us the privatization of the ALCB and all of the questions surrounding some of the real estate transactions: the sale of the vacant stores, the leases, the value of those leases. We've got so many unanswered questions, questions about whether or not supermarkets will be allowed to sell wine and beer, and the flip-flop on the part of the government there.

That privatization was so poorly handled, was so badly mismanaged – and we're still suffering the repercussion of that – that I'm wondering why this minister would be talking about maintaining public confidence and integrity in another industry, in an industry where that confidence is already in some regard a little bit shaky. We're not sure that it can be shored up by the government turning it over entirely to the private sector and doing it in such a way, I may add, that reminds us of the attempts of this government to get out of the business of being in government, as they attempted to do in Bill 57. I'll remind the minister that the response then from the people of this province was: no; they wanted their government in the governing business. I think it's about time that that minister and his Premier and all of their business partners realized that there is a role for government in governance, and perhaps they should be cognizant of that when they're looking at these Bills that would move us away from government involvement in some areas which I think the public would like to see the government involved in.

This government already has a significant gambling problem, Mr. Speaker, and that problem is mostly evidenced in its addiction to video slot machines. Of course, a Bill was introduced earlier today by the Leader of the Opposition that would see the move towards the elimination of these VLTs. I'm wondering if the minister would talk about that seeming contradiction between wanting to help shore up the horse racing industry, wanting to see wagering come back and see more dollars spent in the horse racing industry and in gambling in that area and, at the same time, their seeming commitment to see more and more and more dollars being siphoned out of communities and out of individual taxpayers' pockets and into these video slot machines. That's a contradiction that I don't understand, and I would sure hope that the minister could clear that one up.

Mr. Speaker, when we move to establishing a private corporation to replace the Alberta Racing Commission and all of the regulatory functions that that commission is responsible for, I would like to be assured and I'd like to be able to assure my constituents that a balance will be maintained between the interests of the horse racing industry and the broader public interests. It's not clear that that balance is in this Act. In fact, the way the Bill has been drafted, it would suggest that any public interest could

very quickly and easily be overshadowed by the priorities of the horse racing industry directly. Certainly that's one of the roles of government: to make sure that the more general public good is always respected when it comes to an area of regulation. I'm concerned that significant rules will be made and enforced strictly by the corporation, and in that way they won't be really accountable to the Legislature or under any existing legislation that this Legislature has jurisdiction over.

Financial matters, Mr. Speaker, aren't discussed in enough detail to ensure that Alberta taxpayers will not be on the hook. There may be losses in the industry as a result of poor management. The corporation itself may not work out. There is no indication that the industry is required to be self-sufficient and in some way won't need some government funding. This was the minister that stood in the Assembly just a few short days ago and spoke about Canadian Airlines and wouldn't talk about the fact that a \$50 million loan guarantee had been issued but talked about the potential loss of those jobs. I'm wondering whether or not this minister will say that there won't be government money and that in fact the industry will be made to be self-sufficient. I would appreciate his comments on that since he asked the questions.

3:20

Mr. Speaker, the area of horse racing and the area of regulations I don't believe could be properly or safely separated. If there's one message that this government should be hearing by now, it's that Albertans want to see regulations. They want to see government responsibility being taken seriously. The people of this province deserve to have a regulatory framework known to them. They deserve to be consulted on that regulatory framework, and they deserve for that regulatory framework to provide the minimum of interference between what it is that they as individuals want to accomplish and what it is that government must provide in terms of safety and security and peace of mind for all other Albertans.

I would like to speak very strongly in support of the horse racing industry, and I would like to support a government initiative in terms of shoring up that industry, but I don't think that this Bill accomplishes that, and subject to the clarifications from the minister, Mr. Speaker, I would find it very hard to support this legislative initiative in its present form.

THE SPEAKER: The hon. Member for Fort McMurray.

MR. GERMAIN: Thank you very much, Mr. Speaker. You know, one of the beauties about sitting opposite the hon. minister of transportation in the short time that I've been in this Legislative Assembly is that you always know where he's coming from. You know that if there's a chance to have government control over activity in which from time to time unlawful activity has crept in versus no control or independent control or self-regulation, he will opt for self-regulation every time. You know if you sit across from the minister that if he has an agency or field of endeavour in his sphere of expertise, he will opt for privatization every time. So it is no mistake or misunderstanding that today Bill 49, the Racing Corporation Act, is in fact the privatization of certain types of gambling in the province of Alberta.

As the minister has correctly pointed out, it is a revenue-neutral issue as far as he is concerned. So what we have here and what we debate today is an ideological direction in which this minister wishes to push the government of Alberta, the province of Alberta, and the people of Alberta, and that is: are we prepared

to have privately regulated gambling in the province of Alberta? That is the philosophical issue that the hon. Member for Barrhead-Westlock has to take back to his constituents. That is the philosophical issue that the hon. members for Peace River, Medicine Hat, Lethbridge have to take back to their constituents.

Now, are there fundamental reasons why we should reject the minister's tempting siren song of privatization of gambling in the province of Alberta? I think, Mr. Speaker, that this Bill 49 has at least three fundamental flaws that open up the soul of the government and give external observers an opportunity to look inside and see whether or not this is uncontrolled or absolute or controlled gambling.

Now, let's put aside, Mr. Speaker, for a moment the importance that horse racing, that farming and agriculture have to the province of Alberta. Let's acknowledge that horse racing in the province of Alberta has formed and provides a useful economic niche in this province. The breeding of horses for racing is something that has provided jobs and livelihood for many people directly and indirectly, and I'm sure some people that we wouldn't even think of benefit from it; for example, printers that print programs and advertisers that take advantage of advertising next to the daily handicapping sheets in the newspaper. Let's not forget that all of us perhaps as youths with our dads or moms or uncles may have drifted to the exhibition, to the once-a-year annual fair, and when the ladies were looking at the preserves and at the quilting displays . . .

MR. CHADI: Boy, that was a long time ago.

MR. GERMAIN: Well, I go back to my youth.

. . . maybe some of the individuals would drift off to the pari-mutuel betting and watch the races. I remember going with my father to the racetrack, Mr. Speaker, where a \$20 bill would perform a nice afternoon of entertainment in the hot sun. There would be a hot dog in it for me with all the mustard and onions you could put on the hot dog. For my dad there would be eight races, eight races at \$2 a race. It would be \$16 of entertainment. Some days he would return from the track with most of his \$20 bill intact, and then it would mean an extra hot dog. Other days the fortunes were not so good, and you'd be restricted to . . . [interjection] Yeah, that's right; you'd be restricted to that one hot dog.

So let's not camouflage this issue, wrap it around the patriotism of horse racing and the desire to preserve the racing industry in the province of Alberta. Let us not for a moment be fooled to think that this Bill will make a difference, because it is demographic change, the change of attitudes, the change of the types of things that people like to pursue for recreation that have led in large part to a decreasing number of people participating in this sport.

Let the minister make no mistake about it. Some of the government's own activities – the election to have an increasing number of casinos and most recently the election to have video lottery terminals – have affected this type of activity, because gambling dollars are scarce relative to a person's total financial budget. In a well-balanced household and home people have a certain discretionary amount they spend on recreation, and all of these activities, from the pay-what-you-pull tickets at the Canadian Legion to the racetrack betting at the track on a warm summer day to the video lotteries in the lounges of our province, compete for that shrinking dollar.

Now, why should we reject the minister's siren song as a Legislative Assembly? I want to point out to you at least three persuasive arguments. First of all, you will see that the Financial

Administration Act is specifically ruled to not apply to this legislation. Why would that be? Do you know what's buried in the Financial Administration Act, my friends? I took a moment to pull it out of the wall library, and I draw to your attention that the Financial Administration Act obliges these Crown corporations to file with the Provincial Treasurer once a year their annual report. Now what would be so odious or offensive about that, about having this Crown corporation file their annual report so that the Legislative Assembly could take a look at it? Nothing.

DR. WEST: This isn't an agent of the Crown. You didn't read the Bill.

MR. GERMAIN: Nothing whatsoever would prevent those sections from applying.

DR. WEST: This isn't a Crown corporation. You didn't read it. You've been a Liberal so long you don't know what the definition of a Crown corporation is.

MR. GERMAIN: You know, I'm happy, Mr. Speaker, to sit down in my place if the hon. minister of transportation wants to address the Assembly. If he simply wants to natter away there, then I must say to him that he's distracting me. I do want to make a point here. [interjection]

MR. ZARIWNY: Adam, he said that you were out of it.

MR. GERMAIN: My friends around me are telling me that the minister suggested that I was out of it. I thought, rather, that I was making a good point here. Obviously, since he didn't stand up, then he must agree with me.

You know, if you look at the Financial Administration Act and you look at the numerous types of boards, agencies, and corporations that do not provide all of the requirements under that Act, you will still see that there are some sections of the Financial Administration Act that do apply to organizations. One of them is the section that requires that they file their financial statements annually with the Legislative Assembly, but this minister does not even think that that's a good idea, because he specifically excludes the operation of the Financial Administration Act from this particular Crown corporation. By way of a better suggestion to the minister, if he really intended to have controlled gambling in the province of Alberta, he would do well to look at section 2(5) of the Financial Administration Act and see a system by which organizations operating away from the direct review of the government nevertheless are still made financially accountable.

So I would say, if we could use a baseball analogy because of the World Series just having come to an end, Mr. Speaker, that failure to incorporate the protection of the Financial Administration Act for the people of Alberta into this legislation I think suggests to members of this Assembly that the minister really wants to deregulate and get out completely of the control of gambling in the province of Alberta.

3:30

Now, what would be the second clue? The second clue we've spoken about often, Mr. Speaker. That is the clue of regulatory control. There is an Act in the province of Alberta called the Regulations Act, and one of the things about the Regulations Act is that when a Crown corporation or an organization is bound by the Regulations Act, it then becomes a requirement that they publish in the *Alberta Gazette* their rules, their bylaws, and any

other regulations that they make, both if the government makes the regulations and if the corporation or organization passes any regulations or rules. No. This particular legislation takes away even that protection. Weak as this government has diluted regulatory control in the province of Alberta, the obligation of this Crown corporation to take away, to publish their rules in the *Gazette* is even removed by the removal of the Regulations Act. So I would say that that's strike two against this particular legislation and indicative of absolutely no control.

Now, what is the most horrific third strike? That horrific third strike is found in section 20 of this Act. Unless the minister jumps up and says that it's a typo, section 20 of the Act is an astounding section, Mr. Speaker. When I first read it, I was jarred. I was catapulted back into my seat when I read section 20, and it took me a while to try and comprehend the enormity of it. What is section 20, my friends in this Legislative Assembly? Section 20 reads: "Any contravention of or failure to comply with this Act by a person does not constitute an offence." Can you believe it, my friends in this Legislative Assembly? We're on the brink of passing legislation that says that if you break one of the government's own laws, it's no longer an offence. How can that be? It has to be either a typo or the minister will stand up and say, "Ah, we're going to do it by regulatory fine." Now, isn't that interesting? Somebody who might be running an illegal gambling parlour or breaching some of the rules, we're going to handle him by fine. So it's okay to break the law if it's in the context of gambling in the province of Alberta. It's not okay to break the law.

Why don't we just do that with highway traffic speeders? You know, the other day the hon. Member for Red Deer-South stood up and begged this Legislative Assembly with tears in his eyes to reach out and protect young drivers by imposing greater sanctions on young drivers. Why don't we just repeal all the speeding laws? You know, we'll repeal them all. All that will happen is we'll put in the Highway Traffic Act – and of course I'm being facetious now, Mr. Speaker, so that my friends over there don't send this *Hansard* around to law enforcement agencies and suggest that I'm advocating the repeal of speeding, that to retaliate for my reporting to their constituents last week that they blew \$175 million on the Bovar fiasco.

Let me say this to you, Mr. Speaker. We have now come to the end of the line. We are about to pass legislation in the province of Alberta authored and sponsored by the hon. minister of transportation that says that to break this Act is not a crime. Can that be in fact the case? It's right there. So what we're going to do is we're going to punish them with a little fine maybe; the commission is going to send them a bill for a hundred bucks because they might dope up a horse. [interjections] Now the hon. minister wants to again engage in debate, sitting there on his chair. Why don't you just get up, Mr. Minister, and tell us why breaching this law is not a crime?

DR. WEST: You never argue with a fool, because those looking on can't tell the difference.

MR. GERMAIN: I think the hon. minister should go listen to that saying and look at himself in the mirror and repeat it several times.

We cannot have legislation in the province of Alberta that is absolutely without sanction for its breach. It seems to me that the public ought to be concerned about that and undoubtedly will be concerned about that. But more importantly, it sends a message.



What message does it send, Mr. Speaker? It sends a message that gambling breaches do not constitute crime in the province of Alberta, that you're only maybe going to get a little disciplinary request that you maybe send in a hundred bucks to make it all better.

Now, I want to urge all members as well to look at the open-endedness of the definitions section. The hon. Member for Edmonton-Whitemud asked a very good question.

MR. WICKMAN: Edmonton-Rutherford.

MR. GERMAIN: Edmonton-Rutherford; right. Both hon. members.

He said: has the day come in this Bill where we have open, wholesale gambling in the province of Alberta, where we have uncontrolled, open, wholesale gambling? The answer is: yes, you do. Now, why do I say that? I say that, Mr. Speaker, because if you look at definition 1(1)(d)(vii) – I know that the minister of transportation will be following me on this debate because he seems to feel that there's some quality lacking in this debate – you will see that that definition says that a “licensed activity” means any activity not referred to in [the above subclauses which deal with horse racing] that is prescribed by the rules as a licensed activity.

So where do you go to find who makes the rules? You flip all the way down to the fine print of the Bill. Buried, buried right in there, you see who can make the rules.

The Corporation [can] make rules . . .

- (b) prescribing activities, in addition to those referred to in section 1(1)(d), as licensed activities.

So what we have here now is we have created a gambling commission in the province of Alberta that will define itself what constitutes gambling in this province, and against that definition backdrop, if you break those rules, you're guilty of nothing because you have not committed an offence. I cannot believe, Mr. Speaker, with respect, how far we have come from taking the desirable and laudable objective of protecting and improving the lot of horse racing in the province of Alberta and turning it into a carte blanche, open-ended opportunity to gamble at will.

Mr. Speaker, I want to say that that is not the type of province of Alberta that I want to be associated with: open gambling in the province of Alberta, uncontrolled, unrestricted gambling set by a gambling corporation that makes its own rules, defines its own rules, and is not guilty nor can anybody be guilty of any sanction or penalty if they breach the rules. That constitutes too far a journey down the minister's private war of privatization, and I would urge all Members of this Legislative Assembly to take the minister and members of his own caucus in private and say: “I don't think a law in Alberta that says there's no crime committed if you breach it is going to sell very well in Three Hills. It's not going to sell very well in Medicine Hat. It's not going to sell very well in Whitecourt. It's not going to sell very well in Rainbow Lake. It's not going to sell very well in Pincher Creek. It is not going to sell very well anywhere in the province.” It is not going to sell very well, and I urge all members of the caucus to point that out to the minister.

I urge all members of the caucus to suggest to the minister that the definition of what constitutes a defined gambling activity should, if you do not want it to rest with the Legislative Assembly, heaven forbid, where it should – then at least vest it with the cabinet and vest it with the executive. Do not turn an organization loose and ask them to define their definition of gambling, define their rules, and then create no sanctions even for breach of those rules.

Those, Mr. Speaker, are my comments on this very torturous piece of legislative draftsmanship, Bill 49. Thank you.

THE SPEAKER: The hon. Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Speaker. I, too, want to make a few comments about this particular Bill we have before us today. The Member for Fort McMurray in his usual thoughtful manner has pointed out a number of deficiencies in his opinion with this particular piece of legislation. I, too, want to add a couple of concerns that I see with this particular Bill, and I wanted to raise some questions with the minister that he may answer presumably at the time he closes debate on this Bill at second reading.

I want to raise a couple of issues, a couple of concerns that we have raised before in this Legislature both today and on previous days, and that is the issue of problem gambling. This particular Bill, the way I see it, will in fact increase the availability, the opportunity, and the type of gambling available in the province of Alberta. Currently the lotteries commission brings in a little over half a billion dollars, half a billion dollars in revenue to the province of Alberta as a result of gambling activity in this province. Much of that, we're already aware, comes through from video lottery terminals, or video slot machines, depending upon which term you prefer. Having said that, Mr. Speaker, nowhere in this Bill, is there any indication, any mention at all that this new corporation that is going to be created, the Alberta racing corporation, has any obligation to deal with the issue of problem gambling.

### 3:40

What the Bill proposes to do, as I understand, under the section referred to earlier, 1(1)(d), is we're going to increase through licensed activity the opportunity for gambling to occur. [interjection] Now, the minister says: well, the Racing Commission doesn't do it today. Well, maybe that's part of the problem, hon. minister. Maybe it's time, because the minister and his government are increasing the availability and the opportunity and the scope of gambling in this province, that they took a stronger approach with dealing with the issue of problem gambling. By that I don't mean the paltry million dollars that they take out of the 500 plus million dollars that they collect in lotteries, take a paltry \$1 million and give it to AADAC in an attempt to do something, much of which is consumed by overhead, bureaucracy, et cetera, and doesn't deal with the issue of problem gambling.

The other concern, Mr. Speaker, is that even if you start to deal with the issue of problem gambling, nowhere is there any mention of prevention. All of the activity that occurs right now is retrofit activity, if you will. All they're attempting to do is solve and deal with the problem after it has already developed, in a sense try and cure the disease after it has already taken root deep within the inner workings of the individual. Really, what needs to happen – we talked about healthy lifestyles earlier on. We talked about doing things that prevent this from coming in. Well, there's no indication anywhere in this Bill of any attempt by the government to prevent people from becoming problem gamblers.

I think that if we're going to carte blanche, as the Member for Fort McMurray has already talked about, give the Alberta racing corporation the opportunity to do what they will where they will under the rules that they prescribe and create to do anything they want to do wherever they want to, one of the obligations we should be saying to them is: “Problem gambling is an issue. This is something you need to address. What are you going to do

about it?" That's not in here, Mr. Speaker, and that, I think, is an oversight. If we're going to change a piece of legislation, if we're going to introduce a new concept, if we're going to create off-track pari-mutuel betting through this new Racing Corporation Act, Bill 49, then I believe that that's something that should be included in the Bill to address those issues.

I don't know how many members across the way have received letters or phone calls or communications, people walking in the office saying they have a problem with gambling. I suspect, Mr. Speaker, that you may have had some of those communications from some of your constituents. I know that I have. I've had people come into my office and sit down across from my table in my constituency office literally in tears because they are now thousands of dollars in debt because of gambling.

MR. SEKULIC: Were they Tories?

MR. BRUSEKER: I didn't ask them whether they were Tories. I was trying to serve their concerns.

The issue, Mr. Speaker, is that this will increase gambling.

Now, one of the other issues that is a concern is the issue of the rules. In a number of locations in this piece of legislation – and this is something that I've raised before, Mr. Speaker, and an issue that I'm raising again here – is the issue of rules. [interjection] Rules scare you. Well, maybe that's why we never see rules. Maybe that's why we never see rules when we see Bills introduced.

There is a responsibility, I think, and an accountability that is due to the people of the province of Alberta when a piece of legislation is introduced. We see rules mentioned in section 1(1)(d). We see rules mentioned, as the Member for Fort McMurray talked about, way in the back, buried, as he said, deep into the fine print. Section 22 talks about rules. Then there's an appeal section in part 3, Mr. Speaker, that talks about rules once again under an appeal tribunal. Who can make those rules? Well, the appeal tribunal themselves; they make rules. In all of those cases, there is a section that subsequently follows that says that "the Regulations Act does not apply."

What this Bill proposes to do is set up this corporation that can then go out and make up its own rules and will not be bound by any Regulations Act or any piece of legislation, because they can do whatever they will wherever they will and how they will choose to do so. That's my interpretation of the Act. Hon. minister, do I have that correct? That's the way I read this: this corporation can do whatever they want to. When we already have a problem with gambling in this province, Mr. Speaker, this Bill is not going to ease that problem but is in fact going to increase that problem.

Now, one of the rules deals with the whole issue of licensed activity in terms of defining what a licensed activity is. Of course, one of the rules is that you can make a rule about what a licensed activity is, so presumably this offtrack, this pari-mutuel betting that is going to be occurring can occur anywhere. Perhaps the minister, because he's also in charge of video lottery terminals, will say: "Well, if you get five video lottery terminals, then you'll get one pari-mutuel track betting thing increase. We'll have a package deal: five VLTs, one track cable line coming into your bar." We'll add yet another form of gambling into the bar. That might be something that happens under this, because it's all up to the rules, Mr. Speaker, and there are no rules in here. That might be something that happens as well.

So the question then is: where does the minister intend for this to occur? Where is all this pari-mutuel betting going to be occurring? Is it going to be in the neighbourhood pub down the street from your constituency office, my constituency office, and the constituency offices of all the members here? I'm sure that we all know that the proliferation of VLTs has spread across this province from none a scant few years ago to a little over 6,000 at the present time and, as I understand it, a couple thousand more waiting in storage, simply waiting for a home or waiting for a bar to call home, to go into the towns and communities and neighbourhoods of this province, to take more money out of more pockets of people who are already giving half a billion dollars in gambling revenue to the province of Alberta.

One of the questions that I would put to the minister is: if we are going to . . . [interjection]

MRS. BLACK: What happened to freedom of choice?

MR. BRUSEKER: I think there's nothing wrong with freedom of choice, but when you talk about the issue of making voluntary taxes – which is what this is – more available to more people, I don't think this is the right step in the right direction, quite frankly.

One of the questions that I would put to the minister is: what kind of a cut will the government be getting from each dollar that is wagered under this system? What percentage? Will they be getting 5 percent? What additional revenue does the minister anticipate will accrue to the provincial government as a result of this proposed piece of legislation? No doubt the minister says that this is going to be revenue neutral, yet we have seen what happened with video lottery terminals. When the numbers of video lottery terminals increased substantially, the revenues of the provincial government increased substantially. If we pass this piece of legislation and we make available offtrack betting on a much more broadly spread, more widely available basis, what increase in revenue is going to accrue to the provincial government as proposed under this?

Now, if the minister hasn't done that study yet or doesn't know that maybe that's one of the problems with this piece of legislation, then the minister should go back and look at it. For the minister to sit there and say that we're going to make gambling more available on a more broadly available basis and there's no additional revenue to the provincial government quite frankly is either naive or misguided, and I'm not sure which it is. That, too, is a question, because I guess one of the things we need to look at is that we're going to increase this licensed activity, quote, unquote. How many different locations will we see for this licensed activity? For the minister to suggest that there's not going to be any increased revenue quite frankly is simply not believable.

Now, the minister in one of his heckles to the Member for Fort McMurray said: this isn't a Crown corporation. Indeed he's quite correct, and it says so in section 8: "The Corporation is not an agent of the Crown." So that's pretty clear. Yet if it's not an agent of the Crown, the question I have to ask is: why is it, then, in section 10 that this corporation "at the request of the Minister, may on behalf of the Government enter into agreements"? Why would you have this corporation, that is not a Crown corporation, theoretically not under the control of the minister, then be able to make agreements on behalf of the minister? Those two sections, Mr. Speaker, seem to me to be contradictory and in fact conflicting sections in this piece of legislation.

I'm trying to help the minister out here. If I were the minister, I wouldn't want to be responsible for a corporation that can go out and make agreements on my behalf without my having some kind of control over that corporation. Yet if it's not a Crown corporation, I don't know what kind of control the minister is going to have. What's to prevent the corporation from going out and making any kind of agreement on behalf of the government?

Now, the minister may say: "Well, it's the section. The little phrase is 'at the request of the Minister.'" Well, why would that even be in there? Why would there even be a consideration that the minister is then going to oversee this corporation somehow or ask them to come into agreements with someone else on the basis of horse racing when in fact it's not going to be a Crown corporation? So those two particular sections seem to me to be clearly contradictory and rather convoluted.

3:50

The Member for Fort McMurray has also already dealt with section 20 that says that no matter what you do, you can create any rules and you can do whatever you want to, but there's no offence if you break any of the rules that are created. Well, then, the obvious question is: why bother with this piece of legislation at all? If you can make whatever definition you want, as I read it – the corporation that is going to be created under section 22 can make rules, and it lists 28 different areas under which the corporation can make rules. It goes from section (a) all the way through to (z), and then we've got (aa) and (bb) sections, where the non-Crown corporation that can make agreements as if it were a Crown corporation will be able to make agreements. But we've got 28 different sections where the corporation can make rules, none of which are going to be under the Regulations Act, and even if you break the rules, there's no offence. Why are we bothering with this piece of legislation at all?

It seems to me that the corporation is going to have all of the latitude and all of the freedom that it wants to have in order to do anything that it wishes to do, wherever it wishes to do it, and there's no penalty if you break the rules because that's one of the rules. So it begs the questions of why are we taking the time and why is this particular minister introducing this particular piece of legislation? It seems to me that this thing has got more holes in it than the sponge you probably use to wash your bathroom floor, the last time you took care of those duties at home, Mr. Speaker.

So this Bill quite frankly to me seems to be one of those things that is deregulation, and it seems that the one line that could be in here is: let them do whatever they want, and have fun, boys and girls, while you're doing it. That would probably be the thrust of Bill 49, because as I read it, that's all that's in here and what we have, Mr. Speaker, is a very poorly thought out, very poorly planned Bill that is going to do nothing to control and direct racing in the province of Alberta.

THE SPEAKER: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Speaker. It's difficult to follow an eloquent speaker such as the hon. Member for Fort McMurray with his dramatic presentation and his very insightful analysis of this Bill, likewise the Member for Calgary-North West. I would stand to speak against the Bill. I certainly don't misunderstand the intentions of the horse racing industry, and I appreciate the attempt to boost their survival and boost their particular fortunes as far as horse racing is concerned. I also appreciate the fact that there is a fair bit of spillover employment involved with the horse racing industry, and I appreciate the

indirect and direct implications on the agricultural industry. I would also compliment the Racing Commission itself for remodeling their facilities in an attempt to attract more customers, and I would also compliment the Racing Commission for their insightful development of an industry renewal plan.

However, Mr. Speaker, before we expand gambling as a solution, we must first of all examine why there's been a downturn in the revenues and the fortunes of the horse racing industry. I think we have to clearly identify that. That would give us the opportunity, the direction required to plot the correct path to a solution here. This examination of the downturn, in my view, has not occurred by the Racing Commission nor by the minister himself. When I look at the Bill – and I am attempting to fill in some of the gaps that exist within – and when the Racing Commission chairman himself indicates that this offtrack betting would not be restricted to simulcast wagering, I have to conclude, as the hon. Member for Fort McMurray indicated, that this is a wide-open concept of gambling, and I would suggest it will probably result in the growth of corner bookie stores on the streets of our communities. Of course, I'm opposed to the Bill on the basis that it's expanding gambling. In my view we do not have to expand the social ills of society in Alberta, and I would suggest it does nothing to enhance the quality of life in Alberta.

We have seen the insidious growth of VLT gambling, and it's my contention that the province does not need to promote another medium or another form of gambling. It's also my contention, Mr. Speaker, that if we were to look at why there's been a downturn in the racing industry, it is directly related and tied to the introduction of VLTs in this province. So in my mind the solution is not to expand gambling mediums. Conversely, I would suggest that the horse racing industry would prosper and return to its former status if the minister had the courage to start reducing or eliminating VLTs in this province. We know that there are only so many expendable dollars by Albertans to be spent on such activities as gaming and gambling. The VLTs have put the horse racing industry in a competitive situation, and they of course have suffered as a result of it. Now, I know it would be very difficult for this government and this minister to actually embrace one of the solutions I have proposed – and that is to reduce VLTs – because, as we know, the government of the day is addicted to the revenues of VLTs and the business owners are addicted to that revenue, and we know there are a great number of Albertans addicted to those VLTs. It's causing, of course, a very detrimental impact on many families in this province.

Mr. Speaker, I would suggest that the solution isn't found in Bill 49, but the solution is found by examining exactly why that downturn has resulted in this province. I have just offered one of those reasons the downturn has occurred, and I would also suggest the solution is in that particular suggestion of mine. If we accept that there has been a downturn, and if we accept the fact that the VLTs are causing it, the bend of the path we walk to correct that matter is very clear to me.

I would also suggest there's a second reason I cannot support the move to privatize, as this Bill does, the horse racing industry in Alberta. Now, with due respect to the many people involved in the horse racing industry, all gambling, regardless of whether it is horse racing or whether it is cards, has a stigma associated with it, and that stigma, as we all know, has been that there has been an association with, I will call it, the unsavory side of society. Government involvement in my view, Mr. Speaker, has been the best conscience and the best regulator of attempting to ensure that the unsavory side of society did not gain control of

gaming or gambling. We have all heard the horror stories when in fact that particular segment of society regains control. In many cases the government has not always been successful in spite of all the resources and dollars they have to keep the unsavory side of society out of gambling. So to take and privatize gaming and gambling or horse racing in this particular situation in Alberta, in my view, invites those that have nothing but self-serving intentions of becoming involved. That, as the hon. Member for Fort McMurray indicated, would be further accelerated and that invitation would be more pleasing, particularly in light of the deficiency that he pointed out that exists within section 20 of that particular Bill.

Now, I find it absolutely amazing that we would be passing legislation here that says that you can contravene the laws of this province but you will not necessarily be penalized. Mr. Speaker, I think that's appalling, and I would ask all members to have a very close look at that. That is definitely an open invitation for members that have less than society's interest at heart to become involved in these matters.

The Bill, as I read it as well, provides that group that I have expressed concern about to participate with immunity. I think that's a very sorry-telling tale on where this government is going if in fact we're going to encourage people to participate because they know they won't be prosecuted. I would also suggest, Mr. Speaker, that this hypocrisy that we see, where this particular private corporation sets its own rules and regulations, would be one more little enticement for the self-serving unsavory side of gambling to become very involved in this situation. We'd be naive if we overlooked the presence and the possibility of that.

4:00

As I examined this Bill, there was another large gap, in my view, Mr. Speaker. That is the fact that most of the clauses in the Bill are riddled with the term "may:" may require, may prohibit. I would suggest that when you look at something that has to be regulated such as gaming and such as gambling, you cannot have an optional word such as "may" riddled throughout these clauses. That again opens up the entire corporation to apply the rules as they see fit at the time of the day. Now, we know full well that when you give a group an opportunity to be optional, whether they have to prosecute or whether they have to register, then it very, very much leans towards being a process that'll be manipulated.

I guess it riddles some of the other legislation we've had in this House, Mr. Speaker. I think of environment, where companies are asked to be their own regulators in the environmental world. This here, again, is an ongoing situation like that. It's a turning over of Alberta to a corporate world who does not always have the best interests of society at heart nor the best interests of the citizens at heart. That has a tendency to end up being a very detrimental position to most Albertans.

Mr. Speaker, I certainly will be voting against the Bill. We know full well that this Bill, as has been so aptly pointed out by the members that spoke before me, has many large holes in it. When we're dealing with gambling and dealing with gaming, there is a very, very strong need to have a very strong Bill without a bunch of escape clauses in it. This Bill has that, and this Bill as a consequence, if it's passed and enacted in this Legislature, will open the door for this industry to be controlled by individuals that are simply looking to prosper and benefit themselves.

So I would ask that all members take some time with this particular Bill. This is not an element of society that we want to

turn over to those that in fact will manipulate it to their own personal benefit. Mr. Speaker, we know full well that the horse racing industry today has many bodies that attempt to regulate, whether it be drug use in horses, whether it be how many times a horse runs in a particular time period or the likes of that. Those are certainly enforced today. When I look at this Bill, I would suggest that a lot of those will be set aside, and the industry ultimately will be controlled by those that are, as I described earlier, from the unsavory side of society.

So with those comments, Mr. Speaker, I will turn it over to the next speaker.

THE SPEAKER: The hon. Member for St. Albert.

MR. BRACKO: Thank you, Mr. Speaker. Once again in looking at this Bill, we see that the Bill falls in ideology, not a carefully planned agenda that will benefit the racing industry in our province, and the racing industry is a very important industry. I had the privilege of going down to southern Alberta and visiting some of the industry, some of the best in the province, in fact competing very well with the industry in the United States. It creates a large number of jobs, jobs for individuals who may not be able to work elsewhere, but it does give them a job, an opportunity to contribute to our province and to our communities.

I also realize that the racing industry includes the chuck wagon races that are at almost every country fair in the cities and towns. The horses used are those that may not make the regular race-tracks, but they do take place and benefit the community, not just in jobs but in entertainment value, very important – my own family does support one of the chuck wagons that come from this – and create jobs.

That's what we've got to look for: how do we create jobs? But this Bill doesn't do it. It follows an ideology: an ideology of privatization of gambling, an ideology we see that we could have learned from from the privatization of the liquor industry. Right now the liquor industry is still in stress, in confusion, because they do not know if the big chains will be allowed to enter the industry and allowed liquor sales in their own buildings. If not, when? They haven't been given a date or an absolute no, this will not happen. We'll decide after the next election, is what we hear. People invested a lot of money, and in the racing industry the owners invest at great risk, I must add, Mr. Speaker. It is a game like Russian roulette. You may get one good horse out of 10 or 12, and that is part of the industry as it was described to me this spring.

So what we have here: again, they want to know where they're going. They want to improve the racing industry. We have to go back, of course, and look at the reasons why the racing industry has declined. The most obvious is the slot machines. They replaced racing. Now you go in front of a slot machine instead of having to go to the racetrack, and it's more convenient. So they're competing against slot machines, other forms of gambling, lotteries. For that reason the competition is fierce, tough, and they are suffering at this time.

How do you make it better? Well, you don't make it better by following an ideology. You make it better by having a plan, how it's going to be done, and you don't hand it over to a corporation to look after it and make their own rules and regulations. We all know that the wrong people can get in a corporation and make bad decisions and affect the whole . . .

MR. WICKMAN: These will be appointed by Steve.

MR. BRACKO: Yes, appointed by the minister, the friends of the government, as usually the case is. They look after their own interests instead of the racing industry, and we have many examples of this happening, the top 10 Tory blunders in the province . . . [interjection] No. When the Member for Barrhead-Westlock would not follow this route – he would plan it out so the government would look after it, be in charge, as few regulations as possible, but ones that have teeth, as in any case.

Another example in the liquor industry is transportation. They still don't know if it's going to be decentralized or centralized. They need to know that so they can plan ahead. In the racing industry they need to know future plans, look down the road, how it's going to affect the industry. You don't invest when you don't know the rules. The government changes the rules as they go along, flip-flops. One day, yes, it'll be here; the next day it won't be. The Premier says one thing; the minister says another thing. What is real? Set it out. Again no regulations, not even made in cabinet, as my colleague from Fort McMurray has said. At least that's better than self-regulation. It's like putting a fox to guard the chicken coop. They can do whatever they want. This is unbelievable.

MR. SEKULIC: It's the henhouse, I think.

MR. BRACKO: Henhouse, yes. I know the minister has been a vet and he looked after horses, so he understands a lot about the health of the horse and also a lot about the manure that's spread around in the horse industry.

It has become like Bill 57, that takes complete control away from the Legislative Assembly, from the people who are elected to protect the interests of all Albertans, not protect the interests of the friends of the government.

We cannot support a Bill like this, one that doesn't have a plan, one that follows an ideology that goes nowhere. Also, if the corporation goes in to debt, who's responsible for it? It doesn't say, you know. It's important that we look forward to a better plan, something that would give the racing industry hope for the future instead of confusion and chaos, as has happened in other parts of the government. We see what's happened with the government with a \$32 billion debt when they were supposed to know what they were doing. We don't want this to happen in the horse racing industry.

With those, I conclude, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Manning.

4:10

MR. SEKULIC: Thank you, Mr. Speaker. I, too, rise to make a few comments on Bill 49, the Racing Corporation Act. As I listened to the members of the Assembly who spoke before me and as I went through the Bill, I found some concerns that I had and wanted to make a matter of public record. The first thing I have to say is that I'm totally against the use of gambling revenues as a means of funding our core programs. I think this is yet another dependency that we shouldn't become comfortable with, because if there is a downturn in the economy, we may see health and education and social programming suffer because of an ill-planned approach to government.

[The Deputy Speaker in the Chair]

I see similarities here. I recall last year about the same time when we were debating in this Assembly Bill 57, which I believe

dealt with the delegated administrative organizations and permitted organizations outside of government and permitted government to delegate responsibilities to those organizations, in effect taking away a lot of the powers afforded to the full Assembly and providing those to the government, which it in turn could delegate.

A little more specifically, when I look to one of the areas that the Bill covers – and it refers to Crown agreements – it's stating that this new DAO, the Racing Corporation Act, is not a Crown corporation, yet it may on behalf of the government enter into agreements with any other government. When I looked at that clause, I thought: this is fairly serious; this is what the government couldn't bring to be through Bill 57, which of course the opposition didn't permit it to get away with. It's starting to piecemeal together, and we're seeing evidence of this in a number of different Bills. In a way, I'd refer to it as backdoor DAOs or backdoor delegating.

I look to another area where there's reference to the financial matters of this newest DAO, should it come to be, stating that all the revenues or all the moneys from other sources it receives are payable to the corporation and belong to the corporation. They went to some extent to specify where the revenues of this corporation would go, yet debt was conveniently left out. We know all too often, based on case precedent, Mr. Speaker, that debt seems to be what comes to be reality when government enters into agreements.

So I'd like to have seen, if they go so far as to attribute revenues to this corporation, that they would have gone so far as to attribute debts as belonging purely to it. I'm sure that at some point the minister of transportation will rise and comment on that, because he, too, is very concerned, after having hopefully learned the lessons of NovAtel. He was at the cabinet table when it was being discussed and approved, and then again having taken the experience to the bargaining table or the cabinet table for Bovar, certainly he would now see the benefits of attributing debt to those organizations, private enterprises, that the government is dealing with and not assuming it on behalf of the taxpayer. The lessons of the past clearly haven't been learned with what I've seen in this Bill.

I would like to suggest that prior to going further towards this dependence on gambling revenues as a means for funding core programs the minister would be well served to review the committee's work that was done by the Member for Lacombe-Stettler. [interjection]

Now the minister of transportation is pointing his finger at me in his usual way, saying that there isn't content, Mr. Speaker, and that's exactly my concern with this Bill. It's lacking sufficient content to assure Albertans that they're not going to be left on the hook. In particular, if the minister wants content as opposed to no content, he should refer to section 9(2) and then he should refer to section 10, and if he puts content in there, maybe I'll change my mind at the Committee of the Whole reading of this Bill.

DR. WEST: Mr. Speaker, there's been a good debate, some of it has even been on the principles of the Bill. Many questions have come up. What I'm going to do is I'm going to take *Hansard* and I'm going to go through it as soon as we can get a copy of it. When committee comes back up, I'm going to try to have a list of the questions asked by the various individuals, and I'll try to answer them as accurately as I can or put to bed some of the things. [interjection] Yes, I have been kind of chirping a bit this

afternoon, because some of the things mentioned here today are a misunderstanding of the status quo on the horse racing industry of the day. I hope to make the clarity between those and some of the interpretations of this Bill and exactly where we're going.

Thank you.

[Motion carried; Bill 49 read a second time]

**head: Government Bills and Orders**  
**head: Committee of the Whole**

[Mr. Tannas in the Chair]

THE CHAIRMAN: Hon. members, I call the committee to order. Again we'll stick to the convention of one member standing when speaking.

**Bill 46**  
**Regulations Amendment Act, 1995**

THE CHAIRMAN: We have under consideration amendment A1, as proposed by the hon. Member for Calgary-Buffalo.

The hon. Member for Edmonton-Manning.

MR. SEKULIC: Thank you, Mr. Chairman. I rise once again in support of the first amendment, which would require the Standing Committee on Law and Regulations to in fact be utilized to meet and discuss any regulatory changes and reforms in this province. I just want to be clear here. When I request that the committee do this, I'm in no way saying that the committee would itself handle the volume of work which provincial regulatory reform would require. In fact, what I'm saying is that the bureaucracy that's currently in place can handle much of the work and recommendations and preparations which then go to the committee.

What I would see is that this process that I'm suggesting would reflect very closely and parallel very closely the work that we as legislators currently do in terms of making laws for the province of Alberta. We in fact have consultation or we would hope to think that the government would utilize consultation, because we certainly do. Then after the consultation it goes to the bureaucracy, where we have very capable people who are hired based on their qualifications for the most part who work through the outcomes of that consultation and then they package it. They package that work that's come through the consultation in something that can be presented in this Assembly in the form of a Bill. Then the contents and the merits of the Bill are discussed and debated at the stage in the Assembly.

Now, I'm recommending that process exactly be utilized for regulatory reform so that we can in fact see a consultation occur. In fact that same committee that exists currently that the Member for Peace River utilizes would still remain a part of this process of regulatory reform, excepting the fact that its work would then go to the Standing Committee on Law and Regulations.

Last week, as I mentioned during the heat of debates, I got so into the debates that my colleagues from this side of the floor were participating in that I went down to the Legislature Library and in fact scanned the shelves where the Bills, where the legislation of this province, are stored side by side with the regulations that accompany those Bills. As I mentioned last week, the volume was similar, if not identical. So when I hear this argument of the overwhelming amount of work that regulatory reform would involve, certainly it's no more in volume than to

look through the Bills that we debate daily during session in this Assembly.

4:20

I wanted to state this for a matter of public record. I looked to the index of regulations, which I would assume by its name is the complete and comprehensive index of regulations for the province of Alberta. I heard some point earlier. The Member for Red Deer-North, the Minister of Labour, stated that there are 15,000 pages of regulations. Then he almost led us to believe that maybe there were 15,000 separate regulations. When I looked through this index, I in fact came across 92 pages of regulations accompanying all the Acts, or the laws, of this province. So I'm not sure where the other ones come from, and if they do exist, they certainly don't on the shelves of the Legislative Assembly library.

Mr. Chairman, I do believe that we need to revive this committee, that this committee has a purpose to serve on behalf of all Albertans. Like I said before, it is used in other jurisdictions within Canada with great success. For whatever reason, I assume the same reason as the fact that we were the last jurisdiction in North America to pass the freedom of information Act, we are now the last jurisdiction within North America debating the value, the merits of the Standing Committee on Law and Regulations. I would argue that it has merits and the only way we are to discover them is by permitting that committee to meet. By incorporating this amendment into this proposed Bill 46, the Regulations Amendment Act, 1995, it would be strengthened, and very dramatically so, by the inclusion of this amendment.

With those few comments, Mr. Chairman, I'll pass the floor to a colleague.

THE CHAIRMAN: The hon. Member for Fort McMurray.

MR. GERMAIN: Thank you very much, Mr. Chairman. The last time this issue was debated, the hon. Member for Peace River, the sponsor of this Bill, went out of his way to throw salt in my eyes about the quality of my debate. I tolerated it very quietly, and I didn't get chattering or chirping, to use the phrase of the minister of transportation. He said that he couldn't understand some aspects of my debate. I therefore am in the position this afternoon where I have to repeat some of those aspects. I had thought that I had made them clear, but obviously I hadn't. I take full responsibility for any of that lack of clarity, so I will repeat my comments and try and approach it from a different way so that the hon. member can understand the points that I was trying to make that he indicated he couldn't understand.

Now, the first point that I want to say to the member is that he will remember that I talked about the Legislature Library right here in this building, and he stood up later and said: I couldn't understand what he meant by that. Well, let me try and be more clear. This Regulations Act that we're debating today, in addition to all of its flaws and imperfections, is also very interesting because it follows very hot on the heels of Bill 42, where in chronological number Bill 42, the Miscellaneous Statutes Amendment Act, 1995, was one of the last pieces of business that we passed last spring before adjourning before the summer. It was given Bill 42, and it dealt with amendments to the Regulations Act. It in fact added section 10 to the previously existing section 9 so that now the hon. member can bring forward a Bill that says section 11.

The point I was trying to make, hon. member, which in your debate you indicated that you did not understand, was: what could be the motive for coming forward with this particular piece of

legislation now, just a few scant months after the government has reviewed the Regulations Act and has made their amendments as indicated in section 10 of that Act, the objective of which in fact is to develop some way to end regulations that have expired or are no longer valid? Now, if the issues that you raise in this Assembly are pressing today, my question to you is: why weren't they pressing just a few short months ago when Bill 42 came in? We're debating the same issues presented two or three Bills later, and one has to wonder: what is it that changed from the time we passed Bill 42 that would indicate that the Regulations Act has to again be reviewed in the form of Bill 46?

Now, the other point I was making in that debate, Mr. Chairman, that the hon. member obviously misunderstood – he could not understand why I was referencing an incomplete Act of the government in our own library right in this Legislature. Well, hon. member, I was doing that to make the point that it is very, very hard for the public to keep up . . .

#### **Chairman's Ruling Decorum**

THE CHAIRMAN: Hon. members, although members are not standing and talking, we do have a lively discussion going on. There's also a matter of courtesy. It is not courteous to sit with your back to the chairman for prolonged periods of time, and that might be observed.

Hon. Member for Fort McMurray, if you would continue. Hopefully you're not repeating yourself. You did indicate that you were going to do that, but then of course you open yourself to being challenged on repetition. I'm sure you weren't. You were going to explain again but using different words.

MR. GERMAIN: I was trying to do that, yes. That's exactly what I was doing, Mr. Chairman. It's always gratifying to me when I can maintain facial contact with the hon. Minister of Energy, because it allows me, through her facial mannerisms, to pick up my tempo and to focus on those issues that are particularly troubling to her and answer her questions so that when we call for the vote on this very important amendment, I know that whoever else stands, the hon. minister will be standing along with the hon. Member for Calgary-Buffalo and the hon. Member for Fort McMurray, an unshatterable trio of interested individuals interested in advancing the laws of Alberta and not kicking salt in the eyes of those people who are attempting to shed some light to the debate.

#### **Debate Continued**

MR. GERMAIN: So now, Mr. Chairman, I return to my comment about the Legislature Library: that the Interpretation Act was out of date even in our own Legislature Library. The point that I was making, hon. member, is that if we cannot even keep the laws up to date, what hope is there for the regulations and for public awareness of the regulations when we do not scrutinize those regulations and we do not expose them to the debate in this Legislative Assembly or to the committees of this Legislative Assembly? That was the point I was trying to make. I was trying to point out that for the average Albertan it is almost impossible to keep up with the laws of Alberta let alone the many thousands of obscure regulations, passed in a backroom fashion without scrutiny, without debate, and without anybody bringing them to the attention of the public that needs to rely on them.

Now we come to this amendment and the significance of this amendment. This amendment would basically preserve the hon.

member's approach. He wants to have automatic sunset clauses so that he can be sure that regulations are reviewed. With respect to the hon. member and to those members of his caucus that support that point of view, I suggest to him that he has the cart before the horse. Surely before we put sunset clauses on regulations for the sole purpose of getting the willpower to review them, we should be prepared to admit and acknowledge that there are committees of this Legislative Assembly that do have the willpower to review those regulations and are prepared to study them to see whether or not they have any merit. It seems to me to be flawed thinking, Mr. Chairman, to force yourself to a deadline and then have an amendment extending the deadline simply to determine whether or not a regulation is valid and whether the regulation should be grandfathered or sunset or whether the regulation should be modified or amended. Surely by whatever procedure we adopt in this Legislative Assembly, we should study the regulation first and then determine what we're going to do with it, not automatically put the axe to it.

#### **4:30**

Now, some members opposite will say, "Well, we're not automatically putting the axe to a regulation," but what could this phrase mean otherwise: "in order to ensure that regulations filed . . . are reviewed"? That's like saying that you're going to buy three alarm clocks to make sure you can get up to come to work on time. You shouldn't have to do that. We should be able to simply establish what we're going to do with these regulations and deal with it. You know, the hon. Member for Barrhead-Westlock doesn't need three alarm clocks to get up to come to work in the morning. The hon. Member for Pincher Creek-Macleod doesn't need that. The hon. Member for Calgary-Montrose doesn't need three alarm clocks to get up in the morning. Why, then, to review and ensure that regulations are valid in this province, do we have to come up with artificial sunset clauses, arbitrarily assessed for no other purpose other than to review them? Surely a review of a regulation can take place without a gun to the head of the regulation.

What about all of those people who might be affected by that regulation? What about the people who suddenly see their lifestyle change or their way of doing business turn topsy-turvy with some arbitrarily set sunset clause? What about those people? Are we going to say to them: "Oh, sorry that your blood pressure went through the roof; I'm sorry that you clutched your heart and collapsed with fear and terror. We really didn't intend to repeal the regulation that protects patients in hospitals. We only wanted to review it to see if it was still valid in today's modern thinking." That does not sound to me like good government policy, and I'm hoping that by the end of this debate it will not sound like good government policy to the hon. members of this Assembly.

Now, what is it, then, that we propose to do with this first amendment? The first amendment is a very simple and straightforward amendment. It in fact would make our legislation in this province coincide and harmonize with much legislation around the dominion of Canada. It is that we have in this particular Legislative Assembly an all-party committee, chaired by the hon. Member for Calgary-Shaw, who nobody on that side of the floor of this Assembly has stood up and repudiated or criticized or said is wanting in some material way or inadequate or unqualified to review regulations passed pursuant to the legislation passed by this Assembly.

So what is the conundrum? Why should there be any opposition whatsoever to this amendment at all? Quite the contrary. The hon. members opposite should be embracing this amendment

as the style of the so-called good, honest government that the hon. minister of advanced education today indicated. He stood up and said: in furtherance of open government I'm tabling this and I'm tabling that. Well, why don't we put our money where our mouths are? Why don't we, in furtherance of good open government, say, yeah, let's take this matter and let's review these regulations by the Standing Committee on Law and Regulations?

That committee has not met in the two years that I've been here, and my understanding of the history of the matter is – and hon. members from elsewhere can correct me on the history if I'm wrong – that that committee has never met in the recorded history of the Assembly.

AN HON. MEMBER: October 2, 1985.

MR. GERMAIN: October 2, 1985, I'm told by an hon. member who is listening to the debate. What do we have that committee for then? Is it simply to sit on the discipline function of the Members of this Legislative Assembly when they get out of line? Is that what it's for? If so, let's rename it and call it that, but if it's going to review regulations, let's urge the Premier to call that committee to order. Let's start referring the regulations to it. The hon. member's committee can continue to make its reasonable responses to regulations, can achieve its mandate, and then we're going to funnel these regulations to a standing committee.

Now, the hon. Provincial Treasurer today, in his enthusiasm to incite as opposed to provide insight, said that only the Liberal opposition knows what's good for Albertans in regulations. We have never said that. The hon. Member for Calgary-Buffalo has never said that. The hon. Member for Edmonton-Roper has never said that. You know, last week I had to listen while an hon. Member of this Legislative Assembly bashed away at another hon. member of this Assembly on whether or not that member respected farmers. That member herself is a farmer's daughter and certainly respects farmers.

So in the hysteria of the debate let's not forget what we're trying to do here. We're trying to refer regulations to a committee of this Legislative Assembly, the majority of which are Conservative members. Surely the Legislative Assembly has confidence in their own committee, chaired by the Member for Calgary-Shaw and controlled by a majority of Conservative Members of this Legislative Assembly. What could be less fair than that? This amendment speaks about open government. It speaks about debating regulations. It speaks about providing a sober second thought. It speaks about bringing the ideas and the trends and regulatory direction and reform of the way people conduct their business in Alberta to the forefront and in the light of the day.

So I am going to take my place now in this area of debate and urge all of the members to support this amendment to Bill 46, which I had the honour of introducing on behalf of the hon. Member for Calgary-Buffalo. When we vote on this first amendment, my friends, let's vote for a real change in the way we do business in the province. Let's vote for efficiency, let's vote for competence, and let's vote for quality review of regulations. Let's vote for this amendment.

That concludes, Mr. Chairman, my comments on this amendment at this time.

THE CHAIRMAN: Are you ready for the vote?  
Calgary-Buffalo.

MR. DICKSON: Well, thanks, Mr. Chairman. One of the advantages in having a debate that goes over a number of days is that it allows for some interaction between members on both sides of the House. Although government members seem to be loathe to stand up and engage in debate, where it appears in *Hansard* and becomes part of the record, there certainly has been an opportunity, at least I've had a chance, to chat with some members on the government side. I think I have a little better understanding of some of the concerns that the government has with this amendment, and I wanted to spend a couple of minutes attempting to address those concerns and see if I can't satisfy members who have been perhaps reluctant to embrace what I think is a pretty positive amendment. I'd like to try and address some of those concerns.

One of the things I hear frequently is that the government has embarked on a new regulatory process, and since the government sees itself as doing some pioneering work, this amendment is seen as, in some fashion, a step backwards. In effect, Mr. Chairman, really what it does is it expedites the work of the government's task force. It facilitates the Alberta Regulatory Reform work plan. It gives, I think, far more impetus to the government's booklet *Back to Basics*, that was published in November of 1994.

Just in terms of what's happening in other parts of the country, there's been some reference before to what's going on in Manitoba and Newfoundland. What's of significance perhaps to members is that when the government of Newfoundland decided that they wanted to do what the government of Alberta is doing, which is trying to streamline regulations and eliminate regulations that no longer serve a useful purpose, they went to a Newfoundland Supreme Court justice to act as an independent commissioner. He had the mandate to subject all existing regulations to a vigorous test of effectiveness, and all regulations that couldn't be justified in front of that Supreme Court justice in that jurisdiction were to be discontinued after April 19, 1995. The key there and why that's distinguishable from what we're doing here is that there it's an independent person. So Newfoundland clearly understands the gist for the amendment that's currently on the Table, Mr. Chairman.

4:40

The second government that has made some moves to deal in this area is in the province of Manitoba, where in March of 1994 an advisory panel on business regulations was set up. The purpose there was to reduce red tape, but I think what's important to note is that the mandate there was one to deal specifically with those regulations that impacted on small businesses. Somewhere along the way, in Alberta's haste to copy what happened in Manitoba, it was a question of not recognizing that the Manitoba initiative had a far more limited scope. While it would certainly make sense to have small businessmen on a panel looking at how we prune regulations that affect small business, in Alberta what we have is a sense that we're going to have small businessmen on a consultative basis talking about what regulations perhaps are necessary in the area of child welfare, in the area of early childhood services, or nursing home care.

The other concern I've heard and I wanted to address on the record, Mr. Chairman, was: why is the opposition making this big to-do about a single Bill? It's only really a page, it only has three subclauses, and the concern's been expressed that this is simply too much time in the Assembly and too much effort focused on such a skinny Bill. I think the way I'd attempt to respond to that is to remind members that we've attempted to deal with regulations in a broader sense for some time. I would be the first to



concede that Bill 46 doesn't address the entire regulatory system in terms of how Alberta deals with regulations. We're not replacing the Regulations Act. We're simply, in the words, I think, of the Member for Peace River, trying to facilitate what now is a mechanism that can work but is a bit cumbersome in terms of sunseting and eliminating stale regulations.

I guess the reason why we have to make a stand as we have, as in opposition, on this Bill is that the opposition, of course, Mr. Chairman, can't pick the Bills that the government introduces, and we're constrained, quite frankly, by the government's legislative agenda. So when they bring in a Bill that opens up the Regulations Act, albeit in one fairly narrow element of that, that is as good an opportunity as this Legislature's going to have perhaps in this session.

AN HON. MEMBER: Until there's a Liberal government.

MR. DICKSON: My colleague suggests: at least until there's a Liberal government.

It's the best opportunity we have to present this issue, to make the point, and to inform Albertans on what we're about, which is part of the process of the Legislative Assembly.

We perhaps wouldn't even have to be engaged in this debate if in fact the government had responded to concerns raised by the opposition over the past time. We have asked numerous times to empower the Standing Committee on Law and Regulations. We asked on March 7, March 28, April 12, May 2, May 3, May 9, May 16, May 19, November 7, all of 1994. We asked again in 1995 on February 22, February 28, March 6, and other dates that I don't have recorded here. So there have been numerous requests and urgings from the opposition that we deal with the Regulations Act, we deal with the Regulations Act process maybe in a more comprehensive way, and when Bill 46 presented itself, we recognized that this was the best opportunity we were going to have.

Now, the other point that I think has to be made – again there's been much talk about the Committee on Law and Regulations. I thought it would be useful just to go back and point out that this committee, or at least an earlier version of it, is one of the oldest committees in Alberta. In fact, I'm pleased to see the Minister of Education with us this afternoon because, if memory serves, I think it was the Minister of Education who had the distinction of sitting on this committee when it last met on October 2, 1985. The committee originally, when it had been formed in 1906, was called the select standing committee on legal Bills. In 1932 the committee was renamed law amendments. In 1964 it became the municipal law and law amendments, renamed again in 1970 as the committee on law, law amendments, and regulations, and in 1974 was given its current name.

Unfortunately we didn't have the kind of *Hansard* and transcript prior to the 1970s, but what was interesting, members may be interested in knowing, was that the committee did work at one point and did accomplish something productive. Between May of 1984 and October 1985 the committee was given the mandate of reviewing and making recommendations on the report of the Institute of Law Research and Reform. This covered a whole range of different areas including amendments to provincial legislation dealing with debt collection practices, matrimonial support, minors' contracts, family court, compensation for expropriated land, and the Builders' Lien Act. Then it would have been October 2, 1985, when the committee last met, and the current minister of Public Works, Supply and Services as well as

the Minister of Education had in fact been part of that committee, Mr. Chairman.

The objective of the amendment is simply to better be able to achieve the recommendations of the government's own task force. I think the point can be made, Mr. Chairman, that to most Albertans, whether this is accurate or not, the perception is that government members are going to be less aggressive in terms of holding cabinet ministers accountable than would an opposition member. It's as simple as that. Members opposite may argue that that's not accurate, that it just isn't so, but it's clear that that's the public perception. That's why Newfoundland went to an independent person to deal with regulations. I've heard it said that there is already public input because the standing policy committees of the government deal with matters in terms of initiatives and so on, but the reality is that those are composed exclusively of government members. So that is of little comfort, of little solace, to Albertans that want a general oversight function discharged by MLAs. So we've got this problem of the perception of an affinity between government members and ministers. I know in plenty of cases, Mr. Chairman, that may not be the case, but it's absolutely clear that that's the perception.

I guess the other thing I'd say is that it surprises me that the government feels threatened by this amendment. How could they possibly be threatened by an amendment which is as innocuous as this one? The government has control over the standing policy committees, and that's a closed shop. The minister and the minister's office is a closed shop that has no public input. The whole Regulatory Reform Task Force was basically a government-shop production. The Back to Basics booklet was a government-controlled process. The task force is made up of either government members or government appointees. So given those circumstances, it's obvious that the government has almost complete control over the process. To top it off, the Standing Committee on Law and Regulations is chaired not by an opposition member; it's chaired by a member of the government caucus. The government caucus has a majority of members on that committee.

So one would have to ask: how is it possible that the government could be threatened by this kind of initiative, an initiative that facilitates what they're trying to do in terms of regulatory reform, an initiative that opens up the process, which the government says it wants to do in all aspects of government activity? I would think that these suggestions would be positive ones. I would think that they'd be enthusiastically received by the provincial government. It's mystifying why they're not. It can only heighten suspicion, Mr. Chairman, that the government in fact is concerned that they may not be listening to all Albertans and they don't want that to be exposed. I mean, what other reason could there be for the government's persistence in carrying on on this basis?

4:50

So, Mr. Chairman, I made the points I wanted to at once on the amendment. There may be other speakers to it, so I'll take my place for a moment so that I just may have a chance to participate in the debate on this amendment.

Thanks very much.

MRS. BLACK: Mr. Chairman, I move that the committee now rise and report.

[Motion carried]

[The Deputy Speaker in the Chair]

THE DEPUTY SPEAKER: The hon. Member for Dunvegan.

MR. CLEGG: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain Bill. The committee reports progress on the following: Bill 46. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

**head: Government Bills and Orders**  
**head: Third Reading**  
**Bill 47**  
**Vencap Equities Alberta Act Repeal Act**

THE DEPUTY SPEAKER: The hon. Minister of Economic Development and Tourism.

MR. SMITH: Thank you, Mr. Speaker. I move Bill 47, the Vencap Equities Alberta Act Repeal Act, for third reading this afternoon.

SOME HON. MEMBERS: Question.

THE DEPUTY SPEAKER: Are you ready for the question?  
 Edmonton-Manning.

MR. SEKULIC: Thank you, Mr. Speaker. I rise in support of Bill 47, and noting that we are getting on in the day, I will make my points brief yet to the point.

This Bill does go one step further in getting this government out of the business of being in business, and I do want to specify very clearly, Mr. Speaker, the reasons or the basis on which this Bill is being supported by myself and in fact the members of the opposition. In specific there was a letter from the Provincial Treasurer to the Member for Edmonton-Whitemud stipulating some of the terms of this support, and I just want to read very briefly those terms. In the Provincial Treasurer's letter he states:

Disposing of our interest in Vencap requires the passage of Bill 47, Vencap Equities Alberta Act Repeal Act in the current legislative session. Proclamation will not take place until an agreement favourable to Alberta taxpayers has been finalized.

To ensure that taxpayers are well served we commit that the Government's advisor's recommendation will be made public

coincidental with the proclamation of the Vencap Equities Alberta Act Repeal Act.

Then having put that in writing, once again the basis of our support for this Bill, the Treasurer goes on to say on page 2203 of *Alberta Hansard*:

I want to give a commitment to the hon. member. I want to assure the hon. member, I will give a promise to the hon. member and his colleagues that we will stick with this open, competitive process until we complete the arrangements on Vencap, until we have properly disposed of our interest in Vencap – I give that assurance on behalf of the government to the hon. member – and that no proclamation of this Act will take place until that assurance I have given the hon. member today is in fact a reality.

Mr. Speaker, on those conditions, on those terms, and on those assurances I am happy to say that I will be supporting this Bill and assisting the government and in fact pushing the government to get out of the business of being in business.

THE DEPUTY SPEAKER: The hon. Minister of Economic Development and Tourism.

MR. SMITH: Well, thank you, Mr. Speaker. In fact, I'd also like to thank members from the side opposite . . .

THE DEPUTY SPEAKER: The hon. minister is closing debate.

MR. SMITH: Yes, that's exactly true.

. . . for their vigilance, also for their support of this Bill and their ability not to stand in the way of the government getting out of the business of being in business. I believe that the tabling of the letter, Mr. Speaker, has in fact solved any issues that members opposite may have, and we look forward to judicious disposition of this investment.

So with those final comments, I call for the question.

[Motion carried; Bill 47 read a third time]

**Bill 48**  
**Teaching Profession Amendment Act, 1995**

MR. JONSON: Mr. Speaker, I'd move third reading of Bill 48, the Teaching Profession Amendment Act, 1995.

[Motion carried; Bill 48 read a third time]

MRS. BLACK: Mr. Speaker, this is a very important day in Canada, and I know that all members are anxious to listen to results coming in. So I would move that the House call it 5:30 and we do adjourn until 1:30 tomorrow.

[At 4:58 p.m. the Assembly adjourned to Tuesday at 1:30 p.m.]