



Legislative Assembly of Alberta

The 27th Legislature
Third Session

Standing Committee
on
Legislative Offices

Friday, February 26, 2010
9 a.m.

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Third Session**

Standing Committee on Legislative Offices

Mitzel, Len, Cypress-Medicine Hat (PC), Chair
Lund, Ty, Rocky Mountain House (PC), Deputy Chair

Bhullar, Manmeet Singh, Calgary-Montrose (PC)
Blakeman, Laurie, Edmonton-Centre (AL)
Campbell, Robin, West Yellowhead (PC)
Hinman, Paul, Calgary-Glenmore (WA)
Lindsay, Fred, Stony Plain (PC)
MacDonald, Hugh, Edmonton-Gold Bar (AL)
Marz, Richard, Olds-Didsbury-Three Hills (PC)
Notley, Rachel, Edmonton-Strathcona (ND)
Quest, Dave, Strathcona (PC)
Rogers, George, Leduc-Beaumont-Devon (PC)

Legislative Officers

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Brian Fjeldheim	Chief Electoral Officer
Merwan Saher	Acting Auditor General
Neil R. Wilkinson	Ethics Commissioner
Frank Work, QC	Information and Privacy Commissioner

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Cheryl Scarlett	Director of Information Technology and Human Resource Services
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Karen Sawchuk	Committee Clerk
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Rachel Stein	Research Officer
Liz Sim	Managing Editor of <i>Alberta Hansard</i>

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[Mr. Mitzel in the chair]

The Chair: Good morning, everyone. It is 9 o'clock, and I'd like to call the meeting of the Legislative Offices Committee to order. I want to thank everyone for accommodating this additional meeting. It's going to be a short meeting, but it's required nonetheless. I trust that everybody has a copy of the meeting agenda and the acting pay document that was posted on the committee website.

I'd ask that we introduce ourselves for the record, including those members who are joining us via teleconferencing, before we start with the agenda, and I'll start on my right.

Mr. Lund: Ty Lund, MLA, Rocky Mountain House.

Mr. Marz: Richard Marz, Olds-Didsbury-Three Hills.

Mr. Campbell: Robin Campbell, West Yellowhead.

Mr. Reynolds: Rob Reynolds, Senior Parliamentary Counsel.

Mrs. Scarlett: Cheryl Scarlett, director of human resource services.

Mr. MacDonald: Hugh MacDonald, Edmonton-Gold Bar. Good morning.

Ms Blakeman: Laurie Blakeman. I am so delighted to welcome each and every one of you to this fabulous, early spring, crisp spring day in my fabulous constituency of Edmonton-Centre.

Mr. Rogers: George Rogers, Leduc-Beaumont-Devon.

Mrs. Sawchuk: Karen Sawchuk, committee clerk.

The Chair: I'm Len Mitzel, chair of the committee.

Ms Notley: Rachel Notley, Edmonton-Strathcona.

The Chair: Okay. Thanks.

We do have two people online.

Mr. Hinman: Paul Hinman, Calgary-Glenmore.

Mr. Lindsay: Fred Lindsay, Stony Plain. Good morning.

The Chair: Thank you very much.

Before we proceed, we've got a little bit of housekeeping business that has to be dealt with. Section 6 of the Legislative Assembly Act relates to teleconferencing at committee meetings. This committee is allowed participation by telephone by implied consent, but the practice has never been formally approved, and it has been raised as a potential quorum issue in other committees.

To prevent any difficulties, this committee could do a couple of things. It could pass a motion regarding participation by telephone. Really, there are two options. Under the standing orders committees are appointed for the duration of the Legislature. The committee could pass a general motion permitting teleconferencing that would last for the Legislature, or at the end of each meeting the committee could consider the question of teleconferencing and pass a motion permitting its use at the next meeting.

Mr. Rogers: I'm willing to move a motion, Mr. Chairman, if that's in order.

The Chair: Well, we've got two choices.

Mr. Rogers: Well, I was going to address one of them.

The Chair: It has to pass unanimously as well.

Mr. Rogers: That's fine. Mr. Chairman, I'm willing to move, seeing that it's 2010 and we're in the era of electronics and using technology, that for the duration – would it be the balance of this Legislature?

The Chair: The 27th Legislature.

Mr. Rogers: I would move that for the balance of the 27th Legislature this committee allow members to participate by teleconference.

The Chair: Before we move on, Mr. Quest has also joined the committee.

Okay. We do it on a one-off basis per meeting, before the next meeting saying that we'll allow teleconferencing at our next one, or we pass a motion that says that, well, for the rest of this Legislature, for the next two years, teleconferencing would be approved.

Ms Blakeman: These committees are struck for the purpose of review and recommendation of individuals for consideration by the Legislative Assembly for particular positions, so this committee will cease to exist, one hopes, shortly.

The Chair: No. This is the Leg. Offices Committee.

Ms Blakeman: Oh, hell's bells.

The Chair: This is our short housekeeping meeting.

Ms Blakeman: Does that also cover the special select committees for review and recommendation of hiring individuals?

The Chair: No.

Ms Blakeman: Ah. Okay. Then I'm all right with it. Go ahead.

Mr. MacDonald: Could you clarify for me the standing orders? You said we had to have unanimous consent. In the standing orders is that unanimous consent for the policy field committees, or is it also for the standing committees of the Legislature.

The Chair: I was under the impression that we're talking about this committee.

Can you help me with this?

Mrs. Sawchuk: Mr. Chair, the reference is actually to the Legislative Assembly Act. That's the reference, not the standing orders.

Mr. MacDonald: Okay. The Chairman mentioned that, for instance, Mr. Rogers' motion would have to be unanimous. Is it not in our standing orders that that unanimous consent is only for policy field committees?

Mrs. Sawchuk: No.

Mr. MacDonald: This is important.

The Chair: Okay. I'll have Leg. Counsel address that one.

Mr. Reynolds: Thank you, Mr. Chair. It's not just for the policy field committees. The act doesn't specify; it talks about all committees with respect to teleconferencing. I regret that I don't have a copy of it right here. I believe Mrs. Sawchuk is looking that up. It relates to telephone participation, I believe, participation by telephone or other electronic means at a committee meeting.

Mr. MacDonald: There is a misunderstanding here. I'm familiar with section 6 of the Legislative Assembly Act, but the chairman stated that the motion would have to be passed unanimously, as I understood him.

The Chair: That's what I said, yes.

Mr. MacDonald: Yes. I want clarification on whether that is correct or not because I am of the opinion that in order for that to be in order, he has to be speaking specifically to policy field committees, not standing committees of the Legislature.

Mr. Reynolds: Sorry. Mr. Chair, if I may. I'm not sure why there would be a distinction. There's no distinction in the act. I mean, when that provision of the act was written, there were no policy field committees.

The Chair: Mrs. Sawchuk has pulled up the reference.

Mrs. Sawchuk: Mr. Chair, I can read that section of the act into the record.

A Member may participate in a meeting of a committee of the Assembly by means of telephone or other communication facilities that permit all Members participating in the meeting to hear each other if all the members of the committee consent, and a Member participating in a meeting by those means is deemed for all purposes to be present at that meeting.

That's in the Legislative Assembly Act.

The Chair: The point, I think, that Mr. MacDonald is talking about is that it be unanimous, as I had mentioned. Am I in error on that?

Mrs. Sawchuk: No. That is exactly what we have, and I had understood that that was the information that was provided through the committees branch, but I stand to be corrected.

Ms Blakeman: No. It doesn't say majority vote. It says: if the members consent. That's indicating unanimous consent. We can set our own rules as always, and that's what it's allowing for, but everybody has to agree to it.

The Chair: I think what we're trying to do here, really, is to make sure that we are onside on everything, to make sure that teleconferencing is allowed for this committee and how we are going to do it. Are we going to do it by agreeing prior to the next meeting, or are we going to do it for the rest of this Legislature, which goes for the next two years?

Mr. Campbell: Well, I think that we should pass the motion that Mr. Rogers put forward. I mean, for example, we're here for 15 minutes today. If we weren't on the select committee for the hiring, we'd have to have everybody here for a 15-minute meeting. You know, we have Mr. Hinman and Mr. Lindsay on by teleconference, and I can understand why. I'd be teleconferencing today, too. This is our constituency day, and the only reason I am here is because we have the search for the Auditor General. So I would support Mr. Rogers' motion. I say let's get on with the business at hand and move on.

The Chair: Okay. Are there any other questions on the motion? Mr. Rogers has a motion on the floor, that we permit committee members to participate in meetings by telephone for the duration of the 27th Legislature, which is for the next two years.

Mrs. Sawchuk: And it does say: "that permit all Members participating in the meeting to hear each other if all the members of the committee consent."

9:10

The Chair: I'll call the question. All those in favour? Opposed? Okay. That is unanimous. Thank you very much.

Mr. Campbell: Just for the record and so we don't screw things over here, being as we just had the motion and Mr. Lindsay and Mr. Hinman are on a conference call, they wouldn't be able to vote on this. I mean, we wouldn't be able to include them on a conference call until after the motion has been passed.

The Chair: Okay. Thank you very much.

Mr. Campbell: Just for the record.

The Chair: Okay. Thank you.

We do have an agenda for this meeting. It's very short, but we'll go with that. I need a motion to approve the agenda.

Mr. Campbell: I'd move.

The Chair: Moved by Mr. Campbell. We don't need a seconder. All in favour? That's carried.

This is to discuss the acting pay for the Auditor General. As the Acting Auditor General Mr. Merwan Saher has assumed all the duties and the powers of the Auditor General during the vacancy of this office. Based on public service guidelines Mr. Saher is eligible to receive a temporary salary increase during the period that he is Acting Auditor General.

The committee's discussions may extend to Mr. Saher's current salary and classification. Therefore, I would call for a motion that we move in camera.

Mr. Lund: So moved.

The Chair: Moved by Mr. Lund. All in favour? Opposed? That's carried.

[The committee met in camera from 9:12 a.m. to 9:24 a.m.]

The Chair: Okay. We're back on the record, so would you be prepared to make a motion, Mr. Lund?

Mr. Lund: Well, thank you, Mr. Chairman. I move that the Standing Committee on Leg. Offices approve the payment of a salary equal to 74.4 per cent of the development maximum for the senior official D range to Mr. Merwan Saher, Acting Auditor General, retroactive to February 16, 2010, and to continue until such time as an Auditor General is appointed.

The Chair: Can I call the question on that? All in favour? That motion is carried.

Any other business for discussion? Any other items? Seeing none, any future meeting date will be at the call of the chair. I'd like a motion to adjourn. Ms Blakeman. All in favour? That's carried. Thank you.

[The committee adjourned at 9:26 a.m.]

