

Legislative Assembly of Alberta

Title: **Tuesday, October 24, 1995**

8:00 p.m.

Date: 95/10/24

[The Speaker in the Chair]

THE SPEAKER: Please be seated.

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

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

THE SPEAKER: The hon. Minister of Education.

MR. JONSON: Good evening, Mr. Speaker. I would like to move second reading of Bill 48, Teaching Profession Amendment Act, 1995. This Bill amends the discipline process relating to unprofessional conduct of a teacher. The two guiding principles on which the amendments were developed are the following: number one, the desire to ensure that the public interest is protected and, number two, that the discipline processes are fair and consistent with the rules of natural justice.

In general terms, Mr. Speaker, and in keeping with these two principles, the essential amendments in Bill 48 are as follows: first of all, amendments that deal with updating of the discipline process. The discipline process in this Act now conforms to the latest government policy on professions and occupations and is consistent with the provisions of professional legislation relating to other occupations and professions. The current Teaching Profession Act is some 60 years old and does not contain the updates made to legislative provisions relating to discipline in Acts of other professional bodies. Recent events have brought to light various deficiencies in the discipline process under the Teaching Profession Act, but I believe that amendments to Bill 48 will allow the Alberta Teachers' Association to respond more effectively in handling complaints with respect to a member's unprofessional conduct.

The second feature of the Bill, Mr. Speaker, would come under the general topic or title of the public's right to know. An important element of our policy on professions and occupations is the recognition that there must be a public window on the exercise of responsibilities delegated by the Legislature to professional associations. In this legislation a public window is now provided on the discipline processes of the Alberta Teachers' Association by, first of all, including three public members on the professional conduct committee and by requiring that the complaint appeal committee and the professional conduct appeal committee each include a public member. These committees all provide for a public member to be appointed by government. Also here, with respect to the public window concept, there are provisions ensuring that discipline hearings and appeals are open to the public and that copies of decisions of these committees are available to the public free of charge.

A third element of the Bill, Mr. Speaker, deals with appeals. The amendments provide an avenue of appeal for people who complain about the conduct of a teacher in the event the Alberta Teachers' Association decides that the complaint warrants no further action. This process, generally referred to as the complaint appeal committee, is now a standard provision in professional legislation.

Fourthly, Mr. Speaker, the legislation deals with complaints related to discipline matters. Complaints must be in writing and

may be filed at the discretion of the complainant or, in some cases, must be filed with the association. For example, any person may make a complaint about the conduct of a teacher which he considers unprofessional. All members of the Alberta Teachers' Association are required in this legislation to file a complaint immediately where they believe a teacher is guilty of unprofessional conduct. As well, superintendents are required to file a complaint where they have reason to believe that a teacher has been convicted of an indictable offence.

This last requirement, Mr. Speaker, is to try to ensure that the Alberta Teachers' Association is informed about indictable convictions of a member, which up to now have often come to their attention via the media. Further, in addition, a member is required to notify the association of his or her conviction of an indictable offence. Failure to do so is itself unprofessional conduct under the legislation and subjects the teacher to the discipline process.

Fifth. There is provided in this legislation a summary process to handle very serious matters. The legislation establishes a process to ensure the speedy handling of complaints about unprofessional conduct. This means, for example, that the executive secretary of the Alberta Teachers' Association could act immediately to suspend the membership of a teacher in a case where the teacher has been convicted of an indictable offence. This would prevent that teacher's employment by a school board. In fact, Mr. Speaker, the temporary suspension, pending the outcome of this process, need not relate to a criminal conviction. If the conduct of a teacher was considered to be so disrespectful or potentially harmful to students, a temporary suspension may be used to remove that teacher from the classroom.

Sixth, Mr. Speaker, also still referring to indictable offences. This legislation deems conduct which results in an indictable conviction unprofessional conduct. A discipline committee must establish only that the individual was convicted by the courts. It is then the job of the committee to focus on suitable penalties, including recommendation for the suspension or cancellation of the teacher's certificate. The criminal case must not be retried by the discipline committee, and it has no jurisdiction to determine that the conduct is not unprofessional.

In this legislation, Bill 48, the government has responded to the concerns of Alberta citizens who objected strenuously to discipline bodies having the power to compel witnesses to testify who may have been victims of a teacher's criminal conduct. Section 40(3) of Bill 48, Mr. Speaker, ensures that those individuals are not compellable witnesses.

In addition to the provisions relating to discipline contained in most professional legislation, there are a few provisions, also very important, Mr. Speaker, in Bill 48 unique to the teaching profession. As members of this Assembly know, the Alberta Teachers' Association performs responsibilities to its membership relating to labour relations matters under the Labour Relations Code and the School Act as well as some professional responsibilities under the Teaching Profession Act, including the discipline of members for unprofessional conduct.

It is important to ensure that the discipline process under the Teaching Profession Act is reserved strictly for conduct which breaches professional standards or ethics. Union discipline, Mr. Speaker, must be handled by processes under labour legislation, not professional legislation. For this reason, section 22(3) of Bill 48 ensures that there is a separation between the labour relations responsibilities of the Alberta Teachers' Association and its professional responsibility with respect to professional discipline.

I would like, before concluding my remarks, to indicate that it is my view that the teachers across this province take a great deal of pride in their work, a great deal of pride in their professional status. This legislation, Mr. Speaker, will update, will modernize the professional legislation applicable to teachers. It will be something that is important to them, very important to the students of this province, and will make the whole process more in keeping with our overall professions policy. I think the bottom line is that it will provide for an effective means of dealing with those thankfully very few cases of unprofessional conduct, particularly serious unprofessional conduct, which come before the association.

Mr. Speaker, a number of people have been involved in consultation and meetings in the preparation of this legislation: those from the Alberta Teachers' Association; we've also had contact with the Alberta School Boards Association. I would thank all people for their co-operation in this initiative being taken by government this evening.

I would like to conclude my remarks at that point, Mr. Speaker, and I look forward to debate on second reading. Thank you.

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

MR. HENRY: Thank you very much, Mr. Speaker. I, too, would like to rise on debate on Bill 48. Checking the time, we do have 20 minutes to speak, and I can assure members I'll not take all that time. I do want to make a few comments, as well as some of my colleagues, about the Teaching Profession Amendment Act.

Firstly, I'd like to congratulate the minister, the Alberta Teachers' Association, and the Alberta School Boards Association. I think they've done a commendable job in wrestling with an issue that has come forward as a result of some decisions by the courts and subsequent necessary action by the Teachers' Association in the last 18 months or so. I believe what we have here generally is a good product, and I believe that the consultation process was an effective one in this particular case.

8:10

Mr. Speaker, in this Legislature and outside this Legislature we often hear comments or innuendoes about teachers in this province, not from every member certainly. We hear comments about lack of professionalism. We hear comments about teachers not fulfilling their responsibility. I think we need to be really, really clear that the vast, vast majority of teachers in this province, as the minister has stated, take their profession and their responsibilities very, very seriously. They actively participate in their association, which also takes the professional discipline of educating in a very, very serious and very deliberate manner.

Mr. Speaker, I don't want to go clause by clause; we'll do that during committee. I'm not going to redescribe what the Bill is intending to do as stated by the minister, but I think what we have very clearly here is an effort to update legislation, to bring it into the 1990s, and to deal with situations as they are being dealt with.

There are a couple of concerns I do want to raise. One is with regard to the hearing committee, which would look at a case subsequent to a conviction by the courts and, as the minister said, restrict the call of witnesses to those who had not appeared as witnesses in the court hearings. I know that some of my colleagues will speak to this issue, but we may get ourselves into a slight bind there because we may find it appropriate at times for the committee to make a decision to actually bring those witnesses forward. I don't think we want to end up, especially if we're talking about things like sexual abuse and other kinds of abuse,

having the victims of that relive the trial again during the hearing process.

We could have a situation whereby the person who has been convicted comes to the hearing, in terms of the professional association, and starts bringing forward all sorts of character witnesses and all sorts of other witnesses or perhaps new evidence that wasn't presented in the trial. Then the committee is hamstrung, because where they have to rely on their information is simply in the trial. We may want to give the committee the option, where necessary, and let the committee have the option of bringing in witnesses as they see fit, whether or not those witnesses have previously testified in the criminal trial.

As well, there are some disciplinary hearings that the association will go through that don't specifically involve previous court action but that through the hearing process and calling of witnesses may end up unearthing or revealing some information that could lead to further criminal prosecution. It might be worth while considering an amendment to the Act that would require the teaching association to refer cases such as that, where they receive information that's not been made public prior, to the Attorney General of the province.

I'm especially heartened, Mr. Speaker, that there's a requirement in this piece of legislation that requires teachers to report unprofessional conduct when they become aware of it and as well for superintendents when they become aware of conviction of an indictable offence. When we're talking about caring for children and dealing with children, too often we allow people to look the other way when we've seen abuse or we've seen ill treatment of young people in our province. I think that the government of the day about a dozen years ago brought in legislation that required professionals and community citizens when they saw child abuse to actually report that. I believe that this piece of legislation, that requires teachers to report unprofessional conduct when they see it, is a step in the right direction, and I applaud the minister for having brought that forward.

Mr. Speaker, we live in difficult times in the fact that things, aside from the actions of one government or another, are changing rapidly in our world. I believe this particular profession has very effectively responded to those changes as our province grows and evolves into what it will become down the road, and I believe the association, in taking the initiative with the department in bringing forward legislation such as this, should be commended.

Again, I also want to commend the minister for bringing forward this piece of legislation. Not only was the thought good in terms of the objective here, but I think overall, with a couple of perhaps suggestions, the consultation process and the drafting has been effectively done, and I compliment the minister's legislative counsel for that. I think we've got a pretty good product here.

I'll take my seat and allow other members who might wish to comment on this make their comments, and I'll indicate that we will be wanting to support this Bill. We have a few more comments to make to the minister, but I will be asking my colleagues to support this Bill.

Thank you.

MR. VAN BINSBERGEN: Mr. Speaker, just a few moments here, a few remarks to indicate my stand on this particular Bill, Bill 48, the Teaching Profession Amendment Act, 1995. As the minister already indicated, it was prompted by a very unfortunate case recently where an ATA discipline committee subpoenaed a witness whose testimony earlier had helped convict a teacher of

an indictable offence. I think for that reason alone this is a good Bill.

As well, as the minister indicated, further updating was necessary because the Bill itself, the Teaching Profession Act, is about 60 years old or so. I was very pleased to see that he did not utilize the word "housekeeping," because it's gotten to know a different meaning these days. So I'm pleased with that too.

Also very positive was the consultation between the minister, the Alberta Teachers' Association, the Alberta School Boards Association, and so on, as he had promised he would do and has been carried out. These are examples of the kinds of actions that I wholeheartedly concur in and I think everybody will. So I congratulate the minister for producing Bill 48, and I will certainly vote for it.

I'm struck, though, by the tone. I mean, this is so positive. I am so positive I'm almost surprised at myself, Mr. Speaker. This has been such a good move for the teaching profession as a whole, yet on the other hand, of course, we're reminded of other moves that have been less than positive. I'm thinking of the cutbacks. The ECS program has ended up giving teachers half a program in addition to giving students half a program. I'm thinking of the other cuts that resulted in larger class sizes, the cuts to the funding for moderately handicapped people, and so on.

Then again, Mr. Speaker, I'm very much aware of the fact that I came to praise the minister, not to bury him, if I can call it that. It is good legislation because it takes away that unnecessary appearance by witnesses who already have gone through a very emotional sort of experience. What about the destructive forces that occasionally congregate on the other side of the House as it concerns the teaching profession? This is all the more positive in the light of those moves that we have been exposed to, and I wonder if the minister, who is absolutely not one of those, would be able to exert the greatest amount of influence and make the necessary conversions so that the teaching profession will not have to suffer the slings and arrows of certain errant PC members.

Once again, Mr. Speaker, I came to praise the minister and not to bury him. Therefore, I will end here by stating categorically, Mr. Minister, that this a good Bill and I will vote for it. Thank you.

THE SPEAKER: Before proceeding further, could there be unanimous consent in the Assembly for Introduction of Guests?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed?

The hon. Member for Spruce Grove-Sturgeon-St. Albert.

head: Introduction of Guests

8:20

MRS. SOETAERT: Thank you, Mr. Speaker. I'd like to introduce to you and through you to members of the Assembly three guests in the public gallery. They are Allen Evaniew and two of his children, Ashliegh and Nathan. They are here tonight to really see the proceedings, but more than that, Nathan and Ashliegh wanted to see their Uncle Earl at work. However, we find that Earl must have been here late last night, till about midnight, and he had this shift off tonight. So we will show them our warm welcome and tell the Parliamentary Counsel what he missed tonight. I'd ask them to please rise and receive the warm welcome of the Assembly.

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

Bill 48
Teaching Profession Amendment Act, 1995
(continued)

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

MRS. SOETAERT: Thank you, Mr. Speaker. I just wanted to take a few moments to comment on this Bill as well. Last night I was at a meeting of the ATA in Parkland. They were inducting their new members and also congratulating and sending off the retirees. The Member for Stony Plain brought the Bill to the meeting. The ATA members there were well aware of it and appreciated the work that had been done with the minister and the ATA. They felt it was good move for their profession and urged me to support it as well. So it is a rare moment when I praise the government's decision, but to give credit where credit is due, I will thank the minister for his work on this Bill in co-operation with the ATA. I know that it brings even more professionalism to the association, and they welcome it as well as us. So thank you very much.

THE SPEAKER: The hon. Member for Fort McMurray. [interjection]

MR. GERMAIN: Thank you very much, Mr. Speaker. The Minister of Justice is urging me to provide him some of that free legal advice that he can get without paying for. [interjections] Now you see all of the others have woken up, which is really one of the curses I bear and carry into the Legislative Assembly every night when I come here.

I want to say that I know just some smallish amount of issues involving teachers, Mr. Speaker, because some 27 years ago I made what I thought was a very excellent choice and I took as my spouse a wonderful woman who has taught and is a member of the ATA.

AN HON. MEMBER: How many years?

MR. GERMAIN: Many, many years. We've had some interesting conversations, some interesting bedtime conversations. I must say that even the minister's name has come up every so often in recent months. I intend not to expand my remarks any further tonight other than to say that the minister's name has come up from time to time.

I want to indicate, Mr. Speaker, that I consider it a true mark of a professional organization and association when they look after their own internal discipline: they discipline their own errant members, and they do that in an open and forthright and fair procedure. This Bill is certainly a step in that direction. Of course, one of its hallmarks is the profession disciplining its own, a mark of a true professional association. A second hallmark is that the hearings and proceedings will be open and public for those individuals to see. Of course, we want to ensure that the procedure is absolutely as fair and as effective as it can be made, and it is to that last point that I'm going to address my comments tonight.

I am of some concern about the issue of the deeming of a person who is convicted of an indictable offence as automatically by that factor alone being guilty of unbecoming, unprofessional

conduct as a teacher. I must tell you, Mr. Speaker, that there are different levels of indictable offences in the Canadian Criminal Code, and I want to only use two anecdotal examples today.

A teacher may have been wrestling with a problem of alcohol consumption for many years. Three years ago he might have been convicted of impaired driving by summary conviction procedure. Last year he might have been arrested again and convicted of impaired driving by indictable procedure. Now, those are crimes, Mr. Speaker, and I don't condone the crime or the commission of it, but it seems to me that it should be reviewed in close scrutiny as to whether that conduct alone, if it does not affect the classroom, if it does not affect the performance, is in fact conduct unbecoming a teacher. We can see that it is criminal activity and that it might be an indictable offence, but is it necessarily conduct unbecoming a teacher?

Let me give you another example. An individual, a professional teacher, goes out, and he's having a dispute with his neighbour. His neighbour has the nasty habit of raising dogs and throwing the excrement from the dogs over into the teacher's yard. One day at high noon they meet over the fences, the talk gets more and more vocal, and it becomes blows. The teacher is charged with the indictable offence of assault causing bodily harm because the neighbour has a cut under his eye. That has not affected the classroom; it has not affected the teacher. Is it right to automatically deem that teacher guilty of unprofessional conduct, or did the minister intend that it would be indictable offences that in some fashion manifested themselves towards the student, the staff, the property of the school, or created a risk that that conclusion would arrive?

Now, the minister has correctly excluded the indictable offence of income tax evasion out of this list of indictable offences that deem people to be guilty of unprofessional teaching conduct. I'm only going to give one more anecdote, Mr. Speaker. You might have a teacher who in fact has a farm, and he takes the position that he is an active farmer and a good farmer, but Revenue Canada takes the position that he is a hobby farmer and takes exception to him writing \$50,000 a year of farm losses off his \$52,000 a year teaching salary, and he is convicted of an indictable offence of tax evasion. It is an example of another indictable offence that would not and does not in the minister's Bill lead necessarily to the public conclusion that that individual is guilty of unprofessional conduct.

Now, Mr. Speaker, in this particular legislation the minister may wish to think about whether he wants to tighten up the definition of an indictable offence that leads to unbecoming conduct by in some fashion focusing it back on the classroom. We all know what we're talking about here. The most common allegation is sexual assault, physical assault towards a fellow teacher or a student. Those are the most common cases that have been coming up in recent years. It seems to me that if that is what the minister intended, he might want not to have every single teacher ever convicted of an indictable offence deemed to be guilty of unprofessional conduct as a teacher. I want to say that that would go further in my view than the requirement for most other professionals, including the legal profession, where in fact although you can be disbarred or disciplined for an indictable offence, it is not necessarily automatic in every case that you are deemed to be guilty of conduct unbecoming a lawyer.

Now, I want to also say to the minister that he should look carefully at the prohibition of witnesses from giving evidence at an administrative hearing such as this. I'm not convinced, Mr. Speaker, that that would withstand any kind of a constitutional

challenge on the ability to make full answer and defence, and I want to suggest to the minister that he would be on safer ground of giving the hearing tribunal a discretion in this regard.

Now, I want to go back to the comment that the hon. member from Edmonton made earlier, and that is that you may have the paradox where a complainant wants to give evidence and this complainant would be denied her right or his right to give evidence against that teacher at the discipline hearing. It could not have been intended by the minister that the counsel acting for the Alberta Teachers' Association or the organization prosecuting the offending teacher would have their hands tied in an absolute prohibition. That could not have been the case. I want to suggest that the minister should look at that comment and look at that section very carefully.

8:30

The last issue I want to raise is whether the remedies that the hearing committee should have should also include the mandatory obligation to refer criminal matters that come under their investigation to the Attorney General. Many professional associations, Mr. Speaker, including the legal profession, have a requirement that where a hearing committee is hearing evidence that they think discloses criminal activity, they obtain an extra obligation and duty to notify the Minister of Justice to see if some criminal prosecution is warranted.

The minister assumes in his legislation that most of the disciplinary hearings involving criminal conduct will take place after the criminal trial or conviction has concluded or has been registered, but it may not be so. The parties may not intend to go to the police. They may intend to deal with it only as a matter of internal discipline. One has to wonder whether publicly constructed groups sitting in a quasi-judicial role shouldn't be obliged to bring criminal activity to the attention of the Minister of Justice, Mr. Speaker. That is how we will ensure that schools are safe for our students in this particular province.

So with those comments and with others of a constructive nature that will be made in the committee stage on this Bill, I would like to again commend the minister for his efforts in this regard. I am sorry that his name has come up in some of our pillow talk between my good wife and I.

THE SPEAKER: Is the Assembly ready for the question?

HON. MEMBERS: Question.

[Motion carried; Bill 48 read a second time]

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

Bill 44
International Trade and Investment
Agreements Implementation Act

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Speaker. It's a pleasure for me to move Bill 44 for third reading this evening. We've had a good discussion on the Bill. I think we had some really good input and have brought forward some amendments that will make this Bill effective. I look forward to the debate at third reading.

THE SPEAKER: The hon. Member for Fort McMurray.

MR. GERMAIN: Thank you very much, Mr. Speaker. It's my pleasure to speak at third reading of this Bill, Bill 44, the International Trade and Investment Agreements Implementation Act. Over the last few days I've developed some personal affection and attachment to this particular Bill as it was amended. I've done that because when I originally spoke on this Bill, I indicated that the Bill was seriously flawed and needed substantial amendment help. I made that point, and I made the point about various issues such as regulations superseding legislation and about some sections of the Bill that did not treat Albertans fairly.

Now, the hon. Minister of Labour had me even doubting my own assessment and my own thought about this Bill, because he stood up in this Legislative Assembly, Mr. Speaker, and he alleged that the hon. Member for Fort McMurray's comments were disjointed, were a diatribe. He used other offensive and odious adjectives to describe the member's activity on behalf of this Legislative Assembly to get changes made to this Bill and to point out that it needed amendment. In fact, the relationship got so tense that during the debate the minister refused to answer a question from myself, saying . . . [interjection]

The hon. minister of transportation hollers out that he was scared. Well . . .

DR. WEST: I did not. I said, "Why are you so garrulous?"

MR. GERMAIN: "He was scared" is what he said the first time, and now he's changing the words in *Hansard*. He said he was scared the first time.

Anyway, Mr. Speaker, the interesting thing about that is he then went on to say that the hon. member had no respect for the Legislative Assembly. I have great respect for the Legislative Assembly. My respect for the Legislative Assembly went up tremendously when the hon. member opposite from Medicine Hat did not think that my comments were a diatribe, did not think that they were irrelevant, and in fact brought in sweeping and substantial amendments to amend this Bill to make it better for all Albertans. So I want to thank the Minister of Labour for restoring my confidence in this Legislative Assembly, that it will recognize bad legislation when it sees it and it will move to try and improve it in some ways. I want to point out that it is unfortunate that the Minister of Labour did not also recognize that bad legislation.

Thank you.

MR. DAY: Again, Mr. Speaker, I want to congratulate all participants in this discussion. As I indicated at second reading and in committee, I was especially appreciative of many of the comments. I said on that very night that there were some concerns with the Bill, and I suggested at second reading we needed to move into committee to deal with those. That's the proper place to deal with the specific items. Again, I did take issue with the comments from the Member for Fort McMurray, the way in which – in my view, which I am allowed in this House – he conducted himself that night. I stand absolutely by the way in which he conducted himself. I still stand grateful to the members, the other members who spoke before he did who conducted in a reasonable fashion their concerns with the Bill, which then I and others promised would be looked at at the committee stage, and they were. I congratulate the Member for Medicine Hat and the Minister of Federal and Intergovernmental Affairs for being able to address those concerns in a timely way and to each member who stood and addressed the Bill in a relevant and reasonable fashion.

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

MR. SEKULIC: Thanks, Mr. Speaker. I, too, rise to speak to the third reading of Bill 44. I was in the Assembly throughout all the stages of debate for this Bill, and I have to say that I was encouraged that the Member for Medicine Hat was attentive throughout the debates, considered some of the opposition's recommendations, and in fact that the final draft that we're going to be hopefully passing at third reading is palatable to the full Assembly. I think it's a clear indication of what so often we hear from the Member for Lethbridge-East, who requests the opposition to put forward positive amendments so that we can do the business that the Assembly was intended to do. I'm just a little concerned that government members often selectively choose what they consider to be positive and what they consider to be negative. This is one of those instances where clearly they've seen this to be positive, and I think it's a substantial improvement.

It's unfortunate that the other amendment that was put forward by the hon. Member for Edmonton-Glenarry wasn't accepted, because I do believe that wouldn't have taken away from the scope or theme of the Bill and in fact would have strengthened it even more. I certainly hope that we don't revisit this Bill at some point in the near future to have to include this amendment which was rejected by the government, because that is truly a waste of taxpayers' money if we have to revisit legislation in just a matter of months down the road.

Mr. Speaker, just in closing my comments on this Bill, I'm very encouraged to see that we work together as a group of elected officials, fully 83, and I would hope that this is a sign of some of the improvements and the progress that can be made when we do undertake to represent the interests of our mutual constituents.

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

8:40

MR. SAPERS: Thank you, Mr. Speaker. I would like to enter the debate at this stage of Bill 44. While I'm pleased that the Bill has received some amendment and that that amendment has been prompted by comments by this side, as acknowledged by the Government House Leader, I'm a little bit disturbed that that same Member for Red Deer-North would still somehow cast aspersions upon the character and manner of my colleague from Fort McMurray, particularly in relationship to this Bill. Because this Bill represents a very, very sinister trend on the part of the government. I thought when the Government House Leader stood in his place just moments ago, he would have been standing there to take responsibility and to acknowledge that trend and to in fact apologize to this Assembly and to Albertans for that trend.

Now, this trend has three characteristics. First of all, what the government continues to do is to put some generally good Bills, some Bills with some good principles, before the Assembly, such as this Bill. This Bill would accomplish a public good, but then they tuck in some of the really nasty stuff. They try to sneak in some of the stuff to implement what is truly their agenda, what's been called in a rather diminutive way "government lite" but what we really mean is government abdication. So they sneak in the ability to overwrite legislation, and they sneak in broad, sweeping powers for cabinet to operate behind closed doors. That's a trend that's got to come to a stop. This government approaches the public by saying it's open and accountable, yet it comes into the Legislature almost with a cloak over its head and with the nasty

bits of the Bill sort of snuck in and tucked in where nobody can find them at first.

MR. DAY: Point of order.

THE SPEAKER: The hon. Government House Leader rising on a point of order.

**Point of Order
Reflections on a Member**

MR. DAY: Under Standing Orders 23(h),(i), and (j). I was trying to restrain myself, but only under encouragement from members behind me do I stand on a point of order as House leader. The member opposite is not dealing with the merits of the Bill. He's talking about casting aspersions in the most obvious way. It has nothing to do with the third reading of this Bill.

He also has no idea of telling the difference between my comments on a member's presentation and a member's character. The two are totally separate. You can comment on the presentation of somebody and have that not misinterpreted as an assassination of their character. That's unfortunate that their view is that narrow and shortened, but on this point, Mr. Speaker, these are genuine aspersions that he is casting upon the members of this Assembly. If he wants to debate the merits of the Bill, do so, but don't drop to such a low level.

THE SPEAKER: The Chair does feel that the Government House Leader does have a point. On third reading we are to discuss the Bill as it has finally emerged from second reading and committee stages. Really, at any time the less we can get involved with discussing personalities in the House, the better. We should stick to the merits of this Bill as it's now appearing before us, hon. member.

MR. SAPERS: Thank you, Mr. Speaker, and I appreciate your ruling. Of course, I was talking about how the Bill would accomplish a public good. I think if *Hansard* was visited, you'd notice those comments. I talked about what the Bill tried to do and in fact how it has emerged, and I congratulated the government for recognizing the need to change the Bill. I do find it unfortunate that the Government House Leader would be so thin-skinned on this point.

Debate Continued

MR. SAPERS: Now, Mr. Speaker, I'd like to talk about the second trend I see now that this Bill has emerged. The first one, of course, was that tendency of the government to have something good but all wrapping up a rather nasty bit, a bad package.

Now, the second thing is, of course, the propensity of this government to continue to want to do things in secret by not having the Committee on Law and Regulations meet, by not referring regulations for public debate, and by trying to centralize power back into cabinet or, even worse, just with one minister or, even worse, with people outside government. Bill 44 in its original form tried to do all of that and more. This is a trend that also has to stop.

Mr. Speaker, before another standing order is cited in the Assembly to interrupt this part of my comments, I'll move quickly to the third trend, which speaks directly to the Bill in its present form. It's that word I believe the Government House Leader used, how the Bill has emerged. This government has this trend to retreat only when it's caught, to apologize and say that it's

sorry only when they have been caught red-handed with their hand in the cookie jar, so to speak.

This retreat is unbecoming of government, because of course what Albertans expect their government to do is the right thing the first time, not to see what they can get away with and then say: "Oops, sorry. It was just a typo," or whatever the excuse of the day would happen to be. It would be to do the right thing first. [interjection]

The Member for Little Bow just talked something about death. Perhaps he would like to enter the debate, or maybe he's got something else clever he'd like to say, or maybe he'd like to, as the Premier says, see me outside. I don't know really what the member is talking about. I doubt that he does either.

The point is that this government has continually put before this Legislature, during my tenure at least, over the last couple of years Bills that they have to hastily retreat from: some that have been called housekeeping Bills and then we find out they're very sweeping, some that have been called substantive Bills and we find out they accomplish very little, and now, in this case, a Bill that is actually a Bill that could accomplish a good, the Bill regarding international trade and investment. But, Mr. Speaker, they can't seem to help themselves, and they can't seem to quite get it right the first time. That's why I'm so proud at this time to be a member of this caucus which will always come to the assistance of the government in making sure they ultimately do the right thing, even if they have to be dragged kicking and screaming to it.

MR. KIRKLAND: Mr. Speaker, just a few words on the amended Bill. I would indicate that I'd compliment the Member for Medicine Hat for bringing it forward. I appreciate the fact that when it was introduced it was, as I understood it, some very initial and original legislation and there were some kinks to be worked out of it, being that we're one of the first provinces to enter into this sort of a Bill with these regulations.

I would also suggest that it's very refreshing, Mr. Speaker, to have the government members recognize that the debate here did point out some deficiencies in the Bill, and one of those deficiencies obviously was the fact that the regulations could very easily usurp the laws of the province, and I don't think anybody intended that particular situation to occur. I would say that what has occurred here is what is actually intended in this Assembly with the debates that occur. Certainly all the good ideas are not on the government side and many originate from here. I'm glad that in fact the government listened. Obviously this is a classic case where they did listen, and I would suggest that the debate probably carried as a result of some very poignant points that the Member for Fort McMurray brought forward. In spite of the fact that the Member for Red Deer-North did not particularly like the tone of his comments, certainly the intelligence of the comments showed through. He was one of the very first to show some deficiencies within the Bill, and we've arrived at amending those.

Now, we didn't take it as far as it probably should have gone, Mr. Speaker, but still this evening I would compliment the government for accepting those amendments that were put forth, and we have better legislation as a result of that. We're all here and we intended to work for Albertans. We did that in a concerted effort, and I think it certainly gave us a positive result.

Thank you.

THE SPEAKER: The hon. Member for Medicine Hat to perhaps move the passage.

MR. RENNER: Yes. Thank you, Mr. Speaker. I would like to close debate on third reading of this Bill. I can't do so without discussing a little bit about the Bill as amended. In my opening remarks when I moved third reading, I indicated that I felt that this was a good Bill and that we had dealt with some amendments that have some merit. But I do take exception to the inference that this Bill was somehow sinister or that there was some kind of hidden agenda in this Bill. I can guarantee all members of this House that that simply was not the case, is not the case.

8:50

This is a very straightforward Bill. It is a Bill that is designed to accommodate international trade agreements, and we went into quite some detail on that when we introduced the Bill. When the drafting process for such a Bill is under way, it's hoped that all circumstances can be covered under a Bill such as this, and in so doing, there is a good deal of latitude built into the Bill, because one just doesn't know what kinds of agreements are going to be negotiated in upcoming terms. So the Bill was drafted to be able to accommodate all different types of agreements that may come forward.

I must remind all members that the original form of the Bill did have the intent of having any regulation, any legislative changes brought back to this Assembly. Now, there were arguments made in this Assembly indicating that there perhaps were other ways of doing it. Those arguments were listened to, and I thank the members opposite for complimenting the government for dealing with some of those comments.

But I must – and I have to emphasize, Mr. Speaker, I must – take exception to the inferences that there was a hidden agenda or that there was something sinister about this Bill. This was and is a very straightforward Bill. I think the Bill as we have it now will do the job, just as I think the Bill in its original form would have done the job.

So with that, Mr. Speaker, I will close the debate and call the question.

[Motion carried; Bill 44 read a third time]

Bill 45
Appropriation (Supplementary
Supply) Act, 1995 (No. 2)

THE SPEAKER: Was someone going to move third reading, hon. Government House Leader?

MR. DAY: I so move, Mr. Speaker.

MR. SEKULIC: There was so much eagerness to call the question that they forgot to move the motion, Mr. Speaker, and that perhaps is the best way of describing the largest element contained within Bill 45: in such a hurry to approve it that they didn't bother looking to see what it contained.

Mr. Speaker, this Bill has been debated extensively, and unfortunately, unlike being positive on Bill 44, the final version, I cannot be positive on Bill 45. You know, yesterday the Annual Report of the Auditor General 1994-95 came out. It seems that we read half of the report, and the government members read the other half of the report, and that was what was debated in question period this afternoon. Regardless of which half you read, the praise or the punishment version or lines, the bottom line is: half a billion dollars of taxpayers' money has literally been thrown away. That's the bottom line. I know the members

opposite often – not often, all the time – like to talk about the bottom line, and the bottom line is: \$500 million have been thrown away.

This is the boondoggle to top all boondoggles except one, and everyone knows that one. It's infamous. It lives on, and it will live on for many years until we're able to fully pay down the debt it's contributed. That's NovAtel, and that NovAtel is somewhere in the range of \$675 million. I could be off a few million, Mr. Speaker.

Without complete disclosure to the concerns that even the Auditor General couldn't get answers to, the Premier claims that throwing away another \$147.5 million is the best deal for Alberta taxpayers.

When the Alberta taxpayer is going to lose a total of this \$500 million overall for Bovar, possibly more, then as a newly elected member of this Assembly, Mr. Speaker, and as a Liberal I have zero tolerance for this government's see no evil, hear no evil approach. Albertans want and need to have their concerns put to rest, to have the questions that they have regarding Bovar, to have the questions that the opposition has about Bovar, and to have the questions that the Auditor General has about Bovar answered before we move on.

A trust has clearly been violated and can't simply be re-established with another request for: trust us. And that's what Bill 45 is. It's another request for: trust us, a mere statement.

A good start though, I think, would be filling in the blanks that the Auditor General had cited, and I think it's important that the blanks be filled in with truths, not the sanitized version of half-truths, Mr. Speaker. [interjections] I know that's incited some members across the way, so I will clarify. What I mean by half-truths is like when you say that we have a \$500 million deal, but you introduce, "Well, we're only \$250 million in now," and later on the other half comes out, that it's another \$250 million, and then the total truth is \$500 million. That's the kind of truths. We get fragmented fraction truths. Eventually, we get to the full truth, and the bottom line is: it's half a billion dollars of taxpayers' money thrown away.

Mr. Speaker, I'm concerned that lessons haven't been learned, and the reason lessons haven't been learned is because the full information hasn't been disclosed. I'm concerned that approving this Bill blindly without attempting to amend it would be a negligent act for which my constituents could rightfully claim that their interests were not protected nor represented. Those attempts were made and rejected unanimously by the government. I and my colleagues made every attempt to protect the interests of our constituents and in fact all Albertans living outside of our constituencies, outside of Liberal constituencies, but as I said, the attempt was unanimously rejected by the government.

The \$147.5 million will likely be an underestimate, Mr. Speaker, we've seen so often in the past. It could likely turn out to be yet another of the growing number of typographical errors which seem to be plaguing this Premier and this government in particular. This expenditure, based on numerous precedents, is likely to grow over time, and I don't believe it's the last visit to the taxpayers' wallet, which has resulted from this government's relations with those it has deemed eligible for the Conservative's Alberta advantage.

A growing number of Albertans who can't access their health care system would be hard pressed to place more trust in this government, as am I. For me the \$500 million was truly the last straw, and there is no more trust. The smoke and the mirrors – and today we saw the prison camp – and the Canadian red

herrings won't clear this government, Mr. Speaker. They are in fact responsible. They wanted the front page of the papers, and they certainly have earned it, whether they're going to get it or not. As I said, throwing out those red herrings today was wonderful. It was a strategic design, and it's unfortunate that it may have diverted so much of the attention which this government through Bovar has earned. The best term for that prison camp suggestion and the Canadian issue which was raised today: red herrings. Red herrings is what they were. Because \$50 million – and they're good with fractions – is one-tenth of \$500 million. If you're going to show any weakness, best you show your least vulnerable part of the underbelly, the soft underbelly.

Mr. Speaker, by way of rejecting the Liberal opposition's amendments, each of the members of the government has now in one way tied themselves to this second of Alberta's largest financial fiascoes. In fact, they are now all part of making Alberta history, and I do regret that there are many hon. members that have tied into a deal which they weren't truly part of in any other way than this final sanctioning of the release of another \$150 billion to corporate interests which had guaranteed profits, Mr. Speaker. That sentence has to be revisited over and over and over in this province: to corporate interests which had guaranteed profits, guaranteed profits by a Conservative government that has governed a province for 20 years, guaranteed profits to corporate interests. Unheard of. Certainly yet another precedent.

The 'BovAtel' decisions have cost Alberta taxpayers – now I'm saying 'BovAtel' including both Bovar and NovAtel – in total, 1.1 plus some billion dollars and could likely cost them their health care system, because it's currently threatening their health care system. What I heard from all of these, not all government members but many government members: they continue to insist that these losses were all in the interests of Albertans. Mr. Speaker, frankly I disagree.

9:00

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

DR. PERCY: Thank you, Mr. Speaker. Tonight, third reading on appropriations Bill 45. At this stage I want to sort of crystallize what I heard in terms of the competing views, which is the only issue, the \$147.5 million expenditure under Environmental Protection. There are two contrasting points of view, and I'll just summarize what I think I heard from the hon. Member for Calgary-Montrose and the Member for Calgary-Shaw, which is that this stops the financial hemorrhaging, it puts a cap on a series of losses, and it allows some certainty in terms of what our overall losses are going to be. It is like a poke in the eye with a pointed stick, but it's the lesser of any number of evils. The argument that was given was a perspective one: let's not worry about the past; let's just look at the future. Cap the losses and go on.

The perspective that you heard from this side was to acknowledge that in fact this perhaps, given the constraints of the joint venture agreement, was the best deal that could have been struck, but to assert that when you looked at the elements of the joint venture agreement, regardless of how fair the payout appeared to be, since the joint venture agreement itself was so odious and one-sided in terms of its obligations, that almost compelled, then, a very critical review of the deal that was struck. Those were the views that I had heard that sort of emerged in the course of debate in second reading and committee.

Then the Auditor General's report came out. The Auditor General's report with regards to Bovar had some new information.

A lot of it was basically what we already knew in this House, but most people outside of the House did not know about the structure of the joint venture agreement. The new material that was in the Auditor General's report with regards to Bovar dealt on one hand with the issue of oil field waste and whether or not that in fact had been built into the calculations and construction of the facility. The other new material dealt with the recommendations of the board of the Alberta Special Waste Management Corporation to invoke 1302 if they couldn't get a better deal and how that seemed to have disappeared into the night.

For me, that I think really coloured my perspective on this deal, because I do think that had we struck that deal in 1992, we would have saved a significant amount of money, anywhere from \$100 million to \$150 million. So when we debate, then, this appropriation, we inevitably have to look at history and see if we've learned anything from it.

I remember – I was not elected at the time – when NovAtel was being debated in the House. It was pried out inch by inch. It was not a pretty sight, Mr. Speaker. I remember hearing very clearly members on that side of the House saying: "Well, we've learned. We've examined how we got into this mess, and we've learned." But we still have now 'BovAtel,' a loss of over \$500 million again, although this doesn't reflect the same type of financial mismanagement, incompetence and, I would assert, dishonesty on the part of some, that we saw with NovAtel. What you do see here is still a failure in government policy that arises in large part because of the absence of transparency and the absence of openness and accountability as policy decisions were being made.

The issue of oil field waste I think is a classic, because we just get a feel for that from the Auditor General's report. Certainly, that was not a wide-open public debate, how the regs that allowed for treatment of oil field waste were in draft 3 of the regulations, but by draft 8 they were no longer there. What occurred in the intervening period we don't know. Had we known, there would have been a policy debate, and perhaps in fact we would not have a plant as large as we presently do with a price tag that we're presently facing.

The Auditor General then said: well, there are mechanisms in place to prevent this from happening again. This is one of the few areas where in fact I think the Auditor General is wrong. He says, and I agree with him, that the mechanism of business plans does allow for critical review and perhaps forces bureaucrats and policy-makers to actually weigh risks and outcomes because they know they're going to be held accountable, because they actually have to put on paper what they expect down the road.

But he made a statement which I actually view as wrong, where he said that the standing policy committees would also play a role. The Auditor General treated the standing policy committees as though they were legislative committees, or all-party committees. They're not. They are Conservative Party committees that function to direct policy within that caucus. So they don't, in fact, provide that mechanism of accountability and openness that you would want to prevent this type of fiasco from happening.

In the absence, then, of having those committees play a more significant role in providing openness and review, what you do need is a Public Accounts Committee that can in fact require bureaucrats to come. It's an either/or proposition. I can understand why a government caucus would want to keep its deliberations behind caucus doors. Nobody wants to read caucus deliberations in the *Edmonton Sun* the next day. You can't function that way. But if you're going to retain exclusivity on these so-called policy committees, then if you're actually going to

be open and accountable and provide the mechanisms by which you have review of decisions undertaken, you need a strong, well-functioning Public Accounts Committee. When I look at the status quo now and I ask myself, "Can I in good conscience vote for this \$147.5 million," I think the Member for Calgary-Shaw did the best job he could, given the constraints he faced. Because this is bundled with flood expenditures, bundled with Blue Cross expenditures, it's very difficult to vote against this. Were it unbundled, I would vote against this expenditure in this House because of the process by which we got here. I think there have been and continue to be fundamental policy flaws.

So when I look at the appropriations Bill we face and are going to vote on tonight, I in good conscience can support two out of the three: the expenditure on Blue Cross, the expenditure for flood relief in southern Alberta. I'm forced then to hold my nose when it comes to the other. Were this unbundled, Mr. Speaker, I would vote against this, and I would require a standing vote so that we could watch members on that side of the House and the three on this side of the House vote for this and hold themselves accountable. I think that at some point there is going to be a day of reckoning over losing half a billion dollars. When you can't fund kindergarten, when you are shutting rural hospitals, when you can't hold onto rural physicians, when in fact you have a higher standard of accountability for everyone else except the people that make the decisions, there will be a day of reckoning. This will not go away gently into the night. Come the next election, this is going to be front and centre.

With those comments, Mr. Speaker, I'll close.

9:10

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

MR. HENRY: Thank you very much, Mr. Speaker. I, too, would like to add some comments on third reading of Bill 45. I've been a student of this Legislature and the government processes for a number of years, and especially in the last 10 years or so I've watched very closely what's happened in this Legislature. I saw the various financial losses of the government of the previous Premier with regard to NovAtel, with regard to MagCan, and we can go on and on and on.

Mr. Speaker, when I first ran in 1993, I told people that we needed to balance the budget, in my opinion. That's what members of the governing party and members of this party said, and obviously Albertans agreed with that. We need to balance the budget; we can't spend more than we have. Then this government got into power and started making some of the changes that we've seen over the last two and a half years.

I guess the most common question I get in my constituency that I can't answer is: where did the money go? There was a time in this province not too long ago when if a community or a group had a particular idea or a community had a particular need, there was money around to help that happen. Whether that was a playground for children to play on, whether that was more funds for the inner city for disabled individuals, whether that was funds so that seniors can live in decent accommodation in this province, we were always able to do that. Now, in the last two and a half years since I got elected, I have my constituents come and say: where did all the money go? Why is it that we can't get what it is we need to live in our communities, to make our communities function effectively?

Mr. Speaker, I'm glad that we're able to debate the appropriations Bill, Bill 45, because now I have an answer for some of those people. The reason we're not able to do some of the things

in our communities that we do need to do, that are worthwhile to do is because this government blew the money on Bovar, on NovAtel.

Part of me wishes that I could get a deal like Bovar got, that I could sign on the dotted line and . . .

MR. SAPERS: You couldn't live with yourself.

MR. HENRY: Yeah. The Member for Edmonton-Glenora says that I couldn't live with myself, and he's probably right. But people are living with themselves, Mr. Speaker, and they're living with our money, taxpayers' money.

Mr. Speaker, I'd like to take you on a little tour of my constituency. When I go up to the north end of my constituency on the Avenue of Nations, one of the concerns that's put at my feet – we are looking at an area with a lot of new Canadians who feel it important that their children succeed in our education system, make something of themselves, but also feel it important that their children have an ability to learn and maintain their own language and culture. So one of the things that happens is that quite often people will speak their first language at home, even though they may well speak English at the work site. So when their children leave home to go to kindergarten, they expect to be able to have that half-year funding so that their children, when they enter grade 1, have a good solid command of the English language and are able to function well.

This has been expressed, and I was quite surprised, Mr. Speaker, because in meeting with the business revitalization zone executive in my area, I asked them what was on their minds in terms of issues that they would like me to raise. This was the first issue that came up in that area: "Why do we have only half kindergarten? Why is it that my child is going to go into grade 1 and not have a full command of the English language unless I choose to abandon teaching my first language at home? Why is it that my children, because they were born in Canada and because I've taught them our family's mother tongue, when they go into the school system in grade 1, if they can't speak English as well as the other children, there is no ESL support for them because they were born in Canada?"

Well, now I have the answer. The money went to Bovar. The money went to friends of the government, Mr. Speaker. The record is very clear on that. The money went because, as the Auditor General says, this government was ineffective, once we got into the problem, in getting out of the problem. This government did not use its leverage. The same thing happened – we have another \$50 million dollars guaranteed to Canadian Airlines. We heard the minister of transportation in a ministerial statement today saying: whoa; Canadian Airlines is taking the jobs out of Calgary; please don't do it. Well, that should have been in the guarantee, that if we're going to put 50 million bucks of taxpayers' money from Alberta up, we should have had the guarantee that the jobs would stay in Alberta. It's incompetent – there's no other word – negotiating and incompetent management by the government.

Mr. Speaker, just north and west a little bit of the Avenue of Nations is Queen Mary Park school. This is a wonderful neighbourhood. You met the children from Queen Mary Park here today. They are in dire need of a new playground in their school and community league properties. There is no money for them to get a new playground. They've worked hard in their community. The community does not have a lot of money. People who live in that community work hard, are trying to buy

homes, modest homes, and there isn't a lot of spare cash. They've worked hard for a year and a bit, and they've raised \$8,000. Well, you and I both know that won't buy a very big playground. Yet if you go out to Riverbend, of course, they're going to be able to afford that. There is no government support for that, and that community says, "How can you help us, Michael?" They've asked me that, and I've said, "I'll see what I can do." I'm talking to a couple of private foundations about that, but now I can tell them that I can't do a lot with the government because the government gave the money to their friends in Bovar.

Mr. Speaker, in the north end of my constituency we have subsidized accommodation for senior citizens. We've seen dramatic increases in the cost of rental for those senior citizens, and we've seen a dramatic decline in services in those facilities. I'm not at liberty to disclose the name – I will get permission – but there is a couple, who I'm very familiar with who live in the Dnipro senior citizens' residence, in a Ukrainian senior citizens' residence, who are having to move because the rent is simply getting too much for them. They're moving from a community, from an environment where they thought they could live out their years in retirement in comfort, in safety, with people who speak the same language that they first spoke when they came to Canada. They're having to leave. I want to put it on the record: these have been longtime supporters of this government but no longer so.

Mr. Speaker, if I go to Ansgar Villa, if I go to Kiwanis Place, if I go to St. Joachim Manor, if I go to Towne House – I can go on and on and on about the subsidized accommodation. Because the rents have gone up so much, people are having to move out and live in substandard accommodation. Again, people say: why is this? They're being told: because the government has no money. Well, why does the government have no money? It's because they spent half a billion dollars looking after their friends and covering their own mistakes and incompetently managing to try to get out of this mess.

I was very disheartened when I received a note that told me Dr. Finer, the founder of the neonatal intensive care unit at the Royal Alex hospital, one of the leading Canadian specialists in neonatal intensive care, is leaving this province because we cannot adequately fund the service that he is delivering, and he can no longer stay and continue doing that. Mr. Speaker, I can tell you from personal experience that I thanked Premier Lougheed for bringing people like Dr. Finer to this province, and because of that, when my first daughter was born, she got the kind of treatment that she needed to make her become healthy and grow from three pounds, 12 ounces to a healthy six-year-old today. When our pediatrician said, "My goodness, Dr. Finer's going; do you know that?", I said, "Yeah, I know that." I wish I could go to the government and say that we need to put more money into neonatal intensive care because goodness knows we need it. The most vulnerable people often in our society, who don't have access to good quality lifestyles in terms of food and accommodation, are the ones who often have premature babies and need this service. I had to say, "Well, Gail" – our pediatrician – "it's gone; the money's gone." Now I can tell her where it's gone. It's gone to friends of the government.

Mr. Speaker, I have senior citizens in my riding, and I have the highest percentage of senior citizens, I daresay, perhaps excepting Calgary-Buffalo, of any MLA in this Legislature. When they come to me and say that we moved into downtown because there were services there, because the General hospital was there,

because the world-class Youville geriatric centre was there, and so that we could be close to our spouses, and we could go visit every day. Now we can't afford to sell the modest condo, and we can't afford to move. They're shipped all over, and they say: what can you do? I say: I can try to bring it to the attention of the government, but there is no more money. Now I know why there's no more money, and I can tell them why there's no more money: because the government gave the money to friends through deals like Bovar, and the government didn't have the brains to get out of those deals.

9:20

Mr. Speaker, an elderly woman comes to me and is in tears in my office because her daughter, a 40-year-old anorexic, is dying and isn't able to get the funding from Alberta Health to go to the Montreaux clinic in Victoria, the one, maybe, hope that she has to be able to get the treatment and survive. This mother is in my office saying: "Why is this like this? I've tried everything. Can't you help me?" I say yes; I'll try. I contact the Minister of Health, I contact the Montreaux clinic, and I contact private foundations. We still haven't found the money to do it. I'm going to say in this House that if that 40-year-old woman doesn't make it, then I hope every government member who was involved in negotiating the Bovar deal has trouble sleeping at night. There was a time in this province when we had the money to provide the kind of health care services that we needed, and if people couldn't get them here, we could send them. We don't have that money anymore.

Mr. Speaker, when I walk into a classroom at the central McDougall school and there are three special-needs children in the classroom and there are two more who don't speak a word of English – the members might find it really funny. The Member for Calgary-Currie might find it really funny, but I'll bring her down to the central McDougall school and she can see a teacher who has worked for 21 years in our school system and has worked really hard.

MRS. BURGNER: A point of order, Mr. Speaker.

THE SPEAKER: The hon. Member for Calgary-Currie is rising on a point of order.

Point of Order Imputing Motives

MRS. BURGNER: Standing Orders 23(h), (i), and (j). Mr. Speaker, I believe that the hon. member across the floor perhaps took my enthusiasm for what he was commenting on in the wrong light. He knows that I take my job very seriously, and I didn't like the reference to my good humour.

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

MR. HENRY: Thank you, Mr. Speaker. In responding to that, I'm sorry if I thought the member was laughing and she wasn't laughing, and I'm sorry if I misunderstood her. I obviously was mistaken. She wasn't laughing; she was just smiling.

Debate Continued

MR. HENRY: Mr. Speaker, moving on. Going into this classroom, you have a teacher who's been teaching for 21 years in these communities, who talks to me, and who's done very well, frankly, as a professional and tried really hard. I went in and

talked to her in June, and I said: "How are your kids doing? How are the families doing?" She started going through every child who's had a problem because there isn't enough food in the house, or somebody has lost a job and there's not enough support for them, or they've had to move to three different schools because there isn't the kind of stability that a good management of the economy could provide, and there isn't the safety support net for them. She goes through, and she's only got one child left, and she breaks down in tears. What do I say to that teacher? I say, "Hang in there; we need teachers like you." This is a true story. She says, "But why?" Now I have an answer for her: because the money was spent on 'BovAtel', and the money was spent on Bovar, was given to friends of the government. [interjection] If the minister of transportation wants to enter into the debate, he can have the floor after I'm finished, but until then he can stop heckling, and I'd appreciate it. If he's got a guilty conscience, then let him salve it some other way.

Mr. Speaker, when a teacher describes to me a child who is severely disabled, who's intellectually disabled, who's physically disabled, who's emotionally disabled, and if you described their behaviour, any member in this House would say: if we're going to have that child in the regular classroom, then we need to have a full-time person with that child. This is an actual child in my constituency. The teacher and the parent ask me: why is it that the school division only gets 12,000 odd dollars when we know that a full-time aide for that child costs twice as much? When we agree and the medical and behavioral experts who examine this child agree that he needs a full-time aide, why is it that only half the money is available? Now I can tell them why. Because the government chose – this was a decision, Mr. Speaker. This was not something the government could not have avoided. This was not something that sprung up like oil prices dropping or like interest rates that are out of our control. The government could have got out of this deal a lot earlier, saved a lot more money. Again, members can laugh if they want, but the government could have done this, and we wouldn't have had to be facing the kind of cutbacks that this government is forcing on the most vulnerable people in our society.

Mr. Speaker, a gentleman in his early 60s comes into my office and is quite upset and says: "I'm living in British Columbia right now, and I just went to see my Mom. She's been cut off physiotherapy, and I know that if she doesn't continue to get physiotherapy on a regular basis, she's going to have to end up in a long-term care facility. I can afford a little bit, but I can't afford the kind of help that she needs." When he says, "What's happening here?" I can say that now I know what's happening here. The money has been spent to cover government tracks, to make politicians look good. Advice from competent civil servants, from competent experts has been ignored so that politicians can mess in and make themselves look good instead of doing the kinds of things that we should be doing here. Now I have an answer: half a billion dollars has gone down the tubes.

Mr. Speaker, if we took half a billion dollars and went and bought Canada savings bonds – and I hope and pray that that's still a good decision a week from now – we would have enough money to fully fund kindergarten. Taking that half a billion dollars and just making a very safe investment, we would have enough money to fully fund kindergarten. Yet instead what we have to do – and we are borrowing this money and people need to know that this is money that this government has had to borrow, so we're not getting it at 4 percent or 5 percent. Perhaps the Provincial Treasurer at another time can tell us exactly what

we're paying on the markets, but I daresay it's more like 10 to 14 percent in terms of borrowing charges.

DR. WEST: That's gibberish. Absolute gibberish.

MR. HENRY: Well, if the minister of transportation wants to get up and say that we're borrowing money at 5 percent, then let him do that and be on the record. He seems to disagree with my analysis.

Right now, Mr. Speaker, we are borrowing this money to cover the government's mistakes. The government doesn't have the cash to do it. It's this government who keeps saying that they need to slash, slash, slash, slash, and the minister of transportation is among the leaders in that. The king of slash is here. If he says that he's got a secret trunk somewhere with a pile of gold, that he's paying off all these debts, my goodness, I'll give him the floor, and he can bring it out and show us. But I daresay what's happening is he's having to send the Provincial Treasurer to New York and to other places to borrow this money because we don't have it in this province and to borrow the money to cover government mistakes and to cover poor management.

We all make mistakes, goodness knows, Mr. Speaker. Not one person in this Legislature is free from having made a mistake. But once you make a mistake, this government should have owned up to it and said: "We cut a bad deal. We shouldn't have signed on the dotted line, and we shouldn't have expanded." In 1993, just prior to the provincial election, they should have cut their losses then and not been back here begging for another \$147.5 million from the Alberta taxpayers, who don't have it. The Alberta taxpayer does not have this money.

This is a sham. The government is saying: "Oh, we're going to have 147 and a half million dollars. That's all we need. We're going to pay it off, and we're done with it." That's gibberish, Mr. Speaker. The reality is that what the government is doing is the government is not saying that we're going to go out to the public and get this money. What the government is doing is they're asking for permission to go borrow this money. We don't have the money in the coffers to pay for this, and the government is going to have to go borrow the money, which is putting the future of my children and the children of all of us in more and more jeopardy.

When I go to Grant MacEwan College and when I meet with the student executive in my constituency in early September, the first thing that they raise – again, members can laugh – is the alarming increase in youth in their own food bank that the students operate in Grant MacEwan College. Mr. Speaker, they're saying: "Why is this happening? Why are we paying more tuition? Why is it that government can raise tuitions, but student finance assistance hasn't been raised in several years in terms of living costs for students?" I didn't have an answer for them. I said: well, I'll bring it back, and I'll pass it on to the hon. minister of advanced education, and I'll see what I can do. It also, frankly, prompted me to use my offices to try to collect more food for the food bank, because I knew down the road – literally down the road from me – that they needed it badly. We were able to contribute at least something from the apartments near my constituency office.

9:30

Mr. Speaker, I now have an answer for the students at Grant MacEwan College. The reason you're paying more tuition, the reason more of your students are living in poverty and having to use the food bank – and we're talking about single parents that

support their kids who have been out of work and who have been trying to go back and get through school so they can get marketable skills so they can try to get a job in this very difficult economy. I can now tell them where all the money is: the money has gone to friends of the government and the botched deals of the government.

Mr. Speaker, I thank this government and Bill 45 for giving me the answers that I have been searching for for the last couple of years, that I will pass on. Believe me, I will make sure that, on behalf of this government, every one of my constituents receives the answer this government has given us.

Thank you.

MR. SAPERS: Mr. Speaker, you know, there is possibly only one thing that is more despicable than this half billion dollar government boondoggle, and that's that on the eve of a pending national crisis on unity this government would use that pending crisis to act as some kind of a smoke screen, some kind of a deflection away from their responsibility, that they would use valuable time in this Assembly and try to somehow not deal with the Auditor General's report.

Mr. Speaker, this is a government that prides itself on being open and accountable and transparent. Now, if they truly, truly wanted to follow that, if they wanted to be open and transparent . . .

Speaker's Ruling Relevance

THE SPEAKER: The Chair will give the hon. member some latitude to introduce the backdrop to his debate on the Bill, but the hon. member really is not to use his time allotted just to rake the government over the coals for other things. He is supposed to address the Bill in due course.

MR. SAPERS: Thank you, Mr. Speaker. You're absolutely right. But, you know, it's an incredible history. It's a half billion dollars' worth, and I just wanted to make sure that we talked about every last penny of that.

Debate Continued

MR. SAPERS: Now, we're talking about the appropriation Bill, and the point that I'm getting to, Mr. Speaker, is that if this government wanted to be open and they wanted to be accountable and they wanted to be seen as transparent, then what they would have done is they wouldn't have brought in one appropriation Bill. No, no. They wouldn't have lumped the whole 193-plus million dollars together. They would have brought in three different Bills. They would have said: "Look; let's debate the flood relief money. Let's make sure it's the appropriate amount, and let's make sure that it's being done in the right way." Then they would have said: "Now let's debate the \$35 million that's needed for Blue Cross. Let's take a look at that. Let's take a look at the supplementary estimates we need for funding health care."

We all know that the cuts in health care have been too fast, too deep, too unplanned, too across the board, and there's no doubt this is the first appropriation of many we're going to see as the government tries to buy back the trust and faith of Albertans in their health care system. This is the first \$35 million investment in that. But, no, they didn't separate that out. They lumped together the flood relief and they lumped together the \$35 million for Blue Cross with the 147 and a half million dollars for the Swan Hills buyout, and that is absolutely inappropriate. They know that it would be next to impossible to justify voting in

support of that if it were left on its own, that it is a nearly indefensible request at this point, and to say that that's all it's costing is just not telling the whole truth.

Now, when I look at the Auditor General's report on page 46 and I read recommendation 2, it says:

It is recommended that when proposed major programs or capital expenditures are dependent on future events, the minister responsible disclose in the entity's three-year business plan an evaluation of the downside risk to the plans proposed.

Mr. Speaker, "disclose in the entity's three-year business plan"? Well, there are two things that I have to comment on about that phrase in that recommendation. Number one, the Auditor General chooses his words carefully. He says "disclose." Is he suggesting that the government knew something they didn't tell the rest of Alberta about? Is he suggesting that they hid some information? I think that bears some debate.

Secondly, he mentions a three-year business plan. Has there been a three-year business plan filed on Swan Hills? Have we seen that?

MR. GERMAIN: Not a chance.

MR. SAPERS: The hon. Member for Fort McMurray says no. Edmonton-Whitemud, have we seen that three-year business plan? We asked for it; didn't we?

AN HON. MEMBER: I haven't seen it.

MR. SAPERS: No, there is no business plan. In fact, the Auditor General makes the suggestion that something be disclosed in a business plan. Well, the business plan didn't exist. No business plan could possibly exist, no honest business plan in any case. So I would like to know what exactly it is that the then minister of the environment, the now Premier, knew that he didn't tell the rest of us at that time.

I would like to know how come we don't have a chance as members of this Assembly to vote on these appropriations separately, in a responsible way. I would like to be able to explain to my constituents why it is that I had to vote for \$147,500,000 to help bail the government out of their toxic flush when at the same time if I didn't I would have to deny voting for appropriations for things like flood relief and prescription drugs for seniors who were on the Blue Cross plan. Mr. Speaker, it's not right.

It's no easier for me to explain to my constituents about that contradiction and that inconsistency than it would be, for example, for the Member for Calgary-Varsity to explain to a person in his constituency why they can't go to see a physiotherapist anymore, why they have to wait in pain to see that physiotherapist. It's for the same reason: it's because we had to spend \$147.5 extra million on the 'BovAtel' mess. The Member for Ponoka-Rimbey, for example, the Minister of Education, when he goes back to Ponoka, he'll be asked by one of his constituents why a senior citizen can't go into the local long-term care centre anymore. No. They have to be sent clear across the health region now because they've closed down the beds. They're just moving seniors around to fit their budget plan instead of fitting the seniors' needs.

Mr. Speaker, for that matter it would be equally difficult for the Minister of Justice, when he goes to Banff, to explain to one of his constituents why they're waiting and suffering for one of the rationed hip or knee replacements, and the reason he can't explain is because he doesn't want to have to vote for this 147 and a half million dollars any more than I do. He knows, like every

member of this Assembly knows, that the right thing to do would be to have this appropriation in three separate Bills so that we could debate them honestly and vote the way that we all know our constituents would want us to vote and do the right thing. But no; in a lack of openness and a lack of accountability and a lack of transparency this government forces an appropriation vote on the entire amount so that we can't separate it out.

So we're all stuck; we're all tarred with the same brush. We all have to go back to our constituents and we have to explain, "Well, we knew it was wrong to support that Bovar deal – we knew that it was wrong – but in this instance it was the only way we could support some of those other things." Quite frankly, I resent that, and I resent the government for doing it.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for West Yellowhead. [interjections]

MR. VAN BINSBERGEN: Such fervour.

Thank you, Mr. Speaker. Contrary to those of my colleagues who have already spoken, I shall begin with a more positive tone. I know that the Member for Calgary-Bow will be pleased.

Mr. Speaker, the amount allotted and asked for of \$35 million to put some extra funds in the Blue Cross for seniors, if I understand it correctly, I wholeheartedly concur with. I think that's an excellent idea. Of course, I was sorry to see that the government saw fit to take so much away from the seniors, but I'm very glad to see that they're going to restore some of that funding. I'm particularly glad that it doesn't come out of any other pot but that it comes out of the federal coffers. So that's kind of nice. At least we know where it comes from.

Then the other item, Transportation and Utilities – and I have to commend the minister for relatively speedy action there to help the flood victims. Actually, that's the one that comes from the federal government, I think. So I must congratulate the minister of transportation on his ability to get the funds from the federal government and to speedily pass them on.

9:40

MR. SAPERS: Only 90 percent.

MR. VAN BINSBERGEN: Only 90 percent; right.

Mr. Speaker, those were good moves that I wholeheartedly concur in.

Then we get to what can only be referred to as the Bovarian boondoggle. I must admit that I reach the end of my positive spirit here. I've tried to put this in a positive light. I've listened to the words of the chairman of the Swan Hills waste management committee. He has exhorted us to look on the bright side and say, "Well, at least if we confine the losses to just under \$150 million, then we've done well." It's sort of a very expensive band-aid to stop the hemorrhaging I think, but that's one way of looking at it. Mr. Speaker, I would be prepared to do that if certain conditions had been met. You see, when we look at the floods that we've encountered this summer in southern Alberta, those were natural calamities, but the Bovarian boondoggle was clearly an unnatural calamity of the greatest magnitude.

I think when we look at the how and the why – and certainly the Auditor General has given us a lot of help here in pinpointing blame in fact. Whereas we might not have known whom to blame, now we know that the then minister between '89 and '92 was the one that in fact made some very disastrous decisions. Now, has that minister stepped forth and assumed the blame

wholeheartedly and taken the traditional response, the traditional action of ministers, honourable ministers who subscribe to the principle of ministerial responsibility? Did he take that action? We're still waiting actually, Mr. Speaker, unfortunately.

Now, of course that minister then became Premier, and under his signature, after the expansion had taken place, the oil industry was allowed to bury its waste. We know all those gory details that smell to the highest heaven. All of a sudden there wasn't enough waste, of course, for the newly expanded Swan Hills. The Auditor General was rather precise, I think, in laying the blame exclusively on the person who is now the Premier for making that decision to expand and subsequently to allow the oil industry to bury the waste.

Now, have we seen the normal, traditional response of a minister who's made an error of that magnitude? No. We're still waiting for that, and that causes me to flinch when it comes to casting my vote on this particular Bill, even though I would love to vote yes. Yes, let us pass that money on to the flood victims. Yes, let us put more money into the Blue Cross for seniors. Yes, let us do that. On the other hand, at the same time we would then be voting in favour, it seems to me, of putting almost \$150 million in order to stem the floods, to stem the tide, the hemorrhaging of the Swan Hills plant. To me that would be legitimizing a very, very sorry venture, legitimizing some very, very disastrous decisions that clearly indicate that the decisions were made on the basis of absolute and utter incompetence. Until such time as we see someone assume responsibility – clearly, clearly – and take the resulting actions, I'm afraid I'll have to oppose this Bill.

Thank you very much.

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

MRS. SOETAERT: Thank you, Mr. Speaker. I, too, want to take the opportunity to speak to this. I think I'd be remiss in my duties if I didn't take the opportunity to talk about the boondoggle of 'BovAtel.' You know, it was interesting. One of my colleagues – we were looking at some of the figures here, what \$147 million would cover. Because, you know, picturing \$147 million is something most of us will never see in a lifetime, certainly not at the rate this government throws away money. We'll never see it. Aside from that, if we were to look at it in terms that we could understand, it would be about 5,500 families and all their taxes, including income tax and sales tax and property tax and liquor and tobacco tax and auto and fuel tax and social security and medical: all of those taxes. That amount of money would pay for their taxes in one year. Now, how does an MLA or a candidate during a campaign go door knocking and say: we've lost . . . [interjections]

The man in the pink apron standing at the door is a bit distracting. The Minister of Community Development is cooking or selling his wares; I'm not quite sure which. I'm glad he takes the business of this House so seriously.

Anyway, we've been dished up \$147 million of something that this House wants us to pass. When people are door knocking and going around and talking to the average person on the street, how can you justify saying: "Well, I know health care is a mess. I know people had to wait in line-ups maybe three weeks, four weeks, five weeks to have a biopsy done. I know my child was in a class of 33 children, some with special needs and some with behaviour disorders. Well, they lost a year or two. How could

this happen?" Then you as a candidate have to say: "Well, you know, as a government we frittered away \$500 million, a half a billion dollars, on the Swan Hills waste treatment plant. Then to try to get out of it, we blew \$147 million of that." You know, I just have real problems with that. That's a waste of money.

Then they ask us to vote in one lump on this Bill. Well, of course we're going to support those people who were flooded out down south. In fact we were some of the few people who cared about that. We went down and saw what had happened. Our leader went down to show those people that we cared. [interjections] I don't know where the Premier was, but he certainly wasn't down south, where people were in trouble and needed people who are in the Legislature to care about what happened to them. Well, we on this side of the House, we were there. We cared about that. So of course – of course – we're going to agree with that part of this legislation. The second part, where we're talking about the medical supplies to seniors, of course we're going to support that too. So what do they lump in? Pocket change probably or chump change, as the minister of the environment would call it, a mere \$147 million we're supposed to agree to because, well, the government needs this money to cover up another mess that they have created.

Well, Mr. Speaker, for the next election what this government has provided me with is some great, great ammunition out in my riding. Five hundred million dollars; a half billion dollars. That's the reason our health care system is in chaos. That's the reason we only have half-time kindergarten. Because you know what? That's not the priority of this government. They don't want to spend it on what I value as a healthy society and an educated society. Nope. They want to blow it on making their friends happy and keeping Bovar and its owners happy and maybe donating to their campaigns. Who knows?

So with those remarks, like my colleague from Edmonton-Whitemud, I will – how can you say two-thirds aye and one-third nay? I don't know, Mr. Speaker, but I guess that's what we'll try to do in this House. Because two-thirds of this I can accept and support and one-third of this stinks just like Bovar.

Thank you.

9:50

MR. GERMAIN: Mr. Speaker, it is with little optimism that I rise in this Legislative Assembly tonight. For most of the last week we have been discussing the estimates leading to the appropriation Bill, and the lightning rod of this legislation is the government's expenditure of an additional 147 and a half million dollars of absolutely thrown-away, government-wasted money that did not have to be spent either to clean up toxic waste in the province of Alberta or to have a decent plant to take care of toxic waste in the province of Alberta. It was spent simply because of errors of judgment, errors of management, and errors of politics.

I know that if I were to ask hypothetically this Legislative Assembly tonight if there is anybody on the side opposite, any of the government or the government members, who is prepared to vote against this expenditure, they would probably say no, they are not. But when you vote for this expenditure, what you are doing is taking yourself back in time. You are parachuting yourself right onto those members of the government that made those decisions years ago that cast the die that has led to this expenditure tonight.

You know, each of the hon. members who stood last night, Mr. Speaker, and who voted against the amendment to the appropriation Bill will have to look their constituents in the eye and will have to look at those single mothers struggling to make ends meet,

look at the schoolteacher with an overburdened class size and teaching many courses without the preparatory time and conducting after school activities of a recreational nature to enhance the educational experience without any compensation whatsoever. They will have to look the Legal Aid lawyers in the eye who are carrying on horrific caseloads with little or no compensation. They will have to look the Crown attorneys in the eye who are carrying on an extensive workload with little or no compensation. They will have to look the nurse on the ward in the eye who is understaffed and overworked. All of these citizens of Alberta, at some point the members opposite will have to look them in the eye, and they will have to say: I did that; I voted for that expenditure.

Now, Mr. Speaker, if we were at least closing the chapter – one government private member said to me today: it's done. I'm distanced from it and it's done, was the comment. Well, you cannot be distanced from this. Anybody that sits in this Legislative Assembly and voted last night for this expenditure by voting against the amendment to this Bill cannot be distanced from this decision. When they did that, they returned and they ratified that erroneous decision that was taken so many years ago that led to this economic catastrophe. Now, you can't distance yourself from it, so is it really over?

You know, the hon. Member for Calgary-Shaw, we teased him earlier this week in the Legislative Assembly by reminding him that he got to announce this deal to the Legislative Assembly as his reward for criticizing the Premier, washing his Premier's car with government funds. Of course, he smiles when we say that, but he has in fact been the only one that has even stood up and said: yeah; you know, I think we should be sorry for this, and we should apologize. Not one government minister on the front row – go down the row by name, Mr. Speaker. Go down the row by name, and there is not one government member that had the courage to stand up and say: "Albertans, we were wrong. We blew this one big time. You'll have to measure this failure to perform against other things that we put forward with more pride." Not one member would do that, and that failure will come back time and time and time again to haunt the government. One of the things that we've all been disciplined about since we were children is that everybody makes mistakes, but you should stand up and own up to your mistakes and admit your mistakes. Not one person, not the minister of transportation, not any of his colleagues, not one of them, not the Minister of Justice, the minister of the environment, the agriculture minister, not one of the ministers has stood up and said: "We were wrong. We made an error. It cost Albertans dearly." That failure to apologize will come forward again and again.

I move on to my other point, Mr. Speaker. This issue is not over. It is not over because Albertans will not allow the government to forget this issue, because to forget this issue is to run the risk of repeating this type of conduct, and Albertans will not allow the government to forget this issue. More importantly, the government's own negotiating team, that at one point had the opportunity to negotiate from a position of strength, gave up on each and every negotiating point until they no longer had strength. Now, even in this massive and horrific expenditure of \$147,500,000 there is still one other problem that lingers, and that is ongoing, continuing, repetitive liability. So it is not over.

I know, Mr. Speaker, that if I ask hypothetically if I or any of the colleagues on this side of the House had been able to change just one vote, they would say no. We recognize that the die has been cast on the outcome of this vote, but I want to say that this

issue does not die with this vote tonight. This is an issue that will come back time and time again to haunt this government. Their failure to apologize, their failure to recognize the error, and their failure to extricate the government totally and completely from this project will come back time and time and time again to haunt the government.

Mr. Speaker, that concludes my comments tonight.

THE SPEAKER: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Speaker. We've heard many members in the Chamber here this evening indicate exactly the bruising that Albertans have taken as a result of this \$147 million corporate gift to Bovar and Chem-Security and also the \$400 million to \$500 million, which should be inclusive of course, that is no longer able to be spent on the very necessities of Albertans' quality of life. I think today that is truly, truly unfortunate.

Many members have indicated that health care today is in a state of disarray. I would tell you that a goodly percentage of the time that I spend in my constituency office is consumed by those members of my constituency that are looking for assistance in securing quality health care, and it does take a fair bit of time and effort. It doesn't matter, Mr. Speaker, if you put together a very serious case, as is the situation with one constituent who has three occluded arteries to the heart and of course can't get health care in this province until they have a heart attack. Now, that's a sorry state that we have to let matters deteriorate to that state before in fact we can receive adequate health care in the province. I would suggest a goodly percentage of that problem has been arrived at as a result of some poor business decisions, and the expenditure in this case of the \$147 million included in this appropriations Bill is one of the reasons we've had to let our health care slide to such a degree.

I heard the Member for Edmonton-Centre indicate that education also is under assault. Certainly from my experience in the Leduc constituency the teacher/pupil ratio has risen dramatically. We can look at the long-term impact and effect of that, Mr. Speaker, and realize that the dollars that we have deprived the education system of today will be long-term costs in the future. Simply, education suffers and then in fact we know that there's a long-term detrimental impact upon the young Albertans in this province.

Earlier today we heard a question, or it may have been yesterday, about the cuts to transportation in school busing. Now, I have several individuals that of course derive their living from that, and if you chat to them, Mr. Speaker, they are at the stage in their particular small businesses in this province where it's no longer viable for them to carry on. So education is being hurt in several different manners, and it also is hurting small business.

I think some of the headlines we've seen over the last few months, Mr. Speaker, are telltale signs that this \$147 million was certainly misappropriated. I can recall a headline in the *Calgary Herald* that said the beggars of Calgary are growing to a remarkable number. It's rare that you can walk down the street and not be pestered for spare change and/or somebody looking for a handout. We also know that the city of Calgary actually had to hire security to keep the homeless out of City Hall. I mean, those are very telling signs; they're telling signs that the \$147 million included in this appropriations Bill obviously was misappropriated badly. I can also recall many headlines over the last little while on home care in this province. The wait for home care is growing dramatically.

10:00

Again, we know that in fact if you're not going to provide proper care, the long-term costs will catch up with us and we will pay dearly later in Albertans' lives to recover from the present situation that has been caused in part by this \$147 million we have to spend to rid this province supposedly of PCBs. Now, that has been the big boast I've listened to in the last couple days, that Alberta has now not got a hazardous waste problem. That perhaps is laudable, but when we consider the cost to arrive at that particular position, that's pathetic. Certainly we could have achieved that at considerably less cost. I gave one example clearly that there was a business in Leduc that was providing disposal of hazardous wastes at one-half the cost that the special waste hazardous disposal system in Swan Hills is achieving. Certainly it may not have been, Mr. Speaker, to the 99.99 percent purity of Swan Hills; nevertheless, it has been approved by the government to the fullest. That, to me, indicates that there is and was considerable room for efficiency. There was obviously considerable lack of good planning and considerable lack of business acumen to ensure that the best deal for Albertans was secured in this particular matter.

[The Deputy Speaker in the Chair]

Mr. Speaker, I alluded the other day, and the Member for Grande Prairie-Wapiti was concerned that I had crossed the line – I had suggested in my comments that obviously there's more to this deal than meets the eye. I really think the members in this House would have preferred to bring this back and live with legislation that reduced the profit of that particular plant to something more reasonable than the 30 percent. I indicated that I thought there was more to it than met the eye. I really felt that it was not advisable to do that, because there are some shenanigans that have gone on with that particular plant, and it could be very embarrassing to those members that were involved in setting it up and ensuring it continued to accept waste in Alberta.

In spite of the fact that this is a bundled Bill, I'm going to be an ogre by voting against this Bill because it includes some \$10 million to flood damage to those people in southern Alberta. Mind you, Mr. Speaker, if we go through the Attorney General's report, we'll see that those members may never receive that from the federal government. If we review the Auditor General's report, you'll see that due to lack of shoddy forwarding of documentation for the tornado that destroyed a good percentage of people's homes in Edmonton in '87, we still have not received money from the federal government because those forms haven't been processed properly or the actual justification for them. That, of course, has held up another \$10.7 million for floods in Slave Lake and western Alberta. So in spite of the fact that we have to appropriate some \$10 million for the flood victims in southern Alberta, certainly it is not going to arrive from the federal government, where it should, in any sort of timely fashion when we see the practice the Conservative government has embraced in past disaster examples.

I will cast my vote no on this particular Bill. I will live with the consequence of saying that I voted against that disaster in southern Alberta, and I'll live with the consequence of saying that I voted against \$35 million that should be allocated to Blue Cross for seniors in this province. I think the electorate of Alberta is certainly intelligent enough, Mr. Speaker, to know the trickery that has been involved with this particular Bill by bundling them together. I will stand here and display the courage that's required

to speak against such a repugnant expenditure of \$147 million. It clearly could have been legislated away, and certainly we could have saved the taxpayers a considerable amount of money and not had to put our health care and education in jeopardy as we have.

With those comments, Mr. Speaker, I will take my seat.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Shaw.

MR. HAVELOCK: Thank you, Mr. Speaker. I'll be very brief, just to clarify a couple of matters. I think that unfortunately in some of the comments that have been made we're creating the impression that the \$147 million is actually being paid to Bovar in order to extricate ourselves from the existing agreement. That's not the case, Mr. Speaker. Of that amount \$5 million is being paid to Bovar in order to have Bovar release the government from its liabilities under the existing joint venture agreement, with the exception of site remediation and a couple of the other issues that we've mentioned before. Approximately \$5 million is being allocated in order to construct water supply infrastructure, which is needed to keep the plant operating. The

remaining amount, approximately \$136 million, is being paid to a numbered company which is assuming all of the government's liabilities and responsibilities under the existing joint venture agreement.

Essentially what we've done is build a fence around the liabilities of the government with respect to the plant operation. So from that perspective and from a taxpayer perspective, Mr. Speaker, to not vote for this Bill is to support uncertainty with respect to the future liabilities associated with the plant operation. While the hon. member who just spoke has indicated that taxpayers may well question this, they may also question why he would not support at this stage trying to put a limit on what the taxpayers are going to be exposed to under the existing agreement.

Thank you.

[Motion carried; Bill 45 read a third time]

[At 10:07 p.m. the Assembly adjourned to Wednesday at 1:30 p.m.]