

## Legislative Assembly of Alberta

Title: **Monday, March 21, 2005**

**8:00 p.m.**

Date: 05/03/21

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Good evening. Please be seated.

head: **Motions Other than Government Motions**

### Elimination of Library Card Fees in Tribute to Dr. Lois E. Hole

502. Mr. Agnihotri moved:

Be it resolved that the Legislative Assembly urge the government to eliminate fees for library cards in all public libraries in tribute to the late the Hon. Dr. Lois E. Hole to honour her belief in the importance of literacy and in the principle that access to libraries should be free for all Albertans.

[Debate adjourned March 14: Mr. Danyluk speaking]

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

**Mr. Danyluk:** Thank you very much, Mr. Speaker. It gives me great pleasure to stand again and speak to Motion 502. I'm familiar with rural Alberta more than I am urban Alberta. I would like to say that I'm very proud of the extensive library system that we have in Alberta. I'm very proud of the library services network that we do have.

In my constituency, which really affects, I believe, nine constituencies, we have a library system that an individual can walk into a library and have access to 3 million books, Mr. Speaker. So when I look at a system that offers that sort of service, that comes to all of our individual libraries – and we have libraries in some very small communities that do not charge for any sort of service. The library opportunities are free and are very, let's say, accessible to anybody there. So what happens is that there are some library systems that charge a very nominal fee for their services, and that really provides them with the opportunity to purchase some extra books, some extra things that aren't funded. As I said before, I think we're very fortunate with the library system, the support that does come from the government to the municipalities. And the municipalities pass that on to the individual library systems.

When we had the discussion of Lois Hole, we talked about: wouldn't it be a tribute to Lois Hole to have no library fees? I believe that it is a tribute to Lois Hole for us to make libraries accessible to people through a digital system, through enhanced systems. I think that is a lot more important to make sure that children and people have an opportunity to read, that individuals have an opportunity to access the books that we do have in our area. I think that is a tremendous tribute. Lois Hole sponsored books in each one of our local libraries, and that was such an inspiration to the small libraries, her dedication and devotion to learning and to reading.

So, Mr. Speaker, if I can, I would like just to close and say that I believe that it wouldn't be the right decision to try to put a curtailment on a library system, to not be able to charge a fee. Presently, most people have the access and the ability. I don't think it's necessary to put that forward.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Under Standing Order 8(4), which provides up to five minutes for the sponsor of a motion other than a govern-

ment motion to close debate, I'd invite the Member for Edmonton-Ellerslie to close debate.

**Mr. Agnihotri:** Thank you, Mr. Speaker. It has been very interesting to listen to this debate and to hear how every single speaker has talked about the vital contribution made by the libraries. Well, it's time to put our money where our mouth is.

Several hon. members remarked that library card fees are nominal, not significant. Well, \$12, \$15, or \$30 a year does not mean the same thing to a lawyer, a doctor, or a parliamentarian as it does to a minimum wage worker. The less affluent one is, the less privileged one is, the more significant that so-called small fee is. Public libraries are there to serve all of us, especially the less privileged, and that is why we should pay for them through our taxes and not through private membership fees.

Some hon. members speculate that fees do not deter users, but the facts prove them wrong. When Edmonton introduced a fee, enrolment dropped, and no doubt the same thing happened in other libraries. On the other side of the coin, when Banff eliminated their \$10 annual fee, memberships soared.

Some hon. members believe that we don't value what we don't pay for. Well, I value our police department. I value our fire department. I value my right to cast a vote. I value my family. I don't need to pay user fees to know that these things are valuable. Let us not confuse price with value. I think the hon. members have it backwards. It's not that we don't value what we don't pay for; rather, we don't pay for what we don't value. In this wealthy province over the last two decades the province has not paid its fair share of funding towards public libraries, that we in this House all profess to value.

The hon. Minister of Education says that he would like to see a significant increase made to the per capita rate for public libraries. It is unfortunate that when he was Minister of Community Development, the increase that he brought in after 15 years of stagnant funding was only 26 cents per capita. But he's right: public libraries do deserve and require a significant increase in the provincial per capita funding, and that is exactly what we propose.

There's no doubt that the late Lois Hole was a passionate believer in public libraries and in social justice. She said on many public occasions – and I'm sorry if some of the members didn't seem to hear what she said – that she wanted to see library membership fees eliminated in Alberta. Today we have a chance to honour her name and her values in the lasting legacy of open library doors for the benefit of all Albertans. Let us not squander that opportunity. Everywhere else in North America except for parts of Quebec public libraries are supported by taxes, not by private membership fees. Our province can afford to support public libraries too. Let us pay for what we profess to value: well-funded, accessible libraries.

Thank you very much.

[The voice vote indicated that Motion Other than Government Motion 502 lost]

[Several members rose calling for a division. The division bell was rung at 8:09 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Agnihotri  
Bucks

Eggen  
Elsalhy

Miller, B.  
Miller, R.

Bonko	MacDonald	Pastoor
Chase	Mather	Swann
<b>8:20</b>		
Against the motion:		
Boutilier	Groeneveld	Mitzel
Brown	Haley	Oberg
Calahasen	Jablonski	Ouellette
Cao	Johnson	Prins
Cardinal	Knight	Rogers
Danyluk	Lindsay	Snelgrove
DeLong	Magnus	Stevens
Doerksen	Mar	Strang
Goudreau	Melchin	Webber
Griffiths		
Totals:	For – 12	Against – 28

[Motion Other than Government Motion 502 lost]

### Alberta Ingenuity Fund

503. Mr. Knight moved:

Be it resolved that the Legislative Assembly urge the government to consider the advisability of increasing the value of the Alberta ingenuity fund to \$1 billion over the 2006-07 and 2007-08 fiscal years.

**The Deputy Speaker:** The hon. Member for Grande Prairie-Smoky.

**Mr. Knight:** Thank you, Mr. Speaker. The reason I decided to sponsor Motion 503 is because in many ways the future of our province and our economy is dependent on our commitment to research and innovation. I see the Alberta ingenuity fund, or the AIF, as a very appropriate way for us to invest some of our growing resource revenue. With the debt paid down and oil prices higher than expected, the next several years may be an opportune time for us to invest our revenue into areas that will help sustain and grow our economy for years to come.

The Alberta ingenuity fund was established by our government in 2000 to provide funding for grants and award programs for both basic and applied research initiatives. Over the past four years the fund has provided valuable dollars in support of research projects in the areas of agriculture, natural sciences, engineering, telecommunications, applied mathematics, ecology, soil science, and artificial intelligence. As you can see, Mr. Speaker, this is indeed a very diverse list, one that mirrors our own diversification efforts.

In order to fund these efforts, the AIF was originally endowed with \$500 million, and the government set a goal of growing the fund to \$1 billion when finances permit. It is important to note, Mr. Speaker, that unlike other one-time research and innovation investments the AIF is an endowment fund which funds R and D projects through investment income. The added advantage of funding research through endowment funds is the fact that the principal is never lost, and the government retains the option of modifying the fund if times deem necessary. Therefore, I don't consider topping up the AIF by a further \$500 million over the '06-07 and '07-08 fiscal years as revenue spent but rather as revenue redirected. The \$1 billion principal should double investment income, thus providing additional funding for research and innovation initiatives.

Another advantage of Motion 503 is that it does not make it mandatory for the government to top up the AIF to \$1 billion dollars over the specified fiscal years; rather, it urges the government to do

so without having to pass laws mandating this proposal. Through Motion 503 I want to encourage the government to consider increasing the fund by a further \$500 million in '06-07 and '07-08. However, I don't wish to restrict our budget flexibility if we're not able to do so over the proposed fiscal years.

With this in mind, I am pleased that this government is moving in this direction through Bill 1, the Access to the Future Act. Section 8 of the act complements Motion 503 by proposing to top up the ingenuity fund up to \$1 billion. The difference between what I'm proposing and Bill 1 is that Bill 1 does not offer a timetable outlining when the investment should be made. Rather, section 8 of the act stipulates that the \$500 million would be invested "in amounts considered appropriate by the Minister of Finance." Having said this, I'm encouraged that the government is looking to top up the AIF. However, I urge the Minister of Finance to allocate the necessary funds over the years I have suggested because depending on what happens to oil prices, our revenues may not be as high as they have been and may, in turn, limit our ability to follow through with this commitment.

While I'm on the subject of our revenues, particularly those generated through oil royalties, I would like to briefly look back at our previous research and innovation investments and their contributions to the creation of the Alberta advantage. Our province has been blessed with large quantities of natural resources, especially oil and gas deposits. However, many of these deposits would still remain untapped if Albertans did not recognize the importance of investing in R and D initiatives, which produce the necessary technology enabling us to discover and develop more resources.

Thanks to our current and past governments, who invested large amounts of public funds in the development of our energy sector, the province finds itself in a situation where we are considered the leaders in the country not only in terms of economic growth and potential but in innovation and ingenuity as well. By focusing on research and development projects and initiatives, we have been able to take advantage of our natural resources in a manner that is both environmentally prudent and economically viable.

One of the best examples of combining research and innovation with industry development has been the expansion of Alberta's oil sands. The story of the Athabasca oil sands is directly related to Motion 503 because it not only reflects the linkage between innovation and industry development, but it also demonstrates just what can be accomplished through continued commitment to research.

It's fascinating, Mr. Speaker, that in only a few short decades – these oil deposits were considered unworkable and unviable as the technology of the time could not allow us to tap into these potentially rich sources of revenue. However, the government of the former Premier Peter Lougheed recognized the enormous economic potential of developing these deposits and formed AOSTRA, the Alberta Oil Sands Technology and Research Authority, in 1974. The goal behind establishing the new authority was to develop oil sands technology that could allow us to exploit our oil resources at relatively low cost and minimize the impact of potential declines in conventional production.

In order to bridge the technology gap, the government provided AOSTRA with approximately \$100 million in funding to help research and development in an entirely new method of extracting bitumen, which was previously considered uneconomic. This was a relatively large investment of taxpayers' funds for its time, Mr. Speaker, but it pales in comparison to the return it helped generate over the years to come. Thanks to the initial investment AOSTRA led the way in developing steam-assisted gravity drainage, or SAGD, and the OSLO cold water extraction system, both of which were

vital in transforming the oil sands into an economically viable source of oil revenue.

In the last five years alone, Mr. Speaker, the industry sector has allocated \$24.7 billion toward oil sands development, which is amazing.

**An Hon. Member:** How many?

**Mr. Knight:** \$24.7 billion, which is amazing when one considers that it took only \$100 million to get the ball rolling.

The benefits of the project, Mr. Speaker, have been truly staggering. In 2003 the oil sands contributed about 52.7 per cent to Alberta's total crude oil and equivalent production, and we're responsible for about 34.8 per cent of all crude oil and equivalent produced in Canada. Between 2001-2002 and '03-04 the oil sands development provided \$565 million worth of revenue to Albertans in the form of royalties paid to the provincial government, outweighing the initial investment more than fivefold. In addition, annual oil sands production is projected to grow at a steady pace, promising to generate valuable resource revenue for years to come.

In addition, the oil sands development project opens new job opportunities for Albertans and Canadians seeking employment in the oil patch. Just to illustrate this point, Mr. Speaker, it is predicted that the oil sands will create a total of 102,000 new jobs across Canada by 2012, which is important as this not only adds to our economy but also helps to create added spinoff industries and employment opportunities across our province and across the country.

8:30

Now, the reason I spent so much of my time referring to the Athabasca oil sands project, Mr. Speaker, is because I want to illustrate just what can be accomplished through recognizing potential economic opportunities and finding research that would allow us to capitalize on these opportunities. Without a doubt, there are many other potential oil sands type of discoveries waiting to be made. These are not limited only to the oil sector but other sectors of our economy, some of which are currently in their infancy. However, I believe that only through funding the Alberta ingenuity fund and other research and development funds and initiatives will we be able to take full advantage of all the opportunities that await us in the future.

With this in mind, Mr. Speaker, I urge all of my colleagues to vote in favour of Motion 503 and look forward to the debate. Thank you.

**The Deputy Speaker:** The hon. Member for Edmonton-McClung.

**Mr. Elsalhy:** Thank you, Mr. Speaker. Thank you for the opportunity to respond to Motion 503, which calls on this government to increase the value of the Alberta ingenuity fund, which is otherwise known as the Alberta heritage fund for scientific and engineering research. I will briefly say that although we as the Official Opposition are not against this motion, I for one was greatly astonished that the Conservative deputy whip, the hon. Member for Grande Prairie-Smoky, would sponsor a private member's motion that exactly duplicates one entire clause stipulated in the proposed flagship government bill, Bill 1, Access to the Future Act, which was sponsored by our hon. Premier and marketed as new-found Tory pride.

The Alberta ingenuity fund was established in the year 2000 with an endowment of \$500 million. This Motion 503 wants it to increase to \$1 billion, Mr. Speaker, whereas Bill 1 wants to increase it by \$500 million. So correct me if I'm wrong, but I think that these

two calculations are the same: \$500 million plus \$500 million is \$1 billion, or \$1 billion minus \$500 million is \$500 million. Motion 503 is identical to section 8 of Bill 1.

The point is, Mr. Speaker, that here is proof that the government caucus is in some form of disarray. The left hand doesn't know what the right hand is doing. The leadership race within the Tory ranks is clearly interfering with their legislative duties to the extent that they're jamming the Order Paper with motions excerpted and extracted from their own bills just to look like they're working and thinking wonderful ideas. This is of course contrary to what the hon. Premier instructed his MLAs to do in that no leadership campaigning or organizing should interfere with government business.

We obviously find ourselves tonight wasting some time on a done deal whereas, in fact, we could have used this time more productively. I for one would have much rather stood here tonight debating one of our Official Opposition motions, which are really worth looking at. We are now faced with a situation where our motions were pushed down the line to make room for this supposedly unique government motion. Maybe the hon. member himself is not seeking the Tory leadership, and maybe I shouldn't be as critical of him personally, but perhaps he or maybe some of his research staff are busy supporting one of the many leadership hopefuls which are dotting our landscape and they're not paying attention to their own legislative agenda or what the people of Alberta are actually after.

Having said that, I appreciate the explanation that the hon. member offered, and I mean no disrespect. But I still think it wasn't necessary as it was exactly stated in Bill 1, a government bill which is expected to pass and to receive royal assent anyway.

So, in short, we support this motion, but I think we should move on. Thank you.

**The Deputy Speaker:** The hon. Member for Wetaskiwin-Camrose.

**Mr. Johnson:** Thank you, Mr. Speaker. It's a pleasure to rise this evening and join the debate surrounding Motion 503. I'd like to thank the Member for Grande Prairie-Smoky, first of all, for bringing it forward and also for the excellent information provided on the ingenuity fund in his introductory speech on Motion 503.

The intent of Motion 503 closely shadows one that has been put forward by the government in Bill 1. The distinguishing feature is that Motion 503 asks that the principal of the Alberta ingenuity fund be brought to \$1 billion in a set time period, more specifically during the 2006-07 and 2007-08 fiscal years. Increasing the capital investment of the endowment fund will increase the amount of money that the Alberta ingenuity fund, or AIF, as it is being called, is able to distribute to researchers who are working in Alberta. This fund supports a variety of research initiatives including student scholarships, fellowships, and industrial associateships which assist researchers to become involved in applied research in the private sector.

These various funding programs all have one goal: working to attract and retain leading researchers in a wide array of disciplines. This type of program increases the amount of human capital that we are able to access in our province. In fact, the foundation has supported over 200 graduate students in full-time research training in Alberta with a commitment of \$5 million per year. By supporting initiatives such as the AIF, Alberta is able to increase the amount of research performed in our province, and this will assist us in shifting from a resource-based economy to a value-added economy.

As we begin our second century as a province, we are in an enviable position, and it is important that we keep working to ensure that we retain the advantages that we have built up over the past 100 years. The high prices of oil and gas have been a boon to Albertans

both in terms of natural resource revenues and the creation of jobs for Albertans. However, the problem with nonrenewable resources is that there is a limited reserve. Alberta now has the opportunity to begin working with industry to begin creating economic alternatives here at home. Using the benefits that our oil and gas wealth has given us, we can create other industries alongside our traditional ones. By building a more diverse economy, we will be bolstering our current industrial strengths while planning for the future. Supporting research and development is one way that we can achieve this.

Being a former educator, the current chair of the Alberta Research Council, and the current vice-chair of the Alberta Science and Research Authority, I have a great interest in education and research. Education and research go hand in hand as it is necessary for Albertans to obtain the training and skill sets that come with an education before embarking upon research initiatives. Alberta's universities are among the finest in the world, and with the government's announcement of continued commitment to our postsecondary institutions I am certain that our campuses will remain at the top of their fields, and that means research excellence as well.

Since becoming the chair of the Alberta Research Council, I have had the opportunity to learn about the research and development initiatives that are taking place in our province, and there's a great deal of excitement in the research that is presently taking place. This includes new research in biosciences, agriculture, energy, engineering, forestry, information and communications technology, and the environment, including the water initiatives of the Alberta ingenuity fund.

While the AIF provides funding for research in our province, the ARC provides facilities and staff that work with industry to assist them in developing technology. The ARC, the Alberta Research Council, provides access to world-class resources and facilities in Alberta and a team drawn from 600 experienced scientists, researchers, and business experts. Alberta currently lends a great deal of support to research in our province through our universities and through organizations such as ARC, ASRA, AHFMR, the Alberta Heritage Foundation for Medical Research, and of course the Alberta ingenuity fund. Increasing the value of the Alberta ingenuity fund will give additional support to research, including water research, and development in our province.

So, Mr. Chairman, the AIF, the Alberta ingenuity fund, provides valuable funding and a valuable service to research in this province. Therefore, I support Motion 503 because it will serve to further stimulate research in our province.

Thank you.

8:40

**The Deputy Speaker:** The hon. Member for Edmonton-Manning.

**Mr. Backs:** Thank you, Mr. Speaker. I rise to speak in support of Motion 503 because I do think it is an important addition to what should be happening for our Alberta. This is the kind of investment in Alberta's research and innovation capacity that Liberals have been calling for. You know, failing the type of surplus strategy that the Alberta Liberal Party called for in the last election, which I think would have really worked in an even much better way to develop our future Alberta economy, I think this is a good second choice. I mean, if we look at the past, the Alberta Heritage Foundation for Medical Research, you know, I believe had its 25th anniversary this year, and it's had a huge number of successes. It's been a great addition to the research capacity of our province. It's created many businesses. It's created economic development. It's created wealth.

I believe the Conservatives here now need to broaden their gaze

and understand that over the long term it's pure scientific research that provides the foundation for the applied research that the government is willing to fund. We welcome this investment and understand that it will provide resources for both applied and pure research but caution that they need to do more to support pure research, that is driven not by immediately foreseeable commercial applications but by the imagination of our best researchers.

It seems to be something about bragging about catching up. Alberta lags behind most other provinces in research and development. This R and D spending as a percentage of provincial GDP is much behind most provinces. There must be public support for this type of research. I'll give a quote from a much quoted study from TD Economics: Special Report. It talks about research and development spending.

Research and development spending is another area of vulnerability [for the Alberta economy]. As mentioned earlier, the Corridor [from Edmonton to Calgary] is home to several excellent centres of research, most notably the Universities of Alberta and Calgary. Since 1994, University of Alberta Research Services reported that the university conducted \$194 million in industry-sponsored research, \$22 million in licensing royalties, and currently has 47 active spin-off companies. At University of Calgary, there have been 398 licenses negotiated, resulting in a number of highly prominent companies such as Cell-Loc Inc. and Living World Education. As well, there are a number of other groups that support and fund research, including [the already mentioned] Alberta Research Council, Edmonton Capital Region Innovation Centre, and Calgary Innovation Centre.

Still, overall spending on research and development . . . as a share of GDP in Alberta stands at roughly half the level recorded in Canada. Only 10 Alberta companies made the list of Canada's Top Corporate R&D Spenders in 2002, with nobody placing in the top 30. And, while there have been a number of successes in commercializing new research in the Corridor, a large share has been licensed abroad, leaving the lion's share of the benefits to accrue to other countries. But, levels of funding are not the only ingredient to achieving success on this front – without a high quality of management, efforts of taking new products to market will probably fall dead in their tracks.

There are many areas of R and D. You know, there's a number of sort of ways to look at how this can develop in terms of the synergies in certain areas, and the corridor is one of those areas. To quote again:

Over the past decade, a number of city-regions in North America have established research alliances to bring together R&D activities in their universities, colleges, teaching hospitals, labs and research-based companies. One notable example is Georgia Research Alliance (GRA), which was formed in Atlanta in 1990. Through the collaboration efforts, the GRA was able to reduce the labour and capital costs of research, spawn high-tech firms and lured world-leading scientists to its research institutions. Such an alliance provides a number of advantages, including lowering costs for R&D costs, and raising venture capital.

You know, these can be a huge benefit for the developing Alberta that we're seeing, but I'll just say it again: we have not had a lot of top R and D spenders in Alberta even though we have had a lot of income generators.

The ranking in 2002 of the top hundred: the highest from Alberta was NOVA Chemicals at the time and Syncrude at 39, and those were of the top 40. You know, this is something that I think the government has to look at, encouraging the private sector as well somehow to move up on its R and D investment, and that can only pay a lot of dividends for the future.

I believe that I have to speak in favour of this bill. I think it's a good and a sound idea. I think these things work, and I think this endowment can only help the future of our citizens and the children to come. That's all I have to say, Mr. Speaker.

**The Deputy Speaker:** The hon. Minister of Innovation and Science.

**Mr. Doerksen:** Thank you, Mr. Speaker. I want to make a few comments with respect to the motion, but before I get into the substance of the motion, I'd like to remind the Member for Edmonton-McClung that every private member has the right to bring forward a motion of their choosing. Whether it looks like it's duplicating a government bill is immaterial because that private member has the right to do anything of their own volition and their own initiative to maybe underscore a point or underscore a direction. So in that respect, the motion the Member for Grande Prairie-Smoky has brought forward is one he feels very strongly about, and one that I frankly support.

So what is the distinction? There is a distinction between Bill 1, which does talk about the Alberta heritage science and engineering research fund, which we effectively know as the Alberta ingenuity fund, being increased by \$500 million. The motion, while it reflects that particular commitment, talks about a timeline, which makes it a little bit more distinct from Bill 1. So I think that the Member for Grande Prairie-Smoky is trying to put some urgency in his motion around the decision to top up the ingenuity fund and to let all members of the Assembly know that commitment.

We've heard some very good remarks from both sides of the House about the importance of research, the importance of innovation, and the fact that this direction is supported. It was talked about, the legacy that the Alberta Heritage Foundation for Medical Research has had in this province. Again, that was started as an endowment fund many years ago. Many of us now know and have seen the impact that that has had for our province, the amount of credibility that brings our research community, the level of expertise we have in this province, the reputation of our universities. Mr. Speaker, the Alberta ingenuity fund, if we look 20 years ahead, I am convinced will have that same kind of reputation and will continue to put Alberta brains and ability on the map.

I'd also like to point out to the members of the House that if they would look under the website [www.albertaingenuity.ca](http://www.albertaingenuity.ca), there are some very interesting things that probably aren't well known to most of us in terms of what the ingenuity fund has done and the areas that they invest in. I'm just going to pick a couple because they've got four ingenuity centres, one on carbohydrate science. Now, that one's based, actually, over here at the University of Alberta, and the lead person in that particular group is a Dr. Bundle. One of the breakthroughs that they're working on is a carbohydrate molecule which has been dubbed "starfish." Well, what does that mean? Well, it's dubbed that because of its shape. It's tailor made to neutralize the kinds of toxins that made diseases like hamburger disease and cholera so deadly. The five arms of the starfish attach to the toxins and thus render them unable to stick to healthy human cells. So that's one example of a research project that is being funded out of the Alberta ingenuity fund and that has potential commercial applicability into the future.

8:50

Another one that I would point out that is very timely in its development is the ingenuity centre on water, and this follows the water for life strategy that we introduced a number of years back that is under way. This particular centre is a partnership of the three universities – the University of Lethbridge, the University of Calgary, and University of Alberta – just to look at some of the issues surrounding the water resources we have in our province: being able to catalogue the resources we have available, what's happening to them, determining water quality and the quantity, and establishing a research base from which we can make good policy decisions.

Mr. Speaker, those are just a couple of the initiatives that the

ingenuity fund has undertaken. One of the problems we had with the fund when it was initially established at the \$500 million level is that it was also the time when, most of us remember, the market tanked. As a result, the ingenuity fund got off to a slow start because the amount of earnings coming from the endowment fund were not sufficient to actually establish some of these programs. But, Mr. Speaker, now that the market has recovered and now that we're starting to see some returns in the market, you're going to begin to see more and more important initiatives come out of this particular fund.

The additional \$500 million that is proposed by this motion and, in fact, also proposed in Bill 1 will give this organization, this fund the opportunity to do even more long-term planning that will benefit all Albertans.

So, Mr. Speaker, I do urge all members of the Assembly to vote in favour of this motion. It underscores the commitment that we have under Bill 1. I do thank the Member for Grande Prairie-Smoky for bringing it forward.

**The Deputy Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Speaker. I also rise this evening to speak in favour of Motion 503. I think that the Member for Grande Prairie-Smoky is bringing out some very, very good points in regard to the urgency and the necessity of us investing in research development at this juncture in our history. I think that we have tremendous opportunity and a tremendous sort of physical human power to produce a long sort of storied history of research and development in this province, and the Alberta ingenuity fund has contributed to that immensely.

I, too, like the Member for Edmonton-McClung, was somewhat confused about just how similar this particular motion was to parts of Bill 1, but you know at the same time I think that the important issue here – and I'm glad that he's bringing it up – is the idea that the government should commit this money regardless of the vagaries of the markets and put the money in there with the utmost urgency. I think that a lot of projects in this province do not prosper because of a lack of sustained funding over a long period of time. So this particular endowment fund, I think, has some merit in that regard. I think it's in a way better than some parts of Bill 1, which according to the discretion of the Finance minister can be perhaps not funded properly depending on what the budget is for any particular year.

A few points that I would like to bring out in regard to research and development, particularly in science and technology and engineering in this province. You know, we've had a long history of producing R and D in this province, and one of the problems that we've seen is that we've invested quite a lot of money, Mr. Speaker, in specific projects, but when the termination of that funding happens, or when the company or the people that are producing that thing are no longer required to stay, then we lose that. Right? People leave, or the technology is sold off, or the funding dries up, and that particular project ends up leaving the province.

One of the things that I would like to see, and I think many scientists and research firms around this province would like to see as well, is that R and D money is tied to those projects and those people staying in the province of Alberta for a specified amount of time so that we are gaining the full benefit of the research and the innovation that they produce.

As well, you know, part of a prosperous scientific community is to have an infrastructure that supports science in the broadest possible sense across the province. So, Mr. Speaker, I think we must not always focus our attention on individual projects that are just standing on their own but, rather, the broader sort of support that

creates a good scientific community across the province. So funding for pure science in the universities and colleges and in our schools as well, our secondary schools, is absolutely important to create a culture of science and technology that will serve us well in this next century.

So, yes, I do stand to support this motion, and I hope that it helps to strengthen some of the weaknesses that we see in Bill 1. We see the urgency and commitment of quite a significant amount of money for the next few years and the years into the future for both our children and grandchildren.

Thank you.

**The Deputy Speaker:** The hon. Member for Dunvegan-Central Peace.

**Mr. Goudreau:** Thank you very much, Mr. Speaker. It is with great pleasure that I rise to speak to Motion 503 this evening. I would like to thank the hon. Member for Grande Prairie-Smoky for bringing forward this motion.

The province of Alberta has seen its fair share of good times, and we are certainly in a period of extreme prosperity. Alberta has been so successful because Albertans are not afraid to innovate. New ideas foster new technologies and new treatments, which sustain our economy and improve our quality of life.

Alberta is beginning to realize the full economic potential of the oil sands. The oil sands, one of the largest oil reserves in the world, originally were thought to be uneconomical. However, through dedication and ingenuity Alberta has been able to develop methods to make bitumen recovery economical. Alberta is known around the world as a leader in both medical and energy research, Mr. Speaker. The foresight of this government has already created a substantial research infrastructure to support innovation in the province.

The Alberta ingenuity fund, which is the subject of this motion, is currently valued at \$500 million. The interest that this fund earns is enough to provide many grants. The endowment is used to support a balanced, long-term approach to science and engineering research in the province of Alberta. Increasing the amount of the endowment can only help to increase the number of grants available.

Mr. Speaker, this fund operates at arm's length from the government. This fact is extremely important as it insulates this granting body from political influence. The granting procedure is a peer review process, which ensures that only scientifically sound projects are funded. This fund is not a storehouse for government slush funds but, rather, a commitment from the government to the people of Alberta.

At its current level the fund has supported many important projects through its flagship ingenuity centres. These centres are able to provide a competitive edge to Alberta's universities as they attempt to retain top homegrown researchers and international stars. These centres create ideal training environments for allowing Alberta students to achieve excellence and reach their potential. At these centres students are exposed to world-class instructors and have access to cutting-edge technology. By creating ingenuity centres, we are creating virtual circles. The centres attract top professors, which in turn attracts top students, who because of their experiences in the presence of the centres are more likely to remain in Alberta and instruct the next generation of researchers. In short, our ingenuity centres are ensuring that research in Alberta has a healthy future, Mr. Speaker.

Four ingenuity centres have been created in the province: a centre for water, in situ energy, machine learning, and carbohydrate science. Each of these centres has made an important contribution to the lives of Albertans.

At the centre for water multidisciplinary research has been conducted, and this research has been instrumental in the formation of the government's water for life strategy, water management that's paramount to the survival of Alberta. Water is needed to keep industry working, for recreation, to grow crops, and most importantly for human consumption. Without a safe and reliable source of drinking water Alberta will not be able to grow or prosper.

**The Deputy Speaker:** I hesitate to interrupt the hon. Member for Dunvegan-Central Peace, but the time limit for consideration of this item of business has concluded.

head: 9:00      **Government Bills and Orders**  
**Second Reading**

**Bill 30**  
**Appropriation (Interim Supply) Act, 2005**

**The Deputy Speaker:** The hon. Minister of Education for the hon. Minister of Finance.

**Mr. Zwodzesky:** Thank you, Mr. Speaker. It's my pleasure on behalf of the hon. Minister of Finance to move Bill 30, Appropriation (Interim Supply) Act, 2005, for second reading.

**The Deputy Speaker:** The hon. Member for Edmonton-Rutherford.

**Mr. R. Miller:** Thank you, Mr. Speaker. I checked *Hansard* this afternoon, and it would appear as if I managed to speak for about 20 minutes on this during the committee stage, so I don't intend to bore the members with an awful lot of my rambling this evening. [interjections] I figured you might appreciate that. I do however wish to share an anecdote, as it were, and then make one comment. Then I will cede the floor to at least one other member on my side who wishes to comment.

I come from a small-business background, Mr. Speaker. I think I mentioned the other day that the fact we're not even looking at a budget yet really calls into question the entire budgeting process by this government. We're only days away from the end of the fiscal year, and we've not had one yet.

It was indicated in the House last week by the Finance minister that this is normal procedure. I know that in my business with my partners if I were to come to them at the end of our business year and tell them that I need 25 per cent of my next year's budget with no details as to why and with no explanation as to why I didn't have a budget prepared for the upcoming year, quite frankly they would probably have laughed me out of the boardroom. I don't doubt that in most instances most private corporations would not allow their company to operate in this fashion. It really concerns me, quite frankly, when it's suggested that this is normal operating practice.

I mentioned last week that the government of Saskatchewan last year for the very first time in its history went to interim supply, so I don't see that it should have to be, and I would hope that next year we'll be back in the House in early February debating the budget so that by the time we come to the end of March, we'll have completed the process, and we won't have to do this again.

The other concern that I have, Mr. Speaker, is in the preface to the document which we received last week from the Finance minister, the 2005-06 interim supply estimates. In that preface it says:

... departments of the Government of Alberta to support their operations from April 1, 2005 to June 1, 2005. Before that date, it is anticipated that spending authorization will have been provided for the full fiscal year ending March 31, 2006.

In other words, it's anticipated that by the end of May we'll have passed a budget for this coming 2005-2006 year.

My concern is that we have yet to hear from the Finance minister

exactly when there will be a budget brought forward. The most recent rumour I heard the other day – and I don't know what it's worth, but I'll throw the date out anyway: I heard April 18. Now, if it comes April 18 and with my understanding of the number of days required to debate each department, we probably would get it done by the end of May, but if for some reason it's another few days delayed, we may well not have a budget passed by the end of May. My fear is that I'll be looking at another one of these documents some time in the near future, and I hope that that's not the case. I really hope that that's not the case. So, with that, Mr. Speaker, I will allow somebody else to speak to this particular motion.

Thank you.

**The Deputy Speaker:** The hon. Member for Edmonton-McClung.

**Mr. Elsalhy:** Thank you, Mr. Speaker. I, too, rise today to contribute to the discussion on interim supply not only as a Member of this Legislative Assembly or as the Official Opposition critic for two departments but as a concerned citizen. I agree with the remarks that were made by the hon. Member for Edmonton-Rutherford. Although I do not object to the interim supply for either of these two ministries – I recognize, of course, that they need these funds to operate and to carry out their duties – I'm just concerned that more than two weeks into March the government is making us make funding decisions in excess of \$5 billion over a period of very few days, and then based on this rushed agenda, interim supply is to be implemented or slated to come into force on April 1.

I think this is because the government was distracted. They cannot add or subtract properly when other things are occupying their minds. I would have loved to see this interim supply document much sooner than the two weeks before the huge cheques for interim supply are issued. As a businessman myself, as my hon. colleague indicated, I never prepare my budget and I never prepare my forecasting sheets this late. In fact, I do up my budget early in the fall of the year prior. If my accountant and every level of government expect me to be accurate and ready way in advance, why is it not a fair expectation to have of this government? If I as a citizen with a budget that is a lot smaller than what we're discussing here have to do it way in advance, why can't this government?

I urge this Assembly to revisit this practice and urge the government to present their interim supply estimates a little earlier, and maybe, hopefully, in the future we might actually do away with interim supply altogether and discuss the budget and have it done with.

Thank you.

**The Deputy Speaker:** Does the hon. Minister of Education on behalf of the hon. Minister of Finance wish to close?

[Motion carried; Bill 30 read a second time]

### Bill 27

#### Appropriation (Supplementary Supply) Act, 2005

**The Deputy Speaker:** The hon. Minister of Education on behalf of the hon. Minister of Finance.

**Mr. Zwozdesky:** Mr. Speaker, thank you. It's my pleasure on behalf of the hon. Minister of Finance to move Bill 27, the Appropriation (Supplementary Supply) Act, 2005, at second reading.

**The Deputy Speaker:** The hon. Member for Edmonton-Rutherford.

**Mr. R. Miller:** Well, thank you, Mr. Speaker. I hope I don't sound too much like a broken record, but I'm going to give another little anecdote and then actually a compliment to at least one minister.

Mr. Speaker, as I mentioned, I'm a small businessman, and in fact for 20 years I manufactured and distributed rubber stamps. Not a terribly exciting business, although when people ask me how I could make a living making rubber stamps, I always said: as long as there's a government, there will be a rubber stamp. So far I've never been proven wrong.

Mr. Speaker, if at the beginning of the year I do my planning and I budget to sell a stamp for \$35, at the end of the year, when I look back, I will have sold those stamps for \$35. Never in 25 years – and I went back and checked it – did I budget to sell stamps for \$35 and come back at the end of the year and find, lo and behold, that people were paying me \$55 for that same stamp that I had budgeted to sell for \$35. It just never happened.

Now, we're very fortunate in this province – and I'm using oil as an example, obviously – to find ourselves in a situation where energy prices are volatile. There have been years when the budgeting process was such that the price of oil was much less than had been planned, and of course nobody wants to see that. All of us would much rather be in a situation where we have more money left over at the end of the year as opposed to not having enough.

However, when I look at this document – again, I spoke to it at length last week – 20 out of 24 departments were over budget, and it's only by the grace of God and good fortune, i.e. oil and natural gas, that we're not in a very, very serious situation here with all of the overexpenditures. If it were not for those tremendous revenues and the fact that the price of oil and natural gas have skyrocketed in the last few years, we would be \$2 billion, if I remember right, over budget and probably be the laughingstock of the country as opposed to the envy of the country. So we're very, very fortunate, and I just want to remind everybody of the fact that this is not a good-news story in any way, shape, or form.

### 9:10

Having said that, I did mention that I wanted to give kudos to at least one department – and I actually ran out of time the other day when I was speaking to this in Committee of the Whole – the Department of Municipal Affairs. Now, this is what, in my mind, a supplementary supply document should be all about.

I'm just going to run through here quickly: \$22,900,000 for the 2004 greater Edmonton area disaster recovery program, \$500,000 for the 2004 Kneehill county disaster recovery program, and \$700,000 for the 2004 greater Calgary area disaster recovery program, all related to the unprecedented storms and flooding that took place in those areas in July of last year, Mr. Speaker. In my mind, as I said, this is really what supplementary supply should be about: acts of God would have been totally unforeseen, no real way that anybody could have predicted that this might happen, and totally understandable. When I go out to my constituents to say, in this particular case, that there was nearly \$23 million spent for flood recovery in Edmonton – and I have to say that Edmonton-Rutherford, my constituency, was one of the harder hit constituencies in Edmonton – certainly my constituents appreciate that.

That's really the end of my comments. When I look at this, that's what I would like to see a supplementary supply document refer to, things that were not planned, could not have been foreseen, and money that is spent to address those sorts of situations.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Edmonton-McClung.

**Mr. Elsalhy:** Thank you, again, Mr. Speaker. This is, of course, the first time I speak to supplementary estimates, and I think that the first thing I would like to comment on is how, again, I'm surprised that the government wants us to matter of factly approve an almost \$2 billion supplement to their 2004-2005 budget.

Mr. Speaker, as a layman, and if I may explain this to other laymen out there, in my humble opinion this means that our government was \$2 billion overdraft. If we didn't have the fat and sizable surplus this year to hide this overdraft – and again I emphasize, like my hon. colleague indicated, that this was almost an act of God. It's not because of financial wizardry or good management skills that this government hid the \$2 billion overdraft. They would have actually posted a deficit, and we would have been brought back to a provincial debt situation. So I think this is a sign of irresponsible management. Two billion dollars is a huge, huge sum of money, much higher than the GDP of some sovereign nations.

We have a government which spends taxpayers' money like it's pocket change. I would not stand here today and discuss a couple of million. We're talking \$2 billion, which is a \$2,000 million overdraft. Of course, I'm not talking about emergency response to wildfires or BSE research to help the farmers or the one-time election cost for the fall provincial election. These are unbudgeted amounts, and yes we can spend more than was initially allocated. These would be legitimately classified as emergencies. However, the government expects us to go through the document – and it's really a very thick document with some 98 pages – and say, "Yup, this money is needed," with little difficulty, sign off, and say: "It's all right. Go for it." I would do it if it's for a rainy day, not because we brought on the rain. Overspending by \$2 billion or missing the dot by \$2,000 million is not a healthy sign at all.

If I may remind people who listened to my maiden speech, I represent a constituency which is relatively well off, an average household income of more than \$80,000 per year per household. So my neighbours and constituents are not counting nickels and dimes, but they're not known for throwing away money. If we as citizens are expected to be careful with our own money, why can't this government? What can I tell my constituents when they ask me about this rich and extravagant bailout? What does this government have to say to justify to the taxpayer that \$2,000 million more were needed for government programs? What can I tell people on AISH or welfare in my constituency who might be suffering or are barely making ends meet and the government tells them that their relief is on the way but that they shouldn't really have their hopes up and it shouldn't be terribly much? This government claims to not want to break the bank, but again, as a layman, I think the bank is already broken.

I was not a member of this Assembly before this past November, but I'm guessing that this is not the first time huge supplementary injections like this one were retroactively introduced and approved. In the preface to the document, the 2004-2005 supplementary estimates, it says:

On November 24, 2004, a restructuring of government ministries was announced. This changed the responsibilities of some ministries, created new ministries and eliminated others. The Estimates information has been restated to reflect this new government structure.

So I read this, and the way I understand it is that this restructuring for efficiency translated into a \$2 billion deficiency.

Of the two ministries that I'm Official Opposition critic for, the first one is Innovation and Science. They asked for a supplementary estimate of \$38 million, and it says here:

... is requested to support participation in a co-ordinated network for prion and protein misfolding research to develop solutions related to Bovine Spongiform Encephalopathy (BSE), associated diseases, and the management of specific risk material. Pursuant to

section 4 of the Fiscal Responsibility Act, this response to the BSE emergency will be funded from the Sustainability Fund.

Now, having read that, of course no one would dare criticize any research initiative or government project trying to find an answer to our BSE crisis. But, really, we knew about BSE in May of 2003. So why wasn't this co-ordinated network research budgeted for a year in advance? Was that a last-minute decision?

Also, the point is whether or not this research proved beneficial. Did anything positive or useful come out of it? Thirty-eight million dollars can sure go a long way in microbiology and veterinary pathology research, and I can see the merit and potential. But, really, what do we have to show our ranchers and farmers? Tangible results for this amount? Couldn't this amount be better spent on maybe testing all animals and not just opening the U.S. border but probably opening many other markets all over the world for our beef? So I don't disagree with the research to find a cure for BSE or to alleviate that problem, but I think that this is \$38 million that could have been spent elsewhere.

My second ministry, which is Government Services, spent \$180,000 on registries renewal. It says here: "previously classified as Operating Expense, [and it] has been restated as Equipment/Inventory Purchases due to an audit recommendation." Again, to the layman, I find this very vague.

While any amount over budget, big or small, irritates me or causes me discomfort, it sounds like, "Yeah, maybe they needed it. It wasn't forecast, and it wasn't budgeted for, and it's not a terribly big amount." Again, all things relative. So this department is slightly better than some of the others.

I would urge the minister, though, to exercise better management practices next year so that this doesn't develop into a trend: \$180,000 this year, next year it'll be \$300,000, the year after it'll be \$1 million, and so on, and it will just continue to escalate. Again, this is not a bad ministry relative to the other ones, but I'm looking forward to the day that maybe we will have all 24 ministries on the dot and not overdrawn.

So with that I would close my remarks and invite other people to participate in the debate. Thank you.

**The Deputy Speaker:** Hon. members, under Standing Order 29(2)(a) there is a five-minute period for questions and comments, if you wish.

Seeing none, the hon. Member for Edmonton-Calder.

9:20

**Mr. Eggen:** Thank you, Mr. Speaker. I too have a number of issues that I would just like to bring up in regard to these supplementary budget figures. This is my first time looking at something like this as well.

You know, what I find working backwards is a sense of surprise again in just how much extra money has to be put in. Now I realize that there are so many different contingencies that can take place in any one of these 24 ministries, but you know I would suggest that the almost \$2 billion that we're over budget currently is a sign of a larger problem that we have here in our budgeting process, and this is the tendency to underestimate the revenues that are brought into this province every year as well and sometimes to a very, very large extent. So everyone in the various ministries lowballs their budgets as well, and then it's almost as if everything shifts up once we realize, in fact, that we do bring in these windfall profits from the oil and gas industry, let's say, or other sources of revenue.

My feeling, as a person who has looked at budgets for a long time, is that you're being unrealistic and sort of somewhat deceptive in the amount of money that's coming in to the province on a quarterly basis. I mean, we've seen this for so many years in this province of Alberta that people are wising up to this, of course. And they say:



oh yes, well, you know, we're not going to have so much money with oil and gas revenues. And then – boom – six months later there's this unbelievable windfall. So people are wising up to that here in this province, and I think that we saw a reflection of that in the last election where we have a much stronger opposition.

As well, I take exception to running a budget quite significantly over. You know, we take pride in our own personal budgets with our homes or with institutions or businesses to maintain a balanced budget or run something like a surplus, but it's so difficult with the numbers in this province, Mr. Speaker. There are just so many things hidden that make it difficult to know what the reality is of our financial situation here in Alberta. Certainly the situation is very good; there's no two ways about that. It comes not from clever planning but rather just the bonus windfall that we always manage to get from our energy revenues. There's certainly a better way to do this, Mr. Speaker, and I think that it would be easier for each minister, as well, to build a proper budget if he or she had an honest idea of where the money is going to be.

So just going through my own anecdotal places where I found some points of interest, I think that I can just comment on various ministries as I see fit. I was looking with some interest, for example, at Human Resources and Employment. There's a \$14 million, almost \$15 million, additional funding line here for "People Not Expected to Work," Mr. Speaker, which I found in itself interesting, besides the numbers, and then an extra almost \$9.5 million that was already reallocated to this program, which I believe then represents a total of a \$24 million increase in this area.

Mr. Speaker, this ties into something that we've been discussing in the last few days in regard to employment and employability here in this province. You know, it's interesting to see what the definition is of someone who is "Not Expected to Work." According to the ministry itself, this is a client who shows evidence through a proper and detailed assessment of their potential by a career and employment consultant that they will probably never be able to work full-time continuously in the competitive labour force, and they're assigned this not expected to work designation.

It is interesting, though, that this does not include people who receive our AISH benefits, but rather it's people who, among other things, have a lack of education and are thus considered not able to work. So I think that, again, this is perhaps a budgeting issue because a \$24 million increase in expenses not accounted for is significant, but it points to a structural problem as well.

Moving over to the Department of Infrastructure and Transportation, again we've been discussing a lot about this in the last few days. The Calgary Courts Centre really stands out in the budget because of an \$85.5 million change in the budget voted to capital investment. I would like to know what the nature of this change is exactly. What all does it entail? It's very vague, and I would appreciate clarification on that. I'm sure I'll get it.

There's a whole range of things that I find curious. Another one is in the Sustainable Resource Development area. The minister has allocated a million dollar fund for the mountain pine beetle infestation. Now, certainly I recognize, and most people do in the province, the imminent threat from the mountain pine beetle infestation, but my question is: where did such a beautiful round number come from? This million dollars – right? – with all the zeroes, you know, it seems rather vague and points, to me, to a lack of a specific plan to deal with it but rather just a chunk of change that might look like there is in fact a plan.

My second question is with the mountain pine beetle infestation. I would suggest, perhaps, that we not use more money for this problem and, in fact, long-term funding. This is like a sort of a slow tidal wave of devastation, as some people describe it, that occurs

over a 15-year period that could literally change the face of our forestry industry and the tourism industry as well, as the mountain pine beetle destroys vast swaths of our forests here in the province.

This is sort of a skip-about view of things. Again, my main categorical criticism of this supplementary document is that (a) there is just such a vast discrepancy between budgeting from one quarter to the next and (b) why is it that we have to underestimate our supply side so much so that these budgets don't balance at an earlier date?

Thank you, Mr. Speaker.

**The Deputy Speaker:** Does anyone wish to rise under Standing Order 29(2)(a)?

Seeing none, the hon. Member for Edmonton-Decore.

**Mr. Bonko:** Thank you, Mr. Speaker. I wanted to assess the supplementary supply for the Ministry of Sustainable Resource Development. The ministry is requesting \$125 million broken into two components: \$124 million for forest fires and \$1 million with regard to the pine beetle.

Why can't realistic budgets be prepared? The reason I say that with the interim supply is because of poor budgeting practices. I'm going to read from some examples with regard to that as to why I do say this.

The core businesses listed under this ministry – forest, land and resource management, fish and wildlife management, rangeland management, land use disposition management, surface rights and land composition boards, Natural Resources Conservation Board, and environment statutory programs – have all had realistic budgets for the last two years with regard to being almost exact or pretty close to it. The one where we could have problems is with forest protection.

When we look at actuals with regard to budgets, we're way out to lunch on these ones. We've had budgets that have been very close with the exception, as I said, of forest protection. The budget 2002-2003 was budgeted at \$302 million. The following year the budget for that ministry was lowballed at \$75.6 million. We knew we were going to have a problem, but we again still budgeted low. Now we go to the next budget with regard to 2003-2004, and again it's gone up almost double the other one, \$204 million. I'm not sure why it had the yo-yo effect with regard to budgeting.

Here we are tonight discussing the budget of \$124 million additional dollars to fight forest fires. This is in request to almost a full budget amount for this government's \$14.5 million. We're asking for an additional \$124 million, going to bring that up to \$138 million with regard to forest fires. I'm wondering why the urgency to have this additional requisition of \$124 million now before the regular budget is to be addressed. If this government was a corporation, it's CEO should be fired for the fact that we're underestimating this on an ongoing basis.

9:30

With regard to the pine beetle, that in itself is another discussion, but I'd still like to talk about the forest fires. We're talking about April 1 we're going to be charging men and women who fight these forest fires room and board. Some of this money, \$124 million, would that be used to offset? Or are we going to still go through with regard to charging the men and women the \$450 room and board? These Albertans risk their lives to control the wildfires that threaten not only thousands of hectares of public forest land but, more importantly, human lives and communities, and we're going to charge these men and women room and board. I find that atrocious.

We're talking about the pine beetle. We're allocating only \$1 million to fight an industry which generates \$4 billion. That's less than 1 per cent of the allocated budget to fight protectionary measures for this ministry. I find that shocking. This ministry and the budget generated by it, \$4 billion in research as well as spinoff industries, employs about 69,000 people here within the province of Alberta. This problem has been around for over 10 years, and it's been recognized, but we've not jumped on it. I'd say that's being reactive instead of proactive.

The federal government announced a program to commit \$40 million over six years. My question would be: has this ministry in fact looked into how much money is available for this province? B.C. is faced with a similar program and similar problems, but I'm sure they're able to access that money down from the federal government. How much of this money did this ministry receive? That would be one of the other questions. What exactly is this money going to be spent on for fighting the forest fires? Is it going to be on equipment, supplies, services? I'm not sure. How long will the money contribute to enhance the abilities of the forest fire fighters as well? Why wasn't this money allocated in the previous budget?

Those are just a few questions, specifically, that I had with regard to this ministry and its lack of proper budgeting then, Mr. Speaker.

**The Deputy Speaker:** Does anyone have any questions or comments under Standing Order 29(2)(a)?

The hon. Deputy Government House Leader on behalf of the minister.

**Mr. Zwozdesky:** Thank you, Mr. Speaker. I sat and listened to the new members of the House, and occasionally there was a good point to be made. I know that some of them were speaking from a layman's perspective, and some of them were speaking from a businessman's perspective to Bill 27, the Appropriation (Supplementary Supply) Act, 2005.

I wonder if I could just answer at least one question, Mr. Speaker, which I think the second speaker on the opposition side asked. He wanted to know what to tell his constituents. Well, you can tell your constituents that the government continues to invest in their best interests and the expenditures that are listed here are all going out for central government programs that benefit not only education but seniors and children's services and health and wellness.

In the education area it will help us to provide payment to cover about 1,250 brand new teachers, which I know that they would support. We'd be spending about \$12.8 million to buy brand new textbooks for children, which I'm sure they would support. We'll be reducing waiting lists and providing additional medical procedures. There's elimination of health care premiums for seniors. There's so much that's going on in this budget, Mr. Speaker. I hope that they will vote for these items because, as I recall, many of them campaigned on having some of these increases made.

So that having been said, I would hope that they will find it in their hearts to support our efforts to assist Albertans through these many valuable programs by providing these extra dollars through the Appropriation (Supplementary Supply) Act, 2005.

Thank you.

[Motion carried; Bill 27 read a second time]

### Bill 18

#### Alberta Order of Excellence Amendment Act, 2005

**The Deputy Speaker:** The hon. Member for Leduc-Beaumont-Devon.

**Mr. Rogers:** Thank you, Mr. Speaker. I'm very pleased to rise today to move second reading of Bill 18, the Alberta Order of Excellence Amendment Act, 2005.

This amendment changes section 7(2) of the act, increasing the maximum number of persons that can be named in a given year from five to 10. To put the proposed amendment in context, Mr. Speaker, I'd like to offer members of the Assembly a very brief overview of the order.

The act was created in 1979 to recognize Albertans who have rendered service of the greatest distinction and of singular excellence for or on behalf of the residents of Alberta. The Alberta Order of Excellence, or AOE, is the highest honour the province can bestow upon a citizen. There are currently 58 members of the order, Mr. Speaker. They come from all walks of life and represent many fields of endeavour, including agriculture, education, science and research, the arts, health care, business, law, politics, engineering, the military, and community service. Each year names are put forward through public nomination, and currently up to five of these nominations are chosen by the Alberta Order of Excellence Council for induction.

Mr. Speaker, these people who are chosen for AOE induction are selected because of their extraordinary contributions to this province. While many members have achieved the highest level of expertise and success in their chosen fields, their professional accomplishments are not the main reason for their induction in the order. AOE members are all people who place a high premium on service to others whether through their professional work, through philanthropic contributions, or through volunteer activities.

Mr. Speaker, these are people who have made a difference in the lives of their fellow Albertans. They are people who have made real and lasting contributions to the quality of life of our communities and the quality of life we all enjoy as Albertans. The contributions of AOE members can also be seen in many cases at the national and even the international levels. In short, AOE members are people whose contributions will truly stand the test of time.

As I mentioned earlier, the act currently allows up to five Albertans to be inducted each year. As successful as Alberta was when the act was created some 25 years ago, the Legislature may not have fully imagined the level of innovation and distinction Albertans would attain by the province's centennial year. Simply put, Mr. Speaker, limiting the annual inductions to a maximum of five is just not enough. It doesn't reflect the level of community service taking place across our province today or the level of commitment and dedication that characterizes so many Albertans' stories.

Moreover, work by the AOE Council to increase public awareness of the order has been successful over the past few years, and a greater number of deserving nominations are finding their way to the council every year. By raising the maximum number of inductees per year to 10, this amendment will allow the council to recognize more of those deserving nominations.

Induction into the order is more than an honour for the inductee; it's also a way for Albertans to thank outstanding citizens for their service and to ensure that their stories are passed down to future generations. This amendment will help to accomplish that goal.

I would encourage all members of the Assembly to lend their support to this bill. Mr. Speaker, I'm pleased to move second reading of Bill 18.

**The Deputy Speaker:** The hon. Member for Edmonton-Ellerslie.

**Mr. Agnihotri:** Thank you, Mr. Speaker, for the opportunity to speak to Bill 18, the Alberta Order of Excellence Amendment Act, 2005. I'm pleased to rise and speak to it.

The Alberta Order of Excellence is the highest honour the province can bestow on a citizen. It's about recognizing Albertans

who have made a difference and who have served Albertans with excellence and distinction. It's presented by the Lieutenant Governor of Alberta. The chancellor of the Order of Excellence presents the new member with a medallion and personalized illuminated scroll.

9:40

At present, Mr. Speaker, five people with excellence and distinction get this award. This Alberta Order of Excellence is a great honour to any Albertan that receives it. I'm glad to support this Bill 18, that will allow 10 Albertans instead of five to be honoured, more members of the Alberta Order of Excellence from different walks of life such as science, medicine, education, agriculture, politics, law, business, engineering, and arts. There are many, many great people in this province that deserve to be honoured by this type of award. Many more members will make an impact on our economy and our society.

I think it's great that the government is increasing the amount of people that can receive this award. I commend the hon. minister for proposing this amendment act. I am pleased to support this bill.

Thank you very much.

**The Deputy Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Oh, yes. Thanks, Mr. Speaker. I also would like to rise to speak very briefly on this bill. I think that with some reservations I would consider supporting it as well.

Just looking through the history of recipients of the Alberta Order of Excellence award, it's just a remarkable list of individuals who have contributed so much to our province. The only reason I might suggest some reservation is that, you know, with the very highest awards that any state or government might bestow on its citizens, it's important to keep the very highest standards of criteria to receive one of these awards.

I can think back to any number of awards through military service; say, for example, the Victoria Cross. It's something that was only given out to a very, very select group of people who did something truly exceptional, in this case in a military context. So, you know, the reason that these standards are left so high for the very top awards that the state can bestow on its citizens is because you want to give them that special feeling amongst the population, and people want to recognize just the very best.

You look back through the years, and sometimes there were only one or two recipients in any given year over the last 20-some years that were given this. You know, I think that you in no way want to dishonour, say, for example, some of these individuals, like Joseph Shocter and the Pooles, Peter Lougheed, among the people who were the only recipients or perhaps one or two recipients in any given year when they won it.

So that would be my only reservation. Otherwise, I believe that it's a bill that I would consider supporting.

Thank you.

**The Deputy Speaker:** Does anyone have any questions or comments under Standing Order 29(2)(a)? The hon. Member for Edmonton-Mill Woods.

**Mrs. Mather:** Thank you, Mr. Speaker. I understand that the object of this particular bill is to increase the amount of people that can receive the Alberta Order of Excellence.

**The Deputy Speaker:** I beg your pardon. Is your question or comment directed to the previous speaker under Standing Order 29(2)(a)?

**Mrs. Mather:** Yes.

**The Deputy Speaker:** Okay.

**Mrs. Mather:** I'm understanding that there are no suggestions of changing the criteria or the high calibre. Is that correct?

**The Deputy Speaker:** Does the member wish to respond?

**Mr. Eggen:** Well, that's true although, you know, when you are increasing the number of people, then inherently the two things work together. Right? You have a relationship between the criteria that you put onto paper and then how many people you choose, so the overall value of each word or each descriptor that you might use to choose an individual of exceptional standing or deeds in our province inherently does change if you choose more people to fit into that category. The two have a relationship with each other.

**The Deputy Speaker:** Did you wish to comment further, hon. member?

**Mrs. Mather:** Well, I just believe that it's a great honour for Albertans to receive this award and that there are many great Albertans. I don't imagine that we will have to lower the criteria in order to extend it to more people.

Thank you.

**Mr. Eggen:** I am in no way, shape, or form suggesting that either. I'm just saying a qualification. I mean, we're moving 100 per cent increase. Right? So 100 per cent increase can indeed change the nature of the words and the criteria that you are using. We have to recognize that that is something that does happen.

**The Deputy Speaker:** Any other questions or comments under 29(2)(a)?

Any other member wanting to speak on the bill?

Does the Member for Leduc-Beaumont-Devon wish to close?

**Mr. Rogers:** Thank you, Mr. Speaker. It's with great pleasure that I close the debate on this motion. I thank the previous hon. members for their support, but I would note that in the 25 years of this award we've given out 58, a little more than two per year. It would suggest that the criteria and the people that have been going through the nominees have been very cautious. This is a very coveted award, Mr. Speaker, and the fact that in our centennial year we would give the opportunity to go to 10 instead of five, I would suggest, will in no way diminish the wonderful opportunity to receive this order.

So I would again like to encourage my colleagues and all the members of this House to support second reading.

[Motion carried; Bill 18 read a second time]

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

[Mr. Marz in the chair]

**The Chair:** I would call the committee to order and remind everyone that this is the informal part of the process. Members can have their jackets off or occupy a seat other than their own. However, you do have to be in your seat to be recognized by the chair.

**Bill 2**  
**Alberta Centennial Medal Act**

**The Chair:** The hon. Minister of Community Development.

**Mr. Mar:** Thank you, Mr. Chairman. At second reading of this bill I indicated to hon. members on both sides of the House that I would take the transcripts from *Hansard* and conveying them on to the drafters of the regulations so that the comments and questions that were brought forward at that stage of the reading of this bill could be addressed by the drafters of the regulations, and I've fulfilled that commitment. With that, I don't have any further words to add except to say thank you to the members who have spoken very passionately about this particular bill.

Thank you, sir.

9:50

**Mr. R. Miller:** Mr. Chairman, I just have one quick question to the minister. Under section 6, revocation of the award, it says that "the Minister may revoke any award given pursuant to this Act." I'm just wondering if he could share with us under what circumstances the minister might wish to revoke an award.

**Mr. Mar:** Mr. Chairman, this question was asked by the hon. Member for Edmonton-Strathcona at the second reading stage. The reason why the revocation clause is put in there is because it is a requirement by Rideau Hall's direction so that this medal may be recognized by the order of precedence as established by the Governor General. So it is a requirement. Obviously, one can think of many examples where an individual, perhaps by reason of criminal activity, is somebody that you may wish to revoke their medal. There are numerous circumstances – I think most members could probably imagine – when such a situation could arise.

**Mr. R. Miller:** I'd like to thank the minister for that clarification. I obviously didn't read *Hansard*, or else I would have seen that and perhaps your answer.

That may well be the case here as well. Under article 3, eligibility, it refers to "former long-term residents," and again I'm just wondering if you could share with us what the definition might be for "long-term" when we're talking about former residents of the province.

**Mr. Mar:** Mr. Chairman, I think what we're trying to contemplate is if somebody had long been a resident of the province of Alberta but was retired in the province of British Columbia, but they were well-recognized as an Albertan who contributed greatly to this province, then that's such a person that we would not want to restrict from being eligible for this medal.

**The Chair:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Yes. Thank you, Mr. Chairman. I have a couple of questions in regard to the medallions. I guess my first question is perhaps a bit naive, but I would like to ask it anyway. I'm just wondering why we require legislation in the first place to hand out these medallions. You know, it seems as though it's a bit of a formal process for the medallions. Right?

**Mr. Mar:** Mr. Chairman, at the outset of my comments at second reading I did make a very clear distinction between the medallions and the centennial medal. Medallions being struck do not require legislation. Those medallions are being struck for commemorative souvenirs for all school students, for example, in the province of

Alberta. That is not the subject matter of the legislation that we're looking at today.

The subject matter of the legislation that we are considering today is the Centennial Medal Act, which is restricted. A total, I believe, of 8,000 of these will be struck. The requirement for legislation is the requirement that is established so that it is recognized by Rideau Hall so that individuals may wear the medals at appropriate occasions.

[The clauses of Bill 2 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

The hon. Deputy Government House Leader.

**Mr. Zwozdesky:** Thank you, Mr. Chairman. I would move that we rise and report Bill 2.

[Motion carried]

[The Deputy Speaker in the chair]

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

**Mr. Danyluk:** Thank you very much, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 2.

**The Deputy Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Agreed.

**The Deputy Speaker:** Opposed? So ordered.

head: **Government Bills and Orders**  
**Second Reading**  
*(continued)*

**Bill 23**  
**Administrative Procedures Amendment Act, 2005**

**Mr. Stevens:** Mr. Speaker, it's my pleasure to rise this evening to move second reading of Bill 23, the Administrative Procedures Amendment Act, 2005.

This bill is in response to two Supreme Court rulings that have made it necessary for provincial governments across Canada to specify the authority of tribunals in their jurisdiction. In October 2003 the Supreme Court released two decisions that set out a new test for determining the jurisdiction of administrative tribunals. Those two cases were Paul and Martin, one relating to aboriginal rights and the other to labour rights.

In the Paul case, which originated in British Columbia, Mr. Paul, an aboriginal person, cut down two red cedar trees to construct a deck for his home. The province of B.C. charged him with offences under their Forest Act for cutting down the trees without authorization. Mr. Paul appealed his regulatory convictions to the Forest Appeals Commission, the B.C. tribunal set up to regulate the use of forest products. At his hearing Mr. Paul argued that he had an aboriginal right under section 35 of the Constitution of Canada to cut

down those trees. The question in that case was whether the tribunal had any jurisdiction to consider the constitutional matters.

Mr. Speaker, regulatory tribunals such as the Forest Appeals Commission in B.C. were set up by the province to streamline regulatory dispositions and hear matters quickly so that resource development can proceed in a timely fashion. An inquiry into whether Mr. Paul had an aboriginal right to cut down trees was a significant threat to the entire purpose for which tribunals are created. Aboriginal claims are complex and very involved, often requiring reams of historical evidence and experts and elders to testify.

It was not clear that the Forest Appeals Commission had any capacity to handle such an important but complex and lengthy inquiry. Without jurisdiction the issue would be litigated and resolved in the courts. The Supreme Court concluded that the Forest Appeals Commission had the necessary jurisdiction to determine aboriginal rights because of the way the enabling statute was drafted.

Mr. Speaker, the second case, the Martin case, was decided the very same day as the Paul case. While the Paul case considered aboriginal constitutional law matters, Martin concerned the Charter of Rights and Freedoms and whether the Workers' Compensation Appeals Tribunal had the jurisdiction to decide whether the Workers' Compensation Act offended the Charter.

The case concerned an argument before the Workers' Compensation Appeals Tribunal of Nova Scotia that provisions excluding certain injuries from the workers' compensation system violated section 15 of the Charter. Based on the wording of that legislation, the Supreme Court concluded that the tribunal had the jurisdiction to determine the constitutional law issue.

Mr. Speaker, prior to the Supreme Court's decisions in these cases the law was that when deciding whether a tribunal had jurisdiction over complex questions of constitutional law, it had to be determined whether the Legislature or Parliament intended to confer jurisdiction on the particular tribunal. In most cases the statute creating the tribunal was silent and did not expressly give the jurisdiction to the board. The statutory scheme as a whole in the capacity of the particular tribunal had to be looked at to discover whether or not the Legislature or Parliament intended to confer such jurisdiction. The exercise was not a very clear one.

The Supreme Court turned the test on its head by saying that if a Legislature gave the tribunal the right to determine questions of law, there was an automatic presumption that the tribunal had jurisdiction over all constitutional matters; that is, without an express withdrawal or constitutional jurisdiction by the Legislature.

**10:00**

Mr. Speaker, Bill 23 is designed to clarify which Alberta tribunals and boards have the jurisdiction to determine which constitutional questions. Constitutional questions generally fall into three broad categories: Charter of Rights and Freedoms, existing aboriginal and treaty rights, and federal and provincial division of powers. There are many other constitutional questions, but these three are the most common.

In the fall of last year, Mr. Speaker, Alberta Justice put a team together to go out and discuss the contents of Bill 23 with most of the major boards and tribunals in Alberta. Input from the various boards was solicited and obtained as the bill was drafted. The boards who met with our officials were very supportive of this legislation and were happy to have the question of constitutional jurisdiction clarified by the Legislature.

Our officials had discussions and meetings with officials from the Labour Relations Board, the Securities Commission, the Energy and Utilities Board, the Natural Resources Conservation Board, the

Workers' Compensation Board and appeals tribunal, the Human Rights Commission, the Environmental Appeal Board, the Alberta Gaming and Liquor Commission, the Law Society of Alberta, the Citizens Appeal Panel under the Assured Income for the Severely Handicapped Act, the Occupational Health and Safety Council, and the law enforcement board. Mr. Speaker, all of the boards contacted by our team supported the legislation, especially the provisions to allow boards that have jurisdiction an opportunity to refer constitutional questions to the court and the provisions that provide a role for the Attorney General in the determination of constitutional issues for tribunals.

In addition to the boards I mentioned, there were a great number of other statutory offices and tribunals that were identified by Alberta's team, including the agricultural services boards, the Irrigation Council, the livestock diseases panel, and the Seniors Advisory Council, to name but a few. Our team did not meet with every board because it was very clear upon discussing the matter with the department overseeing them that these boards simply did not have the capacity or need to determine issues of constitutional law. These types of issues arise very infrequently, and the courts are simply better equipped to resolve them. However, the new test by the Supreme Court could mean that many of these boards that lack the capacity or need to determine questions of constitutional law now have that jurisdiction.

Something has to be done to clarify the will of the Legislature, and Bill 23, Mr. Speaker, provides that. The amendment specifies that as a general rule no board has the jurisdiction to determine questions of constitutional law unless jurisdiction is given by regulation. A regulation will be finalized in the coming months listing the various boards that need constitutional jurisdiction and what type of constitutional jurisdiction is required.

Mr. Speaker, during the fall, the major boards were also asked by our team to indicate and itemize the type and kind of jurisdiction required by them to discharge their statutory functions. Our team used the following criteria to determine whether a board required this type of jurisdiction. Do constitutional issues arise with some frequency before the tribunal? Does the tribunal need to decide these questions in order to discharge its statutory functions? Does the tribunal have the necessary expertise to decide these questions? Are there other avenues of redress, such as court, and are these avenues a preferable means for a litigant to obtain constitutional relief?

While work is still proceeding to determine what boards will get what type of jurisdiction, many boards have demonstrated the clear need and capacity to determine constitutional issues; for example, the Energy and Utilities Board and the Labour Relations Board routinely are asked to consider constitutional issues and have a demonstrated capacity in handling them. The Workers' Compensation Board and appeal tribunal did not wish to have jurisdiction over Charter and aboriginal law issues, as these issues simply did not arise very often, and they felt they would be better handled by the courts. However, they demonstrated a need to have jurisdiction over constitutional division of powers, as they have to determine when their legislation applies as opposed to federal legislation.

Mr. Speaker, the legislation also provides a mechanism for boards to refer questions of constitutional law to court. This will allow tribunals that have jurisdiction over routine constitutional law matters to refer complicated matters to the courts for decision.

One other provision of the bill requires a person who wishes to raise a question of constitutional law before a board to give the Attorney General 14 days' notice so that the Attorney General has the right to participate in the determination of any matter of constitutional rights. This provision was significant to many of the

boards our officials met with because, clearly, Alberta boards want the assistance of the Attorney General and its council in determining issues of constitutional law. The requirement to give 14 days' notice means that the determination of these important issues will not be made hastily and will ensure that they are determined with full knowledge and participation, in appropriate cases, by the Attorney General and council.

In conclusion, Mr. Speaker, the new legislation is expected to streamline the regulatory process and help boards get on with the business the Legislature entrusted to them. It will clarify the intention of the Legislature, thereby reducing the number of court challenges brought by applications over whether certain boards do or do not have jurisdiction to determine constitutional law matters. It will allow boards, such as the Energy and Utilities Board, to decide constitutional questions when appropriate, but it will allow the very same board to refer issues that it believes may be beyond its capacity to the court for determination. This will provide flexibility so that the board can conclude its statutory business subject to what the court has to say on the constitutional issue.

Mr. Speaker, I encourage all members of the Legislature to support Bill 23 in clarifying the roles and responsibilities of our boards and tribunals, and at this time I wish to adjourn debate on this bill.

[Motion to adjourn debate carried]

### Bill 25

#### Provincial Court Amendment Act, 2005

**The Deputy Speaker:** The hon. Minister of Justice and Attorney General.

**Mr. Stevens:** Thanks, Mr. Speaker. I'm pleased to rise this evening to move second reading of Bill 25, the Provincial Court Amendment Act, 2005, and to bring to the attention of the House some aspects of this bill.

Most importantly, Mr. Speaker, the bill amends the Provincial Court Act to allow provincial court judges to retire and sit on a part-time basis. Just to clarify this matter, these amendments allow retired provincial court judges to be appointed to sit full-time for six months, or half of the year. This can be either six consecutive months or two terms of three months each.

Mr. Speaker, we've worked with the provincial court to develop a made-in-Alberta solution that improves our justice system by meeting the needs of Albertans and the judiciary. Judges who want to provide a guaranteed amount of judicial service after retirement will be attracted to this option. As a result, highly experienced and competent judges will continue serving Albertans on a part-time basis after retirement. Further, the government will obtain a financial benefit in that it no longer has to contribute to the part-time judge's pension plan. As of April 1, 2005, the government contributions to a provincial court judge's pension will be approximately \$63,000. These kinds of innovative solutions in delivering court services demonstrate how Alberta Justice and the provincial court are working together to make our justice system more cost-effective.

Mr. Speaker, to be eligible for part-time service, a judge must be at least 60 years of age with a minimum of 10 years of service or age 70 or older. Alberta currently has 112 full-time provincial court judges. In 2005 there will be 40 judges who will be eligible for part-time service; 32 of these judges will be under the age of 70. Judges wishing to sit part-time will be required to notify the Chief Judge of their intention prior to their retirement. The legislation ensures that

all part-time appointments will be subject to the Chief Judge's approval. The Chief Judge must be satisfied that the appointment will enhance the efficient and effective administration of the provincial court.

Mr. Speaker, judges 70 years of age or older must meet an additional criteria established by the Chief Judge and approved by the Judicial Council. This additional criteria involves providing a medical certificate establishing that the judge's health will not be an issue in his or her ability to provide continued judicial service. This additional criteria is also currently applied to judges 70 years of age or older who wish to continue sitting on a full-time basis.

### 10:10

Mr. Speaker, the bill also lays out the process for part-time appointments. When the Chief Judge is satisfied that allowing a judge to sit on a part-time basis will enhance the efficient and effective administration of the court, he will request the Lieutenant Governor in Council to appoint the judge a part-time judge. The Lieutenant Governor in Council will then formally appoint the judge as a part-time judge by order in council. The term of a part-time appointment will commence on the judge's birthday. The term of a judge under the age of 70 will expire on his or her 70th birthday. The term of a judge 70 years of age or older will be for one year with possible renewals for further one-year terms. No judge can sit on a part-time basis after age 75.

Mr. Speaker, with respect to compensation part-time judges will receive their pension and a salary of up to 50 per cent of a full-time judge's annual salary. A part-time judge's total annual remuneration is capped at 100 per cent of a full-time judge's annual salary. By virtue of the Provincial Court Act part-time judges will also be restricted from engaging in any other business, profession, trade, or occupation.

Mr. Speaker, we have an understanding with the provincial court as to how part-time judicial service will operate. Some of these operational matters will be dealt with in the regulations; for instance, part-time judges will not be permitted to hold administrative offices such as the office of Chief Judge or Assistant Chief Judge. Judges who currently hold an administrative office and who meet the part-time eligibility criteria will have the option to sit part-time available to them; however, they cannot keep their status as an administrative judge once they begin sitting on a part-time basis.

If a part-time judge's pension is worth more than 50 per cent of a full-time judge's salary, the part-time judge's salary will be reduced, but he or she will still be required to sit full-time for six months of the year.

Part-time judges under 70 years of age will be entitled to participate in the same group benefit plans available to full-time judges under 70 years of age. Part-time judges 70 years of age or older will be entitled to participate in the same group benefit plans offered to full-time judges 70 years of age or older.

Part-time judges will be entitled to one-half the annual professional allowance and one-half the annual vacation benefit of full-time judges. Part-time judges will not be given a personal office, nor their own parking space. They will not have their own judicial assistant or any other staff.

Mr. Speaker, the remuneration of part-time judges will be subject to the review of the next Judicial Compensation Commission, expected to convene in 2006.

Mr. Speaker, this bill will also make a consequential amendment to the Judicature Act. The amendment will allow a judge to appeal to the Judicial Council if he or she disagrees with a decision made by the Chief Judge regarding their request to be appointed a part-

time judge. The Judicial Council is composed of the chiefs of the Court of Appeal, the Court of Queen's Bench, and the provincial court or their designates, the president of the Law Society of Alberta or his designate, and two other persons appointed by the Minister of Justice.

Mr. Speaker, other provinces such as Ontario and Nova Scotia allow retired provincial court judges to sit on a per diem basis. British Columbia has legislation allowing retired provincial court judges to sit full-time for up to six months of the year.

As I indicated earlier, Mr. Speaker, we have worked with the provincial court to develop this made-in-Alberta solution to improve our justice system by meeting the needs of Albertans and the judiciary. By these amendments we are ensuring the retention of highly experienced and competent judges for our justice system while at the same time providing a cost-effective solution for government in meeting the needs of our courts. I look forward to the support from other members in the Legislature on this amendment.

At this time, Mr. Speaker, I would move that we adjourn debate.

[Motion to adjourn debate carried]

**Bill 17**  
**Agrology Profession Act**

[Adjourned debate March 14: Mr. Danyluk]

**Mr. Danyluk:** Mr. Speaker, we introduced the bill last day, and if there is no other debate, I'd like to move the reading, please.

[Motion carried; Bill 17 read a second time]

**The Deputy Speaker:** The hon. Deputy Government House Leader.

**Mr. Zwozdesky:** Thank you, Mr. Speaker. It's been another very exciting and thrilling day in our province, with much progress having been made on significant legislation to benefit the entire province, and on that note, I would move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 10:17 p.m. the Assembly adjourned to Tuesday at 1:30 p.m.]

