

Legislative Assembly of Alberta

Title: Wednesday, February 21, 1996 1:30 p.m.
Date: 96/02/21
 [The Speaker in the Chair]

head: **Prayers**

THE SPEAKER: Let us pray.

As Canadians and as Albertans we give thanks for the precious gifts of freedom and peace which we enjoy.

As Members of this Legislative Assembly we rededicate ourselves to the valued traditions of parliamentary democracy as a means of serving our province and our country.

Amen.

Please be seated.

head: **Presenting Petitions**

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

MR. BRACKO: Thank you, Mr. Speaker. I'm filing a petition by 163 St. Albertans who call for the government of Alberta to provide quality kindergarten education for our children by maintaining a minimum of 400 hours of instruction per child per school year. This right should be guaranteed by legislation. The school act must be changed to include mandatory provision and fully funded kindergarten for all children.

head: **Reading and Receiving Petitions**

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

DR. NICOL: Thank you, Mr. Speaker. I request that the petition I filed last Wednesday, the 14th of February, be read and received.

THE CLERK:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government to prohibit regional health authorities from moving elderly people against their will to long term care facilities in communities far from their families, churches and other community supports, thereby greatly lessening their quality of life.

head: **Tabling Returns and Reports**

THE SPEAKER: The hon. Minister of Environmental Protection.

MR. LUND: Thank you, Mr. Speaker. In keeping with this government's openness and accountability, I wish to table the answers to Written Question 236, the response to Motion 238, and the response to Motion 240.

THE SPEAKER: The hon. Minister of Health.

MRS. McCLELLAN: Mr. Speaker, thank you. I am tabling the annual report of the Health Facilities Review Committee for the period January 1, 1994, to March 31, 1995. Copies of that report will be distributed to all members.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I'm pleased to rise to present a report which outlines a partial list of over 20

AMPDC-related film and television projects that have occurred in rural Alberta recently with an estimated economic impact in the millions of dollars to those rural communities of Rowley, St. Paul, Bragg Creek, High River, Drumheller, Banff, Stony Plain, Sylvan Lake, and many, many others.

Thank you.

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

MR. BRUSEKER: Thank you, Mr. Speaker. I'd like to table four copies of a most puzzling letter from the Government House Leader to myself telling me the outcome of a vote to be held soon in the House on a motion that proposes to create subcommittees and that the outcome of the motion is already a certainty. [interjections]

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

MR. SAPERS: Thank you, Mr. Speaker. [interjections] Today I'd like to table with the Assembly four copies of a letter from an outstanding clinical leader in the practice of family medicine, Dr. Wilke.

THE SPEAKER: Order, hon. members. The Chair is having difficulty hearing the hon. member.

MR. SAPERS: Thank you, Mr. Speaker. He concludes in his discussion of the future of family medicine some rather startling pointers for the people of this province. I'd like to leave this information with the Assembly.

THE SPEAKER: Did the hon. Minister of Economic Development and Tourism have a tabling he wished to make?

MR. SMITH: I don't have it with me. Not today, Mr. Speaker. Thank you.

head: **Introduction of Guests**

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

MRS. ABDURAHMAN: Thank you, Mr. Speaker. It's indeed a pleasure and a proud moment to introduce to you and through you to the House 45 of the best students from Our Lady of the Angels school in the city of Fort Saskatchewan. They're accompanied by two teachers, Mr. John Robertson and Miss Lesley Harman. Two parents have very generously volunteered their services today, Mrs. Leslie Erickson and Mrs. Pat McKinlay. I'd ask you to rise in the public gallery and receive the warm welcome of the House.

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

MS HANSON: Thanks, Mr. Speaker. I wish to introduce to you and through you to the members of the Assembly Johanne Tardif, who is seated in the public gallery and is the nominated Liberal candidate for her constituency in the next provincial election.

THE SPEAKER: The hon. minister of science and research.

MRS. MIROSH: Thank you, Mr. Speaker. I'd like to introduce to you and through you to members of the Assembly a dear

friend, a constituent, and a member of the Chiropractic Association, Dr. David Walcott, who's sitting in the members' gallery. Please stand, Dr. Walcott, and receive the warm welcome of the Assembly.

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

MR. WICKMAN: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to Members of the Legislative Assembly on behalf of the Member for Edmonton-Glengarry 60 visitors from St. Matthew school. These visitors are grade 6 students, one class in the regular program, the other in the Ukrainian bilingual program. They're accompanied today by two teachers, Peter Maximchuk and Ms Grace Yanda. Ms Grace Yanda is a special friend of the Member for Edmonton-Gold Bar and of myself as well. I would ask them to rise in the members' gallery and receive the traditional warm welcome of the Assembly.

head: **Ministerial Statements**

THE SPEAKER: The hon. minister responsible for science and research.

75th Anniversary of the Alberta Research Council

MRS. MIROSH: Thank you, Mr. Speaker, members of the House. It is a great privilege today to congratulate one of Alberta's foremost organizations. This year the Alberta Research Council is celebrating its 75th anniversary.

The Alberta Research Council was created following World War I by a group of men and women who had a vision for this province and who recognized Alberta's potential. They also realized that the key to advancement and prosperity was scientific knowledge and technological development.

Some people may be surprised to learn that the Alberta Research Council is one of the oldest corporations. In fact, since 1921 the Alberta Research Council has played a vital role in the province's development and has an enviable record of achievement. This record of achievement is one reason why the Alberta Research Council has been given the honour of gracing the front cover of the Edmonton white pages telephone book.

Over its lifetime the Alberta Research Council has played a significant role in energy, forestry advancements, and provision of wide-ranging technology development for industrial clients, large and small, from biotechnology and manufacturing to advanced computerization and engineering. Many Albertans can and do testify to the valuable help that they have received from scientists and engineers at the Alberta Research Council, and this has translated into jobs and increased business and export sales.

I'd like to touch on a couple of examples, Mr. Speaker. In any given year the Alberta Research Council has worked with more than 900 companies, most of them small to medium size. It is the backbone of Alberta's economy. A recent survey of customers and partners indicated that the Alberta Research Council's work with just the last seven companies has created sales of \$10 million, 97 direct jobs, and has generated \$15 million in wealth. In the forestry industry panelboard exports from Alberta have increased 260 percent since 1988, owing in large part to investments of the Alberta government and advanced technology at the Alberta Research Council.

Our province would not have witnessed these successes if it weren't for the people responsible for the Alberta Research

Council performance. The board of directors, the management team, and most of all the staff at the Alberta Research Council should be proud of the role they have played in creating an internationally recognized technical company.

1:40

Seventy-five years is a long time in this young land. The contributions by ARC have been many. Our province has had the foresight to create this economic development tool over the seven decades, and we have to continue to support the knowledge-based industry. On behalf of the Member for Cypress-Medicine Hat, who is also the chair of ARC, and myself and on behalf of Members of the Legislative Assembly I'd like to offer congratulations to the Alberta Research Council for a job well done and best wishes for continued success in contributing to the quality of life in Alberta.

I'd like to also acknowledge that the Research Makes Sense buttons at the desks are compliments of the University of Alberta in celebration. I'd also like to acknowledge that Technology for Business has been an insert in *Alberta Report* and *Maclean's* magazine, and I hope all of you will pass this around to the people of Alberta.

Thank you, Mr. Speaker.

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

MR. SEKULIC: Thank you, Mr. Speaker. Our caucus would like to join the minister in acknowledging the important and significant contribution that the Alberta Research Council has made towards keeping Alberta's economy competitive over the past 75 years. The Research Council was one of the first entities to recognize that the key to future economic prosperity relied upon our success in building an innovative economy. The council plays an important role in ensuring that Alberta remains a leader in many technological areas including resource development. The contribution of the council has been crucial in ensuring that Alberta businesses maintain that ability to compete in the continually evolving global market.

Mr. Speaker, I would like to applaud the council for another one of their innovations; namely, that it was one of the first, if not the first, provincial government agencies to set out performance measures and to begin to quantify the impact that its research had on economic development in Alberta. This system of performance measures was in place by 1991 and predated the efforts of this government to include performance measures in their budgeting. The council deserves the support of all Albertans for being trailblazers in this regard.

I think that the comments from the private-sector partners tell the real tale of the Alberta Research Council and its success. I specifically refer to the comments of Doug Jensen, Petrovalve's product development vice-president, who states: the fact that we can say our development and testing was done at ARC gives us a measure of credibility that a small company simply wouldn't have on its own.

Mr. Speaker, I along with my colleagues wish the ARC continued success with their private-sector partnerships and efforts in the areas of commercialization of advanced technologies and oil sands development. Our congratulations go the Alberta Research Council.

head: **Oral Question Period**

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

MR. BRUSEKER: There's a new list, Mr. Speaker.

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

Social Housing Corporation

MR. BRACKO: Thank you, Mr. Speaker. As of March 31, 1995, the Alberta Social Housing Corporation had loan guarantees of \$376 million to financial institutions, many of whom had near billion-dollar profits last year. The Alberta Social Housing Corporation has already made a \$6.4 million provision for losses on these guarantees. I'm tabling four copies of a letter which details which financial institutions have received guarantees on mortgage purchases from the Alberta Mortgage and Housing Corporation. My questions are to the Minister of Municipal Affairs. Will the minister confirm that Alberta taxpayers will be on the hook for at least \$6.4 million to pay off financial institutions who own mortgages on properties that are guaranteed by your government?

MR. THURBER: Well, Mr. Speaker, there have been ongoing deals with the CMHC and AMHC on housing projects over the last probably 30 years, and some of these guarantees are in fact still in place. There's no doubt about that. We've been moving rapidly over the last few years to get out of the social housing portfolio and to rid ourselves of these guarantees, but they are something that at some point in time we have to deal with. I can't give accuracy to any figures that the hon. member has brought up, but certainly there is a point there, that we do have guarantees on mortgages yet.

MR. BRACKO: Can the minister explain to Alberta taxpayers why they continue to bear all the risks for hundreds of millions of dollars in mortgages owned by the banks when the banks get all the profits?

MR. THURBER: Mr. Speaker, as I mentioned before, there was a process in place over the last 30 years in this province where there were mortgages guaranteed by this government and the governments previous to this through the Alberta Mortgage and Housing Corporation, and these were in some cases in conjunction with CMHC, which is the Canada Mortgage and Housing Corporation. Some of these guarantees are still in place. We've been in a process for several years now to rid ourselves of these, and what the exact figures are I couldn't give the hon. member at this point in time.

MR. BRACKO: Will the minister admit that Alberta taxpayers are at further risk and that losses on these guarantees could increase if the housing market weakens?

MR. THURBER: That's a hypothetical question that would require a hypothetical answer. If he knows that the housing market is going to decrease more than now, I wish he would impart that information to us, because it would be really good information if he can guarantee whether it's going to go up or go down.

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

Goods and Services Tax

MRS. BURGNER: Thank you, Mr. Speaker. My question today is to the Minister of Education. School boards across the province are expressing concern that the proposed changes to the

federal goods and services tax will result in school boards not being exempt from paying the sales tax. In correspondence I've received from the Foothills school division, which is a relatively small, rural division, they estimate that over \$500,000 is the price tag that they may be having to come across with. This change will result in increased costs for boards, costs that have not been budgeted for. Could the minister please explain what position his department is taking on these changes?

MR. JONSON: Well, Mr. Speaker, the hon. member is quite correct in that there is a proposal that is being discussed and concerns school boards across this province that they might in the possible conversion of the GST to a general sales tax lose the 68 percent credit that they are currently receiving on the GST.

Mr. Speaker, in terms of the position not just of our department, of Alberta Education, but of this government, the position of the government is quite clear as put forth by the Premier and by the hon. the Provincial Treasurer, and that is that we are opposed to any general sales tax being imposed on Alberta.

THE SPEAKER: Supplemental.

MRS. BURGNER: Thank you, Mr. Speaker. Again to the minister: is there any indication as to when this tax would come into effect and what the cost to Alberta school boards would be?

MR. JONSON: Mr. Speaker, in terms of the first part of the hon. member's question, one can only suggest that possibly with the upcoming federal financial statement we will learn something more about their plans, but indications are that there might be some period of time after that announcement before there would be any conclusion reached. So my answer there has to be very general.

In terms of the second part of the question, Mr. Speaker, the information that we've received from the Alberta School Boards Association indicates that the amount involved could be very, very significant, something in excess possibly of \$30 million as a negative impact on school boards.

1:50

THE SPEAKER: Final supplemental.

MRS. BURGNER: Thank you, Mr. Speaker. Has the minister made any representations on behalf of government to the federal government on the adverse effect of this rebate loss to our school boards?

MR. JONSON: Mr. Speaker, the spokesmen for government on this particular question are the hon. Premier and the Provincial Treasurer, and I think their position has been made very clear in terms of their desire on behalf of the government and the people of Alberta to protect the interests of Albertans. In terms of our spokespeople on this particular topic, which is very broad ranging beyond school jurisdictions, those individuals carry the representation from this government and provide leadership in this direction very strongly, I might add.

In terms of my role as Minister of Education I have not been involved directly in those meetings, but I have requested that this item be placed on the agenda of the upcoming meeting of the Council of Ministers of Education of Canada and will speak to it at that time.

Speaker's Ruling Speaking Order

THE SPEAKER: Before proceeding, the Chair regrets the lapse, but it appears that there's been a significant change to the question lineup. The Chair wasn't advised of the implications of that. So we'll now move on to make up for that.

The hon. Member for Edmonton-Highlands-Beverly.

Poverty

MS HANSON: Thank you, Mr. Speaker. Recently social services and intergovernmental affairs ministers from across the country produced a report called the Ministerial Council on Social Policy Reform and Renewal Report to Premiers. I will now table four copies of that report. Commissioned by the Premiers last August, the report is an attempt by the provinces and territories to find common ground in future negotiations with the federal government. My questions are to the Minister of Family and Social Services. Mr. Minister, what was Alberta's participation in developing this report?

MR. CARDINAL: Mr. Speaker, of course Alberta was glad to be invited to participate in some of the findings in the report by attending at least two or three meetings with other jurisdictions across Canada and the territories. In fact, I believe we had about three meetings with the ministers of social services from most of the provinces and also the territories to try and lay out a framework as to what direction the social policies may go in Canada. Because of the success of some of the reforms that took place in Alberta, no doubt Alberta played some key role in directing what we feel is what the clientele needs out there and what governments can afford.

MS HANSON: Mr. Speaker, the second question is to the same minister. Can the minister endorse this national document, then, given that it states that one out of five children lives in poor families, the very statistic that the minister claimed yesterday in this House was not credible?

MR. CARDINAL: Mr. Speaker, it is unfortunate that anyone has to live in poverty in Canada, and this government of course will deal with that issue as much as we can at the provincial level. The member is referring again to a document which I mentioned yesterday. It's a two-page report done by a number of agencies that showed that a certain amount of people live in poverty. That's not all this document had. This document, which the Liberals support, also suggested that people should "reject workfare," which means training. The Liberals support that, that people should reject workfare training.

Mr. Speaker, the other thing the document says that the Liberals support is: "stop and reverse the deregulation, privatization, and fragmentation of services to children." When it comes to children's services, 50 percent of the children in care under my department are aboriginal children. Therefore, the delivery systems for those particular children could be done better by aboriginal people. Now, if Liberals call that privatization when aboriginal communities deliver services for their own people, then they'd better rethink again.

Mr. Speaker, the other item the Liberals supported – and they openly supported this document – is rights for children who are lesbian, gay, or bisexual. That's what they support also.

MS HANSON: Mr. Speaker, the minister seems to confuse a federal report with a report by agencies in Calgary.

We're still on the federal report. To the minister: why is the child poverty statistic credible enough for a national report from ministers across the country but not for the Alberta government?

MR. CARDINAL: Mr. Speaker, child poverty is not acceptable in Alberta. More welfare and more handouts, like the Liberals would do, are also not acceptable in Alberta. In the last two years we put over 35,000 individuals through various forms of training programs to become independent and self-sufficient. That is the way you attack poverty, not more welfare.

Confidentiality of Medical Records

MR. SAPERS: Mr. Speaker, contrary to existing laws and regulations in this province the Department of Health sent the entire medical history of a private citizen to the Workers' Compensation Board. Now, this information was not only improperly released by Alberta Health but was also misinterpreted by the board. This resulted in a legitimate claim being denied, the loss of income and support to a family, and ultimately it had to be resolved in a lengthy and expensive appeal. What has the Minister of Health done to plug the leaks in her department in order to protect the private health information and health records of Albertans?

MRS. McCLELLAN: Mr. Speaker, any time that an individual's health information might be improperly transferred to another party would be of great concern to the Minister of Health, and certainly we do review and follow up how that information is transferred and to whom.

In this particular instance I believe that the minister responsible for the Workers' Compensation Board would like to add some comments.

MR. DAY: Mr. Speaker, present legislation actually allows for transfer of information in some cases to the Workers' Compensation Board so that there can be some kind of analysis in terms of possible treatment and what should be involved, depending on a person's history, depending on anything from allergies to past procedures that may have an effect on a particular injury.

I can tell you, though, that officials from WCB and from the Department of Health in conjunction with doctors are working on a pilot process to improve procedure. There are possibilities as with any system that more information could go out than should go out, and to limit that, to make it virtually impossible, there is a process in place right now analyzing that problem. I think we'll see improvement in a system that can always be improved. It's delivering services well, but that area is being looked at.

MR. SAPERS: They're not even sorry, Mr. Speaker.

To the Minister of Health: will your department compensate this woman known to us as Rose – I wouldn't want to reveal the rest of her identity – for any loss of benefits that the Workers' Compensation Board is refusing to cover?

MRS. McCLELLAN: Well, Mr. Speaker, in contrast to the hon. member opposite, whenever a person has a difficulty or a concern with some procedure from the Ministry of Health, we deal with that individual in confidence and work very hard to assist them if something like this has happened. This would be no exception,

and certainly the place for that to occur is with the minister and the client and the department.

2:00

MR. SAPERS: Breach her privacy and settle it in secret. That makes sense.

Mr. Speaker, given this example of departmental misconduct which resulted in a breach of privacy and, I would add, a breach of the law, will the minister responsible for privacy and access to information now insist that all health records held by government be subject to the privacy laws of this province?

MR. FISCHER: I think the member should know that under our new Act we have been taking different departments' information. We have been consolidating it, we've been reviewing it, and we're putting it together so that we can protect privacy, whether it's in health care, whether it's in education, or whatever it is. We are in the midst of doing that now. You must remember that with the new records that are coming out, privacy protection is something that has to be and will be put in place. During our growing pains, if you like, possibly there is going to be some leakage, but I can confirm that our department is doing everything possible to protect the privacy of our people.

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

MR. HENRY: I'm still trying to figure out what he said, Mr. Speaker.

Education Funding

MR. HENRY: Mr. Speaker, in the last four years the government has cut over a quarter of a million dollars in general revenue funding to education. Consequently, in terms of actual spending Alberta has moved from fifth to eighth place compared to other provinces in Alberta. In fact, the Canadian Tax Foundation says that Alberta is dead last compared to other provinces when compared in terms of percentage of GDP, all this while user fees are going up and up and up all across this province. My question to the Minister of Education is: why are you putting our children in elementary and secondary education at a competitive disadvantage by underfunding elementary schools and secondary schools in our province?

MR. JONSON: Mr. Speaker, first of all, in terms of the priorities of government, it has to concentrate on the balancing of the budget and the reduction of our debt, which I think is very much in the interest of the young people of this province. While we are achieving that goal, we have given a clear priority to Alberta Education and to the education system of this province in terms of the amount that we've reduced funding for education. Clearly it is significantly less than that of other departments.

The other thing, Mr. Speaker – and I give full credit to the school boards of this province, to the teachers, to all those people involved who've successfully made the transition to a restructured system of education – is that that system today is still performing well. We are achieving improved results in achievement tests, in our participation in the national indicators project. We have a system which is functioning to the credit of all those people involved. It is leaner, it is more efficient, but it is getting the job done.

MR. HENRY: Mr. Speaker, because the minister forgot to add "and parents are paying very rapid increases in user fees," I'd like to ask the minister: why is he allowing parent accounts to be sent to collection agencies when they can't afford to pay fees when that's being caused because of his underfunding of education in this province?

MR. JONSON: Mr. Speaker, we have had fees in this province for instructional materials. Those fees are set by school boards across this province. The setting of fees is something done by school boards. I notice across the province that for a large number of our school jurisdictions the increase in fees to students for the program that is authorized for those schools has not increased disproportionately. A large number of school boards in this province are coping with this very well, and they are not off-loading a great deal of costs to their parents.

There are quite frankly, Mr. Speaker, examples across the province where certain services, certain activities have been added to the list. These are costly. I am quite hopeful that we will have a more thorough discussion of the priority and the need for these types of fees as we move to site-based management and to the involvement of school councils who can advise the board and be helpful to them on setting priorities as far as fees are concerned.

MR. HENRY: Last I checked, busing fees weren't an . . .

Given that the Premier has announced that the M and E tax for education is going to be eliminated, I'd like the minister to stand in his place today and guarantee absolutely that that revenue reduction will not be off-loaded onto parents in the form of user fees or onto other property tax payers in this province. Can you do that today?

MR. JONSON: Mr. Speaker, it has been quite clearly indicated by myself and by the hon. the Provincial Treasurer that the reduction in revenue to the Alberta school foundation fund that will result from phasing out the machinery and equipment tax will be replaced with funds from the general revenues of this province.

THE SPEAKER: The hon. Member for Calgary-Fish Creek.

Child Prostitution

MRS. FORSYTH: Thank you, Mr. Speaker. When 12 and 13 year olds sell their bodies, we are not only dealing with prostitution, but we're also dealing with a sick society of men. Preventing men from paying for sex with young girls is a problem that must be addressed. A john is a john, and yes, he is also a pedophile who travels the popcorn stroll looking for these young children. My first question today is to the minister of social services. Will the minister commit to amending the Child Welfare Act, section 1(3)(c), and adding the words: including prostitution-related activities?

MR. CARDINAL: Mr. Speaker, it is again a very unfortunate situation to be in in Alberta, and this government of course will do everything we can to change the situation. The present Child Welfare Act is provincial legislation that deals with areas of provincial jurisdiction in child welfare. This legislation cannot be used to cover areas that are federal jurisdiction, such as prostitution. The member should work very closely, I believe, with her MP if she has suggestions about changes to legislation under federal jurisdiction. In addition to that, I would be willing to sit

down with the Member for Calgary-Fish Creek to discuss this very complicated issue further.

THE SPEAKER: Supplemental question.

MRS. FORSYTH: Thank you, Mr. Speaker. My second question is to the Minister of Justice. Can the minister take steps to fast-track the trial of these pimps who victimize children to enable the children to get on with the healing process?

MR. EVANS: Well, Mr. Speaker, I have said before that I think the examples that the hon. Member for Calgary-Fish Creek has alluded to are very serious criminal behaviour. I think it does amount to child abuse, and I think they should be dealt with as a priority of our prosecutors.

Back in 1991 this government began a number of justice initiatives to focus our attention on the more serious matters facing the community of Alberta generally. That has resulted in reduced amounts of time to get to trial and has amounted to a process of trying to get out of our courts, through diversion and other alternative measures, less serious matters so that there is appropriate court time to deal with this kind of serious charge. I know that our prosecutors in this province consider the kind of issue that the hon. member has addressed as a serious issue, and I know that they give those kinds of issues priority in terms of getting matters before the court.

2:10

I'd also offer to you, Mr. Speaker, and to the hon. member and other members of this Assembly that the latest statistics we have on time to trial both in Provincial Court and in our Court of Queen's Bench for criminal matters in the city of Calgary, where the hon. member resides, is between 17 and 18 weeks. That's from the time of first appearance to the time of setting of the trial date. So that is a vast improvement over the situation back in 1991, and we'll continue to work to improve that system to get accused individuals before the courts and to have due process.

THE SPEAKER: Final supplemental.

MRS. FORSYTH: Thank you. My third question again to the same minister: can the minister instruct the Crown prosecutor to initiate charges under section 280(1) of the Criminal Code so that young girls are protected and their parents regain authority over their children?

MR. EVANS: Well, Mr. Speaker, if my memory serves me correctly, section 280 involves a charge of abduction of a child under the age of 16 who has not been given consent by the parent, the guardian, or other adult who is looking after that child. Obviously that's a serious charge. It's an indictable offence, and in the appropriate circumstances I'm sure that our prosecutors are laying those kinds of charges. It must be remembered, of course, that that has to be in the appropriate circumstances, because we do have a high onus to prove a case beyond a reasonable doubt. I have no doubt that in those appropriate cases the charges are being levied against the individuals and that criminal process is begun.

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

MR. DICKSON: Thanks very much, Mr. Speaker. Just following up on the last question, while we're waiting for cases to wend

their way through a 17-week process until the trial date is assigned, I want to ask the Minister of Justice a more specific question about something that perhaps could be done this month in 1996. Just by way of background I make this observation. There is a victims' assistance fund in Alberta with a balance of about \$1.6 million. That money is intended to assist victims of crime. If the minister says that we're dealing with a child abuse problem, my question to him is: why aren't we moving some of that money which is collecting interest in the Department of Justice piggy bank and assisting some of these young girls in getting off the street? That's the kind of help they need immediately, Mr. Minister.

MR. EVANS: Mr. Speaker, first of all I'll correct the hon. member. In terms of the money that goes into the fund, yes, there is approximately \$800,000 to a million per year that goes into the fund. It's on a surcharge basis, surcharge on criminal offences, narcotic control and food and drugs Acts. I know that the hon. member was a drug prosecutor, so he's well aware of that. Those moneys are then handled and allocated through a committee, a process that was set up in 1991. Applications are put in, and the money is allocated. A vast majority of the money that's collected each year is allocated, but again it depends on the types of applications that come through and the validity of the applications.

Hon. member, there is certainly good justification for having some of those moneys in the appropriate circumstance under the committee's review go out to victims such as child sex abuse victims, and I'm sure that the committee is well aware of that. So we may see more of that happening in the future if, unfortunately, there are more of these cases coming to the fore. My hope is that we'll have less cases in the future because of a continued police initiative to concentrate their efforts on serious and violent crime.

THE SPEAKER: Supplemental question.

MR. DICKSON: Thanks, Mr. Speaker. The supplemental question, then, would be: what leadership role can this Minister of Justice play in this jurisdiction to assist those young girls rather than simply deferring it all to the managers of a fund? The money is there.

MR. EVANS: Well, Mr. Speaker, this government has taken the view that communities should be involved in these kinds of processes. Number one, they become more aware of the issues that confront their communities, and number two, they take ownership in finding solutions.

Certainly, hon. member, it's also my responsibility to promote that kind of program. I do promote it. I'm fully aware that my colleagues on this side of the House support that program and want to ensure that we improve our victims' assistance programs over time, not take away from them. So I accept my responsibility to continue to go out and promote this kind of program and to be in a progressive role in terms of identifying appropriate uses for the moneys that are available to us through the fine surcharge program.

MR. DICKSON: Well, given the immediate needs of Street Teams and Exit in Calgary, I want to ask the minister what specific steps he'll take in 1996 to try and alleviate a problem with teenage prostitutes in the city of Calgary.

MR. EVANS: Mr. Speaker, as the hon. member is obviously aware, prostitution is criminal law, and it comes under the control

of the federal government. In terms of meeting with my federal counterpart and other justice ministers across Canada, I was expecting actually to be in Fredericton next week with my colleagues. Prostitution, in particular child prostitution, was going to be on that agenda, hon. member. At the last minute, for reasons that I'm not yet aware of, my colleague the federal Justice minister and the federal minister of the Solicitor General's department canceled that meeting. It's been rescheduled.

I assure you, hon. member, that that issue is going to be discussed whenever we do get together. Hopefully that meeting will be rescheduled quickly, because it's important to have the input from provinces into changing the laws. Again, I've said publicly that I think our criminal law with respect to child prostitution should be changed so that we recognize that child prostitution, particularly for those young children the hon. Member for Calgary-Fish Creek talked about, under the age of 16, should be considered child abuse.

THE SPEAKER: The hon. Member for Calgary-Mountain View.

Natural Resources Taxation

MR. HLADY: Thank you, Mr. Speaker. I understand that the federal government has been reviewing an issue known as the resource allowance with a view to improving, in their words, the system. Could the Minister of Energy explain why this review is going on at this time?

MRS. BLACK: Mr. Speaker, last February the federal Liberal government announced in its Budget Address that it was planning to do a review of the resource allowance. That came as a result of some discrepancies between the definitions of eligible deductions within the resource allowance regulations and the Income Tax Act. So this review has been going on for a number of months by the federal Finance department to deal with the resource allowance issue.

It's a very large issue for our industry, Mr. Speaker, in that back in 1974, when it was put in place, it was put in place because royalty payments, or Crown payments, were not deductible as an operating expense for income tax purposes. This was to create a level playing field, supposedly, for this industry as it compared to other industries. In essence, without this resource allowance the oil and gas industry is taxed at effectively 125 percent as opposed to 100 percent as other industries are. So the review was as a result of a challenge that came forth from one of the industry players back in the time frame of 1978 and '79. They were looking for some sort of a fix to the issue because it did go before the courts and the government lost the case. That's what prompted the review.

THE SPEAKER: Supplemental question.

MR. HLADY: Thank you, Mr. Speaker. To the same minister: I've heard that many options have been considered, most recently option 7. What is option 7, and what is its impact on Alberta?

MRS. BLACK: Well, Mr. Speaker, quite clearly there have been seven options put forward in this review process. When I was in Ottawa last April, I made a request of the federal Finance minister to please make sure that there was a consultation process not only with Alberta and the other provinces but with the stakeholder groups.

A number of options have come forward and basically have not resolved the question of clarification of the rules as they pertain to resource allowance with the exception of what was called option 5. In the fall the energy and mines ministers had their fall meeting, and we unanimously embraced option 5, which was to keep the resource allowance in place but to clarify the rules. Option 7, that came out two weeks ago, is a total departure from that process and in fact clearly is strictly a Liberal tax grab on this industry.

2:20

MR. HLADY: Mr. Speaker, the word on the street in Calgary is that this could be a form of an NEP 2. What is our government doing in response to this possible tax grab?

MRS. BLACK: Mr. Speaker, I clearly know what this government is trying to do, as with other governments. I'd like to ask the members opposite if they raised the issue when they were in Red Deer this week and with their cousins in Ottawa.

Clearly this is a very critical part for Alberta, as it is for all provinces, because this not only impacts our conventional oil and gas industry, Mr. Speaker, but it has a direct impact on our mining industry and our nonconventional oil sands and heavy oil projects. This could be very detrimental to future development and investment coming into this province.

Right now, Mr. Speaker, we are working closely with the industry associations, and we have put forward a solution and a clarification of the regulations for the resource allowance. We've sent this down to the federal Finance minister, Paul Martin, as well as to my counterpart, the Minister of Natural Resources Canada, Anne McLellan. The Provincial Treasurer and I, with our officials, met with both of our counterparts in Ottawa just over a week ago and expressed that we would in fact find the solution, and it would be very detrimental to the entire country – the entire country – if they made this move to change the resource allowance, because clearly every province, the Maritimes through Ontario, Quebec, Manitoba, Saskatchewan, Alberta, and B.C., recognizes that this kind of change to the oil industry, the mining industry, and the nonconventional resource industry will blow the economics of this country sky high. That is the situation, and quite clearly if our friends opposite want to help maintain economic viability within Canada, they'll get on the phone and tell them: stop.

THE SPEAKER: The hon. Member for Redwater.

MR. N. TAYLOR: Thank you, Mr. Speaker. After that last answer, I don't know; it took my breath away. [interjections] She's not dressed in red today for nothing.

Standing Policy Committees

MR. N. TAYLOR: To the minister of forestry. The standing policy committee on natural resources and sustainable development is paid for by this Legislature, yet many meetings are in camera, and they are unwilling to share information. Now, in a letter that I am tabling, Mr. Speaker – I've already given a copy to the minister over there. He used to be called Forest Stump, but since that temper outburst in Calgary, it's Forest Grump. I would ask the minister why the chair of a subcommittee of the policy committee, the Member for Grande Prairie-Wapiti, refused to give me a copy of the draft report even though it is circulating amongst the forestry stakeholders.

AN HON. MEMBER: Good.

MR. N. TAYLOR: He says, "Good," over there. That's the only thing he can say: goody-goody.

Now, to the minister: could the minister explain why he allows a standing policy committee to deny requests for information when, being paid for by the taxpayer, this should be information that's public property? Where do you get away with doing that?

THE SPEAKER: The hon. Minister of Environmental Protection.

MR. LUND: Thank you, Mr. Speaker. I'm glad to hear that it's not just forestry, as the hon. member suggested.

Getting back to the report that the hon. member alluded to, as far as I know, there is not an official report from the subcommittee of the standing policy committee. There is a discussion going on. This subcommittee of the standing policy committee was struck to look at a specific issue, and they're in that discussion mode.

MR. N. TAYLOR: That's why I sent that letter over to the hon. member, to show that there has been a report issued. There is a report out there, hon. member. What I'm trying to say is: why don't you make that report available?

MR. LUND: Well, Mr. Speaker, the fact is that there is discussion going on, and there's a paper that the chair of this subcommittee has established, and they're in discussion with the forest industry.

MR. N. TAYLOR: I've had more luck cornering greased pigs, Mr. Speaker, and I'm not referring to the four of them over there either.

Back to the minister. Will the minister at least refer to the Speaker this undemocratic, unparliamentary, despot, narrow-minded action that you are pulling off?

MR. LUND: Well, Mr. Speaker, I think the hon. member was trying to imitate a really, really great parliamentarian, the hon. Gordon Taylor, when he started on his long list of adjectives that really don't describe exactly what is happening. Clearly - clearly - we have a committee that is working with the forest industry, and they have set out some suggestions. I don't see where this is an issue. They have not filed a report with the standing policy committee. I do not have control of a report.

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

Mobile-home Tax

MRS. FRITZ: Thank you, Mr. Speaker. The residents of Parkridge Estates, which is a large mobile-home park in my constituency, are upset and angry about the change from a mobile-home licence fee to a direct property tax. Most people have seen their rates more than quadruple, and in fact over 60 appeals have been filed in the past few days. My questions are to the Minister of Municipal Affairs. Mr. Minister, historically mobile homes on privately owned property were taxed while others paid a licence fee. What is the reason for the change from a licence fee to a tax on the mobile home?

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. THURBER: Well, thank you, Mr. Speaker. The new Municipal Government Act placed a rather strong emphasis on similarly valued properties paying a similar tax. The licence fee that was on mobile homes prior to this was based on 65 percent of the value, so it didn't match up with the other property tax payers in the province on other types of homes and other mobile homes for that matter. So that was eliminated, and a manufactured home was valued in the same manner as other homes, at 100 percent of the market value. Now, the licence fee as well was based on the previous year's mill rate, while now all manufactured homes are valued in the same manner and at the same level. This created a level playing field, at least in the manufactured homes area.

THE SPEAKER: Supplemental question.

MRS. FRITZ: Thank you, Mr. Speaker. To the minister: do the people paying tax on mobile units have the same right to lodge a complaint concerning an increase in assessment as other owners?

MR. THURBER: Mr. Speaker, certainly they do. The taxpayer on a manufactured home has the right of appeal to the Assessment Appeal Board and onwards from there to the municipal government board if they're not satisfied with that decision.

The actual impact of an increase in assessment does not necessarily mean that there should be an increase in taxation. You should know, hon. member, that the municipalities have the ability to levy a different mill rate on subclasses in the residential property taxation area.

THE SPEAKER: Final supplemental.

MRS. FRITZ: Thank you, Mr. Speaker. That was an interesting answer.

My third question: what has the minister done to monitor and determine if this change in taxation has achieved its objectives?

2:30

MR. THURBER: Mr. Speaker, we recognize that the change from a licence fee to a conventional property tax may require some adjustments as we go through this process. I've established a committee of AUMA and AMD and C and also the Manufactured Housing Association of Alberta and my own department, and they're reviewing all aspects of taxation on mobile homes. Hopefully we'll have some further documentation on this in the near future.

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

Business Bankruptcies

MRS. ABDURAHMAN: Thank you, Mr. Speaker. Given that this government has repeatedly stated that its number one job is to create a climate for prosperity, I'd like to direct my question to the minister of economic development. What is this minister doing to reverse the trend of more than 10,000 bankruptcies in Alberta, a rate that is double the national?

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

MR. SMITH: Well, thank you, Mr. Speaker. In fact, the bankruptcy issue is a good question because it is also an indicator of the amount of economic activity that goes on in this province. For example, in 1990 there was an economic gross domestic product of some \$70 billion. In 1995 the economic activity as measured by gross domestic product was \$90 billion approximately. Now, that is \$20 billion more of economic activity, wealth creation, more small businesses, more companies doing business in Alberta, more companies exporting, in fact watching the Alberta advantage at work, as the member so rightly pointed out.

In fact, yes, bankruptcies did increase – and this a wild card – so did the number of businesses forming. In fact, business formation in 1983 was 12,000 businesses formed a year, and this year it was 19,500. So in fact you've increased one and a half times the amount of businesses, and of course that darned old competitive market and those darned old market forces start to create an economic activity that results in the bankruptcies that are proportionate now as they were proportionate in years gone by.

Mr. Speaker, it is difficult when anybody goes bankrupt. It's a difficult time, but what has happened in Alberta with the entrepreneurial spirit that sits here is that people will in fact gather up from going bankrupt and then be able to have a fresh start and be able to come back and participate in the labour force or in the corporate workforce again.

THE SPEAKER: Supplemental question. [interjections] Order, hon. members. [interjections] Order.

MRS. ABDURAHMAN: Amazing, Mr. Speaker. This government stands for more bankruptcies? The better for the economy? Give us a break.

Why has this government abandoned small business when private-sector small business employs as much as 97 percent of all Alberta business?

AN HON. MEMBER: How many?

MRS. ABDURAHMAN: Ninety-seven percent of all Alberta businesses employed.

MR. SMITH: Mr. Speaker, it's exactly because of that call for order that I didn't hear the first part of the question. If the member would just . . .

MRS. ABDURAHMAN: I'd be delighted to repeat it. Why have you abandoned small business in the province of Alberta?

MR. SMITH: Well, Mr. Speaker, if in fact abandon means having a province or the economy depending on the drivers of small business – in fact, when you see the growth in small business and you see the growth in those sectors where small businesses are so important and you see them growing not only in Edmonton and in Calgary but you see them growing in all areas of Alberta, I would say that the term “abandon” is kind of like being a Liberal, which is like being a ship of fools at low tide.

MRS. ABDURAHMAN: My final supplementary is to the Minister of Municipal Affairs. How are you going to restore consumer confidence in Alberta and stop this dangerous trend of the high record of bankruptcies?

MR. THURBER: Well, Mr. Speaker, in line with the part of my department that deals with consumer and corporate affairs, we have what we call a debt restructuring program, and people that are getting close to bankruptcy or feel that they're in some trouble because of credit cards or overpurchasing and not having enough revenue coming in can certainly approach that portion of the department and be counseled in the manner in which they can repay their debt. What they do is get these people together with the people that they owe money to and try and set up a schedule. So we do many, many things to try and help people that are on the verge of bankruptcy or are having trouble meeting their financial needs.

THE SPEAKER: The time for question period has expired. Might we revert to Introduction of Guests?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed?

The hon. Member for Edmonton-Centre. [interjections]

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

MR. HENRY: Thank you very much, Mr. Speaker. I'm scaring them to my right.

Mr. Speaker, I'm very pleased to introduce to you and through you to members of the Assembly, including those on my far right, 12 visitors in the public gallery. These visitors are from the native women career preparation program. They're visiting the Legislature today with their instructor Ms Linda Ferguson, and I would ask all members of the Legislature, on the right and the left, to provide them with a warm welcome. If they could rise and receive a warm welcome.

head: **Orders of the Day**

head: **Written Questions**

MRS. BLACK: Mr. Speaker, I move that written questions appearing on today's Order Paper stand and retain their places.

[Motion carried]

head: **Motions for Returns**

MRS. BLACK: Mr. Speaker, I move that the motions for returns standing on the Order Paper stand and retain their places.

[Motion carried]

head: **Public Bills and Orders Other than**
head: **Government Bills and Orders**
head: **Second Reading**

Bill 202
Lotteries (Video Lottery Schemes Elimination)
Amendment Act, 1996

[Debate adjourned February 20: Mrs. Gordon speaking]

MRS. GORDON: Continuing from yesterday, Mr. Speaker, I'm pleased to have been asked to stay on and work not only with the minister responsible but with the Alberta Gaming and Liquor Commission to develop guidelines and policies that will see a new distribution format developed for implementation in the '97-98

fiscal year. Will this new format provide more accountability? Yes. Be less complicated? Yes. Do away with overlap and duplication? Yes. Reduce administration? Yes. Provide communities with a share of lottery revenues that can be used to support local initiatives? Yes.

In conclusion, my committee sought to find a balance, just as caucus did on December 7, 1995, when the vast majority of our recommendations were accepted and endorsed by government, a balance between maintaining lotteries as a source of revenue for charitable organizations and them becoming overly dependent on those dollars, a balance between lotteries and gaming as a source of entertainment for many yet a problem for some, a balance between what I believe to be the government's responsibility to regulate the lotteries and gaming industry and each individual's responsibility for their own behaviour, and a balance between the desire to prohibit or eliminate VLTs entirely and the very real possibility that has occurred in other jurisdictions where the VLT industry simply goes underground, controlled by the criminal element.

2:40

No, Mr. Speaker, I can't support Bill 202 because it doesn't strike that balance. In my opinion, the Official Opposition have taken the easy way out. They haven't researched thoroughly or given much thought or serious consideration to the full ramifications of their decision. We, on the other hand, have listened carefully to Albertans, reflecting on what we were told, seeking to strike a balance. This government is now, as in today, that is, February 21, 1996, not waiting until December of 1999 to address the serious concerns with VLTs, taking a sane, sensible approach, putting in place a cap that is effective, workable, one that can be easily managed.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Norwood, followed by Edmonton-Rutherford.

MR. BENIUK: Thank you, Mr. Speaker. I am pleased to be able to speak today on Bill 202. First, let me begin by stating that I believe we all agree that the presence of gambling facilities causes many hardships for people with gambling addictions. Yes, VLTs, horse racing, lotteries, et cetera, do have a negative impact on communities and individual lives. However, I am surprised at the narrow scope of this Bill in implying that the removal of these machines will provide a solution to these problems.

The removal of VLTs from Alberta will not stop compulsive gamblers from gambling; it will only provide a means of losing control over both gambling locations and revenue. As the hon. Member for Lacombe-Stettler stated last day, British Columbia, Ontario, and Quebec are facing the problem of illegal machines operating within their provinces. Quebec has now begun to see a reduction in the number of illegal VLT machines due to licensing legislation.

For many people gambling offers a harmless means of entertainment, but for those who suffer from gambling addictions, they are subjected to feelings of overwhelming compulsion. In studies of compulsive gamblers it has been found that gambling is related to self-esteem and that the average compulsive gambler starts gambling before age 14. In 1994 a study was performed examining the gambling behaviour of primary school students eight to 12 years of age in Quebec. The results were astonishing. Eighty-six percent admitted to having bet money at some time or other, and among the list of gambling choices was video gambling: video

poker and slot machines. My question is this: would these children have ever had access to these machines if VLTs had been licensed and regulated by a governing authority? These children probably gained access to illegal gambling establishments because being that the machines were already illegal, did it matter to the proprietor who it was that used these machines? Removal of VLTs from the province of Alberta would only enhance the probability of that.

I reiterate the statement provided by Sergeant R.H. McDonald of the RCMP, K Division, on the 2nd of June 1995 to the Alberta Lotteries Review Committee. Quote: if the government was to now eliminate gambling entirely, a greater underground criminal market would undoubtedly develop to satisfy the desires of those people who have experienced the thrill of gambling and demand accessibility to the activity. The moment that these machines go underground, we all lose control over access. Nothing will be able to prevent our children from seeking the thrill of these machines.

An article from the *Far Eastern Economic Review* dated the 23rd of January 1992 states that illegal video gambling in Taiwan had dramatically affected the youth. Teenage gambling alone increased by 174 percent in the first nine months of 1991 when compared with the same period of the previous year. These children will steal from their parents in addition to other illegal activities in order to be able to continue with their gambling. This is not something I want to see develop here.

Another concept in video gambling is gambling on the Internet by computer. While the information superhighway provides the sharing of informative, entertaining, and often enlightening information around the world at the click of a button, we are now faced with a sharing of personal information for the sole purpose of gambling entertainment. Now there are many sites on the Internet that provide free, for fun only games of chance: roulette, blackjack, poker, slot machines. But there are also those that do not. Internet casinos provide incentives that draw you in, such as providing \$100 worth of game tokens for only \$1, whether purchased, given for free by the company, or from a vendor on screen. Once the individual has a cache of these tokens, he can enter the casino and play blackjack, craps, slots, roulette, poker, keno, or a lottery. At the end of the game the winnings would be sent to the individual or directly deposited into their bank account.

Other casinos offered the opportunity to play by providing a cash advance to the player on their credit card. The amount of winnings or losses would then appear on the player's credit card statement. There is a big risk associated with opening an account with your credit card or providing access to your bank account to a gambling establishment that is thousands of miles away, is unregulated, uncontrolled, and probably an illegal enterprise. From what I have been able to determine, most of the on-line gambling establishments are shadow companies with headquarters offshore. There is also no guarantee that the players are not being cheated.

Mr. Speaker, in Bill 202 it is proposed that a clause be inserted defining a video lottery scheme as "a lottery scheme that is operated on or through a video lottery terminal" and that a video lottery terminal be defined as

a machine or device that allows a person to play a game in which, upon payment of money, the person by chance may receive a credit that can be redeemed for money.

It is then proposed that under section 3 of the Interprovincial Lottery Act this statement be added: "Effective December 31, 1999, no person shall be authorized to conduct, manage or operate a video lottery scheme." With the advent of Internet gambling

and knowing that a computer can now be used to play a game of chance for something of value, i.e. a video lottery terminal by the above definition, would computers now also be required to be removed by the same date?

Mr. Speaker, the basic concept of this Bill does have its merits, but it does not go into the depth that is required for controlling gambling. The removal of VLTs from this province at this stage would not solve any problems; it would only create more. Half a billion dollars in lottery revenue was generated in the past year, with the majority of it coming from approximately 6,000 licensed VLTs throughout the province. One can only imagine the amount of revenue that would be lost if VLTs were made illegal and went underground with no limits in numbers.

Mr. Speaker, I believe it is the responsibility of a government to maintain control of access over these machines in addition to receiving the revenue generated by the legalized machines. This revenue provides funds for nonprofit organizations, debt reduction, local municipalities on a per capita basis, and endowments for health and education, among others. The focus on control of gambling should not be on whether VLTs should be removed, since they are already controlled, but should be on finding a means of controlling Internet gambling.

Thank you.

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

MR. WICKMAN: Thank you, Mr. Speaker.

DR. WEST: Point of order.

THE SPEAKER: Hon. minister, we are going pro and con. We just had somebody opposed to the Bill; we'll now go to the second speaker in favour of the Bill.

The hon. Member for Edmonton-Rutherford.

MR. WICKMAN: Nice try, Steve. Nice try.

Thank you, Mr. Speaker. It's my privilege to speak on Bill 202, which I think is a tremendous Bill. Let me start by asking a basic question: do we need Vegas-type gambling in Alberta?

SOME HON. MEMBERS: No.

2:50

MR. WICKMAN: Do you want it, on that side?

Mr. Speaker, let's look at what's happened in the last few years here in Alberta. The Member for Lacombe-Stettler talked in terms of the illegal machines that she suspects do occur throughout the province or would occur if VLTs weren't a legitimate form of gambling in the province, if the slot machines weren't a legitimate form of gambling.

Let's just take that philosophy a step further. There's marijuana out there, I hear. Do we legalize that? There's prostitution. Do we legalize that? There's been a lot of purse snatching. Do we legalize that? Do you legalize something you feel you can't control because it's going to happen anyhow? No. I think if you went to a law enforcement agency, they would say that that is no excuse to legitimize something that is no good for society at large. I think VLTs have been proven to be no good.

The Member for Calgary-North Hill, the Minister of Community Development, makes reference to: what's wrong with horse racing? There's a world of difference, and somebody on that side has to understand it. There are lotteries, 6/49, and nobody sees a great deal of difficulty with the forms of lotteries that we had in

the early days. The 6/49 is relatively harmless. People don't go out and blow their brains over 6/49. At the racetrack it is very, very unusual to see anyone that is just totally addicted like they are to VLTs. Normally racetracks thrive, survive on the \$2 bettor. If you spend a bit of time at the racetrack, you'll discover that that's a fact of life. Certainly there's the odd person that may abuse that, like there's the odd person in society that will abuse anything. By and large, no other form of gambling has been found to be nearly as addictive as VLTs. It's called the cocaine of gambling for that reason.

Mr. Speaker, there are numerous experts not only in Edmonton, not only in Alberta but in other parts of Canada and America and other parts of the world that have done tremendous amounts of research. From the Bonnyville area a study came forward. A lot of you will be familiar with the name Garry Smith. Others will be familiar with the name Harold Wynne. Their studies and research, a lot of that research funded by this government, clearly point out that VLTs are addictive, that VLTs are destroying homes, that they are causing breakups, that they are causing criminal activity, that they are causing bankruptcy. There's absolutely no doubt about that; that is proven scientifically. There is survey after survey after survey that will show that.

To try and compare this to 6/49, to try and compare this to a friendly \$2 wager at the racetrack is totally different. Why do you think Northlands and the Stampede organization are so hot to trot in getting VLT machines in their facilities? Because they know it's an addictive form of gambling. They know it's not like horse racing, where interest can die out. VLTs: when people are hooked, they're hooked. The only way they can try to get out of it is to try and get some help from the very limited – what? – one-half of 1 percent or one-quarter of 1 percent of revenues that is made available to help those people that seek help. Even the Member for Lacombe-Stettler referred to problem gamblers. Well, the real term for it is addicted gamblers. There's no question that it is an addiction.

Somebody, Mr. Speaker, on that side has to wake up and realize that for every dollar that they may achieve now in terms of revenue somewhere down the road they're going to pay \$3 in return for social problems that are caused, whether it's broken homes, bankruptcy, additional criminal activity, children living in poverty, abuse, abuse, abuse that goes on and on and on.

Mr. Speaker, clearly the Liberal caucus does have a clear handle on VLTs, and that clear handle is simply to eliminate them in an orderly fashion over a three-year period of time. Many of you, including myself, have gone to Vegas, taken in the floor shows, maybe spent a couple of dollars doing a little bit of gambling, but we go there for maybe two or three days at a time. We don't go there to live because we don't want Las Vegas in our backyards. If we wanted it in our backyards, we would have maybe moved down there years ago. Vegas is not comparable to what's happening here in Alberta. Vegas is a spot where those people that like to do that type of thing may go for two or three days. Do we want a Vegas here in Alberta? Do we want Edmonton, do we want Calgary, do we want other centres converted into mini northern Las Vegases? No. I say no and this caucus says no. This caucus will stand behind Bill 202. We'll fight for Bill 202.

Many of you have not had the opportunity to hear the same heartbreaking stories on a one-on-one level like myself as the lotteries critic and others in this caucus – the Member for Lacombe-Stettler and I'm sure the minister have heard some of them – specific cases where one individual begged me to help

him. He just begged. He would line up or wait an hour behind the closed doors of his favourite tavern because he wanted his machine. He didn't just want any machine; it was his machine. He had to see those things go around and around and around. He was pleading for help. He had tried the AADAC gambling self-help. It wasn't working. He was too hooked.

We read in the paper virtually every second day now, whether it's a newspaper in Edmonton or in Calgary or in rural parts of Alberta, Red Deer, wherever, where judges have come down on VLTs, saying that they are clearly accountable in a number of cases for criminal activities. We read of cases where tens of thousands of dollars have been stolen from employers to finance this addiction, very similar, I'm told, to the extent that people will go to to finance a cocaine habit, because it's an addiction they simply can't break.

When I was following the public hearings that were being held by the committee chaired by the Member for Lacombe-Stettler, I had people come and speak to me that didn't want to direct dollars to this organization or share in the proceeds, whatever. They simply were questioning why the whole matter of addiction was not being properly addressed.

There is a lady that was in the Misericordia hospital. She was able to get up and go outdoors and have a bit of a walk. What she'd do is she'd walk over to a tavern, get some money out of the instant bank machine, and play the VLTs, go back to the hospital, and the next day repeat the same thing. A fellow at one of the hearings here in Edmonton had a stack of cash withdrawal slips, that he showed me to demonstrate how much he has lost. Somebody phoned me from the Hinton area. It was Hinton or Edson. The gentleman's wife had lost \$75,000, had forged a document for a mortgage before he realized what was happening. That \$75,000 went into the VLTs. It broke up that marriage; it destroyed that home.

Mr. Speaker, where do we go from here? Is there a handle on controlling the VLTs? The Member for Edmonton-Norwood spoke in a very honourable fashion, but I'm sorry some of the information he had was simply not correct. We find we're heading towards an uncontrollable situation, where the cap that had been recommended was not even accepted. We don't know at this point whether there are 7,000 machines out there, exactly how many. We don't know where it's going to end. We don't know exactly what in this minister's mind he sees happening and how far he'll allow it to go.

We now see – and I don't know if it's just experimenting, if it's only happening now in certain premises and it's going to spread out from there – the coin in, coin out machines. Those, I am told, are the ultimate in these slot machines, because you don't get a slip. You actually hear that money jingling down. I guess the \$2 ones – and we can convert all the machines to \$2 ones pretty soon, because I imagine those double loonies or deuces, whatever they're going to call them, will give a bigger bang for the buck in terms of feeding the habits that have to be fed.

Mr. Speaker, we have to not only look at the impact on the individual, on the family, on Albertans, at what is happening; we have to look at the impact on nonprofit groups. The horsemen, part of their proposal to the minister, which as the critic of caucus I had to reject from my point of view: they would like 1 percent of the VLT revenues to keep alive. They feel they could exist that way and minimize that competition they get from the racetrack. But every other organization in Alberta would like 1 percent. What happens when the Liberals become government and we phase these machines out? Those organizations have then

become dependent on VLTs as a source of funding. They're going to want to dip into general revenue. So, you see, you're just creating a hunger that could never be fully fed, and that hunger is being stimulated by a method that is simply not proper.

3:00

You go through West Edmonton Mall these days. How many charitable groups do you see raffling cars? How many of these groups are not only not making money but are losing money? I was talking to an organization the other day that is in fear of going under. They're paying out \$100,000 in prizes, cash prizes, in total. Up to now they've taken in \$14,000 in revenue. That's all they've taken in. They simply can't compete with that raffle ticket; they can't compete with that slot machine. The slot machine is too much of an attraction.

So we see the impact on Albertans. We see the impact on nonprofit groups. We see the impact on the horsemen. The impact goes on and on, and it'll continue to go on until the government does the proper thing. I'm not saying they have to listen to the Liberals and adopt 202 in its own form. Bring out your own Bill to eliminate the VLTs. That's fine. We'll support it. It doesn't have to come from our side. If it comes from your side, we'll support it.

Mr. Speaker, this is a free vote, and I would suspect most members if not all members of the Liberal caucus will support this Bill not because the Whips are on but because it's the proper thing to do for Alberta. I would say that by and large a lot of you, if you thought about what was best for your community – I know some of you feel this way – you would vote with us and support Bill 202, provided your Whips weren't on. On that note, I'm going to conclude because there are many, many others in this caucus that want to speak.

Thank you.

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

DR. WEST: Thank you, Mr. Speaker. I, too, would like to stand and address Bill 202. Of course I can't support Bill 202, and I'll point out a few reasons that have already been pointed out, I think ably. I'd like to thank the Member for Lacombe-Stettler for her comments, that I noticed here in *Hansard* of February 20 and some that she made today. I think she pointed out exactly what the committee had found as they traveled around Alberta and got a cross section of what Albertans truly did feel and came up with a solution that would take us forth into the next few years with a great deal of respect in Alberta as it relates to this area.

I want to point out first, when I start, that in studying Bill 202 and thinking of the concept of it as I look into our very complex society, it had to be based on maybe quite a few different individual philosophies. One would be hypocrisy, the ultimate hypocrisy, this Bill, or else it's based on being naive about what's going on or it's based on lack of total understanding of the complexity of the 1990s and where we live: in a highly technical world of Internet and what have you.

It could be based on total lack of common sense. Today we can't legislate common sense, and we can't protect ourselves inside a glass bubble here in Alberta against all the ills of the world or all the ills that might go on when overindulgence in certain areas takes place. Of course it's also based on the fact that you can't face reality. I believe that this government faced reality when it came to the issue of VLTs. It was well put out by the Member for Edmonton-Norwood too that the police them-

selves say that the removal of these in our society today is not facing common sense or reality.

You can use all the examples you want about marijuana, but if marijuana were legal in Ontario and not legal federally, were legal in Prince Edward Island but not legal here, then we'd have a mishmash of it. That's not true with gambling and gambling initiatives. They're not illegal. They're not removed across Canada. They never have been except under the context of the Criminal Code and those allowable by licence. We have to face reality, the naiveté of it, that \$2 billion a year, when we first did the estimate coming in on VLTs, leaves the province of Alberta, not Canada – the province of Alberta – in disposable income related to gambling initiatives someplace else, whether it's Vegas, Reno, Europe, or wherever they go to gamble. So that sort of disposable cash was leaving this province in the beginning regardless of whether you face it or not.

Let me go back to hypocrisy. To remove VLTs completely would be to deny what the use of the funds from VLTs or other forms of gambling in this province has done over the last four years and over the last 40 years.

MR. MITCHELL: Values, Steve.

DR. WEST: I look at the Leader of the Opposition. He talks about values – I hear him here – yet the other day in his talk to this he said that he can support horse racing, but he can't support VLTs. He can support bingo at \$510 million. The last study on bingos – I'm getting back to hypocrisy now – said that it was highly addictive and that the highest percentage of people addicted to it were people making less than \$15,000 a year, were female, were aboriginal or ethnic in origin, and they sat and played the massive amount of bingo in this province in the most addictive of fashions.

Of course, the hypocrisy goes further. There was no mention in here of the raffles that go on daily, the 3,000 raffles under \$10,000, and the multiplicity of gambling initiatives, from the major legion one that's going on right now right down to the basis of small raffles in our communities, whether they be quads or whether they be . . . [interjection] And of course that's not gambling. [interjection] Of course, when the legion was in pull tickets and Nevadas, that was for a good cause, but VLTs are not a good cause when it goes into education and health, when it goes into trying to replace the vacuum of the transfer payments that aren't going to be made by the federal government to this province and we need to continue good programs for mental health and for other areas in the province. This doesn't address that. The hypocrisy of it. They want more money put into education and more money into health care and more money into social services and children's services, yet they want to remove \$385 million. The hypocrisy of it. I think you've wound me up a little bit.

Here, on February 20 the Member for Lethbridge-East wrote:

The Miner's Library does exceptional community based work and uses these funds very effectively. Removing their terminal . . .

This is video lottery terminals.

. . . only serves to limit the community work that can be done through groups such as the Miner's. I hope that you reconsider this reduction.

In the first paragraph:

I have received a presentation from the Lethbridge Miner's Library concerned about the removal of one of their video Lottery Terminals . . . This reduces the number of terminals from eight to seven.

This member, a member of the opposition, makes representation on February 20 to stop the reductions.

Now, last year the Member for Fort McMurray wrote to me:

Could you advise me as to what immediate steps you will be taking to provide some VLT machines to those people who want them. Will you be going to the lottery system on VLT issuance, will you be pro rating them on a community basis, or will you be attempting to establish a new bench mark at say five machines per facility to free up machines to meet the demand in that way?

Well, I can report here today that we have. We are going to seven machines maximum for any licence. In five years we will remove the multiple licences and take any area down to one licence. Those that have 30 today will end up with seven in five years. That's a reduction, and we are not going to put any more than four on redistribution. The Member for Fort McMurray indicated that five would be fine.

We have said we wanted a flexible cap. Today I talked to Mr. King, chairman of the Gaming and Liquor Commission, and he said that under the first redistribution, while we take away the machines from one side, we'll probably be at about the 5,700 mark, which will give us flexibility to look at what goes on out there. We will be putting and we have put 615 slot machines that give coins out, like the member said, in the charities to maximize the charitable returns. That's what we heard to do: go in and maximize the charitable returns. We're going to give the charities 10 percent of the take from those machines and only 5 percent to the operators, a decrease of 10 percent of what the operators used to get. The charities said and the people of Alberta said: maximize the return to us in bingos and in other games. So what we did: we brought in satellite bingo for the first time this month. Lo and behold, we've had massive interest in satellite bingos, and the return to charities running those looks like it's going to go up.

3:10

We also took away the bonus. Somebody said: don't give the bonus system to the VLT operators. To cut down the interest in expanding these and marketing them, we stop the bonus as of April 1. We're also going to put on all VLTs in the province about the addictive nature and where to contact AADAC, an indication. You'll say, "Well, that's irrelevant." But the promotion by the federal government Liberals on cigarette notification and putting them under bland packaging – the people of Alberta said: don't advertise, and indicate that these are addictive. We are cutting the advertisement by 85 percent this year on all forms of gambling in this province. We are not going to market this product. We are pulling out of Western Canada Lottery, and our marketing adventures will be minimized because we believe that the return can now be achieved without marketing this like it was, and we don't want to impact on Albertans that this is gambling for massive government intervention.

We are also looking at deregulating raffles to make it easier for the small groups, the volunteer groups out there. On April 1 you'll be able to go to the registry offices, some 200 of them, and pick up your raffle application without a hassle. Any raffle under \$10,000 will be accommodated that way.

Now, as far as community standard, the people of Alberta, the 398 municipalities that are out there: if indeed this government has not found the middle ground that they want, they can hold a plebiscite, and if that plebiscite is successful, we will remove those VLTs. [interjections] I don't suppose they want to hear this. Let me repeat it one more time. If a community such as the city of Edmonton wants VLTs removed, then call a plebiscite, like you did on the airport, like you did on Keillor Road. The same

avenue is there on VLTs, and I will send the Alberta Gaming and Liquor Commission out in the morning and take your VLTs. Then at the same time, because those dollars are so offensive to the people who voted to have them removed, we will remove the dollars also from the programming that goes to the communities. Then we will have equity and fairness in the system.

Mr. Speaker, I regret that I had to bring up the issue of hypocrisy here, because as soon as I did, the opposition became incensed because they finally realized that even internal to this Bill – their leader has brought forth a Bill that they themselves can't support, but they will toe the line. I'll guarantee you today that they'll all vote for this Bill. The hypocrisy of these letters that I'm receiving and the fact that they have to go back to their communities where these dollars are used for the benefit of those communities – they will hang their heads when they go back or they won't mention what they did to their hotel owners or to their volunteer groups or to the people in their community, what hypocritical position they took when they came to this Assembly.

I have covered some of the new policy directions that we're taking, and I want to emphasize that we're already removing some of the VLTs and redistributing them. I have Bill 5 in here. You support horse racing. It was brought up in the debate. We will look at the other forms of traditional type gambling. That again is hypocrisy: to deny that bingo is gambling, that horse racing is gambling. In my day, 25 years ago, when I worked around the track as a veterinarian, you don't think there were people that lost everything on horse racing? They were addicted.

THE SPEAKER: Order please. The hon. Member for West Yellowhead is rising on a point of order.

Point of Order

Questioning a Member

MR. VAN BINSBERGEN: Mr. Speaker, under *Beauchesne* 482 I wonder whether the minister would entertain a question.

DR. WEST: Mr. Speaker, I neither have the time nor the patience today to entertain a question when I'm addressing a Bill.

Debate Continued

DR. WEST: At any rate, if I had to go back in the history of Canada – and I really feel bad, because I've got personal friends that were addicted, whether it be to alcohol or whether it be to playing bridge or whether it be to VLTs. I have personal friends that lost all their money at the horse races. I have friends that lost every living cent and dignity they ever had in the real estate market. Not just one or two but hundreds that I knew back in the '70s and going into the '80s went out and gambled in real estate. Now, is that illegal? Should we ban real estate investment?

There's a matter of choice here, a matter of what people have to do to protect themselves in a highly technical world. Do you think I can stay up at night and pass a law to protect you against the Internet? Do you think I can stop you now when it's on-line and on satellite? You have to make some decisions. Families have to help each other, and the community has to help. If you know those people need help, you spend hours, like I have spent with some people, counseling them and helping them personally, not with a government-paid program but personally. In my heart I wanted to help them. Have you done that? I can't keep them in a glass cage and come in here and play moralism and try to protect them against the woes of this world we live in today. I've got to raise my children under a value system that lets them make

choices. This Bill precludes community involvement and precludes the issue I just talked about: having to be responsible unto yourselves and your communities. Protecting ourselves by eliminating VLTs will not do it, folks. That's only kidding ourselves.

What's next? What's next if you start this? We're going to eliminate this from you so you don't make bad choices. We'll eliminate cholesterol from you so you don't make bad choices. You know, the devastation in our society isn't just based on that 90 percent that are going down the drain because of VLTs. Let's deal with the problems and face reality.

I ask all hon. members not to support this Bill, because it doesn't solve anything and won't put Alberta anyplace as far as a better society.

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

MS CARLSON: Thank you, Mr. Speaker. My comments will not be in the grandstanding nature of the minister. My comments will be on behalf of my constituents. Many of them have shared their concerns over the increase of video lottery terminals in this province. We had a survey in my constituency before Christmas, and 96 percent of those people supported complete elimination of VLTs in this province, not some elimination, not a reduction in the numbers, but complete and total elimination of these VLTs.

Those people raised a number of concerns in their comments back to me. Many of them said things like: if we must have VLTs, they should be drastically restricted, that all moneys go to community organizations, that the dollars should not be used to fund general revenues and the education and the health care of people in this province. Many of them said things like: the proposal about where revenues from gambling go is a cop-out at this time, a cop-out on behalf of this government. If you let people know exactly what the money was being used for, to fund the base operations of this province, they would know that this was a case of ill use of funds and that the government of this day is misrepresenting the people by using the funds in this manner. Many of them talked about personal hardship in relationships within families caused by both big winners and losing in gambling. Many of them talked about how there's no moral and acceptable way to use the money earned from people's addictions to pay for government debts. This was reinforced by many people that had concerns about this. If the government absolutely insists on having VLTs, then 100 percent of the money should go to charities.

3:20

Many of the people who shared their comments with me shared very personal situations within their families, where they've suffered undue hardship as a result of VLTs being introduced into their communities, and they wanted to concentrate their efforts on banning VLTs. One mother of three young children shared her problems within her own family as a result of this in a two-page letter. She talked about how hard she and her husband had worked to pay the mortgage off on their house so that when the children were born – she has three in total – she could afford to stay home with them and spend some good community time working within the community and being a good mother to her children and a good wife. They were conscientious in their saving efforts, and they were responsible in their budgeting. Then came VLTs. Now her spouse spends at least \$600 a month gambling every single month. That's a substantial portion of their budget. They've had to place a second mortgage on their house, she's had

to go back to work, and the two smallest children are in day care. Those were not the initial life choices for either of them, but gambling is an addiction, and VLTs are an uncontrollable kind of gambling. This government and this minister are hypocritical in their endorsement of that and in not taking the proper restrictions.

THE SPEAKER: Order please. The hon. member should realize that “hypocritical” applied to an individual is not in order under our rules.

MS CARLSON: Thank you for reminding me of that. The policy is hypocritical, Mr. Speaker, and it will remain hypocritical until the policy is revoked.

We've had a number of constituents who have said to us that they've had to make the decision about whether or not to put VLTs into their businesses. On the one hand, it is significant if they don't put them in because other competitors in the marketplace have got them. If you take a look at the kind of money generated by six VLTs, it's in general a gross revenue per month to them of between \$4,000 and \$8,000. Now, in a small business these days a revenue, cash in the bank, deposited directly, of \$4,000 to \$6,000 per month is substantial. For many of these businesses it's the difference between being able to exist and not exist. In addition to that, those who don't put VLTs into their businesses then risk the loss of business from those who will go down the street to another business that's got them. So we're seeing not only hardship with those who choose to gamble but hardship with those who choose to employ people in this province and run businesses, because they can't compete. The minister, by having this policy on VLTs, has distorted the marketplace for small businesses in this province. That's something that hasn't been addressed significantly enough throughout this discussion and throughout the minister's discussion, and I wish he would address that.

This government is so concerned about bottom-line dollar figures. Well, I can't imagine why the minister, then, has not tabled in this House for the people of this province to review the social dollar cost of having VLTs in this province. The social dollar cost of having to increase addictions programming, the social dollar cost of children going to school without food in their stomachs, the social dollar cost of bankruptcies, the social dollar cost of families having to remortgage their houses and change their lifestyles: those are dollar costs which need to be accounted for when we talk about VLTs in this province. I'm sure that the minister will address those concerns. He's been able to address them on the revenue side; now let's talk about expenses.

THE SPEAKER: The hon. Member for Olds-Didsbury.

MR. BRASSARD: Mr. Speaker, thank you. I do welcome the opportunity to participate in the discussion of Bill 202, the Lotteries (Video Lottery Schemes Elimination) Amendment Act. Having read this Bill, I can't help but come to the same conclusion that my colleague from Lacombe-Stettler has expressed here this afternoon and yesterday. This Bill is idealistic, oversimplistic, and completely unrealistic. It does not provide an answer, and I refer to the Minister of Transportation and Utilities, who described it so eloquently in his address.

The leader mentioned yesterday that I am uncomfortable with gambling. Well, Mr. Speaker, I am. On that fact he's right. You know, for someone to win, many must lose. We often read about the instant millionaire lottery winner, but in order for us to

have a millionaire lottery winner, we have to have at least 2 million losers. That's what gambling's all about, and that's why I'm opposed to it. It's getting rich at the expense of someone else.

Ironically enough, as was mentioned earlier, the Leader of the Opposition thinks horse racing is okay. It's almost as if to say that one kind of evil is okay, a good evil, and the other kind of evil is a bad evil. He bases his assumption on how many people are employed. Well, I guess if you use that argument, it would be an argument in favour of VLTs, because the benefits of VLTs obviously are much greater: more people are involved, there's more revenue resulting, and more people are going to benefit. It's no wonder the Member for Lacombe-Stettler said that the mover of this Bill is speaking out of both sides of his mouth.

You know, Mr. Speaker, there was a time when raffles and lotteries were rather noble. It was a way we could help the soccer team buy new sweaters or a family who had been burned out or faced a crisis of some kind. We bought tickets mostly to help the cause. Really the prize was almost incidental. No one, or very few of us, really expected to win. Our focus was solely on who we were helping.

Then bingo seemed to start to compete with one another. The bigger prizes seemed to attract bigger crowds, and the bingo halls moved out of the basements of the schools and into bingo barns, as we know them now. The prizes went from \$100 to \$100,000, and the focus, as I said, went from the cause to the prize. Greed replaced compassion. The VLTs fell right in with this new expectation, Mr. Speaker. We now have lotteries offering three homes and six cars and all kinds of trips. You name it; everything to entice us to buy tickets.

There are lots of influences on communities today, Mr. Speaker, not just VLTs, and as I said – it was already mentioned today – VLTs is only one of them. Gambling itself is as old as history itself.

DR. L. TAYLOR: Is that older than you?

MR. BRASSARD: Yep.

It's taken many forms over the years, and it's going to continue to take on different forms. The leader somehow seems to feel that the government is responsible for all of this. I'd like to just read from *Hansard* of yesterday. It said that the

government needs to provide the people of this province integrity.

It needs to provide them fiscal responsibility. . . . it has to provide them a third thing . . . and that is community.

I thought all that stuff came from the people themselves, Mr. Speaker. I don't understand this. He went on to say: when they – meaning us, the government – define a problem, they “find somebody to blame for that problem.” He said:

As long as [video slot machines] exist, they take something out of each and every one of us: people in this province who have always valued support for their neighbours, who have never picked on people, who have not been mean about people.

My goodness, we have finally found a cause for all the ills of the world, communities and people and everything else, and we're going to do it all by just wiping out VLTs.

Further to his comments about horse racing, he said that gambling and casinos were okay. He said that “groups and volunteer groups who have always been able to raise their funds successfully through nonprofit casinos and bingo” are now being upset by these VLTs in the communities. I don't understand where he's coming from. Gambling, I guess, is okay as long as it's done under his terms, as long as it fits his nice, neat little

package of conformity. The killer, though, was a quote that he said finally: "I'm not saying that nonprofit casinos and bingos are perfect either, but . . . they are regulated." Right on. Now, there's something I can agree with.

The Member for Lacombe-Stettler stated that the police forces said exactly the same thing. The leaders of the police forces in Edmonton and Calgary and the RCMP said the same thing exactly: you need to regulate and control the industry, and you're doing it, and you're probably doing it better than anyone else in Canada. I'm sure that that's what they said. Incidentally, we were told the same thing by the authorities in the United States when we were down there.

3:30

Mr. Speaker, 87 percent of the people that came before our committee – and I was a member of that committee – told us to cap the VLTs. They said that we should limit the exposure of the VLTs within the communities because they were impacting on those communities. That's really what moving them to destination gambling points is all about: to get them out of the communities, to reduce as much as possible the exposure within the communities, to put them into a category almost of a pinball machine, just for entertainment. We honestly believe that well-regulated casinos, charitable casinos should be the primary location for gambling in Alberta, and that's why the VLTs are being moved into that setting.

There's no question that VLTs or gambling of any kind for that matter, Mr. Speaker, is having an impact on communities. The leader would suggest that this is all the government's responsibility. Well, the government does have responsibilities. It has responsibility for controls. But individuals, communities also have responsibilities, and that's why communities have the right to opt out. They also have a right and a responsibility to say how that revenue is spent, and that is really why this clause on community standards came about. Different people had told us that some of this gambling revenue was being spent on shows that they found extremely offensive, and we said: then what are you as a community doing about it? I say to the Leader of the Opposition: what are the communities themselves doing about their VLTs?

This idealistic, unrealistic Bill would wave one magic wand and do away with VLTs and all the problems that go with it. Well, they won't, Mr. Speaker. The fact is that we all have a responsibility towards gambling. This Bill won't fix it. The government must provide controls and regulations, and we're doing that. The government agencies, such as AADAC, must provide assistance, and they're doing that. Communities such as Red Deer and Cardston must stand up and reject VLTs if they feel that way, and they're doing that. Ultimately individuals have the final responsibility in all of this. To rely on government to protect people from themselves simply will not work, and neither will this Bill.

I urge all members to reject this Bill.

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

MRS. ABDURAHMAN: Thank you, Mr. Speaker. I rise to speak in favour of this Bill. I certainly will not make a statement that this will cure all the ills with regards to gambling in the province of Alberta. The fact that significant revenue generation is made through gambling, specifically VLTs, I believe has created an environment in our communities that's giving our younger generations the wrong message, and that is that if you've

got difficulty with the revenue side of your budget, indeed you use gambling to shore it up. That is not a message that any government should be giving to younger generations.

It's not just the province of Alberta. If we look across the western world and we go to Britain, where the equivalent of 6/49 has caught on, people are lining up for long periods of time to buy their lottery tickets. To me, governments have a responsibility to lead by example and give a moral value to our communities that we can all indeed be proud of. You know, it used to be that in Alberta hope was defined as having a good job, enough to eat, and a roof over your head, and now basically it's defined as winning a lottery.

Why would I support a Bill to remove VLTs in the province of Alberta? Because it's probably one of the most insidious forms of gambling there is. In Clover Bar-Fort Saskatchewan we actually went throughout the community and the province to seek the views of our constituents, not unlike the Member for Lacombe-Stettler's committee. There was an overwhelming message that came from the constituency of Clover Bar-Fort Saskatchewan and from many, many Albertans: an issue like this was not something that could be dealt with halfway, that because it was so insidious, people actually were caught up in it before they realized they had an addiction to VLT machines, and that the only way you could really deal with it was to find an orderly way of removing these machines from our communities. I believe that is realistic, as is laid out in the Bill, if it's done in an orderly way. No one is suggesting you go in overnight and remove every one of these machines.

You have to look at the reason. Why did we ever go down this road? It's for a quick fix. We had difficulty balancing our budgets, and we needed revenues. What we started to see was a philosophy involving this government that was going to change the face of the province of Alberta, indeed leading it towards becoming a gambling mecca.

We've heard it been suggested that just because you support horse racing, you're supporting gambling. Yesterday in speaking to Bill 5, Mr. Speaker, I pointed out that the horse racing industry has an image problem, and the problem is the focus on generating revenues through gambling and very little of that money going towards the horses and the jockey. The competitive part of horse racing is a good recreational area to participate in. The gambling aspect has overtaken it. They were looking at another quick fix in putting corner betting shops in communities. To me, as I said yesterday, that's the death knell of your horse racing industry.

Now, to suggest that it's not viable and that we're trying to be all things to all people by supporting Bill 202, I believe that through Bill 202 and the removal of VLTs you will actually decrease your costs. We know from the research that's been done on gambling that for every dollar that's raised, it's costing society \$3 to correct the ills that come from people who have addictions. Look at the significant work that's been done by many people in the province of Alberta, particularly Dr. Smith from the University of Alberta. He says:

VLTs appeal to the video generation – the crack cocaine of the gambling set. While most maintain that VLT abuse hurts only the gambling addict, all of society eventually pays for it.

That's the bottom line. There's a greater cost to society through VLT addictions than there will ever be in revenue generated to assist a government.

The other question that has not been addressed in the House to this point in time – and it's what I'm hearing from the professionals, the so-called experts – is about our young people, who are actually being brought up in a generation of video machines. In

actual fact there's a grave concern by the professionals who are researching this whole subject that our young people are isolating themselves by playing video machines, the whole computer age, and that indeed a VLT machine is a natural progression for many of these young people. I think that would be tragic. If we don't acknowledge it at this point in time, we indeed could be assisting the younger generation in a form of addiction to VLTs by the fact that they're so permissive in the communities. I think we as legislators have to be responsible and address that issue.

3:40

What is it that we have lying in wait for the younger generation, who have totally different exposures than I had as a child or even as a young adult? Our young people are used to sitting and playing a machine. When you talk particularly to young women who have become addicted, when they're going through difficulties in their lives, they find it comforting to sit in front of that VLT machine. They shut the rest of the world out. All it is is them and the machine. They become so addicted to that specific machine that no one dares take their machine. You can go downtown in the city of Edmonton, the city of Fort Saskatchewan, and Sherwood Park and ask people who are addicted, and they will tell you that even when they leave their place of work – the ones who are still able to hold a job – they will know where every VLT machine is on the way home from work. They will go on to tell you – I've had people sitting in my constituency office sharing their tragic stories – that on their way home from work they will actually stop at the VLT locations. They also know which VLT locations have got bank machines so that they can access easy money.

Now, when people sit down with their politician and say, "I have a problem; please do something," and you have to tell them that the problem of their addiction is indeed theirs – and until they acknowledge their addiction and get professional help, the politician really can't assist them. The only way I know that I can assist them is by making sure through legislation that we don't become permissive in accessibility, in making the venue for gambling so accessible. That's the kind of society that we are living in right now, Mr. Speaker, in the province of Alberta.

I don't support any form of gambling. In fact as an inactive Rotarian, it used to concern me that one of the ways that Rotarians had to raise money was bingos. I had a real struggle in meeting my obligation as a Rotarian, which was to commit myself to an equal number of bingos to raise money for community groups. I would have much preferred it if we'd found another avenue to raise money for the Rotary so that they could then support the community.

It can be done. In our own church in the city of Fort Saskatchewan, the United Church of Canada, we have a strict policy, a belief system that you don't raise any form of moneys through gambling. We wanted to build ourselves a new church in the city of Fort Saskatchewan, and the challenge was: well, how can you raise the funds to build your church if you don't use some form of gambling to raise those funds? Well, surprise, surprise, Mr. Speaker. We were able to do it without using any of the common forms of fund-raising, which usually deal with some form of gambling.

Now, we know that VLTs, out of all forms of gambling, is the most insidious. It creeps on you without your even realizing it. What it does to families is so destructive. I just cannot support where governments use it as a form of revenue generation. Certainly as a government you don't legislate models. That isn't what we're here for. What I say is that you are giving the wrong,

wrong message to Albertans when you actually use gambling to pay for programs that in essence are essential to Albertans. That is morally bankrupt, and I certainly don't want to be part of that.

[The Deputy Speaker in the Chair]

Now, I would like to suggest, Mr. Speaker, that all across Canada and the western world we have to look at our value system and as governments be leaders: walk the talk. You know, I have a great respect for the hon. member who was saying: isn't that what communities are all about? Yes, communities set values, but governments lead, and they lead by example. So I don't see a contradiction in our hon. leader's remarks in speaking to his Bill that governments have to lead by example. They should be working with communities. Yes, all the law enforcement people will say, "Regulate; legislate." You know, we were dealing with young, female prostitutes in two questions here today. Yes, government has a role there, but also the community has a role. Government has a responsibility to remove young men and women out of circumstances that have led them to prostitution. That's where you start to demonstrate values and leadership.

So, Mr. Speaker, I certainly want to see VLTs eventually removed from the province of Alberta. It's not just the addiction that causes problems in our communities. When we – the young lady who assisted me in this research – spoke directly to two people who worked in areas where VLTs were, they feared for their lives. There's a puzzled look over there. One of the things we found in the hotels in the city of Fort Saskatchewan was waitresses telling us that when people start to lose at the VLTs, they become aggressive, threatening, and abusive.

They also told stories – and we actually witnessed it – of buckets of loonies. In the early hours of the morning staff were having to count them to get the money ready for the bank. There was no security, because that would have been an added cost to the operator of that facility. Now, these people did not feel secure. If you doubt it, go to the Clover Bar-Fort Saskatchewan paper on gambling. We did the research. It was right in the community of the city of Fort Saskatchewan, where I have constituents who are employed, whether it be in hotels or other locations where VLT machines are.

These are some of the social reasons, Mr. Speaker, why I firmly believe we've got to look at the orderly elimination of VLT machines from the province of Alberta. Thank you.

MR. DAY: Mr. Speaker, this is a really difficult area for people to look at and to analyze, and I really don't think the debate is enhanced with adding name calling and talking about moral bankruptcy and this type of thing. I hope we don't get pushed on that, because there could be some reflections on history in terms of a certain individual who may not have conducted himself in a totally moral fashion when senior citizens were bringing their life savings to him and asking for those to be invested. So let's keep the moral bankruptcy tone out of this, and let's address it on its merits. It just diminishes the overall remarks. [interjections] I can see we've hit a nerve over there.

Mr. Speaker, it's a very difficult issue, because there's a line for us as MLAs in terms of what we believe and what we would bring forward on behalf of constituents. We all deal and struggle with that, and that line is always there. There are some issues on which at election time in town hall meetings I have the boldness to stand and say, "On a couple of these issues," and I identify them. Even if it was 99 percent of the constituents saying,

"Please promote this," I have said: "I'm sorry; I will never do that. Now, if you can still vote for me knowing that on other issues I will bring forward your concerns, then I'd appreciate that." But on certain issues, I name them, I make them very clear, and I say: "On these ones, I'm sorry; I will never change. I've thought them through, waded through them, and on these ones this will be where I stand."

3:50

I look at the issue of gambling, for instance, and I look at my own personal choices. I don't gamble. That's a personal choice of mine, and I base it on my view of life and on my own world view, and it's a view which I'm happy to share with others and even to debate with others. But we're not here talking about my personal view of gambling right now. So the question is not whether I should be supporting gambling but in fact what's been brought to us, because gambling, as we know, is legal. It is not banned, and the courts uphold it as legal activity, whether some of us engage in it or not. The question, then, becomes much more narrow on this issue. It's been brought forward to us that a certain type of gambling by some people is found to be obnoxious, and therefore we should take steps to eliminate it.

It's interesting that the member opposite, who raised some excellent points which I appreciated, talked about hearing that some people even have a certain seat in the lounge where they get almost violent if somebody wants to take that seat. It's the good luck seat or whatever it might be. A lot of strange habits and superstitions surround it. This is to do with VLTs.

Mr. Speaker, I appreciate the fact that she raised her discomfort with bingo. I'm also not a bingo player, but I can tell you, knowing a lot of people who do play bingo, the superstitions are very high on that. There are certain chairs and certain ways in which they face and certain clothes that they wear when they go to play bingo.

The social effects on some people who play bingo are very distressing. I personally in a mall in Calgary, one time not long ago on a hot summer day, was doing some shopping there, and there was a bingo hall. There was a car parked there and locked, with two kids in that car on a hot day. I went right into that bingo hall. I walked right up to the person doing the announcing and said: "Here's the car. Here's the licence number. Somebody could get arrested here. Whoever is doing this, have them get out to their car now and attend to their children." So we know that even with bingo there are some very unfortunate and in many cases reprehensible social effects of that particular addiction, which it is with many.

I don't hear any calls to abandon bingo here; the same with pull tickets, raffles, various card games, lotteries, 50-50 tickets, horse racing. On and on it goes. There are people addicted to each and every one of these particular modes of gambling. So how do we address this issue, then, knowing that and knowing that each of us has some personal areas and personal concerns with it?

As I promised my constituents, I have told them that I will bring their concerns to the Legislature. That sometimes means bringing individual or minority concerns to the Legislature. It sometimes means bringing the majority view. I've sat with people in my office, as I'm sure other members from other political parties have, who have said: "You know, even though you're a PC, would you still take forward my concern? You know that I'm an NDP," for instance. I've said: "That's irrelevant. I am elected to bring forward your concerns, and that is what I'll do." I've met with and heard the concerns of many, many groups: recreation groups, arts groups, culture groups in Red Deer. I'm

talking about the Red Deer groups now who have said, "We do appreciate the revenue from all of these forms of gambling," and they include VLTs. So I bring that concern forward.

I've also met with people and heard that they say this particular type of gambling in their view has some addictive qualities attached to it that they don't see and they haven't seen in other areas. Now, that's a debatable point. I've already brought out some of the addictive qualities of bingo, but I will say that I do get concerned. For instance, I've had bankers call me in Red Deer who have said to me, "Look; I don't have any particular moral hang-up on gambling, but I've seen some things related to this VLT thing that bother me: people coming in, taking out loans, not telling their spouses the trouble that they're in." I've heard from lawyers who again say the same thing. They say to me: "Look; personally, I gamble. I don't have a problem with gambling, but I'm seeing some things related to VLTs." There seems to be a stronger addictive quality for some people with VLTs possibly even than there are withingos. So I bring those concerns forward.

I say: well, can anything be done about that? I understand and I've heard that there can be a slowing down of the actual machines. There seems to be something with the speed at which these machines operate that has some kind of an intensity and a driving quality to them that really grips the individual playing. That's been suggested.

I've checked with our city council in Red Deer because they had a motion before the AUMA saying: we think this should be banned across the province. I've checked back with them. They said: "Well, since the election, you know, it's a new council. We're not wanting you at this time to represent a view that says ban it." But they have brought forward their concerns and some things they would like me to speak to on this issue, which I'm doing. Those concerns coincide with the concerns that I hear from some of the arts and sports and recreation and culture groups, that there are some ways that possibly we can address the concern. They've said, for instance: "You as government always talk about the benefits of VLTs. Do you talk about the negative effects of VLTs, and how extensively have they been analyzed?" We hear the anecdotes. I hear from the bankers, the lawyers. The member across the way hears from the waitresses and other people. So we need to recognize there's some anecdotal evidence of the problem. We need to really take a hard look and see just how extensive the problem is.

I believe that we should take all the dollars needed - all the dollars needed - by groups like AADAC and buy the addiction groups everything they're asking for. I don't feel there should be any reasonable limit put on the dollars that they are asking for in terms of meeting the needs of those in the community addicted not just to VLTs but to the broad spectrum of gambling. I think that we should give all the dollars required and put virtually no restriction on the dollars that we can put into prevention and education, whether it's to young people or to adults, getting out there very clearly the negative effects that gambling can have on individuals. There should be virtually no limit on that. That's one area where I don't mind seeing the market flooded, the area of counseling and the area of prevention and the area of education. That reflects the views I'm hearing from city council and from the people in our constituency. I think we should have a help line in place, a 1-800 help line that people could call and know that there would be caring individuals there who would listen to them in confidence and do what needs to be done to help them take care of their problem.

We ban them; we wind up in a situation like British Columbia. I understand they have something like 10,000 illegal machines. That's a huge foothold for the Mafia. There's no way, then, in which you can reach and treat the people who are addicted, because if they're addicted to legal machines, they'll be addicted to illegal machines. There's no way for those people to be reached. There's less chance those people will come forward to confess and to say, "I need help with my addiction," because they'll also have to admit they've been participating in an illegal activity. My concerns are huge in terms of the inroads that organized crime has now in British Columbia and some other provinces that have banned these, yet they have more machines than we do in Alberta, where we've got the control.

Mr. Speaker, I would sum up by saying that my recommendations would be that we slow down the machines. We have capped the number of them; we should keep the cap in place. We should put all the dollars necessary towards addiction and counseling. Some of my colleagues may be upset with this, but I think we should reduce the government's share of these dollars, the provincial government share of these dollars, and let the communities benefit and also let the communities deal with the problems that may arise from those particular activities. Then let's put a time limit, maybe one year. Let's evaluate. One year. Let's see what kinds of effects these types of recommendations would have: if it's having a mitigating effect, if it's reducing the problems. If it's not, then I would seriously look at the question of banning them.

Thank you, Mr. Speaker.

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

MR. SEKULIC: Thank you, Mr. Speaker. I rise in support of Bill 202. It's interesting that I have to start by saying that I agree with many of the comments, particularly towards the end of his talk, that the Government House Leader just made. One of my primary concerns and an area where I do agree with the Government House Leader is that I don't want to get involved in moral hang-ups in this Assembly. I'm not going to debate morality in this Assembly, most importantly, I think, because I don't personally believe that government can legislate morality.

4:00

I would like to debate dependence, Mr. Speaker. I would like to debate the formation of addiction, something that this government through many of its policies has shown that they despise in its own citizens. We often hear the Minister of Family and Social Services discuss dependence and say how wrong it is and how we must do away with Alberta citizens' reliance on the services of his department. Yet I see a double standard. I see that that which they despise in their citizens they don't seem to have the same emotions about when they're carrying on or promoting this dependence.

We speak of \$510 million of revenue for the general revenue fund. I believe that's the correct number. I could be mistaken. I could be off a few million, but I believe it's in the half billion dollar mark. When I see that type of dependence on video slot machines, I have a bit of a concern, because the general revenue fund is the basis from which we fund health, the basis from which we fund education, the basis from which we fund our seniors' programs, the basis from which all the core programs of government are delivered.

It's quite disturbing when you think that 20 percent of this province's revenues – and I say this virtually every time I get up to speak – come from oil and gas royalties, very volatile revenues. I believe it's 20 percent. I think the Minister of Energy would concur. Twenty-one percent, I think. She's indicating it's higher. I'm afraid I can't go on in terms of guessing, but over 20 percent of this province's revenues are from oil and gas royalties and, as we all know in this Assembly, subject to great volatility so that we may see an increase as we have in the past three years, in effect contributing significantly towards the surplus that we're going to realize tomorrow. It's a bit of a concern that that cycle or that volatility can swing as easily in the other direction, and we may find ourselves in a very difficult position in terms of funding those core programs.

In addition to that 20-plus percent dependence on highly volatile revenue, we are now adding, without question as to its morality, a significant portion to the general revenue fund that's going to be generated through video lottery machines in this province. I am just worried that we are going in the wrong direction in terms of diversifying this economy.

Earlier today I know I and the minister responsible for science and technology from the government side stood in the Assembly to congratulate diversification, 75 years' worth of diversification in this province. That was the Alberta Research Council. I was flipping through the magazine which we all received today called Technology for Business. I read a quote there: Alberta has a strong technology infrastructure thanks to groups like the Alberta Research Council; they're a big asset when you're trying to market Alberta to the rest of the world. I think those are very, very powerful words in terms of what we are looking to do, in fact what I'm looking to promote in terms of diversification: a stable growth, something that can take us well into the 21st century, and something that our children can gain occupations in, Mr. Speaker. I can say quite proudly that I'd like my children to pursue something along the lines of this quote, something that may flow from the Alberta Research Council.

Yet, Mr. Speaker, we see this government going in another direction as opposed to pursuing something that's what I would consider a significant and technological value-added development. We see the government going into these gaming revenues and diversifying the province with gaming options. Despite the benefits that flow and the benefits that have flowed and accrued to communities as a result of gaming items like bingo, I think that expansion in this area is only acting in one way, and that's to reduce the amount of revenue that any single group – any single community league, any nonprofit – can now hope to attain as a result of participating in these.

When I started off my talk saying that I would support some of the comments of the Government House Leader, it was those that were specifically targeted at returning an increasing amount of that revenue into the community, where I think it rightfully belongs, and it has done wonderful things for our communities across Alberta. I think the Alberta communities, community leagues, and nonprofit organizations are in effect under attack when we introduce and diversify new gaming methods. I'm quite disappointed to see that this isn't realizing greater resistance from government members. I would hope that they would speak up and speak against pursuing generating revenues from increased gaming activities.

Once again I see that our education budget has been cut. I see that the health budget is cut. Seniors are cut. These were all referred to as special interests, and they're all cut. Yet the

government seems to pander to gamblers' rights as if it were a large and significant lobby out there, Mr. Speaker. I think that perhaps we've come to a point where government policy in fact is suffering from confusion in its priorities and needs a rethink.

I do commend the Member for Lacombe-Stettler, who traveled the province to hear the input from Albertans, and I think they did a lot of good work on that committee. The results of that work will be the subject of much debate in this Assembly, not just this year and over this Bill but in the years to come. This will provide us with insight into what Albertans think about the direction that we're going. I would hope that when we enter these debates, we also bring more feedback from our community leagues and what they think and the impact on them from the increased focus on the expansion of gaming.

Mr. Speaker, I've heard other comments in here pertaining to the growth of these VLTs and capping them as some form of solution. But I think that we are in fact coming to a point where we ourselves as a province have an addiction to gaming. Now, the counter to pulling away from the direction that we're going is that we can't afford to lose this revenue. We know it's bad. We know it's . . . [Mr. Sekulic's speaking time expired]

Just in closing my comments, Mr. Speaker, I really am concerned that withdrawal from this addiction may lead to the argument that it's used to increase criminal activity.

Thank you.

THE DEPUTY SPEAKER: As you can tell, I hesitated to interrupt the hon. Member for Edmonton-Manning, but Standing Order 8(5)(a) provides for up to five minutes for the sponsor of a private member's public Bill to close debate before all questions must be put to conclude debate on the motion for second reading.

I would now invite the hon. Member for Edmonton-McClung to close debate on Bill 202.

MR. MITCHELL: Mr. Speaker, I appreciate the opportunity to close this debate. I appreciate the input. The clearly intense debate demonstrates that this is a critical issue. I know there are people on this side of the House who are very, very comfortable with the position that we have taken on this issue, and I know there are many people on that side of the House who are very uncomfortable with the position that they are being forced to take by their Whips.

Mr. Speaker, this Bill draws a very clear line. It's a line that distinguishes one set of values, if you can use that term loosely, from another set of values. It's a line that, on this side, that side says: money is an end in itself. If money is an end in itself, then it has an ultimate value. It has an ultimate value to that particular group of people. But on the other side of the line there is something that says: money is an important vehicle for creating a better society, a better place for people to live, but it is not an end in itself, and therefore it matters where it comes from. Therefore, we say very clearly on this side of the line that there is a different set of values, a set of values upon which our communities can be strengthened, upon which our communities can grow and flourish, a set of values that reflects what Albertans believe.

Albertans do not believe, as the member for Medicine Hat once said, that it's every man for himself, forgetting that half of the people of this province actually are women. In fact Albertans have never believed that. He says that reflects what this group is all about. It is not what we are all about, and that's why we believe there is room for values in the way that government conducts itself. We believe that there is room for caring and compassion and some sense of humanity. This Bill draws the line.

For those of us who believe that set of values, we say no to video slot machines, which are damaging families, which are eroding communities, which are damaging community groups that have supported communities in this province. This is a Bill that supports volunteers. It supports families. It supports stronger communities. This is a Bill about values, Mr. Speaker. We're voting for a strong set of values; they're voting against it.

4:10

THE DEPUTY SPEAKER: We're ready for the question. All those in favour of second reading of Bill 202, Lotteries (Video Lottery Schemes Elimination) Amendment Act, 1996, please say aye.

SOME HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

THE DEPUTY SPEAKER: Defeated.

[Several members rose calling for a division. The division bell was rung at 4:11 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Abdurahman	Henry	Taylor, N.
Ady	Hewes	Van Binsbergen
Bracko	Leibovici	White
Bruseker	Mitchell	Wickman
Collingwood	Nicol	Zariwny
Hanson	Sekulic	Zwozdesky

Against the motion:

Beniuk	Haley	McFarland
Black	Havelock	Mirosh
Brassard	Herard	Oberg
Burgener	Hierath	Pham
Calahasen	Hlady	Renner
Cardinal	Jacques	Svertson
Clegg	Jonson	Shariff
Day	Kowalski	Smith
Doerksen	Laing	Stelmach
Dunford	Langevin	Thurber
Forsyth	Magnus	Trynchy
Friedel	Mar	Woloshyn
Fritz	McClellan	Yankowsky
Gordon		

Totals	For - 18	Against - 40
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[Motion lost]

Bill 203

Family Dispute Resolution Act

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Beverly-Belmont.

MR. YANKOWSKY: Thank you, Mr. Speaker. It is a pleasure for me to rise and open debate on Bill 203, the Family Dispute Resolution Act. Family breakup is a very painful and complicated

issue. The parties involved often go through an emotional roller coaster while trying to maintain stability and their everyday routines. This is not an easy task, and the situation is usually aggravated if the parties involved are entrenched in a bitter dispute.

Couples that find themselves in these situations often try and lash out at one another, and they usually end up in courts involved in highly emotional trials. This type of environment is very stressful and draining on all parties involved, but the ones that are most affected by this are the children. The children of these couples are the ones that are forgotten in the middle of all the fighting, but they are the ones that suffer the most consequences.

Parents that are involved in bitter disputes will often try to get back at one another by using the children as pawns in their struggle for power. They put their own selfish interests before those of their children. What parents fail to see is that by involving their children in these disputes, they are actually emotionally abusing their children, and, Mr. Speaker, these scars will tend to be with them for the rest of their lives.

I have personally heard hundreds of horror stories from people across Alberta and other parts of Canada. I call them horror stories because for the children involved, this is exactly what it is: horror stories. Mr. Speaker, that is why I am honoured to sponsor this Bill. We must do something to help these families in their time of need without jeopardizing the well-being of their children. Bill 203 is not an end-all and a be-all, but it's a start to helping our families.

Mr. Speaker, Alberta has the highest divorce rate in Canada. Last year alone, according to Stats Canada, over 9,000 couples filed for divorce in Alberta. This is alarming to say the least. Some couples have lived together for a long time. Now they must begin to separate their lives, money, debts, the furniture, and the pots and pans. It is very difficult to settle anything if all they can do is argue, especially on sensitive items like custody and access. During all the pressures of divorce, parents often forget to provide the attention, the care, and the patience that their children need, as they are often preoccupied with dividing up their possessions.

These highly disputed cases are also very time consuming to the parties, the courts and, of course, are very expensive. By the time these cases get to court, parties are often involved in very bitter custody and access disputes and they have become entrenched in their positions by swearing affidavits. Now, these affidavits often have derogatory comments about the other party and are not conducive to a continuing role of parenting the children involved. Children's needs then are often underrepresented in an adversarial proceeding between parents. Bill 203 aims to rectify this terrible situation.

Bill 203 helps assist Albertans to solve domestic disputes through the nonadversarial process of mediation. Mediation produces many positive outcomes relating to the reconstruction of family relationships. Mediation can help families learn to work together and develop skills to resolve future disputes, thus reducing the hostility between partners and creating positive family relationships. Mediation is effective in encouraging parents to design agreements that will meet the needs of their children. Right now under existing law, matters affecting the interests of the child generally do not come before the courts unless the parents cannot agree or cannot adequately care for the child. Mediation permits the parties to take control of their destiny, consider the facts that they believe to be relevant, raise the issues that they wish to resolve, and design solutions that effectively meet their particular set of needs. They do all of this

without the restrictions of court rules or legal precedents, which often narrow options for a solution. Parents are more likely to comply with an agreement that they have reached than one that a judge has imposed on them.

4:30

Bill 203 calls for mediation to occur between all couples who file for a family law proceeding under the Child Welfare Act, the Domestic Relations Act, the Divorce Act, the Matrimonial Property Act, the Parentage and Maintenance Act, or part 3 of the Provincial Court Act. The process would include comprehensive mediation, an orientation, and screening prior to mediation. During the orientation seminar the parents would be provided with a general introduction to the services offered by Alberta Family and Social Services, the function of mediation, as well as educational information about the separation and divorce process, parenting roles, children's needs, conflicts, and communication problems. This would focus parties of a divorce on their responsibilities to their children and make them realize the consequences for their kids if they continue to fight back and forth. If an individual or couple choose not to attend mediation, orientation, and mediation screening, a certificate of nonattendance would be issued, which they would have to present to a judge.

[Mr. Clegg in the Chair]

Once in court the judge may order the parties who did not attend the mediation, orientation, and mediation screening to attend or order further mediation. If the judge deems that mediation is unsuccessful, the judge can order a home study to be completed by an investigator or order counseling to occur or any other measures the judge deems appropriate. This is done to assist the court with making a decision regarding custody and access. The Bill does not force parties to attend actual mediation. Parties make their own decision after attending the orientation and mediation screening.

The province already has a voluntary mediation program, which has proven to be very successful for those parents who have taken advantage of it. That is the key, Mr. Speaker: the parents who have attended mediation have benefited from it. However, there are many others who choose not to attend, and they are the ones who end up in court. Bill 203 would help to formalize and enhance this successful program. The legislation suggested in Bill 203 would benefit all couples filing for divorce by offering them orientation and mediation. I think everyone will agree that mediation is a good thing. The problem is that there are too many people who do not take advantage of it either because they are not aware of what mediation is all about or they don't know that it's even available for them. Legislation contained in Bill 203 would provide divorcing couples with the important information that could help them and their children through the grueling ordeal of divorce proceedings.

Mr. Speaker, let me be clear about one thing. The main purpose of this Bill is to place attention on the needs of the children of divorce by solving domestic disputes through the nonadversarial process of mediation. Children of divorcing couples are the ones who suffer the most when their parents separate or divorce. They don't understand why mom and dad are fighting and why they can't live together anymore. Most of the time the children feel that the breakup is somehow their fault. There is no doubt that divorce can be extremely difficult on children, especially when the parents go through a bitter divorce. I have heard so many of these horror stories from across the

province. Most of these couples are so absorbed in trying to get even with one another that they'll do anything to achieve this goal, even using their children for this purpose. Parents may try to seek the support of their children by turning them against the other spouse, and this is indeed very, very serious, Mr. Speaker. Needless to say, this of course is very harmful to the children.

It is the parents like the ones I just mentioned that could benefit the most from mediation. However, they may not attend mediation on their own initiative. Parents that are about to embark on a difficult divorce would greatly benefit from the changes proposed in Bill 203. This Bill would give these parents the tools necessary to learn to work together, even though they are living apart and there is much animosity. Even though there will be a time commitment on the part of the feuding couple, in the end they will probably agree that it was worth it all, especially for the children. Through orientation and mediation parents would learn to put their children's interests before their anger and, in turn, be able to provide a more stable family environment. Children will generally feel better if they feel they have two parents that love them, even though these parents are living apart. Working together as parents means both parents must share responsibility for the children's care, respecting the other parent's rights and privacy and developing a method of communication for discussing their children's educational, psychological, and medical needs. This kind of co-operative relationship can begin before divorce, and Bill 203 can provide a conducive atmosphere for this to happen.

On February 1 of this year the Department of Justice introduced the parenting after separation program on a pilot basis, and I commend the Minister of Justice for listening to Albertans and for trying to help families in conflict. I believe that Bill 203 is very timely and will fit with the time line of this program. I look forward to working in the future with the Minister of Justice and the Minister of Family and Social Services on this very important issue.

Mr. Speaker, although I'm an optimist, I'm also a realist. I know that no matter how much we try, we will not be able to help out all the families and children caught in this situation. I know that no matter what kind of legislation we put in place, many children will still go through the pain of divorce. After all, we cannot legislate people to get along and live happily, but we can do our best to provide couples with the tools and information they need to help themselves. We can help them go through the process of divorce in a less adversarial manner. We can help them keep the welfare of their children first and foremost. If we can help even one family or one child of family breakup to live a more stable life, then it will be worth it all.

As I end my speech, I want to urge all of my colleagues to take a hard look at the benefits that Bill 203 will offer families in conflict. They are desperate for our help. Bill 203 will formalize what to some extent is already being done by Family and Social Services. Bill 203 will get Alberta in step with successful legislation in other Canadian provinces and U.S.A. states. I solicit the support of all members in this House and look forward to your comments.

Thank you, Mr. Speaker, for this opportunity to speak to a most necessary Bill.

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

4:40

MR. DICKSON: Thank you very much, Mr. Speaker. I'm delighted to have the opportunity to rise and speak in debate on

second reading of Bill 203. A couple of initial observations. The first one would be that when one looks at the title, Family Dispute Resolution Act, it sounds pretty powerful. It sounds like within the four corners of this Bill we're going to find some strategies, some tools, some solutions to be able to solve domestic problems, and goodness knows there is plenty of domestic strife in this province. In fact, the last time I looked, I think we have something like 8,000 new divorce actions commenced every year in this province. We have in provincial court probably another 4,500 applications, many of them being a consequence of family breakdown and relating to issues of custody and access. So we say that of those 12,000 cases every year dealt with in Alberta courts – and I'm ignoring child welfare matters, because I think there's a substantial number of those – children are involved in perhaps half of those 12,000 cases. Then we say that perhaps in another 30 percent of those cases in which children are involved, there are difficulties, either in terms of arriving at what the custodial regime will be or, once it's in place, then sorting out access and making it work. We know that there's a significant problem.

It seems to me – and I say this with respect to the mover of the Bill – that both in his narrative and his comments as well as in the title of the Bill it suggests that something much more is taking place here than we actually find in Bill 203. It's a little bit like – if I've got a car with a steering problem and I take it in to my mechanic and when I go at the end of the day to pick it up, I find I've got some new hubcaps and perhaps there's been an oil change, I'm going to be disappointed. My bigger problem was having a car I can steer down the road. Maybe I needed new hubcaps and it's nice to have them, but it doesn't really solve my main problem. When I look at Bill 203, it seems to me that we do have a number of problems. Bill 203 in a fashion addresses some elements of the bigger problem, but it doesn't go much of a distance in trying to address what most Alberta children need and deserve in 1996.

It's interesting that Bill 203 really follows a model that was developed in the province of Saskatchewan, where they have also a preliminary screening for purposes of mediation. But in Saskatchewan they haven't simply replaced the hubcaps; they've addressed the steering. The way they did that, Mr. Speaker, was that there they've moved to what Ontario and some other jurisdictions have discovered: if we want to start making a serious dent in our problems with access and custody and those kinds of important issues, what we need is a unified family court.

We have I think something in the order of 70 Queen's Bench judges and then a legion of provincial court judges sitting in the family and youth divisions. You know, many of those judges don't like family work very much. They regard custody and access matters as the scourge of their time and their responsibility on the bench. If you think about it, if we have a judge who before his appointment has spent 20 or 30 years doing mortgage foreclosures and suddenly we find that this man or woman is sitting in a courtroom making what may be the single most important decision in the life of a child, we have to say: is this really the best way we can deal with this? I think that if we want to see some meaningful reform in the area of family law, we have to look at a unified family court. That way what happens is that you have judges that specifically want to deal with family law cases, and it means they can develop a kind of expertise, they can develop a kind of experience. There's no other area of the law, in my respectful submission, that so much requires that kind of expertise. This isn't just a harebrained notion from an opposition

member. In fact, this is the powerful message delivered by the Alberta Law Reform Institute in two successive reports. I know that's a body the Minister of Energy is always persuaded by.

Mr. Speaker, I think that's part of the broader focus we need, and I want to refer the member to Bill 219, where we have attempted to address family law reform in that more comprehensive fashion. Because instead of replacing the hubcaps, we're trying to focus on the steering. We're trying to talk about the drivetrain. We're trying to focus on the things that really make meaningful impact on the lives of Alberta children.

Mr. Speaker, really what Bill 203 does is nothing more than require people to go through a preliminary assessment before they can take further steps in their matrimonial action. Not necessarily a bad thing and I see some value to it, but I heard the sponsor of the Bill talking about this going further and setting out a mechanism to solve problems. It doesn't do that. This doesn't provide the mediation for people. It doesn't require that they participate in mediation. Really, you've exhausted what this Act has to offer once you and your partner have gone in front of this person for the assessment and they say: "Fine. Yes. This is your option in terms of mediation. Here's a list of mediators. Off you go." Well, that in effect is as far as this Bill takes you.

There are some significant problems with that. One of them is in terms of timing. We already have in Calgary – and I'll speak to that because I know it best – the Calgary child custody mediation project. Now, these are people who don't have to be persuaded to try and mediate. I'm talking about a program for people where both parties have decided they want to try and find a mediated settlement. There is a six-week delay, a six-week delay just in terms of being able to get access to the service provided by that program. It seems to me that we've got to address that backlog, that delay first before we start telling people that we're trying to promote mediation, that we're going to push more people down that road. Let's address that bottleneck because it's a significant one, and to me that ought to be a priority.

I should say, Mr. Speaker – I don't want to keep anybody in suspense – I'm going to vote for this Bill at second reading because I think that although it's a modest step, nonetheless it's a positive step. So if people were wondering where I'm going, I'm going to vote in support of this at second reading, but I'm trying to point out what I think are some of the limitations with this Bill. I'm hopeful that if this should get to committee stage, we could look at taking some of the elements of Bill 219, which in fact go in a much broader fashion to try and solve many of these problems.

So the point is that Bill 203 requires a preliminary screening just like they do in Saskatchewan, but from that point the couple is really on their own. I guess two things come to mind here. Not only has Saskatchewan moved some considerable distance ahead of us in terms of developing this kind of a program as a government initiative, but what's more, they have gone within what they were able to do without constitutional change in terms of a unified court. They've also looked at mediation in a more general sense and said: how can we as a province, how can the Saskatchewan provincial government encourage alternative dispute resolution mechanisms? They've come up with a plan, and they're doing that as a province.

In Alberta, I regret to say, notwithstanding my gentle nudging of the Minister of Justice, we still are not making any real progress in this way. We see no leadership in this province in terms of trying to develop a comprehensive plan, the kind of plan

they've done in Washington, D.C., with the notion of the multidoor courthouse. This is the notion that somebody who's got a grievance or a difficulty goes to a central place. We call it the multidoor courthouse, but in effect it may be somebody who says that this is a problem that can best be resolved by way of arbitration, and here's the address for that or here's the door for that. Maybe this is something that can be dealt with by way of mediation, and this is where you go to get access to that service. Or it may be that there has to be a judicial determination by a judge, and that's down a different hallway and behind a different door. That sort of a comprehensive approach I think is something that we could very much use in this province, and I'll continue to encourage the Minister of Justice to consider that.

4:50

I might say, parenthetically, that about two weeks before the session commenced, I had offered some suggestions in terms of five key directions that I had hoped the Minister of Justice would move in 1996. One of those key areas was this whole area of family law reform, and I've mentioned the business of a unified family court. In a moment I will tell you about some other things that I proposed that the minister could move on and deal with.

At this point I want to come back to a comment made by the mover of the Bill. He said, and I quote, that we can't legislate people to co-operate or get along. I think that's a paraphrase, but that's what I understood him to say. I think it underscores one of the problems when we talk about mediation, and my bias is clearly one of favouring mediation. I had some experience practising family law before I took this job and I'm an accredited family mediator, so I have some experience and some understanding of some of the challenges posed by mediation. The biggest one is this: there are a lot of people who refuse to mediate their differences. You can talk about all of the compelling advantages that would accrue if a father and a mother were to participate in mediation, but you will still have people who want to play the games. You will still have people who want, for a variety of reasons, to refuse to be part of that process. The problem is that Bill 203 doesn't address that. What Bill 203 says is: we'll tell a couple about the mediation option, but then they're on their own. What happens in that case, where the parents won't participate in the process?

[The Deputy Speaker in the Chair]

We've tried to deal with this in Bill 219, Mr. Speaker, in the Family Law Reform Act, by doing something that had been tried in Manitoba, and I think it's an interesting experiment. It's creating an access enforcement co-ordinator. You know that now when people don't pay support, there's a maintenance enforcement program. The value of that is that the payee spouse can go and register with the program, and then the provincial government chases down the dollars to ensure compliance with the order.

In Alberta if you have a problem with access enforcement, what you have to do is pay money to a lawyer, often a great deal of money to a lawyer, to go back to court to try and get another order because the first order wasn't complied with. So what I've suggested in Bill 219 and I'll suggest in debate on Bill 203: why wouldn't we have an access enforcement co-ordinator so that if you're a noncustodial parent and you have difficulties with access, you can go to the access enforcement co-ordinator, who then attempts to sort out the problem out of court? I think all members will appreciate the advantages of trying to do it outside the expense and the delay and the cumbersomeness of our court

process. If it's not successful, allow the access enforcement co-ordinator then to go to court on behalf of that parent and allow either a custodial or noncustodial parent to make use of this because there are legitimate concerns that both custodial and noncustodial parents have.

So what happens then is that it's the province of Alberta through the access enforcement co-ordinator who may go to court and say to the judge, "We have a legitimate case here of an order that's been granted that's not being complied with." That tells the judge right off the bat two important things. Firstly, there's been a further attempt to try and sort out the access problem. These can be very complex, and there may have been intervening circumstances that mean there's some problem with the original access order. So what it tells the judge is that that initiative has been attempted and exhausted, and it's been unsuccessful. The second thing it does is it says that in the opinion of an objective observer, in this case the access enforcement co-ordinator, there's a serious, legitimate problem, because he or she has brought the application to court.

The Manitoba program, unfortunately, is not still running. There are some reasons for that, but they are unrelated to the effectiveness of it. It seems to me that unless there's some member in this Chamber who thinks that access enforcement is not a problem, this is something we should be looking at pursuing. This isn't in conflict with Bill 203, but we're now talking about addressing the steering problem instead of the hubcaps. I think that's what Alberta children deserve, and I think it's what Alberta fathers and mothers want to see from us.

With respect to Bill 203 I guess the other point I'd want to make is that mention was made about the parenting course that's now running as a trial project in Calgary. I'll just take a moment. I'd like to applaud the initiative of Mr. Kent Taylor, the psychologist who I think was instrumental, perhaps with others, in preparing the material. I've had a chance to read the course material, and it's absolutely first-rate. It's the kind of information you'd want to put in the hands of every parent contemplating legal action relative to custody and access. I'm happy about that material. I think it's very positive.

I have a concern, though, that there's no provision in that program, short of an application under the rules of court, to basically ignore the practice note. There's an absolute requirement that this certificate is required before taking in effect the next step in an action. I'm pleased to see that that's been addressed in Bill 203, because there's provision there that for an interlocutory or an interim application you don't need the certificate. You can go to court if you need immediate relief. If there's a case of domestic abuse or if the children are going to be surreptitiously removed from the jurisdiction, that relief can be sought and obtained without having to get the nonattendance certificate. So I think that's a positive move, and I'd want to encourage the Minister of Justice to ensure that that same kind of flexibility applies with respect to the practice note that's now been brought in.

While lawyers will know and understand that there's a rule that allows judges to abridge and waive rules, I step back and say that what we're trying to do, surely, is write laws so that as much as possible they're comprehensible to every Albertan. You shouldn't have to go and spend \$200 an hour to find out how to access your own legal system or how to get a basic remedy when you need it. So I think that's something we have to do in terms of communicating that message further.

One may ask, Mr. Speaker, if I've said that we're only dealing with the hubcaps, why I'm going on as if we're still talking about the steering problem. I think all members will appreciate that we

as private members don't have control over the forum. In the sense that when a Bill comes forward and purports to deal in a significant way with family disputes, this is the appropriate time to raise these other concerns, particularly while we're talking about it in principle.

So if I can summarize, the concerns with the Bill are that it simply is far too modest. It's far too limited in scope. [Mr. Dickson's speaking time expired] I guess if people want a summary, they can refer to *Hansard*.

Thanks very much, Mr. Speaker.

5:00

THE DEPUTY SPEAKER: The hon. Minister of Justice.

MR. EVANS: Thank you very much, Mr. Speaker. In the short time that I have, I would like to begin by an analysis and some commentary on the Bill as proposed by my colleague the Member for Edmonton-Beverly-Belmont, and then if I have some additional time, I'll try to address some of the issues raised by Calgary-Buffalo.

First of all, I want to congratulate the Member for Edmonton-Beverly-Belmont for his efforts to bring this Bill forward. His motivation for this, Mr. Speaker, is child centred, and I am confident that many of the recommendations that he's made in this Bill address that need to have a child-centred focus for situations where spouses and others who are living in a long-term relationship break up and where then we end up with children being the unwilling and sometimes unknown victims of the animosity and the emotionalism that goes with divorces.

The intention here is to ensure that at least the parties to a divorce or a breakup of a family union recognize that there are some other priorities in their lives and that they have a continuing responsibility beyond just getting one leg up on their ex-partner in terms of the filing of affidavits and in general making life miserable. There is a focus here, of course, on custody and access, but I think the hon. member is also considering a process that would allow more flexibility related to maintenance awards as well.

The hon. member and actually the Member for Calgary-Buffalo have also made a comment on the parenting after separation program that's now on a trial basis here in Edmonton that came into effect on February 1. It's actually here in Edmonton and as well within a 50-mile radius of the city of Edmonton. Contrary to some of the original comments, Mr. Speaker, this is an initiative of the Court of Queen's Bench, which I very much applaud. It does not deal with each and every case of partners breaking up but only with those situations where there is an application for interim relief for custody access or for maintenance on the premise that in those cases where an interim application is sought, they're usually the cases where the emotions of the parties are at the highest point and where clear logical thinking and thinking about the long-term consequences of not only the ex-partners but of the children of their union is sometimes lost in the focus.

So in particular two members of the Court of Queen's Bench, Madam Justice Trussler and Madam Justice Lawrie Smith, have moved this initiative forward to the point that they convinced the Chief Justice of the Court of Queen's Bench and the Associate Chief Justice of the Court of Queen's Bench about the positive aspect of the practice note. I met with them, and I agreed that it was something that was beneficial and should be considered. But again I must state that it only applies in those instances where interim relief is sought, and the purpose of the pilot is to give a

reasonable period of time, perhaps even up to a year, to see how effective this mandatory screening or parenting orientation process is relative to what has been the case in the past of a voluntary system where only those who had a predilection for working out their problems were ending up going.

The hon. Member for Calgary-*Buffalo* has mentioned Dr. Kent Taylor, who is with mediation services in the Department of Family and Social Services. I want to publicly thank Dr. Taylor and my colleague the Minister of Family and Social Services for being involved very much in this pilot program. In fact, the funding for the pilot as it now stands, to the end of I think March of this year, the end of the fiscal period, is being dealt with through the Department of Family and Social Services.

I want to talk a little bit about the impact of affidavits, Mr. Speaker. I've also practised family law in my days before becoming a Member of the Legislative Assembly, and I know full well that when those emotions are at a high pitch, parties tend to make the most pointed, if you will, comments about each other in affidavits. That's a very innocuous terminology: pointed. Normally, they are very negative towards the other party. This is a system that allows the world to see how the partners have broken down and the claims of one against the other and in point of fact really cements the position of each of the parties. That costs us – I'm talking about society – and the parties themselves and their offspring enormous emotional turmoil. But it also costs the system a great deal of time, effort, and expense in trying to deal with the issues that have been raised between the parties and in coming to a conclusion.

So what the hon. member has suggested here is a system where before that affidavit and those allegations that come with the affidavit have a chance to occur, we have some kind of a review process that is ongoing. Now, that review process and the focal point of the parenting after separation pilot program here in the city is, I'm sure, going to prove very effective in reducing that emotional mental anguish and in turn reducing the number of applications that come before the courts, the cost to society, and the cost to the individuals and their families.

I guess the point I would like to make in moving into . . .

THE DEPUTY SPEAKER: Hon. member, the hon. Member for Calgary-*Buffalo* is rising on a point of order, 482 one might imagine.

Point of Order

Questioning a Member

MR. DICKSON: Sorry for the interruption, but I did want to ask the minister if he'd entertain a brief question, Mr. Speaker.

THE DEPUTY SPEAKER: Hon. minister?

MR. EVANS: Mr. Speaker, I sure will. If I get a chance to finish my comments and then address some of the concerns the hon. member has already addressed and if my time is still available to me, I'd be happy to.

Debate Continued

MR. EVANS: I guess my view of the issues that are raised by the hon. member and the issues that are raised by the parenting after separation program is that having some kind of a review when there is a disagreement and we have children involved is appropriate and should be dealt with early on in the system. But, again, I think only if there is a dispute should that be the case, because

we don't want to spend a lot of money, a lot of time, a lot of effort, and clog up the very appropriate process that the hon. Member for Edmonton-*Beverly-Belmont* is suggesting in those cases where the parties can get along and there is no problem in terms of their relationship vis-à-vis their children.

I would take some heart from the comments, though, from the hon. Member for Calgary-*Buffalo*, who indicated that he was going to support this Bill and had some very positive comments about the parenting after separation program as well, as opposed to the comments that came from his leader when that announcement came out. As I recall, the comments from the leader of the Liberals was that this was Big Brother government getting involved in people's lives. Well, I'm glad to see the positive approach that the Member for Calgary-*Buffalo* has. I hope he conveys that positive message to the leader of the Liberals, and I hope that the view of that party is the view of the Member for Calgary-*Buffalo*.

5:10

I want to spend a couple of minutes, I guess, Mr. Speaker, on some specifics in Bill 203. I heard the hon. Member for Edmonton-*Beverly-Belmont* talking about what family law proceedings included, and he mentioned the Parentage and Maintenance Act. That's not, hon. member, in the interpretation section, 1(c). So you may want to take a gander at that. It might have been left out inadvertently.

Moving then to section 2, it appears in my review of this that when we say that "the clerk shall arrange for, and the parties shall attend, a mediation screening and orientation session," the hon. member is contemplating that this would occur regardless of whether there was a dispute between the parties. Well, I would hope that he would reconsider that and that he would recognize that, as with the pilot program in Edmonton, there is a lot of merit to only having the process kick in on a mandatory basis if the parties are in dispute and they want to take an interim application.

I also point out to the member that there is a bit of an inconsistency between section 2 and section 7(b), where in the first instance, in section 2, he's talking about "the clerk shall arrange for," but in section 7(b) he's saying that

the Lieutenant Governor in Council may make regulations . . .

(b) prescribing when the mediation screening and orientation session in a family law proceeding is to occur.

I don't think that those jibe, so I'd ask the hon. member to perhaps make some comments on that.

Subsection (6) of section 2 reads:

Subject to an order of the court to the contrary, nothing in this section prevents a party from making an application to the court for interim relief.

There is some potential confusion between what the parenting after separation program sets up and this Bill. In the parenting after separation program it's only for interim relief that this process of orientation would kick in; whereas it appears to be the exact opposite in the member's Bill.

Now, the Member for Calgary-*Buffalo* has said: well, you need this because it's not clear in the practice note whether or not there are exceptions to the prohibition on proceeding without the process when an interim application is being requested. I would point out to the Member for Calgary-*Buffalo* that the original notes that I reviewed from both Madam Justice Trussler and Madam Justice Smith were very clear in setting out that in the event of emergency restraining orders or in the event of parental kidnappings or abductions, there would be no need to go through

a program. That just makes good common sense. But Calgary-Buffalo has said that it should be more clear that that is the case and that you shouldn't have to go to see a lawyer to get that information. I think he's correct on that, so there should be some changes made to the program and to the practice note to make it a little clearer.

I guess in conclusion on Bill 203 itself, Mr. Speaker, we do have a Bill in front of us that is intended to improve the situation for parents who are deciding that they cannot continue together in the future, a Bill that is focused on trying to improve the futures of children. From a practical point of view it does require the parties, when they are in dispute, to consider what their activities can do in terms of impact on their children, and I support that aspect of it. I do have some concerns, as I've said, about what instances would trigger this screening. I think the hon. member would be wise to consider the time that's been set aside for the Edmonton project and to give that a bit of time – and “a bit of time” maybe means a year – to see whether or not that is effective in dealing with situations involving the tremendous emotion that comes up when parties separate, dealing with that emotion in an effective way, and ensuring that we do see a reduction in the number of cases that are coming before our courts and the amount of time and effort and expense that parties are forced to bear as a result of a disagreement.

I'll make one comment about mandatory mediation, because that's the next phase that's contemplated in Bill 203. I'm not certain that mandatory mediation is very effective. Certainly orientation as to the impacts when we're talking about group dynamics – and in the pilot program in Edmonton here we're talking about group dynamics because we have groups of up to 40, 50, 60 people. That's proven quite effective, but if the parties don't want to sit down together and don't want to look each other in the eye with the help of some third party who does have mediation expertise, I'm not at all certain that the record would show that that has been very effective in the past. So I'd ask the hon. member to consider that further. Certainly we wouldn't want to force parties to go into mediation where there's been violence or a risk of violence between the parties, and I think that should be addressed in the Bill.

I think as well that we have to recognize that there is a funding issue attached to Bill 203. Now, who's going to pick up this cost? On the pilot program here in the city of Edmonton I've suggested that during the pilot we should continue to pay for that through government services, but I think that in the long run, Mr. Speaker, the benefit of the program will prove out, and I would like to suggest that in the long run it's not without a lot of justification that we would say that the parties should be responsible for that payment. Now, that payment by the estimate of Court of Queen's Bench justices is somewhere in the neighbourhood of \$40 for the two three-hour sessions, or six hours. I think that's a very reasonable expense to bear for the children of these relationships.

Finally, I would like to say, Mr. Speaker, that I think it's important that there be public consultation on Bill 203. I think that amongst other parties the Law Society of Alberta and the Canadian Bar Association, the judiciary itself should have an opportunity for input because there may be some positive suggestions that would come from them on this issue.

So those are my comments on the Bill. I just received actually the other day from a friend of mine in Calgary an editorial from the *Vancouver Sun* – what day is this? It doesn't say – early in February, I believe, commenting on this pilot program here in the

city of Edmonton, commenting very favourably, very positively. I'll just read one little bit out of this. It says:

If the course can guide the parents in lessening the harm to their offspring, then it would be of enormous value and should be made a permanent fixture at divorce proceedings. A reduction in court time and costs through that process would be a bonus.

Now, I have said that I would in the couple of seconds that I have left try to speak to the comments from Calgary-Buffalo. We've had a couple of reports on family law reform from the Law Reform Commission; there's no question about that. They're still working, as is the committee that's been set up of federal and provincial and territorial representatives, to try to work through a more effective way of dealing with these family matters. It's an enormous issue, and that's why it has taken some time. We've been supportive of that, and we have people in our department who are working along with the Law Reform Commission and our counterparts in other jurisdictions.

The question of whether a unified family court is the best way to go and is effective is being reviewed in terms of examples that we have ongoing in other jurisdictions, Mr. Speaker. So I appreciate what the hon. member is talking about in terms of trying to have a better mouse trap here, and we'll continue to try to build that better mouse trap.

5:20

THE DEPUTY SPEAKER: Hon. minister, you're prepared to table a copy of that editorial you read?

MR. EVANS: If colleagues here in the House would be interested in it, I'd be pleased to do that, Mr. Speaker.

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

MR. BENIUK: Thank you, Mr. Speaker. I am pleased to rise to speak in favour of Bill 203. When the nuclear family is in crisis for whatever reasons, be it over a divorce, over the custody of children, or over the amount of the maintenance payments, emotions are generated that can quickly be solidified into unreasonable, irrational extremes. The disintegration of the nuclear family may originally have commenced from minor misunderstandings that over time loom ever larger until they dominate the relationship within the family unit. Feelings of betrayal, self-doubt, diminishing self-esteem can lead to long-lasting hatred and desires for revenge. Unfortunately, a court system based on an adversarial concept reinforces the negative as both sides feel compelled at times to overstate the negative aspects of the relationship with their former spouse, with children at times being the pawns in the conflict.

I am pleased that Bill 203, proposed by the hon. Member for Edmonton-Beverly-Belmont, will encourage through the court system mediation on a nonprejudice basis coupled with a home study report to assist the court in its deliberation process. Face-to-face discussions with the assistance of a mediator would greatly defuse these emotions and, most important, assist the parents in placing the interests of their children first and foremost in the deliberations.

Some of the questions that are raised by this process are: who are the mediators, who are the people in charge of the home studies, and what are their qualifications? If these individuals are already employees of Family and Social Services and child welfare, would this process result in an increase in the already large caseloads faced by these agencies? What does the home

study report consist of, and how is it compiled? Is it interviewing children and parents, or is it through observation of the home environment? In section 6(1) there is reference to a judge being able to recommend counseling and other services for any party or any child in the proceedings. Who pays for these services, and how long are they made available to these individuals? I look forward to a reply to these questions.

Mr. Speaker, I fully support the concept and principles contained in Bill 203 and urge all members to do likewise.

Considering the time, Mr. Speaker, I would move that we adjourn debate on Bill 203.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Norwood has moved that the Assembly do now adjourn debate on Bill 203. All those in favour, please say aye.

HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Opposed, please say no. Carried.

[The Assembly adjourned at 5:25 p.m.]

