

Legislative Assembly of Alberta

Title: **Monday, April 26, 2004**

8:00 p.m.

Date: 2004/04/25

[Mr. Shariff in the chair]

The Acting Speaker: Please be seated.

head: **Motions Other than Government Motions**

Game Conservation Fund

507. Mr. VanderBurg moved:

Be it resolved that the Legislative Assembly urge the government to add a fish and wildlife surcharge onto existing fines and penalties related to illegal hunting and fishing practices with the proceeds allocated directly to a conservation fund to support programs that restore and protect game species and species at risk in Alberta.

[Debate adjourned April 19: Mr. MacDonald speaking]

The Acting Speaker: The hon. Member for Red Deer-North.

Mrs. Jablonski: Thank you, Mr. Speaker. It is my pleasure to stand and support Motion 507 in this evening's debate. I believe that this motion will add a significant change to the way we deal with poachers and other environmental criminals. I'd like to thank the Member for Whitecourt-St. Anne for bringing this motion forward for debate.

The motion is built upon a solid principle. If someone or something is harmed, then that person or thing ought to be compensated for the injury or damage that is incurred. It is only right because while society at large suffers, the actual victim suffers a great deal more. While we cannot have laws tailored to the circumstances of individual suffering, we need to be mindful of the effects of suffering. Normally this sort of thinking surrounds issues of victims' rights, especially in cases where the victim is a human being.

This is the case with Alberta's victims of crime fund, which ensures that the emotional pain of a crime does not traumatize an individual for the rest of his or her life or that restitution is granted for crimes that are committed. However, it is just as appropriate in cases where the victim is not an individual person but is wildlife and the environment that the wildlife use as a habitat. It is appropriate because wildlife is important for maintaining a sacred balance in our environment. We need to remember that we are talking about animals and their homes, the damaging of which causes significant problems not just for the wilderness but for all parts of this planet.

Hunting levels are set for specific reasons: to balance the needs of hunting and the thrill of sport hunting with the needs of the environment and the surrounding environment. The problem, Mr. Speaker, is that poachers aren't just a problem for the animals that are killed and they don't just cause damage to individual animals and animal populations, but they ruin ecosystems.

Poachers are the lowest sort of hunters. They obviously have no regard for the animal, and they have even less regard for the environment. Pictures that have come from fish and wildlife officers show that poachers don't walk into the woods; instead, they take giant vehicles and do not care about where or why they cut a trail with their machines. When they hunt animals out of season, it shows that they have no regard for the population levels of animals, that they have no regard for the animals or the species itself, and finally it shows that they have no regard for the etiquette of hunting.

Hunters have a particular code. You hunt fairly, you leave the environment as you found it, and you respect the animal you hunted by using all of it and by respecting hunting seasons and off-seasons. Further, you respect the hunt limits placed upon you by those who are employed to ensure that the province and its hunters undertake sound environmental stewardship. Poachers do none of these, Mr. Speaker. They are there out of self-interest and thus are disrespecting of animals, the environment, other hunters, the government, and, finally, the law.

Just like other criminals who show no regard for the laws of the land, poachers should have to pay a certain amount of restitution, and it makes perfect sense that the restitution should in some way benefit that which is being harmed. The inherent suggestion of Motion 507 is that the surcharge collected under the motion will provide wardens and officers in sustainable resource development with more funds for catching other poachers.

Mr. Speaker, I like the irony of this. I like the sound of poachers catching poachers. It shows poachers that their actions won't be tolerated and, instead, takes steps to ensure that the payment they shell out in fines will in some way go towards protecting that which they have destroyed. By making the fund dedicated, we also spell out the importance of respecting the environment, especially to those who are destroying it through illegal activities related to poaching.

At the same time, Mr. Speaker, there have been some questions raised in relation to Motion 507. It's been asked whether or not Motion 507 will generate enough revenue for it to be cost-effective. Will the terms of Motion 507, therefore, actually put more environmental officers into the woods protecting our animals and ecosystems? I'd like to hear more of the Assembly's thoughts on this issue, but I think that what the question shows is that there is a real concern regarding the need for a more stable source of funding for our Sustainable Resource Development wardens and officers. These provincial employees often just do not have the resources to do the first-rate job that we know they can do. That's a concern, for while they are strapped, a lot of poaching goes uncaught, and it's only afterwards that we see the effects and the damage that is done.

Mr. Speaker, I will support this motion based partially on the fact that it highlights this point and is one idea of how we can get more funding to our SRD officers. What is being asked for in Motion 507, however, should be supplemented by greater funding for our wardens so that they can put a stop to poaching once and for all.

Finally, Mr. Speaker, before I close, I want to address the argument that Motion 507 and the terms presented by it represent a type of penalty overkill. It's been noted by some critics that poachers are already paying into the victims of crime fund and that this fine already exists should be enough to get the point across. My response to that argument is that if you don't do anything wrong, you won't face any penalties whether they are onerous or not. It's the same argument I would give to those who drive recklessly or to those who do not respect other sorts of environmental laws such as spills from leaking underground gasoline tanks. The average, law-abiding Albertan will not be unduly affected by this law. Instead, they will be positively affected because of the fact that it will be a good deterrent and it will provide our SRD officials with more resources to undertake their duties.

So, Mr. Speaker, I will reiterate my support for this motion. It may have a few kinks in it, but I think we are on the right track, and I think that it shows an excellent way through which we can provide greater protection for fish, wildlife, and their habitats.

Thank you, Mr. Speaker.

The Acting Speaker: The hon. Member for Lac La Biche-St. Paul.

Mr. Danyluk: Good evening and thank you, Mr. Speaker. I am pleased to rise and join the debate on Motion 507, sponsored by the Member for Whitecourt-St. Anne.

When I look at Motion 507, I see an idea with some definite merit. The establishment of a conservation fund to support programs that restore and protect game species and species at risk within the province is an idea that I support, but I do feel that we can do more. I find it appropriate that the proposed fund be supported through a fish and wildlife surcharge placed on existing fines and penalties related to illegal hunting and fishing practices. In essence, we would be making conservation support programs stronger by penalizing those that put Alberta's game species at risk and push those species at risk closer to extinction.

Mr. Speaker, as Alberta moves into its second century and the government looks at ideas such as that brought forward by the hon. Member for Whitecourt-St. Anne, I think we should take a moment to look at the history of wildlife conservation. When Alberta became a province almost 100 years ago, it passed its first game laws to control hunting. In 1908 the Calgary Fish and Game Protective Association was formed to lobby governments and educate citizens about the importance of wildlife conservation. That organization grew into the present Alberta Fish and Game Association, which represents many local clubs of hunters and anglers throughout the province.

It is apparent that due to the actions that took place early, the province was able to protect some of Alberta's species that were at risk. That work has resulted in the survival of these species and the assurance that they will continue to survive in the future.

These early efforts at wildlife conservation concentrated on enforcing hunting regulations and paying bounties for killing predators. Trained wildlife biologists were hired to do scientific studies of populations and make informed decisions about how species should be managed. Trained enforcement officers were also hired to ensure that people obeyed wildlife laws. These laws were developed to protect wildlife and assist the public with problem wildlife concerns. Currently, wildlife biologist, technicians, and enforcement staff work with hunters, trappers, naturalists, farmers, ranchers, and industry to maintain our wildlife heritage.

8:10

Mr. Speaker, as Alberta grew as a province, it was able to move forward in its attempt to preserve wildlife species and ensure that their numbers were properly maintained through programs, laws, and legislation. As the province moves into its second century, I find it important that we continue to strive to ensure that Alberta's species remain preserved and viable for another hundred years at least.

Alberta's growth is important, and it is necessary to promote this growth to ensure that the province remains economically stable, but at the same time government must do what they can to protect and preserve Alberta's wildlife and fish. Motion 507 is a step in that direction. I would like to commend the hon. Member for Whitecourt-St. Anne for bringing forth this proposal as I believe it follows in the spirit of Alberta's past practices conserving the province's species.

In my opening remarks I mentioned that I felt that we could do more, go beyond what is called for in Motion 507. The establishment of a fish and wildlife surcharge on existing fines and penalties related to illegal hunting and fishing practices is a small step at a time when we should look at doing more.

In essence, the concept that I am referring to falls close to what is proposed in Motion 507. However, what I find perplexing is why all of the proceeds from fish and wildlife fines are not put towards the proposed conservation fund. Currently, there is discussion of

insufficient funding in this area, and I believe this is an excellent way to put money into programs that would alleviate these funding pressures. So although I agree with the proposed idea, I would also agree with not taking funds from fish and wildlife fines and putting them into the victims of crime fund but, instead, putting all the funds into the conservation fund.

Mr. Speaker, my concern is that the proposed surcharges may not generate the required additional resources to have the necessary effect on the conservation of Alberta species. These additional funds would support many activities important to the protection and management of Alberta's game species and species at risk. This could result in and enhance enforcement efforts and the ability of enforcement agencies to invest in improved equipment that would have a positive effect on their ability to protect and maintain the indicated species.

This type of initiative is practiced by the Alberta Conservation Association, which uses the funds acquired through the sale of licences, stamps, and tags to help finance conservation initiatives throughout the province. Mr. Speaker, I can't see why the fines and penalties related to illegal hunting and fishing practices can't be used in the same manner. In doing so, the individuals that disrespect Alberta's game species and species at risk would be providing funding to help the damage that they have inflicted.

In closing, I would again like to commend the hon. Member for Whitecourt-St. Anne for his proposal and encourage all members to vote in favour of Motion 507. Thank you, Mr. Speaker.

The Acting Speaker: The hon. Member for Calgary-Shaw.

Mrs. Ady: Thank you, Mr. Speaker. It is a pleasure to join debate in support of Motion 507. The Member for Whitecourt-St. Anne has proposed an interesting concept to help conservation officers carry out their duties. Now, as an MLA from the city you might say: what are my interests in conservation out in rural Alberta? But I am the MLA that has three man-made lakes in her constituency that are stocked with fish, so I think there are some parallels here that we can draw.

Unlike oil or natural gas, Alberta's fish and wildlife are a renewable resource as long as the government equips conservation officers with the tools to keep this resource sustainable. Healthy fish and wildlife open many doors for tourism, and tourism, like any other business, is driven by supply and demand. There are a number of tourists who come to Alberta to fish and to hunt. However, according to many conservation officers, poaching is becoming a big problem.

Mr. Speaker, the people who visit Alberta want to come to a beautiful place – and we need to preserve that – to visit Alberta, to hunt and fish until they're satisfied and not simply go to another province. The conservation fund will play a small role in keeping tourism dollars here in Alberta.

Obviously, protecting Alberta's fish and wildlife resource is an important goal. This Assembly has to decide whether or not a conservation fund would make a significant improvement to current conservation efforts. The tourism industry in my area benefits a great deal when lakes are healthy and well stocked with fish. There are only a small number of people who break the law listed in the Fisheries (Alberta) Act. As we know, Mr. Speaker, it only takes one offender to cause serious, long-term damage to a lake. Once a lake is poached, it can take years for the fish population and the lake's ecosystem to recover.

There is a significant financial benefit to a conservation fund. Giving people the resources to sustain and improve Alberta's fish and wildlife populations will also sustain and improve Alberta's

tourism industry. I realize that a large number of tourists visit Edmonton and, of course, Calgary for the Calgary Stampede, shopping, and various festivals. On the other hand, there are more who visit Alberta for its ecotourism opportunities. We shouldn't underestimate the potential of ecotourism. People may travel to B.C. for salmon fishing, but hundreds of people come to Alberta for trout and grayling fishing. Alberta is a unique tourist destination because it combines outdoor activities in rural Alberta with popular attractions in the city.

Mr. Speaker, imagine if someone opened a successful music store on Whyte Avenue here in Edmonton. People visit this store from around the city because they like the location of the store and the variety of the music. But then for unknown reasons the owner removes the most popular item from the shelf. The customers, frustrated that they cannot find the music they want, take their business to another store. Tourism in rural Alberta is the same way. As long as there are outdoor activities for people to enjoy, then there are opportunities for tourism. Right now we are removing the product without making every effort to keep up with demand.

Tourism in rural Alberta is directly linked to healthy fish and wildlife populations, and Albertans have a right to expect a healthy fish and wildlife resource. Poaching and illegal hunting practices are largely to blame for the depleting levels of species. Enforcement is an integral part of sustaining and improving the health of species and species at risk.

The sponsor of this motion mentioned the fine increase passed by this Assembly in December 2003. These increases will help deter some hunters from breaking the law. However, the officers in the field must have the resources to enforce these laws. I don't believe that this fine increase will have a significant effect on illegal hunting and poaching practices. I'm sure most people will see these changes as a significant deterrent for potential poachers. However, most Albertans know that fines by themselves do little to prevent illegal hunting and overfishing. The money collected from fines goes to general revenue, and most of the money collected in general revenue is dedicated to health and education. This leaves very little for other provincial priorities. In a perfect world we could cut the fines in half because we know they do not provide a meaningful deterrent for offenders and do not fund conservation efforts directly.

Critics may say that the idea of the conservation fund is an example of the Alberta government's neglect of wildlife issues. It's believed that ministries such as Sustainable Resource Development have been underfunded, perhaps, by the provincial government, creating more opportunities for criminals, but there are many areas for improvement. More enforcement is a costly and reactive response to illegal hunting. If the government relies solely on enforcement, it would need conservation officers at every lake and on a regular basis to catch every poacher. The majority of people who do nothing wrong but will still be closely monitored by conservation officers would feel very uneasy.

A conservation fund that supports programs to restore and protect fish and wildlife species could help conservation officers in a number of ways. A few examples include educational displays that could be used in malls, museums, and schools. A fund could provide one-time funding for specialized equipment such as cameras, night-vision glasses, and tracking equipment. Funds could also be used for additional youth and hunter education programs.

Management and protection of wildlife relies heavily on public awareness and support. One of the best ways to use a conservation fund would be to develop and deliver education programs that enhance the public's understanding of wildlife management and promote behaviour that supports the government's objective of sustaining wildlife populations. I believe that many fish and wildlife

offences are committed by people who are ignorant of the law rather than by those who intentionally break the law.

Illegal hunting may not be the most pressing issue on the minds of Albertans. That being said, fish and wildlife species are a very delicate resource. I believe that this Assembly has an opportunity to dedicate monies collected from criminals to help Alberta's conservation efforts. I support the concept of a conservation fund, and I urge all members to vote in favour of Motion 507.

I'd like to say in particular that I know that the hon. Member for Whitecourt-St. Anne spends much of his vacation time fishing in beautiful Alberta. I mean, his wife might want that curtailed to have vacations at other places. I know that he really does honour the lakes in this province, and I would like to support this motion and thank him for bringing it forward.

8:20

The Acting Speaker: The hon. Member for Calgary-Currie.

Mr. Lord: Well, thank you, Mr. Speaker. I'm pleased to rise this evening to also put a few thoughts out in favour of Motion 507. First, may I congratulate the Member for Whitecourt-St. Anne for bringing this great idea forward.

It's pretty clear, Mr. Speaker, that Motion 507 is intended to address some behaviours we'd like to discourage in this province, and those are poaching endangered species and creating problems for our environment throughout the province. This is an issue, of course, that we're all very concerned with. Motion 507 would expand the spirit that we see behind Alberta's victims of crime fund, and really it would create new funds that are directly dedicated towards a conservation fund so that we could in fact help to promote some of these endangered species and bring them back to the point where they're more common and not endangered any more.

The problem that we often have in this area is finding the funds in government to dedicate to this program. We have many competitive pulls on us for funding. We have, you know, children that need funding, we have people on disability, we have health care, we have demands for education spending, we have demands for infrastructure and roads, and somehow at the end of that very long line of great needs in this province it's hard to find money sometimes for issues like environment and endangered species and things that perhaps not everyone is well aware of.

This idea, in fact, would help create a dedicated fund that is addressing the problem by going after the people who are creating the problem. It's a concept, I guess, from my experience in corporate troubleshooting in years past, where I used to go in and have to advise people on how they might help create better finances within their companies – you start by looking at: what are the problems in the company, and what's causing them? You start matching revenues to expenses.

Well, if you have expenses that are being incurred in an area and you start looking at the revenues attached to it and you start matching those revenues to expenses, that's how you start finding a proper balance. If something is causing you a lot of expense and has little or no revenue attached to it, in corporations you may have the option of dropping that product line or doing something different, but in government when it comes to environment, it's much more difficult.

By taking some of the fines that we're collecting from people who are breaking the law and applying that to creating a better environment for the endangered species and with these additional revenues going after the people who are poaching and the people who are creating the problem, you're in fact finding, in a sense, a market balance or an invisible hand that would help you address the

problems that are arising here. So it's a concept that is very applicable in the corporate world, and basically it's just taking the same concept and applying it in government to a small but very important area, Mr. Speaker, and that is protecting the environment.

Clearly, it's not a tax when you think about taxation and people being opposed to that. It's not a tax because it really is only applied to people who are breaking the law. I think the general public is very supportive of the idea that if someone is willing to break the law, they should be punished for that and that if their breaking the law causes great damage, they should be greatly punished for breaking the law. Fines commensurate with the damage that they're creating are a very good idea when, I think, it's supported by the public. The greater the damage that they're causing, the greater the fines that we could then collect against it. It is such a significant deterrent and an increasingly significant deterrent that, frankly, it would go a long way, I think, towards solving the problem.

Right now we have a victims' surcharge on fines levied in Alberta in the Alberta Solicitor General's department, and that fund has gone into the victims of crime fund. So we already have a precedent in how this could be used. The act that is before us would allow a surcharge to be added to the penalties associated with various pieces of legislation – that would be, for example, the Wildlife Act and the wildlife regulations and the Fisheries Act and the general fisheries regulations – so it would apply to a number of different areas and cover a wide variety of species that are being poached and being endangered in this province.

It is a significant problem, and that's why I think we should look at passing this motion. You know, this is not a small thing. Undercover operations conducted over the past six years, in fact, found more than 180 individuals and 17 businesses involved with over 1,100 offences. That's an incredible number of offences under the Wildlife Act and the Fisheries Act. Consequently, this is not a small problem. This is something we really should be addressing.

Of course, wildlife enforcement is part of Alberta's broader goals not only in improving the environment but educating the public about wildlife issues, and we'd like to ensure compliance with the regulations. Sometimes there's an issue where people are not aware of what they are doing and not aware of the fact that they are creating an environmental problem, so we do need education. Of course, where does the money come from to do that? This could also perhaps help do an education piece in which people are informed about the issue and therefore are not out breaking the law, endangering species, and that, of course, is a highly desirable direction to go in as well.

We do have a number of fish and wildlife officers. They are highly trained, but they just can't get to everybody out there without very much funding. We do have I guess about 200 fish and wildlife division staff with Alberta Sustainable Resource Development, and they do their best, but with 3 million people in the province obviously that doesn't go that far.

The overall idea of allocating surcharges from fish and wildlife offences would help fund important conservation and protection initiatives. That's really the main thrust of this motion. Increasing the existing surcharge or, in fact, adding another surcharge for the conservation fund will definitely offer a stronger financial deterrent, especially when you start dealing with repeat offenders. The very notion of a repeat offender by definition means that the deterrent was not significant enough. If we start looking at whether or not there are repeat offenders, well, clearly they weren't deterred by the current fines and penalties. That's another argument in favour of surcharges being added here, because clearly there have been repeat offenders.

The creation of this fund would create an opportunity for the

government to dedicate revenue to initiatives that enforce laws that protect Alberta's fish and wildlife. It would basically have a real deterrent effect on illegal hunting and fishing practices. Of course, we have seen in Alberta, particularly in the last decade, some pretty significant environmental problems coming up. We hear about lakes that have no fish in them any more. We see fewer and fewer animals. And it's not just the poaching or anything else: the dry weather patterns, the forest fires that we have seen, a number of environmental factors, much less water in the rivers. So the fish and wildlife in Alberta are clearly under stress already just from normal weather patterns and other issues coming to bear recently.

That makes it all the more incumbent on this government to do as much as we possibly can to reduce the human-caused stress on fish and wildlife in this province. This motion speaks to that and, in fact, would go a long way to reducing the human-caused injuries to the environment. As I mentioned, there is a fair bit of this poaching and a fair number of offences – 1,100 offences are a lot – so we definitely need to do something about it.

In the past three years fines imposed on and collected from those who violated Alberta's wildlife and fisheries laws already total \$1.6 million. The victims' surcharges collected were approximately \$300,000, or about \$100,000 per year. This is over three years. The addition of another \$100,000 per year could support several areas that protect and manage Alberta's game species and species at risk. For example, with that kind of funding we could get night vision, remote monitoring equipment, and other high-technology devices that would help our 200 officers go after these poachers and help them catch them.

The surcharge would have a multiplier effect. Not only would the extra \$100,000 go a long way to getting this extra equipment, but they would catch more offenders and levy more fines and penalties as well and, hopefully, really bring this sort of activity to a stop. So there's a multiplier effect on this surcharge that is being proposed.

I realize, you know, that there are some arguments against this. We hear arguments that if this department is allowed to collect fines and keep those fines within the department, there may be other departments that wish to do the same thing. It's long been an item of contention. For example, in Calgary we always had lots of contention that the police were allowed to do the photoradar and that they're allowed to keep those revenues, and there's always the question of: are they doing the photoradar properly, in a fair manner, or has it turned into a cash cow for the department? I'm sure those arguments will continue, but clearly a significant portion of the police budget in Calgary now comes from that revenue.

I could go on, Mr. Speaker, but I just urge everyone to speak in favour. Thank you.

8:30

The Acting Speaker: The hon. Member for Calgary-*Buffalo*.

Mr. Cernaiko: Thank you very much and good evening, Mr. Speaker. Thank you for the opportunity to join debate on Motion 507. I'd like to congratulate and thank the hon. Member for *Whitcourt-Ste. Anne* for taking the initiative to introduce Motion 507.

This is a very timely and sensible initiative that I think will prove to be of great benefit to all Albertans both today and in the years ahead. Whether you're a person who is at his or her best when you're outdoors or someone for whom an armchair is the place to be, I'm sure that most Albertans are in agreement when it comes to our environment. It is something that we must treat with great care and respect not only because it behooves us to do that but perhaps even more importantly because it will be passed on to future generations.

Not only will they deserve to get as much pleasure and wonderment from the environment at that time as we do in the present, but also in what shape they find it will reflect on us to a great extent.

As a society we are fully aware, I'm sure, that poaching has been and continues to be a very real problem. The lure of a rare bird or mammal, the temptation to overcatch fish and sell it at a pure profit, or the desire to simply kill something solely for the sake of the kill: temptations like these are simply too much for some people to handle. I don't know what it is that exerts such an irresistible force on them, and perhaps it doesn't make much difference. The net result is the same: a devastating impact on our wildlife, dissemination of the herds and flocks of many species, and a loss of diversity of wildlife. Taken as a whole, Mr. Speaker, poaching represents a formidable assault on our province and our environment carried out by people who have little or no respect for others.

Mr. Speaker, as we've heard, Motion 507 would levy a surcharge of 15 per cent on the fines levied for anyone caught violating the Wildlife Act or the Fisheries (Alberta) Act. The funds so collected would be deposited in a wildlife conservation fund whose express purpose would be the restoration of species disseminated by the poacher's dastardly activities.

Mr. Speaker, Motion 507 is the right initiative at the right time. I've been advised that in the last six years major undercover operations resulted in charges being laid for more than 180 individuals and 17 businesses. Collectively they were charged with over 1,100 offences under the Wildlife Act and the Fisheries Act and attendant regulations. During the last three years alone convictions for violations of Alberta's wildlife and fisheries laws have netted close to \$1.6 million. Knowing just how active the poachers who were caught must have been, I cringe at the thought that for every poacher who gets caught and punished, there are several more who get away whose deeds go unnoticed and unpunished.

Mr. Speaker, this is a longstanding problem. We've been aware of and seen the effects of what poachers do for many, many years. Thus far the penalties we offer in exchange for what they do seem not to have been a sufficient deterrent. If they were, I doubt very much whether we'd be discussing this issue here tonight.

In Swedish there's an old expression that when translated says that you don't notice the cow until the pen is empty. What that means, Mr. Speaker, is this: when you take things for granted, you tend not to acknowledge the importance of something or someone until one day when you notice that it's missing. While I certainly think that most if not all Albertans are fully aware that we live in one of the most scenic and beautiful parts of the world, I think there are times when we just take this beauty for granted. It's as if we are inclined to think that because it was there when we got here, it will also be here when we leave.

Well, Mr. Speaker, part of that beauty comes from the great number and variety of species that call our forests, our rivers and lakes, our fields, our meadows, and our mountains home. Who has not been awestruck by eagles or other birds of prey? Who has not looked at deer in flight and noticed how graceful they are? Who has not found the sight of enormous schools of fish remarkable as they move through the crystal-clear waters? These are the very sights that poachers threaten. These are but a few of the species that populate our wilderness and make it such a treasure not just for Albertans but for people from all over the world.

Let us not forget that tourism generates about \$5 billion in economic activity for Alberta each year. One of the foremost reasons why people come here is to experience nature and the outdoors, something many of them cannot do in the towns, cities, or countries where they live. We have something they don't, and we give them an opportunity to experience something once that we can experience almost every day.

Mr. Speaker, unfortunately, as is the case so often in situations like these, there are those who will go to great lengths to spoil the fun, to destroy the experiences that others would otherwise enjoy.

Motion 507 will not end poaching as we know it once and for all. Poachers will continue to violate the law, and they will continue to place their own perverted interests and desires ahead of those of others. However, Motion 507 will provide a deterrent. It will I believe give some would-be poachers pause and allow them to consider the risks of poaching in Alberta. It will I hope lead them to reconsider and refrain from engaging in such appalling behaviour.

For those reasons, Mr. Speaker, I wholeheartedly support Motion 507 and the implementation of a 15 per cent surcharge to be dedicated to wildlife conservation and restoration activities in our beautiful province, and I urge all members of this House to do the same.

Thank you.

The Acting Speaker: The hon. Member for Grande Prairie-Smoky.

Mr. Knight: Thank you, Mr. Speaker. I rise this evening in support of Motion 507 and in support of my colleague from Whitecourt-Ste. Anne. I have to go back a number of years, Mr. Speaker, to lay a bit of groundwork for my support of this particular motion. As many members will know, I actually reside in a part of Alberta where hunting and fishing are kind of in your backyard, and I mean literally in my particular case in your backyard. The serious situation with respect to predation and poaching by certain members of the hunting community with respect to this particular resource and, I might add, what we think is an extremely important resource in the province of Alberta has been, as has been indicated, a very serious problem for a number of years.

I'll go back, Mr. Speaker, to a time in the mid-70s, probably 1973, '74, when we used to go in – guides were common in those days in the mountains west of Grande Prairie – to some beautiful lakes in that part of the world and fish. Partly the advent of industrial activity, partly the availability of things like charter helicopters and other modes of transportation opened up that part of the world. I can stand here this evening and tell you that in places like Belcourt Lake, where we used to go and legitimately fish for beautiful cutthroat trout, today that fishery is closed. The reason for it is totally, totally because of illegal fishing in those particular parts of the world.

In the mid-60s I did a lot of stream fishing along little creeks in the area that I lived in – Eagle Creek, Windfall, Rainbow Creek, the Simonette, Waskahigan, the Little Smoky River, and all of those places – in those years and into the mid-70s and early 80s. Mr. Speaker, they were wonderful places to visit for even two or three hours on an afternoon. You could take your son, park, and walk up some of those little creeks two or three hours, catch a couple of fish, have a beautiful experience doing it. I have to say that for the large part that particular enjoyment is now a piece of history and, again, mainly because of situations where people did not respect, number one, the resource and, secondly, the law.

8:40

The Little Smoky River, of particular interest to me, and of course the Waskahigan: I live about a half a mile from where these rivers converge. The headwaters of the Little Smoky still are reasonably good fishing, but anything much past where it comes out to highway 43, the north/south trade corridor, Mr. Speaker, you can pretty much forget fishing. If you want to just go for an afternoon to get wet, it's all right, but the fishing there has certainly gotten to the point where because of pressure, mainly from people who won't observe the rules, it's really become more of a situation where you've got to get farther and farther into the wilderness in order to enjoy it.

There's been some discussion, and rightfully so, with respect to dedicated revenue. Mr. Speaker, I have to put myself on record as being one of the individuals in this government that feels that there are certain circumstances where dedicated revenue is warranted. I believe that this is one of those circumstances.

We have a particular problem. We have a tremendous resource. We have at the moment a very difficult time putting enough presence on the ground in places in Alberta where it can actually make a difference. There is in my opinion a shortage of officers necessary to do the work that's required with respect to maintaining and protecting game species and species at risk in Alberta.

Certainly, in northwestern Alberta one of the most common complaints that we would get from avid hunters, fishermen, guides, and even people in the general public, Mr. Speaker, is that fish and wildlife, Sustainable Resource Development, do not have enough presence on the ground. I believe that this particular initiative could assist us in that respect.

I'm also a landowner in that particular part of the world, south of Valleyview along the Smoky River and the Waskahigan. We've owned land there for 40 years. Mr. Speaker, I have to say that the pressure on private land is another one of the problems associated with this particular initiative. There's a lot of pressure on private land, I believe, mainly because it's easy and, secondly, the penalties that are there are very, very difficult to enforce. I believe that an initiative such as this will increase the awareness of the problem and perhaps assist the officers that we do have to make some inroads into this particular problem as it relates to private landowners and their problem with illegal hunting.

Mr. Speaker, I'll close by saying that throughout the relatively short history of my family in Alberta we always until this generation were hunters and fishermen. My father and my grandfather before him told me on many occasions that there's absolutely nothing wrong with hunting what you eat as long as you eat what you kill.

We have a particular problem with individuals that kind of manoeuvre around slightly outside the bounds of the regulations and the law, and I believe that any initiative that we can put forward as a government to assist the guiding community, the people that enjoy hunting and fishing, the people that make good use of this resource and enjoy it in maintaining that right for future Albertans and curtailing the problem that we have with respect to individuals that operate illegally can be nothing but a positive. I am pleased to be able to support Motion 507.

Thank you.

The Acting Speaker: The hon. Member for Wetaskiwin-Camrose.

Mr. Johnson: Thank you, Mr. Speaker, for the opportunity to continue the debate surrounding Motion 507. The hon. Member for Whitecourt-St. Anne has asked the Assembly to support the concept of levying a surcharge on top of fines that are imposed for illegal hunting and fishing offences in Alberta. I'd like to begin my remarks by saying that I fully support this motion because I believe that harsher penalties are in order for offences of this nature. These people are breaking laws as surely as the person who is driving while intoxicated or an individual that is committing tax evasion.

These laws and regulations are in place for a reason, but there is a more cavalier attitude towards them because they can be perceived as not affecting people. I feel that these types of crimes are serious and they should be treated as such. They do not directly affect one person or a small group of people as other crimes tend to, but they affect Alberta and its people as a whole.

Mr. Speaker, passing Motion 507 will serve to accomplish two goals. First, by levying a surcharge on top of the existing fines, it

will effectively increase the penalty to be paid by those who break these laws, and secondly, these lawbreakers will be directly funding a pool that will be used to improve wildlife management in Alberta.

The proper management of Alberta's natural resources is an issue that concerns every person in this province. By properly managing Alberta's natural areas and wildlife populations, we can ensure that these areas and animals will continue to thrive for generations to come.

For myself I would expect that for most Albertans this would be reason enough to work for proper management. However, there is another, perhaps more concrete reason to ensure that our environment is sustained. This one reason is economics.

Mr. Speaker, Alberta attracts thousands of visitors each year. These people are both intranational and international tourists. They come to Alberta for the great natural beauty that our province offers. They come to ski in the Rockies, hike in our parks, and see the rugged beauty of Alberta. These people also come to see the wildlife that is abundant in our province. The herds of elk in the provincial and federal parks draw tourists as well as the fishing that is available in Alberta's lakes and rivers and streams. It is Alberta's natural spaces that draw tourists and their dollars into our province. The tourism industry in Alberta provides over 120,000 jobs for Albertans.

In addition to tourism, Alberta is also attractive to the film industry for the same reasons. It is imperative that our natural resources be afforded every protection that we can offer, not only because of the economic implications attached to it but also so that future Albertans are able to enjoy the same natural habitats that we enjoy right now.

Mr. Speaker, there exists a precedent for this type of surcharge on fines right here in Alberta. The Alberta Solicitor General is responsible for administering a 15 per cent surcharge on all provincial fines assessed in Alberta. This 15 per cent is used to service the victims of crime fund, a fund that provides services directly to victims as well as assistance to organizations that provide support to victims. This fund is not tied to a specific department or program but is available for those persons who have become victims of violent or serious crime.

The motion sponsored by the hon. member asks that the Assembly urge the government to install a similar fund. This fund would be specifically dedicated to financing programs and initiatives that would enhance our understanding of wildlife populations and could lead to the institution of better conservation measures.

To me a fund of this type makes sense. A person that is caught poaching fish or wildlife has committed an act that has the potential to permanently damage a specific wildlife population. As they have committed a crime affecting the environment, it seems fitting to me that part of the punishment they are subjected to should serve to benefit the environment. The money that is gained from this surcharge can be used to fund extra wildlife surveys and other programs on top of the efforts currently made by Sustainable Resource Development.

Currently, judges presiding over cases that are tried in court have the option of issuing court orders that would contribute to the protection of the environment. An example of this is the judgment that was passed in 2003 on a poacher and wildlife trafficker. This individual was ordered to pay \$20,000 after he was found guilty as charged. This money was used to conduct an aerial survey to measure the effects of poaching on big-game populations in a northern Alberta region. Motion 507 would serve to expand this reasoning to apply to all incidents of this nature.

8:50

By levying a set surcharge on fines, all persons who break these

laws would be subject to equal treatment. It is entirely possible that increasing the penalties that must be paid will be a more effective deterrent to those considering perpetrating crimes of this nature.

Mr. Speaker, it is for these reasons that I support Motion 507. I feel that the idea it puts forward holds within it the possibility of curbing poaching and other crimes against wildlife that occur in our province far too often. Therefore, I would ask all members of this Assembly on both sides of the Chamber to support this motion as well.

Thank you.

The Acting Speaker: The hon. Minister of Infrastructure. We only have about a minute left.

Mr. Lund: Thank you, Mr. Speaker. I want to take this opportunity to congratulate the Member for Whitecourt-St. Anne for bringing this motion forward. I think it is a very timely one and one that we need to take very seriously and give due consideration.

Mr. Speaker, the motion talks just about a surcharge, but I believe there's another element that we need to look at. That is the whole concept of having through the court system alternate penalties, and by that I mean having the judges allocate portions of the fine money to specific programs. I'm thinking along the line of a lot of the conservation programs that are out there to assist in bringing back the species that are endangered or at risk. What can we do to enhance their habitat? What can we do to protect them in that manner? Quite frankly, in a lot of cases that will probably do more for the wildlife than just simply increasing the number of wildlife officers.

I wholeheartedly agree that we do need to have more officers out there, but in a lot of cases it's the degradation of the habitat that has caused a lot of the problem. I don't mean for one moment to ever suggest that I'm condoning poaching, because certainly that is also a very important problem that we have, and of course the increased number of officers and new technology and equipment would go a long way to answer that question. But with the combination of conservation programs that would enhance the habitat and increased wildlife officers, I believe that it would go a long way to help.

I listened with great interest to the Member for Grande Prairie-Smoky, and he talked about having all this wildlife in his backyard. I have the same situation.

The Acting Speaker: I hesitate to interrupt the hon. Minister of Infrastructure, but under Standing Order 8(4), which provides for up to five minutes for the sponsor of a motion other than a government motion to close debate, I would invite the hon. Member for Whitecourt-St. Anne to close debate on Motion 507.

Mr. VanderBurg: Thank you, Mr. Speaker, and thank you to all the members that took the time to raise issues.

The issues raised by the Member for Lac La Biche-St. Paul talked about dedicated revenues, including the full fine revenue. A great idea, and I thank him for that.

The Member for Red Deer-North expanded on the role of conservation officers and the need to equip them with the tools to do the job. I think this is something that I've heard over and over again from the conservation officers in my area.

The Member for Calgary-Shaw did point out that this is not just a rural issue. You know, the city of Calgary has a world-known trout fishery right within the city, and the Bow River is a great trout fishery.

The Member for Calgary-Currie pointed out how all Albertans are

affected by those that abuse our fish and wildlife laws with over 1,100 abusers convicted last year alone. That's why I like the concepts of this motion: again, abuser pay.

The Member for Calgary-Buffalo, in his lifelong career enforcing the laws of this land, expanded on the problems that occur by not paying attention to these very serious issues. He explained very well why we must pay attention to this and the whole issue of the problems that we have in not restoring a fishery or something similar.

The Member for Grande Prairie-Smoky gave us some history on the fishery in northern Alberta and how things are today. Well, every river and stream that he talked about are places that my father took me fishing, but sadly to say, my dad didn't take his grandchildren because of the pressures on the fishery in about half of those rivers and streams.

I thank the Member for Wetaskiwin-Camrose that brought up the economic points of why we need as government to fund our programs and departments properly.

And, too, the Member for Rocky Mountain House raised some great ideas to enhance our species and habitat that effect his area.

Mr. Speaker, I hope that out of all of this come some serious points, you know, the serious points raised this evening. I need the ministers of Economic Development, Finance, Revenue, and Sustainable Resources to take this debate very seriously and draft some meaningful legislation to address the seriousness of this motion. I think that the idea for me raising this through a motion was to do exactly what was done tonight, to bring out some discussion on how we can do this. I'm not saying that Motion 507 addresses it all, but it will give those ministers the ammunition they need to draft some good legislation.

Mr. Speaker, at this point I'll call the question.

[The voice vote indicated that Motion Other than Government Motion 507 carried]

[Several members rose calling for a division. The division bell was rung at 8:57 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mr. Shariff in the chair]

For the motion:

Ady	Hlady	Melchin
Amery	Jablonski	Oberg
Blakeman	Jacobs	O'Neill
Boutilier	Johnson	Rathgeber
Broda	Knight	Stelmach
Cao	Lord	Stevens
Cenaiko	Lougheed	Strang
Danyluk	Lund	Taylor
DeLong	Magnus	VanderBurg
Doerksen	Maskell	Vandermeer
Dunford	Massey	Yankowsky
Goudreau	McClelland	Zwozdesky
Graham		

Totals: For – 37 Against – 0

[Motion Other than Government Motion 507 carried]

head: **9:10 Committee of Supply**

[Mr. Shariff in the chair]

The Deputy Chair: Hon. members, we'll call the committee to order.

head: **Main Estimates 2004-05**

Innovation and Science

The Deputy Chair: As per our Standing Orders the first hour is dedicated between the hon. minister and members of the opposition, following which any other member may participate.

The hon. Minister of Innovation and Science.

Mr. Doerksen: Thank you, Mr. Chairman. We are here to look over the estimates for Alberta Innovation and Science, but before I begin, I should let the Assembly know that we have staff members from the Department of Innovation and Science in the gallery today, and I'd like to introduce them to the Assembly. They say that you're only as good as the people that work with you, and these people are very good, so I guess that makes me – well, you can fill in the blanks. So thank you very much to the staff for being here. They will be taking note of the comments, and if I'm not able to provide specific enough information tonight to the questions, they will follow up with information in writing.

I'd like to provide a brief overview of our business and financial plan, which are based on our commitment to two major core businesses, the first one being research and innovation and the second being corporate information and communications technology. Alberta Innovation and Science provides leadership and makes strategic investments in science and technology, which contributes to the sustainable development of the Alberta economy. That contribution helps to make the province increasingly competitive in global markets and positions Alberta as an attractive place for world-class researchers to come and to work.

Alberta Innovation and Science has three strategic research priorities in energy, information communications technology, and life sciences, and we're also focused on technology commercialization. We continue to look for ways to diversify the economy and to find the mechanisms to enable that to happen and to be able to invest in our future. Mr. Chairman, we look for ways to transform the delivery of government programs and services through ICT. I'm proud that we are part of the overall government plan for the next 20 years, and our business plan addresses key strategies needed to unleash innovation.

We're also committed to the other pillars of the government plan with respect to leading in learning, building the research capability and capacity to enable that key pillar to progress. Competing in the global marketplace, of course, is another one of the pillars, and we do that through the Alberta SuperNet technology commercialization and making Alberta the best place to live, work, and visit. Long-term goals and a commitment to build a solid foundation for the future are key components of the plan.

Mr. Chairman, under core business 1, research and innovation, the vote estimate for research and development in 2004-05 is \$117.8 million. That's found on page 238 of the estimates. Goal 1 under that core business is to build Alberta's research capacity.

Mr. Chairman, I'd be remiss at this point if I didn't pay a small tribute to the outgoing chair of the Alberta Science and Research Authority, which is a key advisory body which advises the government of Alberta through this ministry in particular. Dr. Bob Church has served this province extraordinarily over many, many years. He

has provided advice to a multitude of government ministers and government people, and his work and contribution cannot be overstated. We have designated Dr. Church as chairman emeritus of the Alberta Science and Research Authority in honour of his contribution to this province. He assured me that I could hang on to his phone number, and we have done that.

In building Alberta's research capacity, we continue to build that research system through a skilled workforce, through internationally recognized research capabilities in areas of strategic priority, and a supportive environment that encourages innovation and collaboration. Some of the key initiatives in this area have been the National Institute for Nanotechnology, which is the first national institute in the province of Alberta and housed here in the city of Edmonton at the University of Alberta. We do this through the health research innovation centres which are currently under construction in both Calgary and Edmonton. We support our researchers through the Alberta science and research investment program and expand our efforts using leverage opportunities from the Canadian Foundation for Innovation.

Mr. Chairman, I want to reference one other program, just by way of example, in terms of some of the things that don't necessarily come to the attention of people but which are really significant, and that would be the Banff International Research Station. This is a collaborative Canada/U.S. venture that operates an international centre for mathematical innovation and discovery and is the only facility of its kind in North America. It's a fulfillment of a remarkable effort led by the Pacific Institute for Mathematical Sciences and the Mathematical Sciences Research Institute.

ASRA supported BIRS to the amount of \$1.7 million to enable this initiative to proceed. Other partners were Natural Science and Engineering Research, which contributed 1 and a half million dollars, the U.S. National Science Foundation in the amount of \$1.2 million, and PIMS and MITACS for \$1.3 million.

Projects undertaken at BIRS bring some of the world's leading experts in mathematics and science to Alberta. Mr. Chairman, the Minister of Economic Development could pay attention to this kind of strategic tourism initiative because not only does it bring the top mathematical people to Alberta, to our province, not only does it allow them to do their scientific and mathematical development, but it allows them to be tourists in one of the most spectacular places in the world, and of course that's in Banff. So we get a tremendous spinoff by having that important research station in Banff.

Mr. Chairman, moving on to goal 2, we talk about the energy innovation priorities. Of course, in this area I'm guided by the good advice of the Alberta Energy Research Institute, that implements the energy innovation strategy. We are focusing on the priority areas of oil sands upgrading, clean carbon technologies, and CO₂ management among others. Some of the specific examples in that area include the research called the Dover/Vapex heavy oil extraction project, which is underway. We have a fuel cell project that is currently operating, and I understand successfully, at NAIT. Of course, there's a lot of work going on right now at EnergyINet, trying to bring the collaboration of all Canadians – universities, the two levels of government, research institutions, and industry – together to solve a common problem.

Goal 3, Mr. Chairman, talks about ICT innovation. Again, following the commitment in the throne speech, we will look to the formation of an ICT institute to guide our research and innovation. This goes back about five years to when we first announced our ICT strategy. From that was the formation of the Alberta SuperNet, the formation of ICORE, and the formation of encouraging the increase of spaces in our universities and colleges in this important area. We want to use this opportunity now to update that strategy and to look forward to the next five years in terms of what's important.

In the particular research area, Mr. Chairman, we continue to invest in high-priority ICT research areas like wireless, high-performance computing, nanotechnology on a chip, among several.

[Mr. Lougheed in the chair]

Goal 4 talks about life sciences innovation. Again, the throne speech talked about creating a life sciences institute, which will link and co-ordinate agriculture, environment, forestry, health, bioenergy, and water research. Mr. Chairman, this is a very important area of focus for us and one that we will be paying more attention to over the next years. We are working closely with the Alberta Agricultural Research Institute and the Alberta Forestry Research Institute, finding ways to collaborate and bring platform areas of research together to make sure we can have the maximum impact for the work that we do.

9:20

Goal 5 is a globally competitive economy, and our priority there, Mr. Chairman, is to create an environment where ideas are developed and commercialized. We support the implementation of the value-added strategy, which was released last week and is one that sets the plan for the Alberta economy over the next 10 to 20 years. Our role in that strategy is to make sure that we provide the innovation capability that is necessary for these strategies to occur.

Core business 2 relates to our corporate information and communications technology. This plan is supported by a new strategic direction for the use of ICT by government, and in accordance with this, in October we created the office of the corporate chief information officer to focus on the transformation of delivery of government programs and services through the innovative use of ICT. Updating the ICT strategy, as I referred to earlier, to reflect the change in the technology and the changing business needs of the government is important in terms of our delivery to Alberta's citizens. Investments in ICT must be carefully planned and implemented to maximize the benefits and minimize the risks.

Mr. Chairman, the government is always looking at new ways to interact with Albertans and looking at new ways of delivering programs, services, and access to information for Alberta's citizens.

The voted estimates for the corporate ICT strategy, which excludes the SuperNet build for 2004-05, is \$58.4 million, and that amount does include \$12 million for SuperNet amortization. You can see that at page 240 of the estimates.

Goal 6 under this core business talks about an integrated ICT strategy. We want to establish and implement cross-government business and technical standards and continue to implement the government of Alberta enterprise architecture framework, which minimizes duplication in government. We are working with Alberta Government Services to develop a corporate electronic information management framework and also using the corporate project management office for promoting ICT project management best practices.

Key initiatives in this area. We're currently working on developing a business plan around the ICT service co-ordinator strategy that will help us to align ICT investments and maximize our benefits to government and to utilize ICT to provide services to Albertans by ministries or service delivery partners. We must ensure that technical standards best practices are used in system design and business standards that are adopted across government.

Goal 7 talks about the ICT infrastructure, and of course the priorities in there are to complete the Alberta SuperNet build and to develop and implement a common, shared ICT infrastructure.

The voted estimates for the SuperNet build in 2004-05 are \$41 million, and that's on page 241 of the estimates.

Goal 8 refers to using ICT to improve service delivery in the government. Our priorities are to identify, evaluate, adopt, and implement approaches to improve service delivery and/or reduce costs and to leverage the capability of the Alberta SuperNet to transform the delivery of programs and services to Albertans. We wish to optimize the internal administration of government by re-engineering business processes to make them more efficient.

One of the key initiatives that has taken place in this area is Service Alberta, which is a web site that provides citizen access to many services inside government. We want to eliminate unnecessary duplication in application development, and of course, Mr. Chairman, we're always looking for improved productivity of employees due to the use of the tool of information technology.

In conclusion, Mr. Chairman, Alberta's blueprint to unleashing innovation is to support research and attract skilled workers and investment. The most important element in any innovative economy is having the right people here to help us do the right things. We want to create an environment where research is applied to produce new products, processes, and services that are commercialized in Alberta and to use technology to improve the delivery of programs and services to Albertans.

Thank you for the opportunity to present our priorities. I look forward to answering any questions. As I indicated earlier, should I not be able to answer them in their entirety, we will provide a written response.

The Acting Chair: The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you very much, Mr. Chairman, and thanks to my colleague from Edmonton-Mill Woods, who has allowed me to jump the queue in order to get in some of the questions that I wanted to make sure I had enough time to ask.

In the first question I'll reference something that the minister brought up. Looking at page 240 of the estimates, under vote 3.4.4, Alberta SuperNet, the minister, if I heard him correctly, said that the \$12 million that's reflected here is an amortization payment. I'm asking him to expand on that and to give some details. If it is an amortization, is this the beginning of the amortization period then? There's no payment in that vote that appears in previous years, and I'm wondering how this relates to the \$193 million total cost of the SuperNet. I'm wondering if that \$12 million is included in the \$41 million that is noted as capital investment to be voted on for this department.

So if I could get some details on that, please. That was not what I was expecting him to say that that \$12 million meant.

Dr. Massey: Are you going to let him answer?

Ms Blakeman: No. I'm going to put all my questions on the record and then let him answer.

I also note that on page 302 of the ministry business plans document there are a number of strategies that are outlined for the SuperNet and some performance measurements as well. Under the strategy of co-ordinating and managing the Alberta SuperNet operations for the government, I'm wondering if this department is charged with controlling the costs of the SuperNet. Under that would also come co-ordinating the costs of the SuperNet.

From questions asked in question period, we started to establish that not only is money being spent from this department on SuperNet, but it's also being drawn increasingly from other departments like Learning and Municipal Affairs to help pay for things like the connection costs for municipal buildings and libraries and schools. I'm interested in whether the minister is able to provide me with a

total cost paid out by the government from all departments in this fiscal year on the cost of the SuperNet including the assistance which is being offered to various municipalities, libraries, educational institutions to help with the additional charges that the opposition has brought to light. That is not only what I would call the capital cost of laying the backbone and the actual connections, but then there's a connection cost to actually meld the two wires together.

9:30

Then there's a service cost that is billed on a monthly basis. We were in Daysland, and that library was struggling because they were going to be assessed \$250 a month for – sorry; not the hookup. The hookup charge comes first, then comes a monthly service charge, and then they still have to get in touch with Shaw or Telus or whoever and actually get hooked up to the Internet.

So there are a lot of additional costs that are coming up, and I'm wondering if the minister is able to provide us with a total cost that the government is expecting to spend. In other words, as the co-ordinator can he pull those numbers together from all of the departments?

I'm also interested in the contracts with Bell, who is the primary contractor for the SuperNet. How are those contracts (a) monitored, (b) reviewed, and (c) enforced? I'd like to get some working detail on how that happens. I'm also interested in how the contracts with Axia are monitored, reviewed, and enforced. Further to that, where Axia has access to government-owned equipment, how is Axia's use of that equipment monitored for appropriate use? Still on Axia, do all payments to Axia flow through Bell?

Is the minister able to tell us if Bell is taking a management percentage or a cut or a subcontractor fee or a general contractor fee? I'm fishing here for the right words. What I'm trying to find out is: is there a contract set up with Axia and Bell takes its 10 per cent off the top and off goes the money to Axia? Do we know what that percentage is that's going to Bell, if there is one, and what it covers? Management: are they doing the monitoring and enforcement? What's the deal here? How is this controlled?

I'd also like to hear some detail from the minister on the arising complexities around wireless technology and the SuperNet. Now, I think I heard the minister respond to one of my questions by saying, "No problem; the SuperNet is wireless," which I thought was a bit odd because there was all that money to lay the cables and stuff in the ground. But if it's wireless, as well, then perhaps he could explain how that works or what he meant by that response to me.

Now, on pages 302 and 303 of the ministry business plans, under Performance Measures there are some numbers here that are causing me concern. There may well be a very good explanation for this, but I'm just an Albertan looking at these numbers right now. What the performance measurement around the extended area network is telling me – there's a sort of chart laid out here in which we're given the total connections or total kilometres, in some cases, of line, one assumes, and then a column for "in place", "in progress", and "to complete."

When I look at the bottom half of the list, I'm looking at numbers that are significantly under 50 per cent complete. I start looking at wireless towers: a total there of 101; to complete, 70. So significantly more than 50 per cent still to go, and these are all to be available in 2004. Well, we're a few days shy of the fifth month in 2004. Now, I understand that it's reasonable that there would be significant progress made over the summer months, but I'm also aware that they've been working all winter. So I am very interested in whether the minister is confident that these performance measures will be achieved, because it strikes me that we are – well, if I were managing this project, I'd be pretty nervous about any kind of early completion bonus. Let me put it that way.

Following down that list then, wireless shelters: 83 in total and 57 to go. Communities fully connected: 402; 391 to go, so we've only got 11 in place, and we're five months into this year in which we're supposed to have all of these connected. Government facilities fully connected: 558; to complete, 526. We've only done 32 of them. Health facilities fully connected: 201 is the goal; 185 to go, not completed in other words. Libraries fully connected: 244; to go, 237. We've only got seven of them done; that is, connected. That's not the hookup, that's not the monthly service fee, and it's not the Internet provision. Schools fully connected: 883 is listed; 835 to go. Only 48 of them are finished, in, done, complete, finito.

When I look at the base area network, which is performance measure 2, again "SuperNet services available from Bell West in 2004." I'm assuming they mean by December of 2004, and these numbers are all status as of January 15. Again, I'm only picking the ones off the list that are significantly worse than 50 per cent incomplete. So government facilities connected: I'm assuming here that we're talking about what I would know as the backbone as compared to the extended area network. We're looking for 744; we've got 526 to complete, like five-sevenths to go. Health care facilities connected: 258 is the goal; 242 to go – in other words, incomplete. Libraries connected: 65; to complete, 63. Schools connected: 1,231; to go, 1,203.

So this isn't looking very good. It's possible that I'm misunderstanding something significant here, but I don't think I am. I've been watching this and consulting with people and going out to centres and looking, and I'm pretty sure that I understand what's going on here. So these don't look hopeful.

What's in that contract? Is that contract from Bell available? Can I get that somewhere? Is it on your web site or something? Can you let me know that? Because I'm wondering about completion targets. Are there penalties for not being complete? If Bell is implementing at least the base area network, which I would call the backbone, and they don't get this stuff done – and, frankly, from here they're a long way off – what kind of retribution do we stand in line to get from them for failing to achieve these completion dates? Who is responsible if we don't complete the ones under the extended area network under performance measure 1?

So those are the issues and concerns I have. As you can see, Mr. Minister, I'm mostly concerned about, you know: what is the contract? What are we laying out here? What did we expect? What's in place if it doesn't go well? Where are we right now? It doesn't look good, having read off our status as of January 15. Who's responsible for monitoring Bell, and who's responsible for monitoring Axia?

Now, my concern here, Mr. Minister, when I keep bringing up Axia, is that thus far I've only heard the government talk about Axia as a subcontractor of Bell, and I have serious concerns that this could get away from us, that if there were concerns about any of the work from Axia, in fact the government wouldn't be on top of it and wouldn't be monitoring it and wouldn't be able to catch it and wouldn't have any monetary recouping mechanisms or processes in place or any punishments in place because this is all a contract of a contract. Also, I know that in some cases Axia has access to equipment that's owned by the government. How do we know that they're using that government equipment appropriately? Who is monitoring them?

9:40

This is a business that works very quickly. The government has invested \$200 million. The minister says \$193 million. That's enough to make anybody's head spin and visions of sugar plums to dance in their head. So how are we to be assured that all is progress-

ing as we expect and that appropriate measures are in place to monitor and to enforce? That's overall what I am seeking to be reassured about, because I certainly have some concerns about what's happening here.

I really have concerns that we will spend a lot of money trying to do a good thing, which is to get that broadband out into those communities for their use and, great idea, used by municipal buildings, the schools, the libraries. But what we've done in doing it – and this is essentially a P3. In subcontracting, we (a) lose control of it, and (b) by the time it all gets done, it's too late; technology has passed us by. Everything is now wireless, being beamed down from a satellite somewhere. We didn't need all that wire in the ground or fibre optic cable or however else this is being achieved.

In fact, we cripple our libraries, municipal buildings, schools, and health facilities because we've now hooked them into 10 years' worth of service connection fees at, you know, three grand a year for a library. As we know, having already gone through the Community Development estimates, there is no additional money being forwarded to libraries to cover that \$3,000 cost. So they're now expected to do additional fundraising to come up with that money. If they can't do it – and that's quite possible in some communities – then they've got a bunch of wire sitting in the ground or sitting in the basement that they can't afford to hook up to.

Beyond that, you're now talking all the wonderful equipment that you need to be able to make really good use of that broadband: you know, those whoop-de-do new cameras and the video recording equipment and the sound editors and all the rest of that stuff and the software that makes this all possible. You're not going to do it with an eight-track and some sort of home video camera. So my concern is that we commit our nonprofit public agencies to a significant outlay of money and they are never able to keep up with the requirements in the cash and in the technology and equipment and software to keep up with it. That's where I'm afraid we've gone off the rails on this project.

By the way, the last time I talked about this, Axia sent out some guys in suits from the communications department to talk to me. If they're reading this, they can save themselves the trip this time, because they didn't, obviously, reassure me enough. I did stay quiet for about a year, and now I'm back again because the same concerns are coming up. So the guys in suits can save their time. I'll hear from the minister.

Thank you.

Mr. Doerksen: Mr. Chairman, I know for sure that the hon. member would not want us to go back to eight-track technology.

I'll try to answer a few. You gave me a barrage, so this might be more broad in its explanations than maybe more specific. But to the specific point of the \$12 million amortization: yes, this is the first year that it's being recorded. This is actually a change in all government accounting procedures in terms of recognizing our capital assets and showing the amortization number, so that is why that is there. The \$12 million amortization figure is not part of the \$41 million. Those are separate figures. The \$41 million completes the cost of building the infrastructure, which is part of the contract, and we have a \$193 million contract.

Now, more to the questions around the contract, performance measures, Bell West, and Axia, let me make some comments that I hope are somewhat connected. Let me start by making sure it's clear we understand that there's infrastructure, and then there's a cost to build the infrastructure which builds the highway which permits the broadband or the traffic to flow along that highway. So there's that element of the cost which is infrastructure. The \$4,000 grant that we

announced to municipalities is part of the infrastructure bill, which only helps them take the infrastructure to their door. So if you can imagine, keep that separate in terms of building the infrastructure.

[Mr. Shariff in the chair]

From there, in a municipality's case they are responsible, then, to pay the – I'm going to use the word "access" fee, although I think that confuses people. It would be a monthly charge to them to have broadband services, no different than they would have to pay a monthly fee to have telecommunications services. Because we have taken the infrastructure to their door, they can now deliver better quality, different kinds of services because they'll have access to broadband and can use different kinds of technology. So they have a choice to make now in terms of the service levels that they wish to purchase, how much capacity they want to utilize, and that's their decision.

So let's move now to the case of Learning. Learning, through its budgets – and I think that's been explained already in this House – provides the access fee. Again, the schools have to purchase the broadband capacity with a monthly charge. That's provided for in Learning's budget, so Learning provides a certain level of service through their budgeting process. Again, the infrastructure is already there. Now, if you go to Learning's budget, just like the schools have to pay for telecommunications or network services that they already have, they now have competitive rates in all of their schools through the Alberta SuperNet, and they get expanded broadband capabilities and capacities that they didn't have before. I hope that explains keeping the infrastructure separate from, now, the operating cost.

I just want to make sure that I have all my information. The other point that I want to make on the SuperNet I want to make clear because this has come up a few times in questions even in question period. You have to realize that the Alberta SuperNet is more than just Internet. Okay? Internet is a service that runs on top of a network, and the Alberta SuperNet is the network; it's not the service. But you're not having to go somewhere else to purchase the Internet services. [interjection] Well, Mr. Chairman, we'll make sure that this is completely clarified, but that is certainly not my understanding.

The other thing that I want to clarify is that SuperNet provides a dedicated, high-speed broadband telecommunications circuitry where the quality of the service can be guaranteed. This is important for video conferencing or transmitting huge files like X-ray files. Often on the Internet quality can drop off and video-conferencing signals can be lost. With SuperNet this won't happen. All right? So you're getting capacity.

I want to refer the member again to the estimates, and I've got it here somewhere. If she looks on page 240 of the estimates, she will find an operating expense which shows \$14,820,000 for corporate network services. That's to cover the costs that we use on AGN-PAC, which is currently the service that we use to provide data networks to the government, and that will be replaced as the SuperNet infrastructure is built. The data track will now run over SuperNet as opposed to AGNPAC. We will be providing greater bandwidth to more sites for approximately the same cost. So that begins to show you the benefit of the network that we are envisioning. The short answer is that it's more sites, more community service, better service for less money.

9:50

On the contracts between Bell West and Axia, I'm going to be careful here because some of this is likely subject to confidentiality.

I'm going to speak in general terms about this. As part of that, I want to go to the comments you made on performance measures and the build. It was quite clear in this House several times that we had a contractual dispute between Bell and Axia, and that goes back probably a year from now. That did cause us some delays in the build, but we were open with that to the Assembly and in our comments. Axia is no longer engaged in the build of the network. Bell West is solely responsible for the build, and we are working diligently with them to ensure a 2004 completion, so this year.

When you look at the performance measures, you should think of the build in several stages. One would be that the top lines talk about the intercommunity conduit and the intercommunity fibre. You can see the progress that has been made in terms of actually laying the fibre over vast distances across this province. Once you get the conduits and the fibre in place, then you can start taking it into the communities and from the communities into the various buildings. I understand the member's concern on whether we'll get there, and I assure you that we're working diligently to ensure that they live up to their contract to deliver the service on time.

The member mentioned the concept of wireless, and again I want to emphasize, as I think I did in answer to the question, that wireless has always been contemplated as part of the SuperNet build. There are some areas where it just made no practical sense to dig fibre, so we've always contemplated the use of wireless in the network.

We had the question with respect to some of the school boards. The contract that we have requires Bell to deliver the service levels we asked for, and that's the important element, that the schools and the hospitals and the libraries and the government buildings will get the required levels of service that we have indicated have to be met inside of that contract. That's their performance measure, that they can deliver that bandwidth to that area in a reliable manner. We certainly have to sign off on the engineering to make sure that we agree to the service levels that are being delivered.

Those are some general comments around the contracts. Again, for more specific answers, if we can provide them, that aren't in violation of the confidential nature between private business, we'll see how we can address those.

So, Mr. Chairman, I think I will sit down and see if there are some more questions that I can take.

The Deputy Chair: The hon. Member for Edmonton-Mill Woods.

Dr. Massey: Thank you, Mr. Chairman. I would like to, if I may, deal specifically with the estimates with respect to programs 1, 2, and 3, starting on page 237. If I could maybe go through them program by program and have the minister respond. With respect to program 1, ministry support services, the first question would be: what is corporate services using the \$608,000 increase in the budget for? And why does the deputy minister's office have a \$105,000 increase in the budget?

Mr. Doerksen: Mr. Chairman, if I could just beg the indulgence of the member to help me out with what page he's on again.

Dr. Massey: I'm sorry. It's page 237, and it's program 1. It's 1.0.2, the deputy minister's office, and 1.0.4, corporate services.

Mr. Doerksen: Okay. In 1.0.4, under corporate services, the – Mr. Chairman, if you don't mind, on that one we'll provide you more details. I'm just struggling to catch up to my notes here, but carry on.

The Deputy Chair: The hon. Member for Edmonton-Mill Woods.

Dr. Massey: Thanks, Mr. Chairman. I'm only going to add to your grief, I'm afraid. Program 2, research and innovation, on pages 238 and 239. What is the \$7 million innovation program that's been added to the budget? That's line 2.2.1. Could we have some details of the innovation program? There is a \$2 million addition in the innovation implementation budget. I wonder if the minister could enlighten us in terms of what that is being used for.

The Deputy Chair: The hon. minister.

Mr. Doerksen: Yes. Thank you, Mr. Chairman. I do want to talk about the \$7 million point that the member has raised. I know I had this information here somewhere. I do beg your indulgence. This is an important question, and I do want to provide the answer to this one.

The Deputy Chair: Hon. minister, in the event that you need to submit the response in writing, that is acceptable as well.

Mr. Doerksen: Okay, Mr. Chairman. I'll try to answer because this is an important question. This is a new program, and it follows from the government's commitment to create an innovation culture in the province of Alberta. We've not completely defined the competition that we're going to have for this money, but it's designed for government departments and agencies to come forward with proposals that will encourage innovation within government service delivery and to see how we can accelerate innovation within the government and also within our agencies.

We're going to have a competition where ministries which require seed capital – this is not ongoing program funding – come up with some innovative suggestion that can improve service delivery to Albertans or can improve our economic performance and perhaps could follow along the lines of something that I commented on with respect to BIRS, where we saw an investment of \$1.7 million from the government over a number of years that brought in outside capital to establish that institute at Banff. It has generated far more economic activity and goodwill and tourism for this province through that initiative than any other kind of program could have done. So that is the \$7 million. It does go out, I think, over three years for a total of \$33 million if I have my numbers right. It's an exciting program, and it's one that we want to use to encourage and develop an innovation culture within the government and its agencies.

10:00

Dr. Massey: Is the assumption that the \$2 million for the innovation implementation in 2.1.1 is part of the same program, or is that different?

Mr. Doerksen: What is happening in there is that there's been a transfer into that fund – if I'm wrong in this, we'll correct it – of the strategic investments research fund from the envelope to do with Alberta science and research, the ASRA program. I moved it under this program to aid our innovation particularly with research and technology commercialization and, again, for strategic innovation kinds of initiatives that will come forward.

Going back to your first question in the first program, some of those costs in office support will go to administrative support for these new programs. That \$7 million will require some administrative due diligence, so some of the increase in the office expenditure shows up in that line from your earlier question, particularly 1.0.4, which you had asked about earlier.

The Deputy Chair: The hon. Member for Edmonton-Mill Woods.

Dr. Massey: Thank you, Mr. Chairman. With respect to the Alberta Forestry Research Institute and the increase in the budget, can we have an explanation as to what that increase is for? Where are the findings of the Alberta Forestry Research Institute reported?

Mr. Doerksen: Mr. Chairman, the Alberta Forestry Research Institute is co-chaired by the Member for West Yellowhead. He assures me that there is an annual report filed by the Alberta Forestry Research Institute, so you would be able to examine their reports. As a matter of fact, if I look now on my web site here, it should be on there. I don't see it.

Let me assure you that they have developed a research program, particularly in the development of fibre and the uses of fibre, that complements the direction that we're trying to go under our value-added strategy. Rather than just ship raw product out of the province, we want to add value to it. The fibre initiative also begins to move into the life sciences area and agriculture in terms of fibre uses with respect to cereal crops or the straw that comes out of it. I'm not the scientist around it, but they tell me that there are overlapping technologies that are applicable right across the piece, and they're providing us with direction and suggestions in terms of where we should put our research dollars in forestry.

Let me assure you, hon. member, that the amount of increase we were able to give them pales in comparison to the amount that they would really like to see. They keep reminding me that we mustn't forget the amount of impact that the forestry industry has on the provincial economy.

There are reports available.

The Deputy Chair: The hon. Member for Edmonton-Mill Woods.

Dr. Massey: Thank you. I guess that I'll wait for the answer with respect to the increase to the Alberta forestry institute.

If I could move on, Mr. Chairman, a question I had is: why is \$6 million being cut out of the operating expenses grant to the Alberta Science and Research Authority? It's program 2.3.1, and it's the third line, the operating expense line, on page 238.

Mr. Doerksen: Under our objective of increasing research capacity – this isn't going to specifically answer your question, but it's going to answer it in a more general way – we have a number of different program areas that increase the innovation and research capacity in the province. We do this through a number of different programs.

One of the more significant programs, of course, is the competition we have under the Alberta science and research – we call it ASRA – that researchers can apply to to help fund their particular projects. We want them to follow our three strategic thrusts, being energy, ICT, and life sciences. We place a higher importance on those. Also, this is the money that they then use in terms of matching their applications to the federal granting agencies, particularly CFI. In the last couple of weeks we just announced our matching component to the CFI awards, and we were able to accommodate all of the requests that came forward that met the criteria that we were looking for, that met the criteria of the peer-reviewed scientific body to make sure that these were scientifically demonstrable, is the word I think I'm looking for. That's one program.

Also, through the various institutes, the Alberta Energy Research Institute – they work very closely in terms of their program. They work with the research institutions. They work with industry. We use their money to leverage research and innovation not only in the

research institutions but also in industry research for trying to leverage off of our investments and use industry resources, federal government resources. Similarly, Alberta Agricultural Research Institute provides us with key direction in terms of where our thrust should be, and again we use that money for leverage. So we use all of these different programs.

Well, let me talk about another one. ICORE, for instance, informatics centre for research excellence, particularly targets research in the areas of ICT. Their objective was to bring top talent to Alberta. We've been extraordinarily successful in that program bringing top people to our research institutions. The benefit of that is that then they attract top-quality students and other graduates to build a critical mass of people around that area.

10:10

So we use all of these programs, and sometimes you almost have to put the entire package in an envelope to look at the amount of support that we are providing to build the research capacity. The best performance measure to show that, really, is a report that we do in terms of research funding at Alberta universities which shows some very significant increases. If you go back to '91-92, for instance, total sponsored research revenue to Alberta universities was \$143 million, and if you fast-forward to 10 years later, '02-03, we were up at \$434 million in total sponsored research. They're able to do this because of some of the programs that we use to help them leverage industry money and federal granting agency monies.

That's pretty general, hon. member, and we'll get you more specifics through the written answers.

Dr. Massey: I was looking for the \$6 million.

Because of the time, Mr. Chairman, I'd like to ask maybe just a couple of questions and leave them with the minister.

I've got questions about the objective of trying to increase the number of Albertans working in the information and communications technology sector. What impact does having contracts for programming going to international companies like IBM have on that objective? Related to that is: how many companies does the government use for IT technology and outsource their programming to places in the Far East?

I'm looking at, I guess, the outsourcing of jobs really, and I notice in the performance measure – sorry; I'm not quite sure where it is right now – that the goal is that there would be 500 less workers in the ICT sector next year than this year, if I remember that. Yes. It's on page 297. Last year the actual number of Albertans employed in the ICT sector was 54,500, and the target for 2004-2005 is 54,000. So I think the questions are related to that performance measure, Mr. Chairman.

A related question, I guess. On page 295 of the business plan one of the strategies is to encourage youth to enter careers in science and technology. I wonder if there's information on the impact of tuition on those programs and if anything has been looked at in terms of what is being done at universities in the way of increasing the number of students that choose IT as a career.

I think those are some of the general questions that I'd leave with the minister for response. Thank you, Mr. Chairman.

Mr. Doerksen: If I could provide a brief response, would that be acceptable?

Just in terms of the number of ICT employees one of the benefits or disadvantages of having a performance target is that you need to report on it, and without question the IT sector has undergone some severe downturns over the last number of years. Actually, I think that in view of what was experienced globally, Alberta did excep-

tionally well in terms of pretty much maintaining our ICT base and have positioned ourselves well as we come out of that decline.

In terms of outsourcing I'm not aware of any outsourcing that we do in the Far East. As a matter of fact, on that issue Alberta is viewed as a place to outsource because we have a very talented workforce and we're in fairly close proximity to of course our major trading partner, the United States, and are a stable political climate. We are actually ranked very highly in terms of countries, including Far East countries, in terms of being a place to have outsourcing done. So that's actually a growth area.

I don't want to get into a debate on tuition. We certainly do encourage youth in the science and technology areas. Mr. Chairman, in terms of whether it has any impact on science or technology, I don't think so. I think what we're trying to do is encourage some interest in those areas, and the financial question comes at a different place. Clearly, we have programs that are trying to encourage youth with respect to science; for instance, our support of science fairs. We have a function called Scitechweek, and we try to engage all of our schools in this area. So we do a lot of work in that particular area.

The Deputy Chair: Hon. members, after considering the business plans and proposed estimates for the Department of Innovation and Science for the fiscal year ending March 31, 2005, are you ready for the vote?

Hon. Members: Agreed.

Agreed to:

Operating Expense and	
Equipment/Inventory Purchases	\$185,910,000
Capital Investment	\$41,000,000

The Deputy Chair: Shall the vote be reported? Are you agreed?

Hon. Members: Agreed.

The Deputy Chair: Opposed? Carried.

The hon. Deputy Government House Leader.

Mr. Zwozdesky: Mr. Chairman, I would move that the committee now rise and report the estimates of the Department of Innovation and Science.

[Motion carried]

[Mr. Shariff in the chair]

Mr. Lougheed: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2005, for the following department.

Innovation and Science: operating expense and equipment/inventory purchases, \$185,910,000; capital investment, \$41,000,000.

The Acting Speaker: Does the Assembly concur in the report?

Hon. Members: Agreed.

The Acting Speaker: Opposed? So ordered.

head: 10:20 **Government Bills and Orders**
Committee of the Whole

[Mr. Shariff in the chair]

The Deputy Chair: Hon. members, we'll call the committee to order.

Bill 25
School Amendment Act, 2004

The Deputy Chair: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Drayton Valley-Calmar.

Rev. Abbott: Thank you, Mr. Chairman. I'm pleased to have this opportunity to once again speak briefly about Bill 25, the School Amendment Act, 2004. At this Committee of the Whole stage I'd like to specifically address some House amendments to this bill.

As mentioned during second reading, Bill 25 reflects government's action on yet another recommendation of the Learning Commission. It balances the interests of teachers with the rights of our children to receive an education that is responsive to their needs. It will achieve this by improving the functioning of the Board of Reference to make sure there is a process to deal with situations where an educator might not fulfill the high standards of his or her peers. The intent of the bill is quite simple. We need appropriate measures in place to ensure the highest quality of service in the profession, and all measures taken must be effective and fair.

Mr. Chairman, there are five House amendments to Bill 25 that I'd like to discuss during my time this evening. These changes are relatively minor in nature, but they are important to help ensure that the bill achieves its intended goals.

In relation to section 61 of the existing School Act, the House amendment will clarify that the power of a school board . . .

The Deputy Chair: Hon. member, sorry to interject. Are you moving these amendments so they can be circulated now?

Rev. Abbott: I would like to move these amendments so that they can be circulated now.

The Deputy Chair: Thank you. You may proceed.

Rev. Abbott: Thank you, Mr. Chairman. These five House amendments are changes that are relatively minor in nature, but they are important to help ensure that the bill achieves its intended goals.

Firstly, in relation to section 61 of the existing School Act the House amendment will clarify that the power of a school board to either suspend or terminate the services of a teacher may only – and I stress “only” – be delegated to a superintendent. This reflects the original intent of the amendment to the School Act proposed under Bill 25 that other than a school board only the superintendent may fulfill this responsibility.

The second House amendment I'd like to discuss refers to collective bargaining. Section 96(2) of the School Act currently allows school boards and the Alberta Teachers' Association to agree to exclude certain central office administrators from the collective agreement.

The Deputy Chair: Hon. member, I'm sorry to interject again.

Since there are a number of different portions of the amendment, are you proposing that we deal with all these amendments together as amendment A1?

Rev. Abbott: Yes, Mr. Chairman, I am.

The Deputy Chair: Okay. If that's okay, then we shall deal with them as one amendment, refer to them collectively as amendment A1.

You may proceed.

Rev. Abbott: Thank you, Mr. Chairman. The second part of the one amendment is that the proposed House amendment ensures that central office staff members who choose not to be active members of the ATA will also be excluded from the collective agreement. Central office staff who fall under this category will have their own contracts with their employer.

The third part of amendment A1, Mr. Chairman, deals with eligibility to appeal to the Board of Reference. Bill 25 excludes central office administrators who are not covered by a collective agreement from appealing their suspension or termination to the Board of Reference. This amendment ensures that central office staff members who elect not to be active members of the ATA and who are therefore excluded from the collective agreement are also not able to appeal to the Board of Reference.

This preserves the original intent of the amendment, which is to exclude all individuals who are not covered by the teachers' collective agreement from accessing the Board of Reference. The Board of Reference was originally established to ensure that classroom teachers' terminations or suspensions were fair and reasonable. It was not intended to protect school board administrators or managers who have their own individual contracts with school boards.

The next House amendment, Mr. Chairman, refers to the disclosure of evidence in advance of a hearing before the Board of Reference. The changes to the School Act introduced in Bill 25 are intended to improve the way the Board of Reference functions. Although its current role will change in terms of assessing professional competency of teachers, it will continue to fulfill an important role in terms of hearing matters on employment issues, such as cases of misconduct.

A provision under Bill 25 required all parties to a Board of Reference hearing to fully disclose to each other the evidence they plan to present to the board. We recognize that the timing of the disclosure is important in giving both parties appropriate time to prepare their cases and to make decisions on whether they need to introduce any additional evidence. Therefore, we are going to consult with stakeholders to develop a regulation on disclosure requirements to ensure that the process is fair and effective.

Mr. Chairman, the final portion of this amendment that I'd like to discuss tonight is in reference to decisions that are made by the Board of Reference. While the act indicates that there is a 45-day time limit within which the board must render its decision, the bill does not explicitly state the time frame within which the reasons must be released. This House amendment will specify that both the decision and the reasons together must be released within the 45-day time frame.

Mr. Chairman, in conclusion, Bill 25, including the House amendments I've discussed tonight, will help maintain and ensure the integrity of the teaching profession in a way that protects the best interests of both students and teachers. I urge members of this Assembly to support Bill 25 and the House amendments we've discussed this evening.

Thank you, Mr. Chairman.

The Deputy Chair: The hon. Member for Edmonton-Mill Woods.

Dr. Massey: Thank you, Mr. Chairman, and thank you to the member for having shared with us earlier today the intent of the amendments that are before us this evening. I think that more importantly we have that member's assurance that these amendments are supported by both the Alberta School Boards Association and the Alberta Teachers' Association, and they are the two groups primarily involved with these sections of the bill.

I don't think we should let it go by that it is, I think, unfortunate that we have to amend the bill as quickly as this. That indicates that something happened in the drafting that wasn't paid attention to at the time.

The only one that I have some concerns about is the one that has things being resolved through regulation, and I hope that works out.

Thank you, Mr. Chairman.

[Motion on amendment A1 carried]

The Deputy Chair: Does anybody else wish to speak on the bill?

[The clauses of Bill 25 as amended agreed to]

[Title and preamble agreed to]

The Deputy Chair: Shall the bill be reported? Are you agreed?

Hon. Members: Agreed.

The Deputy Chair: Opposed? Carried.

Bill 26

Teaching Profession Amendment Act, 2004

The Deputy Chair: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Edmonton-Meadowlark.

Mr. Maskell: Thank you, Mr. Chairman. Today at the committee stage I'd like to discuss some House amendments which have been introduced for Bill 26, the Teaching Profession Amendment Act, 2004. I'd like to move these amendments. I have consulted with hon. members of the opposition and would have these moved as A1.

As discussed previously in the Assembly, this bill deals with important changes to reflect the Learning Commission's recommendations regarding the teaching profession, and it has been a pleasure to respond to this bill on behalf of the government.

The Learning Commission identified a number of different opportunities for Alberta to enhance our learning system to meet the needs of today's students. Likewise, we must keep our legislation up to date to keep pace with Alberta's evolving learning system. The amendments to the Teaching Profession Act introduced under Bill 26 are very much a companion piece to Bill 25, the School Amendment Act, 2004, sponsored by the hon. Member for Drayton Valley-Calmar.

As mentioned during second reading, Bill 26 will achieve two main goals. It will allow a new practice review process to be established for teachers whose competence is in question. It will allow certain certificated nonteaching central office staff the option to be members of the Alberta Teachers' Association.

Rather than getting into the details of the bill again today, I'd like to instead use my time to discuss four House amendments that are currently before the Assembly for consideration.

10:30

The Deputy Chair: Hon. member, before you proceed further, I just wish to have an understanding that there are amendments to various sections. Are we to consider them collectively as amendment A1?

Mr. Maskell: As A1.

The Deputy Chair: That's in agreement? Okay. We shall proceed and deal with them as one amendment, amendment A1.

Mr. Maskell: Thank you very much, Mr. Chairman.

Section 4 of Bill 26 refers to the ATA membership of certain teachers who are employed by a school board but who may not necessarily be carrying out teaching functions, such as those who are carrying out administrative duties for the board. As drafted, Bill 26 will allow these teachers to choose whether to be an active member of the association, an associate member of the association, or not to be a member of the association.

Another line in the bill stated that "notwithstanding anything in the bylaws" the ATA would act in accordance with the affected teacher's choice. In response to a request by the ATA this phrase will be deleted through this House amendment. Eliminating this phrase will allow the ATA to address exceptional circumstances in which the association does not wish to admit an individual as an active member. It would achieve this by allowing the minister in appropriate circumstances to authorize the ATA to not act on an individual's election regarding membership. In order to provide certainty for both school boards and the ATA with respect to these members' status, another clause will be added to make the option elected by the teacher irrevocable for so long as the individual occupies the central office staff position.

The second House amendment I'd like to discuss will allow the provincial executive council of the ATA to pass the practice review bylaw as opposed to having it done by the association at an annual general meeting. While the association can currently pass bylaws at its general meetings, this House amendment recognizes the unique nature of the practice bylaw and that it will be approved by the Minister of Learning. For practical reasons it is appropriate to have this bylaw developed and passed by the ATA's provincial executive council. This will help ensure that the bylaw has been approved and is in place for the 2005 school year.

The next House amendment involves complaints made about a teacher's conduct. The Teaching Profession Act allows a complainant to request a review of a decision if the complaint about a teacher's professional conduct does not result in a hearing before a professional conduct hearing committee. This amendment would allow the ATA to charge a fee to a complainant who requests a review. A request for reviewing a decision not to refer a teacher to a professional conduct hearing committee involves a thorough review of the decision by the complainant appeal committee. This process should not be automatic and should involve careful consideration on behalf of the complainant.

The introduction of a standard fee is intended to encourage reflection on the part of the complainant and help ensure their commitment to the issue. Because similar fees will also be charged to complainants who request reviews under the practice review bylaw, the introduction of this fee will help ensure consistency between the practice review and conduct review processes.

The final House amendment I'd like to discuss today addresses the section of the Teaching Profession Act that allows teachers to appeal decisions reached by the professional conduct hearing committees.

This House amendment would allow the ATA to require an appellant to post a deposit of up to the cost of the appeal. This deposit would be forfeited to the ATA should the appeal not be successful, it would be returned to the appellant if the appeal were successful, and it would be split between the appellant and the association should the appeal be partially successful.

Currently a hearing committee can require an appellant to pay the cost of an appeal. However, if the appellant does not pay the costs, the ATA must recover them from the appellant in a civil debt action. This amendment will allow the ATA to collect a deposit from the appellant against the cost of the appeal and provide for the appropriate disposition of the deposit pending the outcome of the appeal. As mentioned, because it is planned that deposits will also be collected in matters involving practice reviews, this change will ensure consistency between the practice review and conduct review processes.

To ensure that our learning system maintains the high-quality services Albertans have come to expect, it is essential to ensure that appropriate, professional conduct and practice review processes are in place. That's why we worked closely with the ATA in developing Bill 26. The House amendments I discussed today as well as other amendments to the Teaching Profession Act outlined in Bill 26 will further this government's efforts to continually improve Alberta's learning system.

With that said, I urge this Assembly to support these important amendments. Thank you, Mr. Chairman.

The Deputy Chair: The hon. Member for Edmonton-Mill Woods.

Dr. Massey: Yes. Thank you, Mr. Chairman. In speaking in support of the amendments, again we thank the hon. member for sharing the essence of the amendments with us earlier today. There was a concern that the fees being talked about might be a deterrent for some teachers taking action, and we are assured that that was not the case. We were given some indication of the level that the fees might be, and that seems reasonable.

Again, one of the reasons for our being able to support the bill and to do that so quickly is the assurance that the member gave us that these amendments have the full support of both the Teachers' Association and the School Boards Association. They are the two groups that are very intimately involved in actions that are taken under these sections of the act, and that seemed to be a necessary prerequisite. I'm pleased to support the amendments.

Thank you, Mr. Chairman.

The Deputy Chair: Anybody else wish to speak?

[Motion on amendment A1 carried]

[The clauses of Bill 26 as amended agreed to]

[Title and preamble agreed to]

The Deputy Chair: Shall the bill be reported? Are you agreed?

Hon. Members: Agreed.

The Deputy Chair: Opposed? Carried.

The hon. Deputy Government House Leader.

Mr. Zwodzesky: Thank you, Mr. Chair. I would move that the committee now rise and report bills 25 and 26 as amended.

[Motion carried]

Hon. Members: Agreed.

[Mr. Shariff in the chair]

The Acting Speaker: Opposed? So ordered.

The hon. Deputy Government House Leader.

Mr. Johnson: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following with some amendments: Bill 25 and Bill 26. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

Mr. Zwozdesky: Thank you, Mr. Speaker. Thank you to all members for the excellent progress tonight. Given the hour, I would move that we now stand adjourned until 1:30 tomorrow afternoon.

The Acting Speaker: Does the Assembly concur in this report?

[Motion carried; at 10:39 p.m. the Assembly adjourned to Tuesday at 1:30 p.m.]

