

Legislative Assembly of Alberta

Title: Tuesday, April 21, 1998 **8:00 p.m.**
 Date: 98/04/21
 [The Speaker in the chair]

THE SPEAKER: Please be seated.

head: **Statement by the Speaker**
Official Opposition Appointment

THE SPEAKER: Hon. members, periodically there come very interesting little procedural matters that one has to deal with and such is the case now. Under section 47 of the Alberta Legislative Assembly Act when there is a change in the leadership of Her Majesty's Loyal Opposition, certain things must be put into place.

Yesterday, Monday, I received notification from the hon. Member for Edmonton-McClung that he would no longer be serving as Official Opposition leader nor would he be leader in the House. Late today, after consultation with the Official Opposition, I received advice from the Official Opposition with respect to the position of Leader of Her Majesty's Loyal Opposition for the purposes of the Alberta Legislative Assembly Act. So I now wish to advise that effective immediately the MLA for Edmonton-Glenora will be recognized as the Acting Leader of Her Majesty's Loyal Opposition. The hon. Howard Sapers will receive the leader's stipend of \$44,700 effective immediately and will have the responsibility for the administration of the \$296,685 annual allocation made available to the Leader of Her Majesty's Loyal Opposition.

I've also been advised that the hon. Member for Lethbridge-East will assume the responsibility of Official Opposition House Leader and will receive the stipend afforded for that position.

Under provisions of the Legislative Assembly Act two additional stipends are provided to members of Her Majesty's Loyal Opposition. The chief opposition whip will remain in place as per earlier today as will the position of assistant opposition whip.

So I would like all to know that effective immediately the hon. Member for Edmonton-Glenora will receive all the entitlements afforded to the Leader of Her Majesty's Loyal Opposition in the Legislative Assembly in the province of Alberta.

May we briefly revert to Introduction of Guests, hon. members?

HON. MEMBERS: Agreed.

THE SPEAKER: The hon. Deputy Speaker.

head: **Introduction of Guests**

MR. TANNAS: Thank you, Mr. Speaker. I'd like to introduce to you and through you to members of this Assembly a group that is now entering the gallery. Mr. Mike Kenney of the Barrhead Boy Scouts in your constituency, Mr. Speaker, has with him a group of scouts from the community of Barrhead. Mr. Reed Svenson and Mr. Craig Holman are accompanying the group tonight. They are seated in the members' gallery, and I would ask them now to rise and receive the warm traditional welcome of the Assembly.

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

MS BARRETT: Thank you, Mr. Speaker. I believe it is well known to the people in the public and members' galleries who are

wearing the green badge that says "Save Medicare: Stop Bill 37" that, according to the Government House Leader, Bill 37 will not be called tonight. I'd like to introduce the several hundred members of the I guess informal coalition to save our public health care system who are in both galleries. Please rise and accept the warm welcome of the Assembly.

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

[Mr. Tannas in the chair]

THE CHAIRMAN: I'd like to call the Committee of the Whole to order. We haven't got a bill on yet. We'll go by the usual admonition of having only one member standing and speaking at the same time.

For the purposes of those in the gallery, this is the informal session of the Legislature. It's called Committee of the Whole. Members are able to move around a little more freely. They are able to sit in other places. They're able to have a coffee or juice with them and are able to speak on the same topic more than once. So with those rules, you might understand a little more of the procedure.

Bill 41 Agriculture Statutes (Livestock Identification) Amendment Act, 1998

THE CHAIRMAN: Any comments on this piece of legislation? I call on the hon. Minister of Agriculture, Food and Rural Development to start it off.

MR. STELMACH: Well, thank you, Mr. Chairman. I'd like to just answer some of the questions that were raised during second reading before we get into further questions and debate. I'd like to compliment, though, the members that did speak to this bill during second reading, and I'd like to particularly single out the hon. Member for Spruce Grove-Sturgeon-St. Albert. She talked about the steep learning curve, and I can certainly appreciate that feeling. I thank her and her colleagues for the close working relationship we've had trying to guide this bill through the House. I'd also like to thank her for her diligence and her service during the time that she served as agriculture critic and I believe still is serving for now, anyways, and again for her dedication and service to her constituency and also for her role as opposition.

There was a question raised with respect to why do we want to delegate a service that is making money? The reason we want to delegate that service, Mr. Chairman, is that this is industry's money that we're talking about. It's not taxpayer dollars. We feel that industry best knows how to create efficiencies and spend these dollars wisely when it comes to the introduction of a delegated livestock identification service. It can offer better value for the money that is being currently spent, and we are prepared – and I underline under the right conditions – to let industry take over the administration of brand inspection services.

Now, there are some important facts that I'd like to just point out. One is that as a government we're more or less expected to provide quite a number of services for which we're not able to charge a fee or recover the cost of the service. One of the examples I can think of right now relates to investigations under the Stray Animals Act. Today if an investigator goes to conduct an investigation based on missing livestock and that investigator comes back empty-handed, that is simply lost time and it's part of the cost of doing business. Up to this point there has been no

opportunity to recover a cost. What the industry would like to see happen in the future is that the revenue, for instance, that is generated from stray animals would go to cover off nonrecoverable costs, form a pool so that they can cover the cost of this service. It would really enable the true cost of the service to be paid for or recovered by and from the users themselves.

We must remember that during this time the livestock identification services will be operating as a nonprofit agency. So whatever dollars they will be earning will be reinvested into the service or into researching new technology, coupled with additional dollars through some of the research programs that are currently now available.

8:10

One important point is that no shareholder or director associated with LIS is allowed to participate in any profit which may be earned by LIS. Any profits that might accrue will have to be reinvested in a manner that benefits the industry.

There was a concern raised about feedlots getting a cut rate in brand inspection. Of course it's no secret that some feedlots wanted to do away with brand inspection. We're not supporting that, but if feedlot operators want to buy from those producers that don't brand their animals – because there are many that don't brand their animals – so be it. They're still able to do that. The branding itself and the brand inspection will stay with us today, tomorrow, and into the future. It's been here for a hundred years or more and will stay on until such time as the industry may come up with some other technology that they may recognize to identify animals out in the pasture, so to speak. The animals that come into a feedlot today are brand inspected. Whether they have brands or not, there is still a fee paid, \$1 per animal, that goes into this pool.

Now, with regards to the agreement, there was some concern raised about my eyes and ears and my ability to speak. I don't intend to delegate that function. But having said that, we do have some options open to the minister. If things are not running as they should be, there's a couple of them. One will be a provision in the delegation agreement that the livestock inspection services will allow the government to terminate the delegation. Also, because the legislation authorizes delegation by regulation, if necessary the minister will have the power to revoke the delegation, and that would achieve the same outcome only faster. We just sever the agreement or just revoke the regulations, which is much faster than revoking the agreement.

The member's concern that it should be fair and not just efficient: I agree with that wholeheartedly. In fact, I was just reviewing *Hansard* of yesterday. I wasn't able to participate in the discussion. With respect to ensuring that the cost of this isn't borne by the cow/calf producer – other sectors of the industry will benefit, but will the actual cost all be borne by the cow/calf producer? That is one area that we've discussed thoroughly, and we want to ensure that not one particular segment of the industry pays all of the costs, that these costs will be shared equally throughout the industry. That's one of the ways we're looking at it.

Now, the branding itself today is borne by the producer, but if it comes to a new, innovative electronic identification system, let's say, the net cost should be borne by all of those stakeholders in the industry, meaning that the processors or let's say the slaughterhouses would also participate in some fashion, even the feedlots. There's got to be a way of working that out that is agreeable to all of the industry.

July 1 is the target for the transfer, but that isn't carved in

stone. We will take as long as necessary to have an agreement that we're comfortable with, and so are the producers. I think I failed to mention during second reading that there is no proclamation date simply because we will only proclaim it at such time as the regulations are in place and a proper agreement is in place and when we get all of the industry participants agreeing with it.

There were a number of questions raised by the members with respect to the kind of information known to various member associations. We had consultations with all six of the industry groups that make up the transition team, and we've also had meetings, which I've participated personally in, in various locations throughout the province. This last week I even took some calls at home with respect to some people, producers in parts of the province that read about it and just wanted additional information and were wondering how they can participate in this discussion and in the developing of their agreement. In fact, one was Harvey Aarbo from the Cow Calf Association, who agrees fundamentally to the need for a livestock identification system. I had mentioned to him that the door is open, that they can participate any time, and we'll be communicating with Harvey again this week.

Now, the question was raised with respect to how you get a copy of the Toma & Bouma report. All I can say is: just phone. The industry associations have that report. We have copies of the report. Perhaps the various producers weren't aware that this report was available, but it is available. The report was paid for by the taxpayer, so it's available to them and it's their property.

Regarding brand enforcement, no, the RCMP was not consulted because there is no immediate change concerning the services of the RCMP. We contract out to RCMP officers separately, and that has nothing to do with brand inspection services per se. They are involved in tracking down various cattle rustlers throughout the province, and that will continue. We're not severing that agreement at all with the RCMP. In fact, it's a very valuable service that's performed by the RCMP, and it's done very efficiently. Believe it or not, even in this day and age they happen to catch up with some cattle rustlers. It still happens even in 1998.

Now, the provision of the enforcement: most of the enforcement is now done through the inspectors. This practice will continue because it will be a condition of the delegation that LIS be eligible to employ special constables, and the inspectors must be appointed as special constables for the purpose of enforcing the delegated legislation. LIS and the inspectors will have to meet all of the criteria established by the Department of Justice for special constables.

At the same time there was also a comment made about the intention of doing away with branding altogether. Again, I say that it's an essential tool to identify cattle, and we're not going to terminate that whatsoever.

With respect to the July 1 target date there is no doubt that the industry stands to benefit from a date as early as possible, because they will be in a position of course to do the inspection of the huge cattle run that happens every fall, and that will generate fees that will go directly to LIS. That's where the greatest cash flow comes from, in the fall when the cow/calf producers are moving their calves to market, and that is why we're looking at a date prior to the fall calf run. So if it's July 1, fine, but we'll try and get it done at least by September if possible.

Regarding the employees I am glad to see that the member shares my concern that a transfer agreement be fair to all those concerned. Of course, I'm not able to speak to the brand

inspectors directly because of the union contract. I'm not their agent. We have to speak through their agent. However, the brand inspectors have written to me directly, which now opens the door to me to respond to them. What we communicated is that we've set aside dollars in our budget for severance packages.

8:20

Further to that, again the Member for Lethbridge-East talked about whether there is a possible union certification at a future date. Yes, there is. That's part of the rights of individuals working in this province and across Canada. They have a right to certify at any time. But we feel at this particular time that with the package that's on the table, we'll be able to reach an agreement whereby that component of the local will work to decertify before they're transferred over to LIS.

I'm just trying to hit the major points. With respect to horse associations, horse associations are involved, and there is a place on the board waiting for them. We have a unique situation in Alberta in that there are the trade brands that horse owners are allowed to put on their horses. However, legislation specifically states that you can only have one brand on the animal. So when we get animals coming from other parts of the world, say for horse jumping events, et cetera, we get into a bit of a problem, because sometimes if they're sold here, they like to rebrand them, but they already have their one brand on them which really depicts whether they're a Percheron or a Clydesdale or a Belgian. So we're working with the horse industry on that.

Now, on the delegated authority, the person watching the board is the secretariat, and that is the person that's going to be appointed by the minister to be sort of the eyes and ears to ensure that the LIS, the delegated authority, is working according to the agreement that we have in place.

I hope that those are all of the answers to the questions for the hon. Member for Spruce Grove-Sturgeon-St. Albert. If I missed something, you can just ask again.

For the Member for Edmonton-Gold Bar, the Canadian Cattlemen's Association initiative for a national cattle identification program and trace-back will not be done through electronic means, at least not for now, but electronic identification is coming and it's going to be a part of the future of this program. For now the trace-back will involve some form of ear tag identification.

There were comments from Edmonton-Norwood about whether the industry group approached us. They all represented various aspects of the industry and wanted to set up a new, not-for-profit company for the purpose of administering brand inspection, and as such it wasn't considered necessary or appropriate to put the service out for tender. This is something that the industry wants to control, from both a health standard and property identification. The Toma study did include a cost-benefit analysis outlining what costs could be saved by delegating this particular function to the private sector. Now, this study itself was put out to a proposal process, and that's the Toma & Bouma report.

There was a question with regards to liability. I'd like to clarify that as proposed, livestock identification services will have certain liability such as willful misconduct and bad faith, especially if they're knowingly doing something in a very negligent manner, that based on good information, they still make wrong decisions. However, the legislation limits the liability of the delegated authority and its representative for negligence when they act in good faith. So if they're acting in good faith but something does go wrong, then their liability is limited. It's just like most of the other boards and agencies and corporations.

Other than that, I've taken up a considerable amount of time,

and I must apologize for the amount of time I've taken. I think I've answered most of the questions and am free to take on more.

THE CHAIRMAN: Before I call upon the hon. Member for Spruce Grove-Sturgeon-St. Albert, I'd like to let the people in the galleries know – I know that a number of them are here to hear the debate on Bill 37, the Health Statutes Amendment Act, 1998, and the table is given to understand that that will not be brought up this evening, just in case you wanted to know that.

Meanwhile we'll go on. The hon. Member for Spruce Grove-Sturgeon-St. Albert on Bill 41.

MRS. SOETAERT: Thank you, Mr. Chairman. I could address the fact that this is how a better piece of legislation should be done. The minister consulted the industries, though some he forgot, but he's getting to them now. Then he brought it to the committee, and we get to speak about it. We knew it was on the Order Paper, and it's here tonight, and we can speak to it. So if there were people in the galleries interested in brand inspection, they would have enjoyed the debate tonight, because it's very valuable to the province of Alberta.

However, I know that people did come to hear another bill. It is disappointing for them tonight. We're only hoping that it's been permanently pulled from the Order Paper so that we can spend more of our time debating issues like Bill 41. My apologies to the people in the gallery hoping to hear Bill 37, because they won't tonight.

On with the brand inspecting. Mr. Minister I do appreciate your answers. I am no longer the agriculture critic. It breaks my heart to say that, because I have really enjoyed it. It's been like taking an entire university course in about three months. In fact this weekend in my constituency in Rivière Qui Barre there was an alpaca show, and of course one of the first questions I asked was: you don't brand these animals do you? No, I didn't ask that. I asked how they do identify them. I do ask the minister: how are the animals within the industry – I know they have a microchip and some tattoos on there. I learned so much in this portfolio. I know they're not under the brand inspection, but how do we keep track of them? These aren't within it; are they? The alpacas and the wild boars? My hon. colleague from Edmonton-Norwood shared an article on wild boars with me. I know alpacas have microchips, et cetera, but how are they monitored within the government? What does that fall under? I know that's not to do with this bill. Because it's committee it kind of stretches it, and I might get an answer for that.

I asked the question about stray animals. You said that the users, the people who lose the animals will pay. That's probably fair. I'd appreciate it if the minister could explain one thing again. I didn't get the negligent part that you were talking about just at the very end. I am sorry I missed that. So if you don't mind, was that to do with stray animals or was that to do with something else?

I asked if the cost will be equal to all. Are you telling me that every animal inspected has a cost, or is it going to be a cost to go out to a farm or to a feedlot? The smaller operations have some concerns. I know you got the letter that I tabled the other day from the grazing association. Have their concerns been addressed? Have you written them? Would you share a copy of that with me so that I could have those answers? I think some of those questions I asked and you answered.

I am pleased to see that the RCMP are still involved. So they are still contracted by this government and they continue their role? That's good. Thank you.

8:30

You talked about reinvestment in the industry and that that's where the money is going to go. Will it be the board, then, that decides how it's reinvested? That's their decision? It is a board that will be running this; is that correct? Yeah, that's what we call it. All right. Are the regulations in place for this, or are they a work in progress? That's always been my beef, pardon the pun, about so much legislation. [interjection] Thank you. There's somebody awake over there who caught that pun.

It's always been my concern about bills: that we pass them, yet we never get to see the regulations. If they are a working piece . . . [interjection] Maybe that Law and Regulations Committee should meet. But I guess if I could see even where they're going, I'd appreciate that. Even though I'm not the Agriculture critic, I've become certainly interested in this portfolio, and I'm sure that with every agriculture bill now you will hear my voice of concern.

You said: in the future who knows if they'll get rid of brands? They certainly aren't looking at it right now. You were talking about if they have a new and innovative technique. Is there a role for government within that? Do you oversee that? Where are, I guess, the checks and balances in that? Where do we still play a role? Is it still with that one nonvoting member on the board, your eyes and ears, once again, out there in the world for you?

You mentioned that July 1 is a hopeful date when you can have this proclaimed. Is that what you mentioned? So you want this bill out of here before we are, to put it in very succinct terms. And you know what? For the most part our concerns are being addressed. If I see your response to the grazing association, I'd appreciate that. Generally we're in support of this bill. We know that the industry is waiting for it.

AN HON. MEMBER: Question.

MRS. SOETAERT: It's not the question yet, no.

Maybe I missed your answer, but I asked: what was your public consultation on this? How did you get the information out? Or else you didn't, and it was up to the industry to do it. I don't think the industry did as thorough a job as they could have or should have. So I know you're saying that you're not going to proclaim this until July 1 . . .

MR. STELMACH: Or after.

MRS. SOETAERT: Or after the bill's proclaimed. That is the cart before the horse once again. You're going to proclaim it later, but you want the bill first before they know about it. That is still the cart before the horse, a rural term. That's backwards as far as I'm concerned.

You mentioned LIS employing special constables. What kind of training is that, just for interest's sake?

DR. WEST: Six-guns, mainly six-guns.

MRS. SOETAERT: The Minister of Energy says they're going to carry six-guns. Is that what you said? This is starting to be a scary place, Mr. Chairman. But I'm sure it's in jest. I hope it's in jest. [interjection] Cap guns, but I'm sure they're registered.

I appreciate that you're looking at a fair severance package for the employees. I appreciate that. Are some of them going to be working for the new organization, or is that totally up in the air? I'd appreciate knowing where that's going.

You mentioned the horse association, so they're on line with this.

The role of the secretariat. Could you define that for me? I must have missed that. What would the secretariat do? Where is that person located? Where do they work out of? What's their job, if you don't mind describing that for me? Those are just a few more questions I have from hearing your answers, which I do appreciate.

With that, Mr. Chairman, I appreciate the opportunity, as the past Agriculture critic for the Liberal caucus, to express my concerns, and I appreciate how open the minister has been in this debate.

Thank you.

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

MR. DICKSON: Thanks very much, Mr. Chairman. On Bill 41 I had a couple of questions, and they related to experience I had in terms of family law applications. I'm thinking specifically of situations where you have . . .

DR. OBERG: Family law and livestock identification.

MR. DICKSON: Well, the Minister of Family and Social Services is in for a treat this evening. I'm going to tell him that if you have a woman in a matrimonial property action or in a divorce action who in fact has a judgment for support for maintenance arrears – and I've been in the position of acting for a client in this situation and going to Stettler. I think Stettler is still where they manage the brand office. My experience had been that it was exceedingly difficult in terms of registering an order of the Court of Queen's Bench and attaching proceeds to a cattleman that his wife legally had a claim to. The case I'm thinking of is one where there were substantial – I'm trying to recall – arrears in support and also some money due under a matrimonial property situation. I guess I've raised this before with the minister's predecessor; I've not raised it with the current minister. But I'd be interested if there's going to be anything in Bill 41 which is going to make that more difficult for a woman in that sort of a situation. For many farm families income from the sale of branded livestock may be the chief source of income in a cow/calf operation.

I think that this government has talked a lot about ensuring that in terms of maintenance enforcement, this would be some kind of a priority. I want to make sure that we don't see Bill 41 simply from a business perspective. We also have to understand there are some other public interests that have to be addressed. I'd appreciate any clarification from the minister in terms of policies, practices, and how they would be impacted by Bill 41. Perhaps it has no impact, and perhaps those kinds of communication difficulties have been sorted out. But I wanted to flag it because I suspect that for a significant number of farm families, for women living on farms, ensuring that child support, spousal support in appropriate cases is made, that matrimonial property orders are being honoured – I just wanted to raise this concern. That's not a reason to, I think, vote against Bill 41, but it's an opportunity to address that particular concern.

Thanks very much, Mr. Chairman.

THE CHAIRMAN: The hon. Minister of Agriculture, Food and Rural Development.

MR. STELMACH: Okay. Just quickly with respect to alpacas

and wild boars, et cetera: they can either be identified through ear tags or tatoos in the ear.

There was some issue with respect to the grazing association. Yes, we will be corresponding with them, but it's up to individual members to ask for these reports. We can't afford to send every farmer in Alberta a report. Ask and you shall receive.

There are no new regulations in place at this particular time, but we are going to be working together with the industry. In fact, I have in my possession a letter from the Member for Lethbridge-East that just asks that these draft regulations be available for public comment. We will make them available for public comment and review by the industry.

8:40

The role of government in new technology. We'll not proceed with any new technology unless the minister signs off. We have to also be concerned that this is compatible with other jurisdictions, especially our neighbours to the south. With respect to the information we've talked to the industry. We had public meetings; also radio and newspapers. Also, the LIS did quite a fair amount of advertising as well.

The training. Many of the people will be the same, but there are some protocols in place to train our brand inspectors. The question as to whether they'll all be working for the association: it's up to them. If they decide to take the severance package, then fine. If not, they will certainly be employed by the LIS.

The secretariat will be a member of the department of agriculture. They will be working on a part-time basis out of the ag office, I'd suggest, just as part of his or her duties.

The brand registry will remain in Stettler. With respect to maintenance enforcement, et cetera, there are many cattle in Alberta that are not branded at all. Yes, it's one way of identifying the property, but we have to keep in mind that all cattle are not branded, so it's up to those who are settling the estate, whether it be some matrimonial dispute or an estate settlement, to keep track of their inventory.

With that, I call for the question.

[The clauses of Bill 41 agreed to]

[Title and preamble agreed to]

THE CHAIRMAN: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed? Carried.

**Bill 35
Colleges, Technical Institutes and Universities
Statutes Amendment Act, 1998**

THE CHAIRMAN: We have before us an amendment known as A1, that was moved last day by the hon. Member for Edmonton-Mill Woods. Discussion on the amendment?

The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Do you have copies of the amendment, Mr. Chairman?

THE CHAIRMAN: Have you moved it?

DR. MASSEY: I thought they adjourned debate on the amendment.

THE CHAIRMAN: Yes, they have adjourned debate on this amendment. That's what we're considering right now: this amendment.

DR. MASSEY: Okay. So everyone has copies.

THE CHAIRMAN: It has been moved though?

DR. MASSEY: Yes.

The purpose of these amendments – and maybe I can preface my remarks about Bill 35 and legislating a tuition cap. I was a little disappointed earlier today to find out that Bill 214, which is a similar bill that would have put in place tuition caps, has been ruled as ineligible by the Speaker. But I guess I am somewhat flattered, because that bill had been on the Order Paper, and lo and behold the government now has a tuition cap bill. I guess I can claim at least a small victory in the tuition cap battle.

The amendments this evening are important in that they are designed to put in place a number of things: one, to make the establishment of a tuition cap the business of a tuition cap committee rather than the Minister of Advanced Education and Career Development and to make sure that the regulations and the amendments that are proposed in Bill 35 come in line. That's what these amendments that are in front of the House right now – A, B, and C – are designed to do: enable the amended Bill 35 to accommodate the establishment of a tuition advisory council. That's the intent of these motions. Really, they're mechanical in that they change the regulations and the act as they refer to the minister and make those references now to this advisory council.

The notion of an advisory council is one that's been shopped around the province on a number of occasions, Mr. Chairman. We have tested the idea in the past with students and student councils, and the notion that there should be broader involvement in the establishment of tuition fees has been a popular one for the most part. I have to admit that the students at the University of Calgary objected to parents serving on such a council, which I thought was rather an interesting observation, given the role that parents are expected to play in the financing of students' education. So except for that one small objection, the notion that there would be a broader group of citizens involved in the establishment of tuition through an advisory council is one that I think has been well received. The notion was that that advisory council would be made up of a broad group of citizens: people from the business community; certainly students would be a part of that; parents who are paying the freight for much of the costs in education; lone parents who have to finance that education themselves; and people from the university, college, or institute community, all who have a knowledge of the impact of tuition fees on institutions and the impact of tuition fees on learners and their families and organizations that are interested in supplying support for students.

So the notion of an advisory committee is one that, as I said, has been accepted pretty well, and I think it could be very useful to the minister of advanced education in giving that minister the benefit of advice from particular institutions. For instance, when you talk about tuition fees at Keyano in Fort Chip and talk to the board there about tuition caps, they're not quite sure what you're talking about, given the tuitions at that institution. On the other hand, the notion of such a committee and tuition caps at Mount Royal and at the University of Calgary and at the University of Alberta is a very real issue for the student body and the boards of governors and senates in those institutions.

One of the nice features of the advisory committee . . . Yes?

THE CHAIRMAN: Hon. member, I just want to make doubly sure. Sorry to interrupt you. We're dealing with the amendment to Bill 35 that was moved by the hon. Member for Edmonton-Glenora. Part A is dealing with section 2(3) and the proposed section 11.01(3). Are you on that one?

DR. MASSEY: By adding "and definitions established by the tuition advisory council under section 11.02" after "the Minister."

THE CHAIRMAN: Good. We're on the same one. There is another amendment which doesn't have a number that almost looks identical, and the same corrections are made in it. Good; as long as you're on the right one.

8:50

DR. MASSEY: The Member for Edmonton-Glenora walked me through the maze of numbers and subsections, Mr. Chairman.

So going back to one of the strong benefits of the advisory councils, they would allow institutions to respond to local community needs and wishes and interests and economic conditions. They would allow those institutions through this advisory committee to get the feel of the public, to reach out to their wider community and involve that community in the establishment of tuition fees. I think it has great merit when you want community support of institutions. Again, I think, Mr. Chairman, it is an amendment that we would like to see passed by the Assembly.

With those comments I would encourage members to support amendment A1, Mr. Chairman.

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

MR. DUNFORD: Yes. Mr. Chairman, I've had the opportunity now for approximately 24 hours to examine the amendment that has been put forward. There are certain aspects of a tuition advisory council that I find not only intriguing but that I might be able to find useful at some particular point.

I do want to point out to all of the members of the Assembly that this ministry, especially under the former minister Mr. Jack Ady – and as I mentioned before, I've tried to follow in his footsteps – has been very, very open to consultations from not only the students but also faculty associations, certainly boards of governors. We've even gone, I think, out of our way at opportunities when we were touring institutions to make sure that we talk to not only administrators but also that we've been able to talk to nonfaculty staff councils. So we're in a position, we feel, of getting a tremendous amount of input from varied sources.

So it's with that in mind that I would just like to, for the benefit again of the members, say: well, look, what are we talking about here? Is it really that particularly complex? We've already indicated when we were discussing this bill at second reading that all that's really happening here is the legislating of a cap on tuitions. So it led to, of course, a discussion of: what would the 30 percent mean? Then, of course, you have to have tuition revenue, and you have to have net operating expenditures in order to then determine what the percentage was and whether or not you're meeting the cap.

Also, Mr. Chairman, we committed at that time that there was no change to the tuition policy and that the policy of how we would determine the percentage of tuition fees would in fact then be placed in regulation. So the tuition policy, which is a public document, is there for anyone to obtain and to study. For those in the House this evening that might not have that document, let

me quote, then, from the tuition policy. When we're talking about revenue from tuition fees, we're talking about total revenue from tuition fees adjusted to exclude tuition fee revenue from credit courses or programs that are delivered off campus and that do not receive direct funding from the department, so revenue from contractual arrangements between an institution and an alternate funding source and revenue from apprenticeship tuition fees.

So I would stand, then, in front of you, Mr. Chairman, and my colleagues and indicate that I don't know that this is rocket science. I don't know that this is terribly complex. I would suggest, then, to the hon. members here in the House that through the consultations that have been ongoing with the minister, through the process of the minister's forum, where all stakeholders are invited, it's these types of forums, exchange of information that certainly would, I believe, allow for a proper review, a proper airing of revenue from tuition fees.

Now, as far as net operating expenditures, for the record here in the House, again, this is available through our tuition policy: total operating expenditures adjusted to exclude direct and indirect expenditures for areas listed as exclusions in the definition of revenue from tuition fees, which we just discussed; noncredit instruction – straightforward – special purpose and trust fund expenditures; sponsored research; ancillary services; co-operative placement offices; extracurricular athletic programs and activities; and health services.

Once again I would suggest, Mr. Chairman, that students, as well educated, as bright, as articulate, as forthright as they currently are, certainly faculty representatives on faculty associations and members of the board of governors I think would have little difficulty in understanding and interpreting whether or not an institution was involved in net operating expenditures.

I want to point out that we've also made the revisions to the act, that this will have to be an open and accountable and transparent process. [interjection] Mr. Chairman, I'm getting hassled now from my own side. What is it that I'm saying here?

The upshot of this short, concise speech that I'm making is the fact that we do not at this particular point in time feel that we need a tuition advisory council in order to advise the minister in this particular area, and thus I would encourage all of the members of the House, having listened with kind attention to the remarks that I've made, to vote against this amendment.

[Motion on amendment A1 lost]

THE CHAIRMAN: The hon. Opposition House Leader.

DR. NICOL: Thank you, Mr. Chairman. I have just a couple of comments as much as questions that I'd like to put to the minister with respect to Bill 35. The definition of a 30 percent tuition cap as a proportion of the net operating expense is probably a good process. I don't necessarily say I agree with the number, but in terms of the calculation when we look at different universities, different colleges across the province, they have different programs that they put in place, and some of those are very costly in terms of the support, the structures, the lab equipment. What we're doing here is in essence making a situation where because there's a blending together of these into the total operation of the university, we're going to see that colleges and universities that have the lower cost structural programs will in essence be dealing with a higher proportion of the cost from the student than what they will be if it's in terms of the maximum that they get out there.

[Mr. Shariff in the chair]

So I'd like the minister to think about that. It's not going to deal with the same kind of proportion because it's going to in essence make sure that students are affected differently. What we need to do is deal with this in the context of differential rates across different departments in terms of setting tuition fees, allow them to adjust that and do it in terms of the operating costs of the particular program they're in as opposed to averaging across programs. There's going to be a bias created in that way, so we want to look at that.

9:00

Other than that, Mr. Chairman, I think that's just a concern that the minister should look at, because it has to be looked at from the perspective of how we're going to keep this on a basis with the different program costs and looked at also in terms of how it works out in terms of college versus university in essence, because a lot of the operating costs of universities go into the issues of included faculty commitment. You know, the minister just told us about the funded research exclusion in terms of the costs that are associated with that. But in terms of looking at some universities, some departments, the requirement of the faculty for non in-classroom time commitments varies. So what we've got is a bias created, based on whether or not a faculty or department has a much higher proportion of the faculty time in classroom as opposed to in community service, research, professional experience, these kinds of things.

What I'd like to do is make sure that when the minister puts in place the regulations or the definition that talks about "tuition fees," that talks about "revenue from tuition fees" and that talks about "net operating expenditures for the purposes of this Act" – in other words, section 4(b)(e). When you deal with that section, make sure that the regulations allow for those institutions that have those differentiated costs, those differentiated commitments on behalf of staff, and have that reflected. Otherwise, we're going to end up with a situation where a student in essence is paying the entire cost of their academic operating expenses at a university.

I can remember when I was a faculty member still at the University of Lethbridge. My original commitment was one-third teaching, one-third research, one-third community and professional service. In essence, by putting a 30 percent tuition fee cap on that, the public is only paying 3 percent of the operating expenditure into the actual classroom academic part of my commitment as a faculty member. So, in essence, the student is paying almost a hundred percent of their education cost. If all I did as a faculty member and all we did as an institution was teach students, I would have a hundred percent commitment of my time to that academic part of my contract. So what we've got to do is look at that.

Some institutions now are moving to where faculty have a 50 percent commitment to classroom duty as opposed to my original contract, which was 33 percent. Now, as I moved into the administration part of the university, that changed, but the base contract is where I wanted to start. I think this oversimplifies and in essence overtaxes the student who is in a program or in an institution that has an extremely low commitment of faculty time to classroom academics. This is really true when we start looking at the institutions where there are large proportions of their time that are committed to graduate programs, because what they end up with is that a lot of that time is excused for the faculty member who has a graduate program they are administering.

These are the conditions then, and I just ask the minister to make sure that as he gets into implementing those regulations under section (4)(b)(e) and (f), that kind of consideration be taken into account so we don't end up with students at this institution effectively paying almost a hundred percent of the cost of their education, where students taking exactly the same program at a different institution because of a different alignment of costs would be paying something less than that hundred percent.

Mr. Chairman, that's why I think it's very obvious in some of these institutions that that 30 percent limit is too high. That's why we've got to start looking at that. When you get a bill like this that says a flat 30 percent for everybody, it creates a problem in terms of the . . . [interjection] Well, now the minister says it tells us that it doesn't say that. It says that "a college's revenue from tuition . . . must be less than 30% of its net operating expenditures in each fiscal year."

MR. DUNFORD: It doesn't have to be 30 percent. It can't go over 30 percent.

DR. NICOL: No, but it can't go over 30.

MR. DUNFORD: That's right.

DR. NICOL: Okay. It can't go over 30. But, Mr. Minister, we all know that essentially as soon as they can, given your annual increment, they're going to be there. But that's what we have to work with.

Those are the concerns I've got with the general bill. I would appreciate it very much if the minister would table those regulations in this House so we can see how he makes this program work so that each student is treated fairly instead of some of them paying a much broader part of their education costs than the average that's implied by this bill. We want to be fair to each of the students.

THE ACTING CHAIRMAN: The Acting Leader of Her Majesty's Loyal Opposition.

MR. ZWOZDESKY: That would be you, Howard.

MR. SAPERS: That would me.

Thank you very much, Mr. Chairman. The minister of advanced education should be commended for taking the suggestions from the opposition and running them by his department. I gave the minister a package of suggested amendments yesterday. He met with his department to give serious consideration, I believe, to at least one of them. The one amendment was one of the trio of amendments, really, that will be before this House that follow a similar form to the one which was unfortunately just defeated.

I understand that it was defeated because on the advice of the minister there will be ample opportunity for the minister to be informed by stakeholders in advanced education around the definition of operating expenses and the calculation of tuition costs and other mandatory costs for students. I agree with that. There is ample opportunity. The minister has a minister's forum on advanced learning, and there are other circumstances where the minister has made himself available and I understand will continue to make himself available to students and to administrators and to board members. And that's all fine and good, but none of that is formal. None of that is a commitment that we can hold the

minister accountable for in this place, in this Chamber. All of that has to do with how the minister has a relationship with the advanced education community.

I understand that if the minister wants to keep his seat – and I mean that figuratively and literally – he probably wants to do everything in his power to maintain that relationship and for it to be a healthy and nurtured one. Still, Mr. Chairman, that doesn't obligate him or his department one iota when it comes to the Legislative Assembly and the men and the women of Alberta who have been elected by their constituents to represent the broad public interest, not just the stakeholder interest, that really the minister would be referring to when he talks about those opportunities. I guess I'm on the one hand complimenting the minister and taking him at his word and acknowledging that, but on the other hand pushing a little bit harder to get the minister to recognize that it's not just about that communication that may happen between him, the department, and the institutions. It is that broader public interest, and there is a different level of accountability that the amendment spoke of.

I have had the experience in the past of being a college instructor and worked for a number of years as a part-time faculty member of Grant MacEwan Community College, a fine institution that has experienced a number of changes. One of the changes that institution has experienced has been in the composition of its student body. When I first started teaching there – it would be more than 10 years ago now – most of my students were under the age of 21, and most of my students, if they had a job, had a single part-time job that may have been necessary for them to balance their own personal expenses but not necessarily their only means of being able to afford the pursuit of postsecondary education. They had scholarship money, there was greater access to student aid, the cost of postsecondary education itself was more affordable, so the necessity to work more than a part-time job wasn't there. Now, that's not an absolute statement. I did have students who were more mature students. I also had students who had more than one job and were going to school, but I'm sort of talking in generalities.

9:10

Well, that general picture has changed dramatically. I was just visiting with some of my ex-colleagues at the college, who tell me that their students now are generally a few years older than they were 10 years ago with more responsibilities outside of college than they had a few years ago. In particular, almost 100 percent of the students in the program where I used to teach, the correctional services program, held employment while they were going to school, and not just one part-time job but often several part-time jobs and often full-time jobs. It wasn't just that the general cost of living had gone up – rents, telephone, food, transportation – but the specific costs that are attendant to pursuing postsecondary education had gone up: the cost of tuition, the cost of books, the cost of student fees, of ancillary fees, computer access. All of those costs had gone up to the point where the student body had changed quite substantially over really a relatively short period of time.

So I am very, very worried about the future of postsecondary education as it is contemplated in Bill 35, because if we say that it is tough for students now – and I think the minister would have to agree with me, because I know he's heard from the same student leaders I've heard from that it is tough for students now. You know, it wasn't exactly smooth sailing when I was in university and it probably wasn't exactly smooth sailing when the minister was in university – and it wasn't all that long ago, even

though our hairlines might belie that – but it was easier. I know it was easier for me than it is for the students that are there today, and I worry about what it's going to be like for my children. I'm worried about whether I'm going to be able to save enough money for my three children so that they'll be able to take advantage in the same way I did of a publicly funded, well-resourced, post-secondary education system.

Bill 30 would have us legislate a tuition cap at 30 percent, and it would give this ability to calculate all of the relevant figures by cabinet. It's that calculation by cabinet again. It's sort of this self-fulfilling prophecy. You know, if we've got a legislation cap that's a little bit too high, in my opinion and I think in the opinion of several observers, and the way that cap is going to be determined is based on figures that are going to be crunched in cabinet, you know it's going to be the LG in Council. I notice the Member for St. Albert is looking either puzzled or with despair; I'm not sure which it is. If you read the bill, member, what you'll see is that the LG in Council makes the determination of the definition of net operating expense and tuition. So if you have a government policy which says we're going to legislate the cap at 30 percent and then you have Executive Council, really cabinet, making the decision on how the calculation is, that's not a check or a balance. That's why I said it's sort of a self-fulfilling prophecy. I hope you're no longer in despair or puzzled by what I meant by that reference.

So I would like to see an external check or balance, and I would like to ensure that if we're going to have a legislated tuition cap, even one that's too high, that it's as meaningful and as helpful and as supportive of the student body as it can possibly be.

So once again I am going to ask the minister to consider the establishment of an external body. Now, we weren't able to do it in the section of the bill, as I understand it, that amends the Colleges Act, but we have three acts that are being amended in this bill. [interjection] You shouldn't be surprised. I gave you all of these amendments, Mr. Minister, so please don't be surprised. I would like to ask the minister to consider amending the Universities Act so that at least university students will have the benefit of this external check and balance.

Now, I don't want to go into the whole exchange of debate, Mr. Minister; I'm not trying to prolong this. But I know that this is something you did consider, and I'd like to give you a second chance. If it's as simple as you standing up and saying "ditto" about what you just said, then go ahead and do that, but I feel equally as strongly, I suppose, as you do that this is the best way to help this bill.

So I would like to move an amendment that I guess we'll call A2. I'll have the pages distribute that, and I'll just pause in my comments.

THE ACTING CHAIRMAN: We will wait for a few seconds while this is being distributed. It'll be referred to as amendment A2.

Okay. We can now proceed. The Acting Leader of Her Majesty's Official Opposition.

MR. SAPERS: Thank you, Mr. Chairman. This amendment in effect does the same thing as the previous amendment only it amends the section of the bill before us as it relates to the Universities Act. So what we would have is the establishment of a tuition advisory council. It would be established under the regulations, and the regulations would be done by the Lieutenant Governor in Council so cabinet still has its say on who and how

and what that tuition advisory council is. The minister still has a role in coming up with definitions, but his role will be assisted by the work of the advisory council.

9:20

So while the wording of the amendment is rather technical because of the consequential nature of the amendments, the effect of it is really very simple and pragmatic, and that is that under the Universities Act there would be a tuition council. The tuition council would come up with definitions of net operating expense and tuition. I would contemplate that on that council there would be student representatives, faculty representatives, community representatives, administration representatives, and that council would be accountable, would be publicly appointed. There would be terms, there would be a mandate, and the minister would be assisted. Then it would give that form of that externality that I was referring to, and it would give us that extra accountability that I think is beyond that which may take place between the minister and his stakeholders.

I said earlier to the members in the Chamber that I would not relive the entire debate that was just held on the previous amendment, so I won't do that. Many of the points are in fact the same points. It's a second opportunity for the minister to urge his colleagues to do the right thing, and that would be to amend Bill 35 to establish this council, which we believe would be very helpful and may make the bill of greater benefit to the postsecondary stakeholders in Alberta.

THE ACTING CHAIRMAN: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you. Just a few comments, Mr. Chairman, about this amendment, which is similar to the one we had previously considered, only referring to the Universities Act. I listened with interest to the minister, and I, too, appreciate the manner in which he has approached not just these amendments and this bill but the operation of the department. He comes at it with some enthusiasm and care, which I think everyone involved appreciates.

One of the comments he made interested me, and that was the minister's forum, because I've had the opportunity to attend that forum in the past. I remember distinctly being in a room at that forum when the notion of tuition for apprentices was being considered. There certainly weren't a lot of voices that spoke in opposition to the imposition of those apprenticeship tuitions, and I came away from the forums less than convinced that they are as open as the minister might want them to be or might believe they are. Certainly at that time there were very few voices raised in defence of maintaining a policy of no tuition for apprentices and in fact moving to reduce tuition for other postsecondary students in the province. It was a viewpoint that I didn't think was represented very well at least at one of those minister's forums.

I think it might be worth critically looking at how representative the input into tuition policy really is. I know the minister has commented on his view this evening that there is a wide variety of interests represented, but I think that's open to question. I would hope that he might go at that a little more systematically to see if what he believes is actually the case in terms of the setting of tuition policy.

One further comment that I didn't get to make about the tuition advisory councils before, and that is a comment I had made at an early stage of the bill that these councils could play a large role in the long-term planning of tuitions for their institutions. I've

said it before and I'll say it again. It's something that has just got to happen in the next number of years. There has to be some long-term planning for the financing of postsecondary institutions, not just in Alberta but across this country.

Tuition increases here have been followed by and have been even higher in other provinces, and it's a trend that can't continue to occur if we really believe in encouraging all Canadian students and all Albertans to participate in a postsecondary program, not only to participate but to feel like they can participate in a program if we really believe in the value of that participation. I think there's just overwhelmingly, convincingly good evidence that that participation benefits all of us multifold. If that's what we believe, then I think we're going to have to really seriously look at costs and how those costs are best met and that there have to be sources looked at other than students, their parents, and their supporters. Again, a part of that is the differential impact on various citizen groups of tuition and tuition increases.

As the Member for Edmonton-Glenora has indicated, this is a similar motion calling for a tuition advisory council to be established for universities. I think the case has been made, and I'd leave it at that, Mr. Chairman.

Thank you.

THE ACTING CHAIRMAN: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you, Mr. Chairman. I'd also like to speak briefly in favour of this amendment for a couple of reasons. Coming from a nonprofit management background both as a manager and as a volunteer, I'm very much in favour of having the public involved in a trustee role or an advisory role. I think it connects us better to the community and to what the pulse of the community is. It gives you access to people that have expertise or ideas or innovations that a minister could pull on, and I think it's a resource for the minister to use to keep them more alive to what is going on in the community and keep better contact with the students themselves.

This is not meant to replace the minister; it's meant to be working in tandem with the minister. I guess one of the things I notice is that ministers do move on to other portfolios, and this sort of tuition council can be more of a continuing knowledge base and also can augment I'm sure the valuable contribution that's made by the bureaucrats. But everybody does get set in their ways, and particularly when we're talking about education and postsecondary education, I think we have to be vigilant to remain innovative and on the cutting edge of what people need and what is attracting students.

I am very concerned about the amount of money that we are expecting students and their families to be paying, and I think we need to be very careful about what kind of resource we're expecting to draw from those people. I was interested in the comments made by my colleague from Edmonton-Mill Woods about a long-term plan, about how we're going to sustain our postsecondary institutions, particularly universities in the case of this amendment. What is the long-term plan? Where are the resources going to come from?

I have spoken before that I believe very strongly that while I don't think it's feasible or reasonable for postsecondary education to be totally free to anyone that wants to participate, there does need to be some reasonable tuition. But I find what's going on today is too much. I think it's precluding people from participating in this system, and that is denying us a long-term investment

in our society in the future. Unfortunately, this is the kind of thing where you won't really know about it until several tens of years down the road. I am concerned that we're going to look back in 10 or 15 years and go, "Gee whiz, our university enrollment dropped by X amount" or whatever effect we're going to see, and say, "Gosh, we don't have the number of educated professionals that we need."

9:30

Certainly I've heard the minister speak a number of times on the need for highly skilled technical workers, and this is one of the places that we get them from. So if we're making it difficult for them to participate in that, where are these highly skilled technical workers supposed to be coming from?

So those were the points that I wanted to raise, just emphasizing the connection with the community. I think the students and the parents, through a tuition advisory council, working in tandem with and as an adviser and a trustee to the minister gives us a stronger base to work from all the way across. It should be more helpful to the minister and more helpful to society at large.

With those few comments, I thank you for the opportunity to speak.

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

MR. DICKSON: Thank you very much, Mr. Chairman. I rise to speak in support of amendment A2. I'm happy to support this. There is a very large number of students living in downtown Calgary in Calgary-Buffalo, and I continue to have the opportunity, usually once a week, to go around door-knocking in a different apartment building. In encountering students, what's the single biggest concern they have? It's almost always one of tuition: issues in terms of how tuition is calculated, issues in terms of certainty in planning tuition for the next year and successive years of their instruction.

[Mr. Tannas in the chair]

I think what the amendment does is come forward with a really practical, concrete change to address those concerns that students have about the unpredictability with tuitions. I think that what a tuition advisory council has the potential to do is to empower a lot of people who, to a large extent, are key actors in our postsecondary education system but tend to be marginalized when it comes to huge decisions like this. As somebody who many years ago marched across the High Level Bridge to demonstrate out in front of this very building, being concerned in terms of what now seems like a remarkably modest increase in tuition – I think tuition then was about \$300 for an entire winter session, a far cry from what students have to pay now.

So I think tuition is always perhaps one of the most important considerations for students. I think the notion of an advisory council which would give definition to the tuition fees, revenue from tuition fees, net operating expenditures, is absolutely essential. Without defining those terms, a simple limit in terms of percentage increase isn't that helpful. It's not adequate to have the Lieutenant Governor in Council simply go and make these regulations, because there's no public input in that process.

To those members who are reluctant and consistently vote against referring regulations to the Standing Committee on Law and Regulations, here's a proposal to create a tuition advisory council. It's specific, it's focused, and I think it's a very salutary

improvement on the existing Bill 35. I can't imagine why all members wouldn't support this. There's nothing in the amendment which is inconsistent with the provisions of the Colleges, Technical Institutes and Universities Statutes Amendment Act. I think it's tremendously positive. I think it's very innovative. I think my colleague from Edmonton-Glenora, in introducing this amendment, has used his customary creativity and put it to good use, and I'm hopeful that all members will see the value in it and enthusiastically support it.

Thanks very much, Mr. Chairman.

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

MR. DUNFORD: Yes. Speaking about this bill, particularly the Member for Lethbridge-East, we all recognize here in the House the level of integrity that that member brings. I also have known the member on a personal basis for a number of years and know that he has a tremendous amount of experience in the field which we are currently discussing, so I'd like to publicly make the commitment that I will make the time to discuss his particular issue on a direct basis and see where that might lead us.

Also, I want to acknowledge some of the remarks of the Member for Edmonton-Mill Woods. One of the things that has not come up in the debate on this bill – and while we're not really at amendments yet regarding the level of tuition, when we talk about a tuition advisory council, we're playing around the edges of this situation. I would simply ask the Member for Edmonton-Mill Woods and, as a matter of fact, the presenter of this amendment, the Member for Edmonton-Glenora, who tonight we learn now is the Acting Leader of the Opposition, to please, please talk to their federal government members of the same party. We seem to be not getting through to them. They have reduced very dramatically their transfer payments, of which postsecondary education was considered to be one. Now, what this government did on this side of the House is we shielded students from that decrease in those transfer payments. But if there was one thing that we could do tonight from both sides of the House, that would be to have some sort of unified message sent to the federal government that it is time that they bucked up once again.

The rhetoric we're hearing from them and now we're hearing from you about postsecondary education – I want to say, "Show me the money," and you guys can help me do that. You guys working with your cousins in Ottawa can help us do that. I know they don't make your policy for you. I understand the Alberta Liberal Party is – well, I'm addressing a comment he made on the amendment, Mr. Chairman.

MRS. SOETAERT: He's getting a little cranky.

MR. DUNFORD: Yeah, I am getting cranky, and the reason I'm getting cranky is that we had five speakers on the same amendment that we had only a few minutes ago. But, hey, that's democracy. We want to make sure everybody has an opportunity, and who knows where there might be a little pearl or two drop. As a matter of fact, I think the Member for Edmonton-Mill Woods just dropped another little pearl when he talked about the minister's forum on adult learning. I was not aware that in the discussion that he was involved in they discussed tuition of apprentices. I would remind all members that that was a previous minister who brought that forum into place, but I accepted without

a lot of questioning the stakeholders that should be represented at that particular meeting. The member understands that we're now going to go to every two years, and rather than a tuition advisory council, I will do my best to ensure that we really examine the stakeholder groups that would be invited to this meeting and to ensure that we perhaps have a very full and complete, I guess, demographic, if I can use that word, from those stakeholders.

My colleague the MLA for Rocky Mountain House enjoyed my first speech so well that he actually, I understand – I'm not sure of this – went out and ordered the Blues, and he wanted me to read verbatim, because this is the same amendment as we just previously dealt with. He was so excited about the speech that I made, he wanted me to read it verbatim, but I guess in the interest of time I'll simply say to that hon. member, "What I said earlier: ditto." We will vote against this amendment.

9:40

THE CHAIRMAN: On amendment A2, the hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Chairman. I also want to speak to this amendment now that the minister has spoken. It seems he indicated some interest in the idea that's embodied in this amendment. I think the amendment will improve the bill. The bill has other flaws in it. We'll come to those in our discussion later on. But certainly the amendment will improve this flawed bill by ensuring that the power of the minister in determining tuition fees and increases in those and the powers of the Lieutenant Governor in Council in this respect were mediated by a public body which has a broad-based representation on it. Certainly on such a committee I would have preferred to see a statutory sort of attempt to define the composition of it so that we could be assured that there will be a fairly strong representation of students on it and of course parents.

Nevertheless, the amendment even in its present form, in asking for the establishment of a tuition advisory council for each type of institution under the three different acts, will considerably improve the bill and give the minister the opportunity to receive advice which comes from sources which are independent of his department and his cabinet colleagues. In that sense I think the amendment proposed here does merit our support. It certainly will have my support.

So with that I would conclude my brief remarks on the amendment.

[Motion on amendment A2 lost]

THE CHAIRMAN: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Chairman. I rise to speak to Bill 35, the Colleges, Technical Institutes and Universities Statutes Amendment Act, 1998, in its Committee of the Whole debate. The bill, as I mentioned a short while ago, in my view is really seriously flawed in that it will guarantee no relief either immediate or in the short run to students in terms of the tuition fee burden that they will have to carry if they want to continue their studies beyond the high school level.

I just want to relate a personal incident. Yesterday morning I took my car for service, left the car at the garage, and got a ride back. The person who was driving the vehicle in which I got the ride was a young, recently graduated person from the town of Peace River, a young lady. She got her high school in 1995. For about the 10 minutes, 15 minutes that I shared with her in the

vehicle, I asked her what she's doing. She then volunteered to tell me that this is a new town for her. She has been here for a year. She's beginning to find her way around the city. In the process, then, I said: "Is this job the job that you really want to do, or do you have some other plans? Do you have your high school?" She said yes. So I said, "Are you planning to go to a college or an institute or a university later on?" She said, "I would very much like to, but I can't afford to." I said, "How come?" She said, "Well, my parents cannot support me, and I find that I simply cannot finance myself through." I said: "Well, look. Student loans are available. Lots of students in this province do take advantage of the loans." Her answer was quite plain and simple: "I'm scared of taking loans. I do not want to have a debt burden to carry." She already told me that she had a couple of thousand dollars, you know, when she left home to establish herself here. She said, "I'm finding it very hard to pay that back, so I can't."

So at that point I told her that I am personally concerned about this because I see lots of young people like you who, I know, are equally concerned about their plans for postsecondary education because they see the rising tuition fee burdens as quite worrisome. Many of them of course have heard, I think, over the last 10 years that debts are not good. Any kind of debt in some ways these days is seen to be something that one should not incur. Of course there's the official logic that public debts are bad, and therefore I guess people are concerned about it.

This young person was certainly concerned. I was quite struck by her readiness to volunteer this information, to share this information with me. She told me that she wants to become a journalist. I said to her that I understand NAIT has a two-year program in journalism and that she could certainly go there. She's now in town; she lives here. She could continue with her job but take these courses and become a journalist. You know, it would take her two, three years, whatever it takes. She said: "No, I can't do it. I have made some inquiries about it. The amount of money that it'll cost me to go through those two years is such that I don't think I can at the moment afford it. I will not take a loan, and therefore I will have to see what happens."

So that's my concern, and that's the concern that this bill does not address. I have spoken on the bill during second reading and made my serious concerns about what I see wrong with this bill. They are on the record. The bill in its present form will not only guarantee a 30 percent tuition level related to operating cost, but it certainly has no control. This bill cannot and should not control the rate at which operating costs increase themselves. So it's a cap, but it's not a cap. Even at 30 percent, students are not assured that their tuition fees will stop increasing.

That's the concern, I think, that was expressed here in my speech a couple of weeks ago on this bill and which was expressed by the student leaders of the University of Alberta. That was also the concern that was expressed by the Alberta colleges and institutes association of students organization. They are looking for some sort of a stable, absolute number in terms of dollars that they will have to arrange in order to put themselves through school, not a certain percentage of ever increasing operating costs, which certainly is impossible to control given the rate of inflation and other changes that must be made in terms of technology in the facilities at postsecondary institutions.

Moreover, Mr. Chairman, I have this piece of paper in my hand. It's dated February 13, 1998, and it is from the Department of Advanced Education and Career Development, business planning and evaluation. It gives sort of the revenues from fees

for instruction from various institutions. Out of 21 or 22 institutions there are only four that at the moment have 25 percent or over the level of tuition as it relates to their operating costs. The rest are sitting below it. If the bill in its present form goes through, this will certainly allow all these institutions that are sitting at a level even below 25 percent to jack up these rates by the year 2000 to 30 percent. There's no reason why they shouldn't, because in fact there'll be statutory permission for them to do this. It's allowing them to do this. So the tuition fee increases may rise very, very rapidly in the next two years, thereby increasing the burden of tuition fees for students at an alarmingly fast rate.

9:50

When we talk about student burden, we often treat it as if the student body in general is homogeneous in terms of their ability to pay. Some students, about I guess 20 to 30 percent, may have family resources which will allow them to pay 30 percent yet not feel terribly hampered by the costs of going to school. But the other 70 percent certainly find tuition fee increases at the level of 30 percent very, very high.

The Member for Calgary-Buffalo just a while ago talked about how the tuition fees today are so much higher as compared to what they were, say, 20 years ago. One wonders how so many students still are committed to going to school.

AN HON. MEMBER: It's amazing.

DR. PANNU: It really is amazing. The commitment to go to postsecondary school is really amazing. But it's not a commitment where there's no end to it. It's a commitment that will be weakened if tuition fee increases are allowed to move to the level that this bill contemplates in terms of its provisions.

So I would like to propose to the minister that he consider very seriously an alternative to his proposal for putting a cap on tuition fees, a real cap, a cap that will represent the advice that he has received from the student leaders that I just referred to from the University of Alberta and the colleges and institutes students' association representatives, and that is that they want a dollar figure that will not jump up and up and up as the operating costs keep going up and the inflation rate keeps going up. They want a stable amount that the students should be required to pay in order to take advantage of a university or college education. Going on to postsecondary education is not simply in pursuit of private interests; it certainly serves a broader public interest.

In view of that, I would like to move this amendment, and I would like it to be distributed. Mr. Chairman, I propose that Bill 35, Colleges, Technical Institutes and Universities Statutes Amendment Act, 1998, be amended as follows. Section 1(3) is amended in the proposed section 8.1(1) by striking out all the words that follow "tuition fees" and substituting the following:

must be frozen at the 1998 levels of its operating expenditures in each fiscal year to the 1999-2000 fiscal year, and a schedule of reductions in tuition fees developed with the goal of limiting student debts to levels commensurate with providing equality of opportunity for all students thereafter.

It's exactly the same amendment, Mr. Chairman, which is also proposed for section 2(3) and for section 3(3). So I will perhaps wait for a minute or so, and then I'll speak to the amendment.

THE CHAIRMAN: For purposes of people following along, the amendment that's just been moved by the hon. Member for Edmonton-Strathcona will be called amendment A3. I believe all

members have received a copy now, so if you have anything further to add to that, hon. member.

DR. PANNU: Mr. Chairman, I would like to add a few words.

THE CHAIRMAN: Go ahead, hon. Member for Edmonton-Strathcona.

DR. PANNU: The Minister of Energy wants me to explain to him the rationale behind the amendment, so if I may continue, with your permission, Mr. Chairman. The rationale for the amendment is quite straightforward and simple. The amendment is intended to incorporate the concerns of students, student representatives, student leaders, with respect to how they want the increases in tuition levels to be dealt with. The amendment simply proposes an immediate freeze on tuition fees. This is exactly what students are asking for. Then it seeks to see the tuition levels rolled back in a scheduled, systematic way until such time that, through means that will have to be established, it can be determined that the tuition fee levels no longer discourage students of modest means, in particular. About over 50 percent of the students who presently attend postsecondary institutions of all kinds come from backgrounds where they see their own means to support themselves through the postsecondary education system at the present rate of tuition fees impossible, very, very discouraging.

So the amendment will do two things. It would assure students that their fees will not increase from this year until the year 2000. They will remain at the level of this year, 1998. Then in the year 2000 there will be a programmed reduction year by year in these tuition fees to go on until such time as we have reached a level where we are sure, as members of this House and as the government of this province, that those tuition fee levels no longer discourage anyone who is qualified to go to postsecondary institutions from doing so. So that's the primary intention of the amendment.

With respect to whether or not, as the minister was saying, we should call on the federal government to begin to put more money into postsecondary education, I agree with him. I think we should all call on the federal government to increase the provincial transfers under CHST so that some of those dollars that have been coming in the past from the federal government can then be invested in the future of our students. [interjection] The Minister of Energy, of course, wants to side with the federal Liberals here and says: no, we don't need their money. That's fine with him; that's not my position. I would ask the minister to join with the rest of us to call on the federal government to begin to increase the CHST transfers to the provinces, including the province of Alberta. That will certainly help this government, hopefully, to make up its mind to stop this bill in its tracks and go back to reconsidering how to reduce tuition fees rather than continuing to increase them until they reach the imaginary 30 percent.

I must add, however, that we should not allow the minister or this government to use the policies of the federal government as an excuse to continue to increase the tuition fee burden for our students. On the contrary, this is a province in which budget surpluses are in the billions of dollars, and I think we should spend some of that surplus on our students' future rather than giving that money to where the Minister of Energy would want it to go; that is, back to these oil and gas transnational corporations.

10:00

I would say: let's put some of that money that he has given

back to some of these corporations into the postsecondary institutions. I drew his attention to the fact that he has been able to reduce the royalty payments to the government related to synthetic oil and all of that by \$500 million, more or less, over the last two or three years. I'm saying: stop giving that money away to corporations which certainly don't need it. If they are in the private market, let them make their money the way everyone else makes it, through competitive activity, and put that money back into colleges, universities, and institutions so that we can cut tuition fees to levels that will encourage young Albertans, regardless of their family backgrounds or incomes, to come to the college, the university, the institute, enrich themselves, enrich the rest of our society and the province.

Thank you, Mr. Chairman.

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

MRS. O'NEILL: Thank you, Mr. Chairman. I'd like to speak against this amendment that is being proposed by the Member for Edmonton-Strathcona, and I'd like to speak against it because I find it absolutely unrealistic. If, as the proposal in the amendment suggests, we freeze the levels of tuition at the 1998 levels, then accompanying that I would suggest that this amendment would have to say that we freeze the academic staff salaries – and I'm sure that the Member for Edmonton-Strathcona would not want that – and the salaries and all of the other services, if you will, for the nonacademic staff, that we would have to keep the research and development that takes place at the university at 1998 levels. Therefore this is very unrealistic for anyone to propose.

That we freeze it until the year – what is it? – 1999-2000 and then subsequently reduce them, is to reduce the quality of research and teaching that takes place at the universities and colleges. The proposal that is here in the amendment is suggesting that we lead our students who are looking to attend our postsecondary institutions into a very unrealistic world where they would have the surety of what their tuition would cost. I don't think anybody in this room has any notion of what something is going to cost, particularly quality, until the year 1999-2000. Just because this has a qualifier on it that is implicit – it would mean no growth; in fact, it would mean recession at our postsecondary institutions if we are to freeze the income that these institutions receive from tuition.

Therefore, I would encourage everyone in this room to vote against this particular amendment.

DR. MASSEY: Mr. Chairman, the amendment that has been proposed by the Member for Edmonton-Strathcona has merit in the principle that's embodied in it. The notion that tuition fees should rise from 12 percent in the mid-1980s to 30 percent by the year 2000 is one that I think should cause any thinking individual to stop and be concerned. To dismiss it and to say that there is only one source of revenue for government and institutions to look to and that's students and their parents I think is not being responsible, and it's certainly not addressing a very, very difficult and long-term problem.

The minister is right: we should look to the federal government, because they're part of the solution to what is turning out to be a really very difficult problem. To dismiss something like this amendment, that would put in place a principle which says that tuition should be affordable for all students, I think is wrong. The principle is one that's certainly worthy of discussion and shouldn't be dismissed out of context, and I think that greater context is:

how are we going to finance postsecondary education in this country and this province so that there is opportunity for every person with the ability to do so to continue on to a postsecondary education?

I think it's wrapped up in how we look at education. Our party had on the Order Paper a motion on literacy. We can't just be concerned about those going to postsecondary institutions; we have to be concerned about everyone. Making sure that the entire citizenry is well educated I think should be one of our top priorities, because nothing speaks more to our values as a community as does our willingness to put in place a plan and the resources to make sure that young people and citizens of tomorrow are equipped with the skills and the knowledge and the attitudes that they are going to require for the next century.

So I support the amendment. I hope members of the House will support the amendment. The mechanics, as the mover has indicated, can be worked out, but the principle in it, that tuition should make that kind of postsecondary program accessible to all students, I think is one that's worthy of pursuit.

Thanks, Mr. Chairman.

[Motion on amendment A3 lost]

THE CHAIRMAN: The hon. Member for Edmonton-Mill Creek.

MR. ZWOZDESKY: Thank you, Mr. Chairman. I have a few brief comments I'd like to make on Bill 35, which is otherwise known as the Colleges, Technical Institutes and Universities Statutes Amendment Act, 1998. I shall keep it to within the 20-minute time frame so that other members can govern their speeches accordingly.

I have a great interest in higher education in this province and elsewhere in the country, for that matter. Speaking as an educator who has had the pleasure of both working at the higher level of education in this province, albeit very briefly and not in a professionally paid capacity as such but as part of some lab and technical application assignments that I had while I was at university, I am very supportive of keeping tuition fees in line with what is affordable to the students to whom we are catering.

That having been said, this bill as it's currently phrased essentially caps tuition fees at approximately the 30 percent level, and I notice how it's worded further in the bill under each of the different acts that is being amended. The phrasing says that the tuition fees revenue portion "must be less than 30% of its net operating expenditures in each fiscal year," and it goes on. What has my interest here is that I have a feeling that most of the technical institutes and colleges and universities will probably be using 30 percent as the norm rather than the opposite. That having been said, then, I'm wondering about . . .

AN HON. MEMBER: That's not true.

10:10

MR. ZWOZDESKY: Well, one of the ministers across the way is saying that it's not true, but we'll see. I hope you're right, hon. minister. You've been right on a few occasions before, and I hope you're right on this one.

We'll see what happens when we come back to reviewing this in a year or two or three. I just think that it's quite a large jump. In fact, if you take a look at where tuition fees have gone over the last several years, I would think that 30 percent represents roughly a doubling of what's transpired in the last five years or so or perhaps even less.

I'm not opposed to an increase that can be substantiated and can be backed up with the research and can be proven not to be entirely dollar driven. Rather, it's to improve quality, it's to help improve access for students. I am opposed to something that suddenly doubles the cost on an already overburdened section of our population, which is our young people. I don't want us resulting in a system, hon. minister, that educates only the elite, and I know the hon. minister of advanced education doesn't want to see that either. I know that. I judge him to be a credible individual who truly has the interests of higher educational institutions in mind.

You have to ask yourself: what value do we as legislators put on the entire process? What value do we ascribe to education in general? What message are we sending to underscore and underlie that value when we see a sudden doubling of the fees for the students to whom we are trying to in fact cater, the students we're trying to impact and provide with access to these higher educational institutions? How fair is a policy of a 30 percent cap to the domestic students that we have here?

I'm well aware that there are a number of foreign students that we are actively recruiting now. If you speak with the president of the university here and in Calgary and in other institutions, they will tell you – and I know you know this, hon. minister, but I'll just rephrase it anyway – that there is a competition out there for students right now. There are more and more foreign students wanting to come in to our academic institutions here in the province, and I think that's good. I think that bodes well to a certain extent. I know that they're paying – what is it? – twice as much as a domestic student is, but this particular bill affects not just them but our own students as well. I wouldn't want to see our students being crowded out or overly burdened as a result of the enactment of this act, which effectively caps tuition fees at 30 percent.

I'm wondering whether you studied lower amounts, or did 30 percent just sort of come out of the air, or again is it entirely dollar driven? I'm concerned about that. I wouldn't be so concerned if we were talking perhaps about some other areas or aspects of governance where people are out: they're professional people, and if they need the service that the government is providing or that the institution is providing, they can pay for it because they're already earning a living. But here we're talking about people who are not yet earning a living. In fact, quite the opposite. We're talking about students who have to go out during the summertime and work two or three jobs in order to afford their tuition fees to go back to school, and that's before we talk about textbooks and other fees, transportation, accommodation, meals, and all of that.

I had the pleasure of living in a residence just off campus with a number of students years ago. Having gotten to know them and their circumstances – most of them were from the farm – I have a real appreciation for what the students who had money went through versus the students who didn't have money. In this case, most of them did not, so I'm somewhat sensitive to this.

I want to know what sort of statistical information the minister may be able to provide that convinces this member how affordable or not this particular student fee cap is to the average student and more importantly, perhaps, to the average family. Let's take into account here that some of these students going in now aren't just from single-child families. There are two, three, four children that need to be educated, and there's an overlap where we're educating many of them all at the same time, so we're doubling that expense to them. It's an alarming question that I would like

answered, and I'll tell you why I want that answered: because we have statistical, very empirical evidence that will tell you, as you probably very well know, hon. minister, that by 2005 or 2006, somewhere in there, 80 percent of the quality jobs, if I can call them that, will require a postsecondary education. So there's going to be more pressure put on for more access, for more student learning at the higher levels to occur. That having been said, we should be doing what I would call preparatory work, getting ready for that influx of students who are going to need that increased access and that increased ability to educate themselves, and we shouldn't be putting up fences or encumbrances to prevent that. Rather, we should be preparing for it.

Now, that's not all bad news, Mr. Minister, as you know. In fact, that's pretty good news. What we're talking about is educating the future here. We're educating the future leaders. We're educating the future MLAs of this province, people who are going to be sitting in here in 10, 15, 20 years, whatever. They're going to be making these laws and looking back at this, too, and hopefully making it easier for the next generation.

So I encourage all members, not just the minister sponsoring the bill, to keep the focus on the student and to keep the focus on the student's needs. Not necessarily our needs or the budget's needs or the government's needs, but keep the focus on the student's needs. That's where we need to swing this pendulum over to. That's where it's got to go. I see some support for that in the second row, and I appreciate that pendulum swing. Thank you.

What we want to do when we focus on youth through this bill, hon. minister, is make sure that we're providing equal access. We want to provide equal opportunity for these students and our future leaders, and one sure way of doing that is to provide equal footing through the rate of tuition fees they're expected to pay so there is a sense of evenness to accessible learning for all.

The question that sort of comes to my mind as I try to summarize all of this is: should we be making it easier for students to access our higher educational institutions, or should we be putting up barriers that may not look like barriers but result in being barriers? Now, what would be the answer to that question?

SOME HON. MEMBERS: No. No.

MR. ZWOZDESKY: I hear a chorus of no's.

SOME HON. MEMBERS: No barriers.

MR. ZWOZDESKY: No barriers; that's right.

So we have to look at whether this bill makes it easier or makes it more difficult for students. If there's a sense that it doesn't affect the scenario or it keeps it all even, then I'd like to be convinced of that. At the moment I'm afraid I'm not convinced of it, but I am persuadable. I'll listen to a good argument. As I heard somebody say today, I've never met a good argument I didn't like. I'm looking forward to that, so if you can persuade me to the contrary, I'd be very happy to see it.

I want the students to have the full ability for accessing these programs. Going back to my own background and my own heritage, that's one of the main reasons that my ancestors 100 years ago chose this great country: again, not to make life better for themselves but to make life better for their offspring. The key factor that influenced that major immigration from the land of my ancestors, Ukraine, was access to education, because education is the key. For them, they set their goals at grade 8 levels and

grade 10 and grade 12 levels, but the next generation came and said, "Okay; we want to set the level at college, and maybe you can become a teacher after one year or so of teachers' college," and the next one became a doctor, and the next one wanted to become a lawyer, and on and on up the ladder. That's what it's all about, equal opportunity.

10:20

MR. DUNFORD: Do you know that in real terms tuition is cheaper today?

MR. ZWOZDESKY: Well, I'd like to see that statistic. Is that in *Hansard* somewhere? The minister is telling me that in real terms the cost of tuition today is not far different than it was many, many years ago. I'd like to see that statistic to see how that bears out, because I'm not compelled yet that the information is in fact that persuasive.

On page 2 of the bill, hon. Chairman, where we talk about the actual formula for calculating the rate of pay, there again I just don't understand, on the basis of the speeches I've heard and the way the bill is worded, where this 30 percent figure comes from. I'm sort of like that Inspector Columbo, you know. I'm just a little bit curious about that. Like, maybe it should be 28 percent or maybe it should be 35 percent, heaven forbid, but I'd like to know what the backup to that is. What support do you have that justifies that formula? If it's purely mathematical and if it's purely dollar driven, I'll accept that. I'd just like to see what it is.

As I said earlier, I'm aware of the competition for dollars amongst the universities, and I can't believe that the majority of the universities, colleges, and technical institutes won't be maximizing this opportunity to bring in as much money from tuition as they possibly can. They could use the argument of overcrowding or insufficient space or not enough professors available or whatever the argument is, but I just can't see it. So we'll wait and see what happens there.

MR. SMITH: What if you don't do this?

MR. ZWOZDESKY: Well, again, what if you don't do it? That's a very good question. There's another hon. minister anxious to participate in the debate asking me: what if we don't do this? I haven't heard what the answer to that is, so I'm going to pose that question to the hon. minister, who I know is the fountain of all knowledge on this bill and will provide us with an answer so that all hon. members of the House will know. Mr. Minister, here's the question on that point. What consequence is there if we don't accept this bill and if tuition levels stay where they are right now, which is where? At about the 20 percent level?

DR. MASSEY: It depends on the institution.

MR. ZWOZDESKY: Depends on the institution, but are they averaging sort of in that 20 percent mark in a general sense? Is there a sudden squeeze on, hon. minister, so that universities need these additional moneys, or is it because we don't have the moneys as a government to provide anymore? I know we can't be everything to everybody. I understand that. I ran on that ticket. I understand that ticket really well. But the fact here is that we're not talking about widgets, we're talking about young people who need a chance, and we should be supporting those young people for maximum availability. And don't think it doesn't return itself in spades, because it does. We all know that. We've all been there.

If you take a look at this House, hon. Chairman, how many people here have not been to university? I can't speak for the Conservative caucus, but I'll tell you that in the Liberal caucus everyone here has been to university or college – we know exactly what this is about – and I suspect the majority of the Conservative caucus has been as well. In fact, a number of our members on both sides of the House have even been professors and lecturers in these hallowed halls that we're addressing through this bill, and they can bring you very real and practical information here. [interjections]

Hon. Chairman, I'm confused who has the floor right now. I'm assuming it's still me. But I'm glad for all the participation because it's indicative of support for the points I'm making, and I'm enjoying that.

I'll just close off here by saying that as I look at the competition for dollars and look at the competition for students, I want to know how, within this magic number that has been arrived at, you have accommodated student growth and enrollment growth. Does that not figure into the formula, and is that not going to help offset the targeted budget figures you're looking at? How does the domestic versus foreign student ratio impact on this figure?

I guess the last thing I should add here is that what we're really talking about here is students' ability to pay. But you know what, Mr. Chairman? If you take a look at real disposable income, hroshee, which is a good Ukrainian word for money, if you take a look at disposable money that you have today as an individual, as a family, and more importantly in this case as a student, the actual disposable income that we have has not gone up or even kept pace with inflation. Yet here we are taxing students even more, and that is something you should be taking into account.

DR. WEST: That is not true.

MR. ZWOZDESKY: I hear one hon. minister saying that my statement I made just now is not true.

DR. WEST: That's absolutely not true.

MR. ZWOZDESKY: Tomorrow I will bring in the information. [interjection] It has not kept pace, and that's what tax bracket creep, hon. minister, is . . .

THE CHAIRMAN: Order, hon. minister.

MR. ZWOZDESKY: The tax bracket creep has affected us very negatively, hon. minister. It's true. That's a true statement, and I can back that up. [interjection] I'll bet even the Minister of Labour would help me back that up because I know he's a statistician himself.

So let's consider real disposable income compared with, say, five years ago. Say compared with 10 years ago. Let's take that into account as well. Let's go 15 years ago. Whatever you decide. [interjections]

Hon. Chairman, I see I'm provoking a lot of additional debate, which indicates to me that a lot of members are probably anxious to join in here and voice their concerns. So I will take my spot simply by saying thank you to the hon. minister for listening to my concerns and perhaps addressing them. I look forward to some of his responses as he wraps up his final comments on this bill, because I do want to believe – in fact, I know darn well that he's very concerned about our students and the colleges, universities, and technical institutes that provide for their higher educa-

tion. So with that I will simply close and await the hon. minister's comments and thank the Assembly for its time.

Thank you.

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

DR. MASSEY: Thank you, Mr. Chairman. We had a series of amendments, A1 and A2, and I would like, on behalf of the Member for Edmonton-Glenora, to move amendment A4, I guess it will be. I'll wait for the amendment to be distributed to the House.

This amendment is the third in the changes to the act, to Bill 35, and it is directed to the universities. The first amendment was for colleges, the second for institutes, and this one makes it complete, asking for the advisory council for universities.

I think, Mr. Chairman, many of the arguments have been made in support of the advisory committee, and the minister has commented on them. At this point there's not much to add to it. I think we've tried to make the case as best we can for a wider representation, a systematic representation through these advisory committees.

So with that I'd move the amendment called A4.

THE CHAIRMAN: Just before I recognize the hon. Member for Spruce Grove-Sturgeon-St. Albert, I'd just indicate that the chair agrees that it is amendment A4.

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

MRS. SOETAERT: Thank you very much, Mr. Chairman. I haven't spoken to these amendments yet. However, I just felt that we were enjoying the debate so much, and since it's a democratic process, we can speak in here and voice our concerns and support a good amendment.

10:30

Really, you know, if we had a tuition advisory council, we wouldn't have to depend on mood swings of governments or the mood of the day in a caucus meeting or somebody met a student they didn't like and said, "We should charge them more" or somebody met a student that said, "He's so broke we should charge him less." This would be an advisory council that planned ahead, that met reasonably and rationally. We might have students on that advisory council, might have people who've taught at the university, might have a government representative on it, might have an opposition representative on it. Now we're talking success. You know, I think it's a very good idea.

THE CHAIRMAN: On the amendment?

MRS. SOETAERT: On the amendment, yes. It's about an advisory tuition council, about who could be on that instead of a moody caucus, an ad hoc number, a caucus meeting one day that changes, you know, a minister who wears a cap one day and then takes it off the next. Despite the frivolity of some of the arguments . . .

MR. DUNFORD: We need pearls. I don't want rhetoric. Give me pearls.

MRS. SOETAERT: He wants pearls, not rhetoric. That's what I asked for for my birthday too. I didn't get them either. So I don't think you're going to get them in here.

Just briefly, I want to say that I think this would be a very good

idea, to have a tuition advisory council, because not everybody truly understands the value of education. This would be a committee who does understand the value of education, not just is in there with a problem, with an idea that maybe there are some spoiled kids nowadays. I think that when statements like that are made, they're misguided. I think students are very, very determined young people who are willing to sacrifice years of making an income for a chance at a better life.

So rather than arguing forever about what a cap means and how high it can go, if you have an advisory board that really gives some solid suggestions to the government, I think that would be a very good idea, a sound idea, and something this government may benefit from.

With those few pearls of wisdom, I would like to support this amendment, Mr. Chairman.

[Motion on amendment A4 lost]

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

DR. MASSEY: Thank you, Mr. Chairman. I'd like to now on behalf of the Member for Edmonton-Glenora move another amendment to Bill 35, and this one is A5, I assume.

I'll wait a moment while that's being distributed, Mr. Chairman.

[Mr. Shariff in the chair]

THE ACTING CHAIRMAN: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. This amendment would strike out for the universities, for the colleges, and for the institutes, three in one blow, that section of Bill 35 that reads:

- (4) On application from a college board, the Minister may, by written notice to the board, waive the requirements of subsection (1) for the period specified in the notice, if the board has in writing
 - (a) committed that tuition fees will not be increased during that period, and
 - (b) submitted to the Minister a plan to expand the college's enrolment.

If you go back to subsection (1), that is the section that deals with the capping of 30 percent. If our interpretation of this is correct, then this really will allow institutions to escape the tuition cap. [interjection] That's not correct? Pardon me?

MR. DUNFORD: Well, they can't raise tuition fees.

DR. MASSEY: They can't exceed the cap? Well, I'll be interested in listening to the minister's comments, because as we've read this and others have read this, it is of great concern. In the information that we got from the minister's office, tuitions for most of the postsecondary institutions across the province run now at around 20 percent, some a little higher, some less. I think the figures he supplied to us would indicate that they're running at 20 percent. When this legislation is passed, the cap is going to see those tuitions rapidly approach 30 percent, I'm sure. I think it's really a signal to the institutions that 30 percent is the limit. Given their cash-strapped status at the present time, I'm sure that's where they're going to go, and it's going to go there in a hurry.

This provision, as we see it, would allow them to even exceed

that 30 percent cap. The notion of it being based on an expanded enrolment seems to be contrary to what happens in terms of costs as enrolments expand. So the purpose of this amendment is to take out that section and not allow any exceptions to the cap once it has been established. I think it's fairly clear, Mr. Chairman, from the kinds of comments that we've had so far – the alarm about tuition fees, the increasing tuition fees, the concern that 30 percent is way too high, that even the current 20 percent is way too high – that the rationale for it being at 20 or at 30 isn't clear, and we think this is a provision that further weakens the whole notion of a legislated tuition cap.

So with those comments, Mr. Chairman, I'd await further discussion. Thank you.

MR. DUNFORD: Mr. Chairman, when we brought forward Bill 35, we were aware that this might be one area that would cause some difficulty. I don't know that there's very much complexity in the bill, but if there is anything that can be complex, then this would be it. So I think it's only appropriate that I perhaps speak right now – undoubtedly others want to speak on this amendment – just so we get clarification of what we're discussing here.

Members will remember that earlier the Member for Edmonton-Mill Creek got talking about access and that this was very critical, and we agree. So you have to work with me on this one just to put your mind ahead now to an institution that has reached the 30 percent cap. One of the requirements we force on institutions is that in their calendars they must publish their tuition fee levels. I think everybody would agree with that in the sense that a student should know as they register what the cost is going to be.

10:40

So you have an institution that's operating at the 30 percent. They've set their tuition levels. They've hired the faculty. You know, they've paid for the space. They have all of these costs figured out. Let's say it's the fall semester. The students all start to arrive, and they find that they have some empty seats. Well, you can see that if they bring in one more student and charge them the tuition fee, they're going to be over the 30 percent cap. The revenue from tuition has gone up because of this one student, but their net operating expenditure is the same. They're not going to hire another instructor. They're not going to have to hire more space or anything. The net operating expenses in that sense are fixed.

Actually this becomes enabling, then, for the minister to say: "Okay. For that semester you must keep the tuition fee the same. You must present a plan to the minister showing that, yes, you are actually increasing enrollment, and here's the plan that you're doing it." So you're meeting the access goal. Then the minister can say, "Okay; I will waive that cap for that particular semester." That institution would then be required at the end of that published time for those tuition fees to be in effect – if they have then significantly increased enrollment for the next time around, you might in fact see tuition going down. Okay? Because we're capping at the 30 percent level.

This is an area that is more complex than the other aspects of the bill, and we in the ministry think – and I think most members would agree – that access has to be our major concern. What we don't want is the institution closing its doors on somebody that would want to enter and fill that empty seat by saying: no, we can't take you because that puts us over the cap. We would then be acting illegally compared to the law. So it enables the minister to waive that so they can carry on.

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

MR. DICKSON: Thanks very much, Mr. Chairman. I was waiting for pearls. I wanted to hear pearls from the minister regarding that to help us better understand the bill, and what we've got is perhaps a journeyman explanation of the provision that's to be amended. We accept any explanation we get from the minister, but it doesn't qualify as a pearl.

The reason I suggest that, Mr. Chairman, is this. I understand the proposition from the minister of advanced education to be this. There has to be flexibility to accommodate situations which will arise on an ad hoc basis where for reasons that may be to some extent beyond the college's or university's or technical school's control, unless they were to restrict access, they're going to exceed their 30 percent cap. Reasonable men and women, I think, can understand that sort of conundrum that an institution would be in.

So then the issue is: how do you address that? How do you remedy it? Well, what the government has done in this bill, in Bill 35, is go much further than is necessary. What they've in effect done is said that for a period specified in the notice, we don't have to worry about the 30 percent cap.

Now, the minister talked about a semester. I don't know whether we still talk in terms of winter sessions and spring sessions and so on, but a semester is shorter than what many of us regard as a winter session. What if it were a year? What if it were five years? There's nothing in this statute that puts any outside limit on the notice. What I'm trying to say is this. The minister, I think, has raised a concern and a need for a degree of flexibility, and as I say, that's not an unreasonable proposition. I understand that, because nobody, I think, in the opposition wants to see any curtailment or restriction to access. That is a primary issue, and on that I do agree with the minister of advanced education. But if the 30 percent cap, or ceiling, is to have any real value, then when you derogate from it, it should be for specific reasons. It should be limited in scope. Those things in fact don't happen in the bill for the particular reason that there's no outside date. There's nothing to stop a college from saying, "For the next five years," applying to the minister, of course, and the minister permitting that.

[Mr. Tannas in the chair]

My colleague for Edmonton-Mill Woods reminds me that this is the sort of thing institutions can plan for. I mean, it's not entirely beyond the control of a well-managed institution. We've got very smart people running our technical schools and colleges and universities, and clearly that's something that could be planned.

So I think what we have to ask is: is the way that the minister has handled this the best way? Is this the way of doing it? When courts apply the Charter of Rights and Freedoms, there's always this question, and there's an issue whenever somebody tries to argue section 1 of whether a limit is justifiable in a free and democratic society, and there's a balancing that goes on. One of the tests that the court has developed is a notion of proportionality, and that is: if you derogate from a particular right or a Charter freedom, is the derogation as modest and as limited as is possible in the circumstances? I think what we've got here, to try and apply by analogy what happens in that context with what's happening here – I'm speaking, of course, to the amendment, the

reasons why the amendment is necessary, Mr. Chairman – is that the minister could have put some limits, some walls around this provision, things that would have imported some reasonableness.

DR. TAYLOR: Uh-oh, the lights are going out. [interjection] There is not enough water.

MR. DICKSON: Mr. Chairman, there are some people hoping for a power failure in the House. I'm happy to report that the microphones on the opposition side – the lights are still twinkling, and I think . . .

MR. HANCOCK: Nobody's home.

MR. DICKSON: Always a little helpful advice from Intergovernmental Affairs.

Mr. Chairman, I'm going to try and focus again on the amendment. When I was living in Lister Hall across at the university here and driving my little Ford Cortina, that froze up in every Edmonton winter – I had to take the battery out of my Cortina and lug it up to my room in Lister Hall because that was the only way I could get my car started when I needed it and could afford to run it, once every seven days – I wished that there were MLAs in this Chamber considering the plight of students. I wished there were advocates then in 1965 and '66 and in those late '60s. I wished there were advocates wondering about what kind of dilemma university students and technical and college students were in. You know, I wished that there was an opposition at that time in the history of this province that was challenging the minister of advanced education and the government to provide the kind of protection that we thought we might have been getting in the first part of this bill. Then we discover that the minister, without anything more than a bye or leave, can simply agree to take this limited protection, which isn't perfect anyway, and basically suspend it without any limit at all. That effectively guts the very purpose of it.

10:50

You know, the minister of advanced education said, I'm sure in all sincerity, that he wanted pearls. Well, the problem is that a pearl is very much in the eye of the beholder. A pearl is very much something of value dependent on the perspective of the person that's labeling it.

I'm going to wrap up my comments now, Mr. Chairman. I've attempted however clumsily to suggest to the minister of advanced education that in view of his explanation, I see a potential problem with the amendment. I'd invite the minister to make it really easy for those of us who are doing our best to support an amendment put forward by our thoughtful colleague. If the minister were prepared to undertake to take that provision in each of the three sections of the act and come up with a workable plan to limit the duration of the exemption period so there would be some outside limit, I'd even be prepared to caucus with my colleagues and suggest that rather than proceeding with the amendment, we work on that.

I think the minister makes a point . . . [interjection] Well, what the minister gets for it is putting the best possible legislation forward. The concern is now the provision for a waiver. If the waiver is simply to accommodate a short-term difficulty in an institution, we can understand that. So why then wouldn't we ensure that this didn't go on? I'm saying that there's nothing in the act, other than our faith in the commitment of the minister to access and cap tuition fees, that would limit that period of

suspension. The cap can be waived. The minister will say: well, I have no intention of waiving it for two years or three years. It might be, he said, a semester. Maybe it might be like a winter session. Well, it would be a minor amendment – wouldn't it? – to simply put some kind of outside cap in there?

The amendment, I'm going to concede, maybe goes too far, because it takes away the power altogether. I've heard the minister's explanation, and I'm suggesting that I think a reasonable compromise would be to say: okay, we want to leave this flexibility in, but we also want to recognize that there have to be some outside limits on this thing. Now, if the minister can give some explanation why that wouldn't work, I'd be appreciative. It just seems to me that the exception is way too broad, and if I understood the minister correctly, the kind of modification I'm suggesting isn't at all inconsistent with what he is trying to provide for, what he's trying to accommodate. You know, what I think we're interested in is just making sure that the value of the tuition cap in the first part of each of these sections – and there must be some value because that's why the bill is here – if it's to have some value, let's narrow the exception.

I know there are lots of my colleagues who are anxious to speak to it, but the minister could perhaps head much of that discussion off if he'd be prepared to comment on the sort of suggestion I'm attempting to put forward.

Thanks very much, Mr. Chairman.

[Motion on amendment A5 lost]

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

DR. MASSEY: Thank you, Mr. Chairman. I'm disappointed, but my colleague from Edmonton-Glenora is a rather thorough individual and has analyzed the bill rather carefully, and I think the last amendment is one that members will find worthy of debating and supporting. I believe this will be A6. I'll wait just a moment while the amendment is distributed.

This amendment again would apply to all of the three acts included in Bill 35, and it would change the percentage, the cap, from 30 percent to 20 percent. I think there are a number of arguments that may be made for this change. This is an acceptable amendment, I assume, in that a bill that we had on the Order Paper, Bill 214, was removed earlier today because it was deemed similar to Bill 35. So the change of the numbers is not a substantive change. It's in sympathy with the bill, I can assume, by Bill 214 having been removed.

The 20 percent cap that most institutions are at right now is being questioned by students and parents and those interested in higher education across the province. The tuition costs at Canadian universities have jumped by 150 percent over the last 10 years, and last year alone tuition across the country rose by an average of 11 percent. Recently the University of Alberta raised tuition by another 9 percent. These increases are happening in campuses across the province.

11:00

The Alberta government cut funding to our institutions in 1994 by 21 percent, and the pressure on tuition and the increases that have brought them to the 20 percent level I think have really started to work a hardship on students. Again, I think the 20 percent is high. In essence, what this amendment would do would be to freeze tuitions for most of the institutions in the province at current levels. I believe that that's a responsible act until the whole notion of tuitions and where they're going to go in the future is addressed.

One of the problems I have with the cap of 30 percent or even this cap of 20 percent is: where are we going to be in the year 2005? Thirty percent by the year 2000 and then what? If you look at the trend in increases, any kind of trend analysis over the last 10 or 15 years would indicate that tuitions are going nowhere but up. Unless there's some change in government policy, unless there is some recognition that we have to look at alternative ways of financing postsecondary education other than on the backs of students and their supporters, there can be no other way for tuition to go but to increase.

I worry about any bill that caps tuition. I worried about our own bill, but at least the 20 percent would have things remain as they are. I would hope that were 20 percent acceptable, that would be quickly followed by the government taking action and putting together a task force, putting together a royal commission, putting together some sort of a forum to address the financing of postsecondary institutions. Institutes, colleges, and universities in this province cannot continue to depend on student tuition to finance their operations. We know that the costs to those institutions and universities and colleges, largely wrapped up in salaries, are going to continue to rise, that the instruction materials are going to continue to rise. So with a cap of any kind I think we're going to have to look at doing something other than look at tuition.

Essentially what this amendment does is freeze tuition at current levels and then force the government, force all of us to look seriously at what's happening to our institutions and the future of those institutions.

With those comments, I would urge the House to accept the amendment for the three acts included in Bill 35, Mr. Chairman.

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

MR. DICKSON: Thanks, Mr. Chairman. Rising to speak in support of this amendment, I very much appreciated the comments of the Member for Edmonton-Mill Woods in indicating that the 30 percent reduction to 20 percent in the three places, universities and colleges and technical schools, is in the nature of a transitional provision. I think that's very important.

I think from what I hear from university students and students in Calgary at SAIT or the Alberta College of Art or at the University of Calgary, there's that concern in terms of some stability at a time when there's been very little stability. I think most of the Calgary MLAs, and I know the minister of advanced education, get the publications produced by the University of Calgary. If I look at those – and they come out I'm sure at least every month – tuition always figures very prominently. Why? Because that is a top-of-mind concern for postsecondary students.

I have spoken before about the number of students living in apartments in downtown Calgary. The view of many of those constituents is that 20 percent is where the cap ought to be, that 30 percent is too high. The Member for Edmonton-Mill Woods, in putting forward and propounding the amendment, identifies right off the bat that this isn't an ultimate solution, this isn't even a long-term solution, but it's a way to provide a level of stability at a time when that's very desperately needed in postsecondary education.

You know, Mr. Chairman, if there'd been this kind of protection in 1967, it wouldn't have been necessary to occupy the board of governor's office, protesting student tuitions. If there had been these kinds of caps in place, students would have been hugely advantaged. Why is that important? This isn't just about students; it's about our economic performance.

Since he became a minister, we hear that the Member for

Cypress-Medicine Hat has sort of found religion when it comes to the value of investment in technology, investment in knowledge-based industry when it comes to investing in research capability. Well, all of that value-added component in terms of our economic development is based to a very large extent on postsecondary instruction, postsecondary education of Alberta students. It has to be the sort of thing that we work very hard as legislators to be respectful of, to be responsive to. I think if there are members in this Assembly that are getting different information from their constituents, I'd be keen on hearing from them.

The Minister of Energy has often said and the minister of advanced education said – and it was an interesting assertion, and I guess my tendency is to challenge it – that proportionately students are paying less now for tuition than they did a number of years ago. What that ignores is the fact that it's a vastly more competitive situation. Tuition may have been low for those of us that graduated from the university in the late '60s or early '70s, but the job market was incredible. Having a university degree almost guaranteed you four or five job offers as soon as you finished university. That's not the case in 1998. Even if it were – and I'm not sure I accept it, but I am in no position to deny the minister's assertion – that proportionately students are paying less for tuition now than they did in the late 1960s, the job prospects have been so dramatically diminished that the analysis the minister refers to doesn't get you very far in terms of fairness. It doesn't get you very far in terms of accommodating what the minister from Cypress-Medicine Hat talks about with such fervour and such passion: promoting an expanded role for research.

So for all of those reasons, Mr. Chairman, I think the amendment proposed is a helpful one, a positive one, and one I just have no hesitation in supporting.

I am confident that there are probably some other members that also have heard from constituents in their areas. In fact, I was talking to a family from Calgary-Shaw the other day with a daughter attending the University of Calgary, and they identified a concern with tuition. I encouraged them to speak with their MLA, because I knew their MLA would be alive to the concern. I represented that he's an MLA always on the move and known for changing positions quickly, and I thought there'd be every opportunity for having the Minister of Justice and Attorney General championing a 20 percent rent increase.

11:10

So for all of those reasons I'm going to encourage members not only to support the amendment but also to speak in favour of it, because postsecondary students should know how their MLAs stand on an amendment like this, short of a standing vote. Those are the comments I wanted to make. I can see from the charades being played across the way that this is a short word. It starts "the", and I know that there are going to be further words coming in a few minutes, but I'll sit down to read those signals.

Thanks very much, Mr. Chairman.

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

MS OLSEN: Thank you, Mr. Chairman. It's always somewhat difficult to follow the Member for Calgary-Buffalo because he is so eloquent in speaking to all of these particular issues. However, I am speaking to the amendment, and that amendment would propose to move the tuition cap from 30 percent to 20 percent. Indeed, I would urge everybody to support this particular amendment because I think that is within the reality of where students are at today.

MR. STRANG: This is not 214. We're on Bill 35.

MS OLSEN: The hon. Member for West-Yellowhead is really interested in getting into the debate, so I'll be excited to hear what he has to say when he gets up.

I have concerns about the whole issue of tuition caps. Certainly I could support a 20 percent tuition cap, but when I look down the road and I look at what this government is proposing in terms of 30 percent, I think that's a little bit high. I think that's unreasonable, and I also think that that's the growth that this government has. It can go from 22 percent or 23 percent now – and that's the average for students – so they have a 7 percent growth.

So I feel that we should be a little more realistic. I think we should be creating a system that all youth will have access to. If we look at that 7 or 8 percent that this government can move up in terms of a tuition cap, that is going to make accessibility to postsecondary institutions extremely limited, because there will only be certain students, certain youths who could go. I look at the differences between U of Vic and Simon Fraser University at \$2,100, \$2,200 tuition fees as opposed to what we have in this province at \$3,200, \$3,300 and up. Now, I get a little concerned when we're looking at an economy that is not in good shape in British Columbia, yet they're able to keep their tuition at least a thousand dollars lower than our own. I look here. I think the economy is pretty vibrant, and there's a need for skilled and trained people coming out of our colleges and universities, yet we seem to make it a little more difficult to access the institution because of the cost of going to university. It seems to me that partnerships are going to become a very common part of the university program, the whole issue of private dollars becoming far more essential in an institution. When we're developing these kinds of partnerships, undertaking these kinds of strategic partnerships that universities are engaging in now, I'm wondering why it is, then, that we have to have tuition as high as it is.

I think for the middle class, for those of us in this Assembly who have children who are going to eventually proceed or go forward with their education, it will at some point become almost prohibitive for many people and even some people in this Assembly. If what we're looking at is a tuition fee that is out of reach, then we're going to have a problem with the level of skill in our working environment. We are going to have youth that are not adequately educated, not because they're not smart enough to go to university or college but because they can't afford to go to university or college.

So I think we have to look at something a little more accessible, given the cost of books and the cost to pay back the student loans that already exist that many students have coming out of institutions. They have a difficult time in many instances getting a job in certain fields, and then that means they have a more difficult time paying off a student loan and their student debt. Consequently, they have more problems. They don't get on with their life as quickly as they might otherwise like to. So I think the tuition has to be reasonable; it has to be acceptable. We can't have kids working two or three jobs while they're going to school. I think that's unacceptable. It'll take them longer to get through school because they won't be able to take as many courses, or they'll try and take a full course load and work a couple of jobs and not do as well. So the achievement they might have been able to reach and the marks they had hoped to get will be far less than what they end up with simply because they're working far more than they are studying.

I think this amendment is a good amendment. It certainly

supports the whole notion of accessibility to institutions and to universities. I look at where Alberta ranks in many of the surveys that are done across the country. The University of Alberta does very well generally. However, we have a tuition fee of about \$3,400, \$3,500. If you go across the country, the further east you go, the higher we see the tuition fee. In terms of this tuition following a student, I think that's fine and that's great. But we want to encourage our students to stay here and certainly to be able to access their own universities as opposed to having to move elsewhere and do that.

I would urge this government to adopt this particular amendment. It's a good amendment. It's a responsible amendment. It's a very responsible amendment, and it's realistic.

So with that I will conclude and would encourage other members to speak in support of it.

11:20

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

MS BLAKEMAN: Thank you, Mr. Chairman. I'd like to speak as briefly as possible to this amendment. I think this is an important amendment, and it sits much better with me with a cap at 20 percent than at 30 percent.

You've heard a lot this evening about the need for accessibility, and I won't go into that again. I think one of the things that interests me about the way we look at postsecondary education – funding for it, saving for it, and societal support for it – is that it's very different here in Canada, and we're often influenced by our neighbours to the south. They have a long history and tradition of donating to their alma mater and of saving for it, and they're very focused on putting that kind of money back into their university and college system. We just simply don't here.

I know that the postsecondary institutions have starting fundraising campaigns and have been starting alumni campaigns and working with alumni to raise more money to augment what the universities are doing. But I don't think we are ever going to reach the level in Canada that they have in the States and the understanding they have about how much money – you know, the 10 percent – you tithe and put into savings or that you donate to your favourite postsecondary institution. We are never going to get to that place here in Canada. So we have a problem. Costs are rising. We need this education. I hope we value this education for our young people.

How difficult is it for families to support or to save money for a young person in their family to go? Well, nowadays we can look back at some of the statistics. Students get less in government funding, and with that I'm looking at bursary programs, loan programs, grant programs, and things. They're getting about half now of what they did in 1980, and tuition fees have risen by 150 percent over the last 10 years. So there's an imbalance that's starting to happen there, and it's getting to be more of a pinch for the students.

If you look at how well families are doing in saving money for their own children, to be able to save for their tuition and send their kid through some kind of college or university, well, the savings rate has dropped from 15 percent to about 7 percent in the last 20 years. So if you as a family put your money in a savings account and hoped that that was going to build up and be the nest egg to send your child to university or college, it's growing at a lot smaller rate now than it was 20 years ago. So it's more difficult for families to be able to take more of the load on themselves.

Are families earning significantly more now? Could they afford

to be topping up that percentage? No, not particularly. I think the average family income is pretty much the same as it was, and the cost of tuition has risen. There's no question about that. You've heard all kinds of statistics and figures on how much it's gone up. So even if families wanted to save, if they could afford to save and take the money away from whatever else they're doing and they put it in a savings account, they're still not making the kind of interest rate on it. We don't have a tradition here in this country of putting significant amounts of money as a donation towards those institutions. I don't want to see the download or the brunt of this fall one hundred percent on the shoulders of the students. I don't think anybody in this Chamber wants to see a position where it's becoming inaccessible for students to go. I'm sure that's not the case.

What can we possibly do long-term? Where are we looking to make sure that we can afford to have these institutions properly funded without a complete user-pay system that we know is not possible here? Nobody can afford to pay that amount of money, and we as a society don't have that kind of tradition of saving to make it work.

So I think this is a good amendment in that at a 20 percent cap it's trying to keep it to a reasonable amount of money that the student would be expected to pay. I'm very supportive of that. I would look forward to the suggestions and the plans that the minister will be bringing forward about what kind of long-term adjustments are going to be made. I heard his plea for more assistance coming from the federal government as far as support for postsecondary education. I will do what I can there. I heard him, but I don't think the answer is to shift the entire load as a user pay, a user fee, onto the students. I don't think that gets us any further forward.

So I would ask for the support of the members of the Chamber for this amendment to keep the cap at 20 percent. Thank you for the opportunity to speak to this.

THE CHAIRMAN: Okay.

The hon. Member for Edmonton-Castle Downs.

MS PAUL: Thank you, Mr. Chairman. I'll just make a few brief comments on the amendment to Bill 35. The amendment certainly does address the concerns that . . . Pardon me?

THE CHAIRMAN: Ssh.

Edmonton-Castle Downs, you're on.

MS PAUL: Oh, okay. Thank you, Mr. Chairman. I wasn't sure whether you were ssh-ing me or some other members in the House.

The intent of the amendment is certainly the position that the Liberal Party has taken with respect to the cap on tuition. I think it's been noted throughout this evening during Committee of the Whole debate that in fact we concur with the government's initiative to introduce a cap, but I'm afraid that we just don't agree with the fact that the level is at 30 percent. So that's why we have this amendment, and I think that covers the purpose and intent of the position that the Liberal Party has held for quite some time.

I think we have to look at the responsibility of families and students who want to attend postsecondary education and look at the feasibility of affordability. I think that lends itself to this 30 percent tuition cap and the fact that it could be raised.

The minister has spoken at some great length on a few of the

other amendments that we did bring forward and has been explaining and doing a good job. He hasn't been sending over quite the pearls that we need to change our mind on the 30 percent, but having said that, the intent of the bill is good. The goal of the Liberal Party has always been 95 percent of Albertan students being able to afford and to attend a post high school program. I think that it's important, that higher education for all students in the province of Alberta is something that is needed. It's very important in the structure of any province obviously to have students well educated in universities or technical schools or some postsecondary education. That obviously benefits the economic growth of any province.

Mr. Chairman, the concern that we have and the thinking behind the 20 percent obviously has been expanded on by other members. The necessity to have it lowered is quite imperative, and something that we are striving for and trying to impress upon the members of the House is that we need that addressed. We need it lowered to the 20 percent.

Mr. Chairman, the other members have certainly expanded on the higher education prospects of Albertans and students who want to learn and not be denied higher learning so that they can contribute to the well-being of families and the economic growth in this province. You sort of have to take a look at the ages, too, of students in higher learning at this time, in the 1990s. We find that students that are going on to higher learning are not necessarily living at home, so the onus is on them to provide their own financing. When I spoke to the bill in second reading, I alluded to the fact that a lot of students are in fact carrying on with two or three jobs in order to sustain a way of life while they are being educated, because of the cost factors that are involved with higher education.

11:30

Mr. Chairman, I think it's very important that we address the issue of lowering the 30 percent to 20 percent, and I would urge that all members in this Assembly do vote in favour of this amendment. We haven't had much luck with the other amendments that have been brought up earlier, and I think that it's about time that one of the very, very important issues of this legislation should be brought forward and accepted by the members in the Legislature tonight.

Mr. Chairman, I don't want to reiterate and carry on with the aspects of the merits of the bill. I've already indicated that I actually do concur with the intent and the merits of the bill. I know that the minister, who is looking for pearls, would in fact receive a large pearl or a diamond from us if he were to accept this amendment.

Mr. Chairman, with those comments I think I will let the hon. Member for Spruce Grove-Sturgeon-St. Albert speak.

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

MRS. SOETAERT: Thank you, Mr. Chairman, for acknowledging me. I want to speak to this amendment for a couple of reasons. I'm well aware that the decision has been made and that we're not going to find support from the other side. [interjections] That was a very attractive hat you wore there in the Speaker's chair, Member for Wainwright. He had on that three-cornered hat, took the Speaker's chair. Whoa, that could create a bit of a stir. He put the Speaker's hat on, and he sat in the Speaker's chair.

However, I'd like to seriously speak to this amendment. Maybe that was symbolic of the tuition cap.

DR. TAYLOR: I think that hat is the same shape as your head, Colleen.

MS OLSEN: A point of order.

THE CHAIRMAN: The hon. Member for Edmonton-Norwood on a point of order.

**Point of Order
Insulting Language**

MS OLSEN: Thank you, Mr. Chairman. I think that the comments from the hon. Member for Cypress-Medicine Hat . . .

AN HON. MEMBER: Citation.

MS OLSEN: Citation? Imputes false motives: 23(h), (i), (j), whatever. [interjection] I'll get it for you; I'll get it. The citation is 23(h), (i), and (j).

DR. TAYLOR: Mr. Chairman, I withdraw the comment.

THE CHAIRMAN: Hon. Member for Edmonton-Norwood, the hon. minister has withdrawn his remark. It may or may not have been recorded in *Hansard*, but the withdrawal has been noted.

Hon. Member for Spruce Grove-Sturgeon-St. Albert.

MRS. SOETAERT: I'm really glad he withdrew that remark, Mr. Chairman, because I sent him such a nice get-well card when he was sick, so I wouldn't want him to hurt my feelings.

Debate Continued

MRS. SOETAERT: I would seriously like to speak to this amendment and, believe it or not, briefly.

It's obvious that the decision has been made by this government that it's a 30 percent cap. But I must tell you that the bill that just got pulled today was the hon. Member for Edmonton-Mill Woods' bill, in fact the first bill he's ever been able to present in this Legislature, just by the luck of the draw. It got pulled today because it's very much on the same idea as this one except with one significant difference, in that the cap be 20 percent. I guess therein lies the difference. The hon. Member for Edmonton-Mill Woods and his caucus value education. When the oil is gone and when our trees are gone and when we have no provincial parks left, what we still have is the brains between our ears. If we truly nourish those and nurture those, then we're smart. Then we will have an educated population. But if we continue to tax people out of the ability to get an education, we're fools in here.

Mr. Chairman, we value people here, and we value the ability to learn. We value education beyond grade 12. That's why I want to support this motion. I very much respect the Member for Edmonton-Mill Woods. It's a pity that he's not the minister of advanced education in a Liberal government, because it'd be a 20 percent cap, not a 30 percent cap.

With those brief comments, very sincerely meant, I think this cap should not be more than 20 percent. This is affordable, and it's possible if you value it, but it's obviously not valued over there.

Thank you.

MR. DUNFORD: I just quickly want to make sure that everyone understands that the goal of this ministry is to reduce student debt. One of the things that keeps entwining itself in this discussion is tuition fees, and I just want to make sure everyone understands that to the south of us we have a system where tuition fees are higher and student debt is lower. I think that's what we need to be aiming for.

MR. MITCHELL: That's not true in state colleges anymore.

MR. DUNFORD: It is true, and in this situation that we're faced with, I think what we want to indicate to folks is that those who can pay should pay and that for those who cannot pay, we will find a way to ensure their way into the postsecondary system. I'd call the question.

MR. MITCHELL: You know, Mr. Chairman, it could have been over. I'm minding my own business here, although I've been taking some abuse from the Minister of Energy, and I've been quiet. I haven't been happy, but I've been quiet. But I am so often and so unfortunately struck by some of the evidence or the analysis upon which ministers across the way are inclined to base some of their legislation. We've heard . . . [interjection] Well, I'm getting to that.

The minister has just made the argument in defence of his tuition cap that even at the level, as high as it is, that he wants to cap tuition at, it is still less expensive than our, quote, unquote, neighbours to the south. In fact, he is correct when it comes to private institutions in the United States. He is not correct when it comes to publicly funded institutions in the United States. I can understand an argument in defence of a bill where the argument is based upon facts and isn't premised upon something that is incorrect. If the minister really believes what he said in defence of this bill, then he is under an obligation to withdraw this bill, because he is wrong. He would be passing this bill – would he not? – based on a wrong premise which is so integral to his argument in favour of the bill. Surely Canadian students should not have to pay more for their public education system than American students have to pay for their public education system. Given that he has influenced debate with that data, I would like to see him table the data that he has used in defence of his case so that we can see where it is that he could possibly have conjured it up from.

I'm not voting for this.

[Motion on amendment A6 lost]

[The clauses of Bill 35 agreed to]

[Title and preamble agreed to]

11:40

THE CHAIRMAN: Shall the bill be reported? Are you agreed?

SOME HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed?

SOME HON. MEMBERS: No.

THE CHAIRMAN: Carried.

The hon. Government House Leader.

MR. HAVELOCK: Thank you, Mr. Chairman. I move that the committee do now rise and report.

[Motion carried]

[The Deputy Speaker in the chair]

MR. SHARIFF: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports bills 41 and 35. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

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

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.
The hon. Member for Edmonton-Centre.

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

Bill 21
Alberta Health Care Insurance
Amendment Act, 1998

[Adjourned debate April 20: Ms Blakeman]

MS BLAKEMAN: Thank you, Mr. Speaker. I would just like to recap briefly the points I was making when debate was adjourned on this, and I'm speaking specifically to Bill 21. One of the points I was making was the importance of the health care system, the medicare system that we have in Alberta and how deeply felt is the deeply held belief that this is one of the major tenets that makes us a proud place and a wonderful province and country to live in. People aren't too happy when that medicare system is mucked with. Sorry. I didn't mean that in a derogatory way. People want to know why it's being changed and to see a positive outcome from it.

In this bill I'm not seeing where this is moving that system forward. There was a lot of talk about restructuring the entire health care system, and I haven't really seen a positive restructuring. I've seen additional layers of bureaucracies and RHAs and other things like that and quite a bit of shuffling from here to there and a lot of closures, but I haven't seen the new paradigm that everybody was talking about. So I'm still waiting for that.

There are obviously deep problems between those working in the health care professions, the clients, the regional health authorities, and the government. Is this bill addressing any of those problems? Not that I see. Was it addressing a demand from the public? No. I certainly didn't receive letters and telephone calls and read newspaper articles saying: we the public desperately want this bill for physicians to opt in and out. I certainly haven't heard that from any of the people that I know that are physicians working in the system now. We appear to have one person in Alberta who's interested in it so far out of 4,600 doctors. I wouldn't call that an overwhelming percentage that's really creating a drive for change here.

I question and I look forward to answers from the Minister of Health as to what purpose this bill was to serve. How is this moving forward a restructuring of the health care system? How is this addressing any of the concerns that are being brought

forward by the public? How is this fitting into a restructuring or a new paradigm of our system? And how is this going to be working on any of the great concerns that the public has?

I just wanted to recap the comments that I had made the last time this bill was debated in second reading, and I thank you for the opportunity to do that. Having said that, I will take my seat. Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Creek.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I am pleased to rise to speak to Bill 21, the Alberta Health Care Insurance Amendment Act, 1998. I've been asked to be brief because we're approaching the midnight hour here, so I shall attempt to do that. I've had a chance to peruse the bill, and in having gone through it back when it was first introduced, which would have been several days ago anyway – I can't remember. I do recall reading it then, and I was just refreshing my memory on it here and having a brief chat about it, and I think my comments will come down to a couple of broad areas, respecting of course that we're in second reading now – is that right? – and I'm only allowed to talk to the thrust of the bill or the principles that belie the bill.

One of the concerns I have straightaway certainly pertains to the main purpose of the bill, which addresses the opting out aspect of our medicare system, specifically as it applies to the physicians in the province of Alberta. I note as we look at the opting out part, which I'll talk about in a moment, that I also want to talk about the opting back in part. I know for example that just recently we had a precedent case in this province. We had a certain doctor in Red Deer who in fact did opt out of the publicly funded medicare system. She went out on her own. I haven't had a chance to follow up to see how that doctor is doing in the opted out status, but I'd be anxious for the minister to comment if he has some information to see how smoothly that experimental case went or didn't go. I understand that the female doctor, the woman who is doctoring in Red Deer, has set up her own practice entirely independent of the system . . .

MR. MITCHELL: Not that that matters.

11:50

MR. ZWOZDESKY: No. Quite correctly it doesn't matter if it's a man or a woman, but I want to make it clear that I understand the case. In fact I think her name is Dr. Witham. I wasn't going to say that on the record because I'm not sure how to spell it, but *Hansard* may help me out and find her spelling.

In any case, let me get back on track here, because I do have some points I want to make. I'm concerned, Mr. Speaker, that at a time when we have a fairly high level of frustration amongst our medical fraternity we would have a bill like this coming forward, which seems to rock that boat even a little bit more than it has already been rocked. I'm not happy at all that the health care system in our province has necessitated doctors to commence rotating job actions, and I know doctors aren't happy with that either, but they feel they have been driven to that point in order to make their point. Now, what has happened in the negotiation process to arrive at that sad state? I don't frankly know. I'm hopeful that as we speak there are negotiations going on that will bring that to a swift conclusion.

But the point I want to make with reference to this bill is specifically how legislation like this, which on page 2 gives the minister, whoever it might be, from today on into the future

absolute and complete power, which I find very interesting because we're talking to and we're talking about a government that prides itself on respecting the principles of free market systems, what we call the laissez-faire of the economy – as part of that laissez-faire there must be a certain allowable freedom for free market forces to prevail. Yet what we have in this bill is the ability for the minister, at his own whim's notice, to allow a physician to opt out of the plan by application to the minister. So that takes away, I would think, a certain freedom, and I would think the front bench would agree with me on that one.

I don't understand why that would be there except to say that the minister reserves the right to review the application and refuse it or accept it on the basis of whether or not the service which that doctor provides is in fact critical, necessary, emergent, or otherwise urgent. I've come to understand that a little bit, but I have to ask myself this question: why would a doctor want to opt out of a publicly funded health care system that has served this province and this country very well ever since it was first introduced?

Now, I'm not suggesting for a moment here that there weren't some cost cuttings that were required. Certainly there were, and some of them we even supported. However, to have gutted the system, as it were, the way that certain aspects of it were surely didn't propel any kind of good feelings between doctors and government budgets nor between health care providers in general and government budgets. So again I want to know why it is that a doctor would want to opt out of a system like that.

I think that what's going on here . . . [interjections] I'm sorry. I'm getting a lot of very good participation here again tonight. It seems to be my night, hon. Speaker.

I would like to know, hon. Minister of Health, where this bill fits and what its role is with respect to possible privatization of some additional parts of health care in this province, if at all. Does it have anything to do with that? No? I won't go on with 20 questions, but I just wonder. And does the minister reserve the right to control those steps toward privatization or against them? I suspect not, but I'm just not clear. So I'll abandon that point of view and move on.

As they go doctor shopping or as they go from one doctor being referred to another doctor, how will patients know who's opted in and who's opted out?

MR. JONSON: Read the bill.

MR. ZWOZDESKY: Yeah. I have read the bill, and I note that there is a section there that specifically does talk about a physician who has opted out may apply and that there must be some type of status published in the newspaper or whatever that section was. I know that, but the point there, Mr. Minister – and I say hon. Minister in this case. What I'm talking about is we're not communicating that one piece of newspaper and expecting every single Albertan who may need health care to have read that particular newspaper. Now, it would make sense that there would be a list somewhere. Perhaps in addition to the white pages and the yellow pages and the blue pages, we'll have to invent some additional pages in the phone book. I mean that as a serious suggestion. Here's your list of opted outs for the year. As you go looking for assistance or as you're in your doctor's office and the doctor starts to refer you to another doctor, will the referring doctor know to whom he's referring? Is there going to be a list like that compiled? I assume you have that.

MR. MITCHELL: It's a nightmare, Gene.

MR. ZWOZDESKY: No, I'm not sure it's a nightmare yet, but it could become one, and I want to prevent that from happening, because if the government wants this bill badly enough, they're going to put it through. I'm simply trying to be helpful to steer it along.

Okay. Let me move on, because I promised I'd be short. Now, the other question I have is this. I may have seen it in the bill, but it escapes my memory. After a doctor has opted out, does that doctor still have full right and full access to the public hospital system for the measures that they have to perform? Is that covered in the bill, hon. minister? I don't recall. Just nod your head if it is. It is? It isn't? Okay. Well, you'll let us know after you're finished making the note. Thank you. I'll accept that the minister will undertake that.

It's confusing to me on reading this whether the principle of the bill precludes a doctor who has opted out from accessing those kinds of services that only a hospital, which we would assume is publicly funded – if that's not the case, hon. Speaker, then are we looking at doctors who opt out, and then down the line to accommodate their needs for a place to practise and do surgical procedures, are we looking at hospitals that have to opt out as well? So you have opted-out doctors working in opted-out facilities. That's the logical conclusion. Or do they pay for operating room time? Is that covered in the bill? Am I on the wrong vein here, Mr. Minister, with this? If I am, I'd be happy to abandon it. It's not clear to me how it is that the opted-out doctor accesses the place that he or she needs to do the operations: the hospital, the medical staff that back up the doctor. Have these questions been asked before? Because I haven't seen that.

I'm concerned with that, Mr. Speaker. When we introduce a bill and when we scrutinize a bill in this House, we can't just be that myopic in our view that we're only concerned with the words on the paper. We have to be more concerned with what the ramifications are as you try to implement and apply the bill so that we're not looking at coming back in here and having to rejig a number of other pieces of legislation in order to make this current one before us work.

I'm concerned with the low spirit that must exist amongst many of our medical fraternity, not all, hon. members. I want to think that the majority of our doctors are in good shape morally and otherwise, but I'm concerned at the possible dampening effect that this bill would have on our doctors.

I want to know who supports this legislation. Do we have a series of stakeholders in the medical fraternity, in the health care fraternity, hon. minister, who support the legislation as it's drafted, especially with respect to the opting-out provisions? Then if they want to opt back in, is there support for the method that you're asking them to go through here, where there's a 60-day period for dental surgeons – something like that; is that right? – but it's up to a year's wait for other surgeons? There seems to be some inequity there that should be cleared up.

Mr. Speaker, I promised to be short. That's as short as I can be. With those very brief comments, realizing that it's now after midnight, I apologize for taking up a little more time than I thought I would. I want those questions addressed and resolved and answered so that I'll know how to vote on this bill. Right now I can't see how I could vote for it. I want to be clear in my mind so that when I'm visiting with many of my medical fraternity friends over the next several weeks and perhaps months, I can answer those questions for them.

12:00

MR. MITCHELL: They're going to be calling, Gene.

MR. ZWOZDESKY: Well, they have already. I said, "Well, I haven't had a chance to speak to this yet, but I will ask those questions." So I've asked them, and I thank the Assembly for its time.

THE DEPUTY SPEAKER: The hon. Minister of Health to close debate.

MR. JONSON: Thank you, Mr. Speaker, and I do hope that tomorrow is a better day for the hon. member.

Just some very brief comments. First of all, just a news update for the hon. member that spoke previously, and that is that during the day just completed, we did announce the reaching of a memorandum of agreement with the Alberta Medical Association.

MR. ZWOZDESKY: Well, why didn't you tell me that?

MR. JONSON: Mr. Speaker, I did not want to interrupt the flow of his rhetoric.

I also did just want to note, Mr. Speaker, that the member indicated his enthusiasm for the free market, I assume for privatization and those sorts of things, which is really kind of interesting given the stance of the caucus across the way on other matters.

To respond to some of the specific issues raised by members across the way and others that have spoken, first of all, Mr. Speaker, for some time it has existed in the province of Alberta in accordance with the Canada Health Act that a physician may opt in or opt out of the coverage under the medicare system. Beyond that simple statement, there has been no real format established in legislation or regulation as to how that would be done, what notice should be given to the public about it, what the length of time should be that you opt out for if you choose to or opt back in for if you choose to. Basically, this particular bill, Bill 21, provides a very clear series of steps for that to be accomplished. Once the decision is made by the physician to change their status, then there are these steps to be followed.

Mr. Speaker, I will conclude my remarks at that particular point because as we move into committee, there'll be an opportunity to respond to some of the very specific things that have been raised by speakers during the debate.

The other thing that I would just like to indicate is that we have had further consultation. It is quite possible that in the course of committee study of this bill, I will be bringing forward some government amendments that will further improve the bill.

Thank you.

[Motion carried; Bill 21 read a second time]

[At 12:05 a.m. on Wednesday the Assembly adjourned to 1:30 p.m.]

