



Legislative Assembly of Alberta

The 28th Legislature  
Third Session

Standing Committee  
on  
Legislative Offices

Tuesday, February 17, 2015  
11:01 a.m.

Transcript No. 28-3-6

**Legislative Assembly of Alberta  
The 28th Legislature  
Third Session**

**Standing Committee on Legislative Offices**

Jeneroux, Matt, Edmonton-South West (PC), Chair  
Starke, Dr. Richard, Vermilion-Lloydminster (PC), Deputy Chair

Bikman, Gary, Cardston-Taber-Warner (PC)  
Blakeman, Laurie, Edmonton-Centre (AL)  
Brown, Dr. Neil, QC, Calgary-Mackay-Nose Hill (PC)  
DeLong, Alana, Calgary-Bow (PC)  
Eggen, David, Edmonton-Calder (ND)  
Leskiw, Genia, Bonnyville-Cold Lake (PC)  
Luan, Jason, Calgary-Hawkwood (PC)\*  
McDonald, Everett, Grande Prairie-Smoky (PC)\*\*  
Olesen, Cathy, Sherwood Park (PC)\*\*\*  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)\*\*\*\*  
Wilson, Jeff, Calgary-Shaw (PC)  
Young, Steve, Edmonton-Riverview (PC)

\* substitution for Gary Bikman

\*\* substitution for Alana DeLong

\*\*\* substitution for Steve Young

\*\*\*\* substitution for Richard Starke

**Also in Attendance**

Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (Ind)  
Strankman, Rick, Drumheller-Stettler (W)

**Legislative Officers**

Jill Clayton	Information and Privacy Commissioner
Del Graff	Child and Youth Advocate
Peter Hourihan	Ombudsman, Public Interest Commissioner
Glen Resler	Chief Electoral Officer
Merwan Saher	Auditor General
Marguerite Trussler, QC	Ethics Commissioner

**Support Staff**

W.J. David McNeil	Clerk
Robert H. Reynolds, QC	Law Clerk/Director of Interparliamentary Relations
Shannon Dean	Senior Parliamentary Counsel/ Director of House Services
Philip Massolin	Manager of Research Services
Stephanie LeBlanc	Legal Research Officer
Nancy Robert	Research Officer
Corinne Dacyshyn	Committee Clerk
Jody Rempel	Committee Clerk
Karen Sawchuk	Committee Clerk
Christopher Tyrell	Committee Clerk
Rhonda Sorensen	Manager of Corporate Communications and Broadcast Services
Jeanette Dotimas	Communications Consultant
Tracey Sales	Communications Consultant
Janet Schwegel	Managing Editor of <i>Alberta Hansard</i>

**11:01 a.m. Tuesday, February 17, 2015**

[Mr. Jeneroux in the chair]

**The Chair:** All right. Let's get started, members, if that's okay. Welcome to members and support staff attending today's meeting of the Standing Committee on Leg. Offices.

I'd ask that everyone at the table please introduce themselves for the record. We also have a few members joining via teleconference, and I'd ask you to introduce yourselves afterwards. That would be Neil Brown, Laurie Blakeman, Genia Leskiw, and Everett McDonald.

Let's start maybe with you, Dave Quest.

**Mr. Quest:** All right. Dave Quest, MLA, Strathcona-Sherwood Park, deputy chair, standing in for Richard Starke.

**Mr. Quadri:** Sohail Quadri, Edmonton-Mill Woods.

**Mr. Wilson:** Jeff Wilson, Calgary-Shaw.

**Ms Olesen:** Cathy Olesen, MLA, Sherwood Park, standing in for Steve Young.

**Mr. Luan:** Jason Luan, MLA, Calgary-Hawkwood, standing in for Mr. Gary Bikman.

**Mr. Strankman:** Rick Strankman, Drumheller-Stettler.

**Mr. Eggen:** Good morning. My name is David Eggen. I'm the MLA for Edmonton-Calder, with the Alberta New Democrats.

**Mr. Reynolds:** Good morning. I'm Rob Reynolds. I'm the Law Clerk and director of interparliamentary affairs for the Legislative Assembly.

**Mrs. Sawchuk:** Karen Sawchuk, committee clerk.

**The Chair:** Matt Jeneroux, MLA, Edmonton-South West, and chair of the committee.

All right. The meeting agenda and the minutes from our last meeting were posted to the internal committee website last week. If anyone needs copies, please let lovely Karen Sawchuk here know.

A note for the record that the following substitutions are in place pursuant to Standing Order 56(2.1) to (2.3): Dave Quest as deputy chair for Richard Starke, Jason Luan for Gary Bikman, Everett McDonald for Alana DeLong, and Cathy Olesen for Steve Young.

Some quick housekeeping items before we get started: the microphone consoles are operated by *Hansard*, and please keep your BlackBerry's off the table as these can interfere with the audiofeed.

Before I get a motion to move the adoption of our agenda, just so everyone is clear, it's the practice of this committee to continue discussion until we finish the business of the day, so we'll continue that precedent here if by any chance we go past the allotted time of 12 noon.

Could I get a member to move the adoption of our agenda, please.

**Mr. Strankman:** Mr. Chairman, if I could for a moment, I'd like to bring forward a point of order in that the Wildrose has no official representation on this all-party committee, and I'd like to make that noted.

**The Chair:** Okay.

**Mr. Strankman:** If I could, sir, we've made our best efforts to ask for . . .

**The Chair:** Just a sec, Rick. We're just deliberating here.

Sorry. We just wanted to clarify. Unfortunately, not being a committee member, you're unable to bring forward points of order, but I'd encourage you to work with the opposition members here.

**Mr. Strankman:** Well, we have, Mr. Chairman. We've made our points known to the party in power, and we've made notion that we would actually have a substitute for that, and that was rejected by a member who is not available today although Mr. Young does have a substitute here. It's my opinion, sir, that this is a completely ridiculous situation, and it's a mockery of democracy. The people of Alberta elected an Official Opposition, and we're not allowed to be represented.

**The Chair:** Okay. If someone is prepared to make the point of order who's a sitting member of the committee, we can open the discussion at that point.

**Ms Blakeman:** Oh, I am.

**The Chair:** We have Laurie on the phone first. Go ahead, Laurie.

**Ms Blakeman:** I'm happy to raise that point of order. I'm sorry; I don't have my book of standing orders to see if this would be included.

**The Chair:** Standing Order 52(4).

**Ms Blakeman:** Okay. Thank you. Standing Order 52(4).

I have a quick question to Parliamentary Counsel. Is it possible that this committee is in charge of its affairs and with a unanimous vote can decide how it wishes to conduct that; in other words, the committee is in charge of its own affairs and could accept the Wildrose person as a full voting member with voice?

**The Chair:** Rob, would you like to add some clarity to that?

**Mr. Reynolds:** Thank you, Mr. Chair. Well, the membership of committees is set by the Legislative Assembly pursuant to resolutions of the Assembly, and there is a substitution process laid out in the standing orders, which a number of members have availed themselves of today. With respect to Ms Blakeman's question I can't see how the committee could unilaterally, even if it did so unanimously, change the membership of the committee when it's determined by a resolution of the Assembly.

**Ms Blakeman:** Okay.

**The Chair:** Okay. All right. We have a speaker list here in terms of the point of order that's on the floor.

**Ms Blakeman:** Mr. Chair, I'm sorry. May I finish?

**The Chair:** Sure. Go ahead, Laurie. Sorry; I thought you were.

**Ms Blakeman:** I'm bringing forward this point of order because what we have in front of us is an institutional unfairness. I was part of the writing of this particular round of standing orders, and I know that we did not intend to exclude anyone. We intended to include as many as possible. But sometimes there are unanticipated consequences, and you do things that later you can't undo.

The standing orders do quite clearly say that we will appoint people or that we'll make membership changes the first day that we're back in the Assembly, and now we're stuck. We have a situation, because of floor-crossing, where we don't have a member of the Official Opposition on this committee to help us make important decisions today, and it's a matter of weeks, which, I will

point out, is completely at the discretion of the government. If we'd been meeting when we were first supposed to meet, the second Tuesday of February, this issue would not be arising because we would have been able to make the membership changes already.

It's most unfortunate that we have come to this point, where exactly who was meant to be included has been excluded from the committee. My suggestion at this point would be that this meeting be postponed until such a time as we can achieve what the standing orders have set out, which is that a certain number of people are on this committee, making it all-party or representatives from each caucus.

**The Chair:** Okay. We have a bit of a speakers list to the point of order here, too. I was about to say it earlier, but so that everyone is clear, we'll alternate as per what we typically do with a committee, back and forth between government and opposition members.

Seeing no government members speaking, I'll go to David Eggen.

**Mr. Eggen:** Well, thank you, Mr. Chair. I must say that it's very unfortunate, Mr. Strankman, that you are not able to participate in this. The Official Opposition provides a very important role in the Legislature in general and in these committees specifically. I think there are several reasons why I believe that this would be the most judicious course of action given the reality and the gravity of the matters before this committee as well.

First of all, there has not been a suitable meeting of House leaders to determine the proportional composition of this committee, which is required by the standing order that actually creates this committee. Then given the recent changes to caucus membership as such there's a wide discrepancy in proportionality between members that is radically skewed toward the government despite the need for opposition representation on this committee. Further, the meeting of House leaders may have enabled a compromise or a collective work plan, but that just hasn't happened.

**11:10**

Two, it is, of course, self-evident that there's no representation of the Official Opposition on the committee. It would seem to me that because our committee is tasked with considering the budgets of independent officers of the Legislature, whose job it is to ensure that the government is doing its best to serve the interests of all Albertans, there should be a sizable contingent of opposition members to ensure against cases of government interference with the very offices designed to produce accountability in the first place.

Three, there is, really, no precedent for this scenario in Alberta, I would say, and the only provision to permanently alter the membership of a committee is found in Standing Order 52(3), which dictates that substitutions can only be made upon the approval of the Assembly. As my colleague pointed out, that is impossible until we go back in mid-March.

Finally, four, the overwhelming government presence on this committee, when coupled with a lack of opposition, and recent events surrounding intervention from the Executive Council and the Premier throw into question the independence of this committee and, as such, I would say, the privilege and dignity of these members as well. I plan to raise as well a point of privilege on this complaint, but I believe it's also worth noting here that the independence of this committee is vital to the privilege enjoyed by all members of this Assembly. Certainly, a point of order to suspend this meeting is, I think, entirely in keeping with the rules of the Legislature and is, I think, in the best interests of all Albertans.

**The Chair:** Okay. We can make a ruling on the point of order at any time, but I'll offer the floor to Mr. Strankman if he's so inclined.

**Mr. Strankman:** Well, thank you, Mr. Chairman. I've been faced with these predicaments, if you will, before, where there's improper representation or lack thereof. I just wish to bring it forward that my Wildrose colleagues and our staff, the Official Opposition, have made their best efforts, or what we believe to be our best efforts, to achieve representation at this committee. The members who previously made a decision to change their party allegiance possibly didn't have the foresight to understand or foresee the circumstances that may come forward here in these types of situations, and it's allowing for what I believe to be a mockery of democracy. This is supposed to be an all-party committee, and there's no democracy.

I would leave that to the voting of the members on this committee, and I'm anxious to see whether some of these members maintain their silence or whether they actually come to a position to make an opinion, a public opinion recorded in *Hansard*, because this is truly a mockery of democracy.

**The Chair:** Okay. All right. Joe, go ahead.

**Mr. Anglin:** Thank you very much.

**The Chair:** Maybe introduce yourself, too.

**Mr. Anglin:** Joe Anglin, Rimbey-Rocky Mountain House-Sundre. There are a number of questions that need to be answered. One is, particularly, that the standing orders are quite specific. This is based on proportionality, which is that when the Legislature made its decision, its decision was final. No one here can change that. I think we all agree. That decision was based on a proportionality of the members of each party. As the independent member in this Assembly I rely upon that proportionate representation when I make a decision on what committee I'm going to sit on and how I'm going to affect and do my job. Now, no one can change that except the Legislature.

The argument I'm going to make is that under our standing orders any member can resign their position as an MLA and can resign from a committee, and that is allowed, but they do not have a right, unilateral or arbitrary, to change the makeup of the committee. That's really important. Only the Legislature has the right to do that in its entirety. I will make an argument that when these members crossed the floor, by implication they resigned their position on this committee. When they submitted the letter to the Speaker – and for anyone who has moved from one party to being an independent or across the floor, you have to send a letter to the Speaker indicating so. That's a resignation from the party you are currently affiliated with and an announcement that you are joining another party. So, in effect, I'm saying that by both implication and expressed intention they resigned from the Wildrose.

There are two vacant positions on this committee that I say belong to the Wildrose Party, and that was the intent of the Legislature when they came up with the rules on proportionality. They said that there would be so many positions for the Wildrose. None of the positions on this board are personal in nature. I mean, we don't get them because of our name or where we're from. We get them because of the party affiliation and where we sit in the Assembly, and that's not to be changed by anybody on this committee. You're dealing with an issue that the Legislature has proclaimed by its passing of a motion on how this committee would be made up, on how the democratic process of this committee would function.

Now, just to sort of close this, no member of this committee can make that change, and every member is free to do as they please within our own rules, our standing orders. These members made their decision to cross the floor, and rightly, wrongly – it doesn't matter – that's their decision to make and their decision to justify.

What they can't do is change the makeup of this committee, and when they did that, they infringed upon the opposition's right to have representation on this committee. That's wrong, and that violates the intent, in my view, of what the Legislature intended, and that is what I will raise in a question of privilege here if we go that far.

I think it has to be undertaken on how that is to be interpreted. My argument to you as the chair is that the letter that went to the Speaker to resign their position as a Wildrose member, in effect, is an expressed intention to resign from this committee and that they don't belong on this committee once they've made that resignation known.

Thank you very much.

**The Chair:** Okay. Thank you, Joe.

And thank you, everybody, for your comments.

**Ms Blakeman:** I'm sorry, Mr. Chair. May I close, please?

**The Chair:** Sure. I'm prepared to rule, Laurie, but I'll give you a few seconds here if you'd like.

**Ms Blakeman:** How kind. Thank you. I think there are two issues at play here, and both are larger issues of democracy but more specific to our unique circumstances in Alberta.

Timing: because, of course, government always has control of when we meet, we're in this circumstance because the government decided to delay bringing in the session for a month, so the situation has been created by the decision of the government, of cabinet.

Secondly, this particular meeting, this morning on the 17th, was demanded by the Premier. He ordered the committee to make changes. Now, the Premier has no authority to do that. This committee is the creature of the Assembly, everyone in the Assembly, not the Premier. The fact that we are here today to deal with a question by order of the Premier is entirely inappropriate and has no parliamentary or legislative standing. Now, you, Mr. Chair, may call this committee at your discretion – that is the phrase that's used at the end of every meeting, that the next meeting will be at the call of the chair – and it appears that you decided to follow the order and call the meeting.

But those two points I've raised are very troublesome in that I'm sure had the Premier not demanded that the committee meet and demanded that the committee change our resolution – and it's ours, not his – had he not demanded that, we indeed would not be here today. So there are two large issues, obviously, the problems presented by the way that standing orders are written. They obviously didn't anticipate having people cross floors outside of the Assembly and then having to deal with a committee like this.

I'm sure there are media listening in, and I cannot emphasize enough how inappropriate it is that we are here because the Premier has demanded that of an independent committee. It's just wrong on so many levels. I'll let other people fill in the adjectives and adverbs.

With that, I would urge the committee members to vote to postpone this meeting until such a time as we may have a full complement of members of the opposition and representation as appropriate from all parties and may meet if necessary at that time, but it should not be at the demand of the Premier.

11:20

**The Chair:** Okay. Thanks, Laurie.

Again, the point of order was dealing with the membership here, so I'm prepared to rule on that. Under Standing Order 52(4) the membership of committees established under that standing order is to "be proportionate to the number of seats held by each party in the

Assembly." The proportions may, however, be varied by an agreement among the House leaders, which they often are to the advantage of the opposition parties.

When this 11-member committee was constituted, there were two members of the Official Opposition and one member each from the third and fourth parties represented on the committee, but following the events of December 2014 the two members from the Official Opposition appointed to this committee decided with their colleagues to cross the floor to the government caucus.

As a result, Ms Blakeman is correct that there are currently no members from the Official Opposition on this committee. However, there is no authority for this chair or the committee to unilaterally make changes to the committee membership. This decision rests with the Assembly. As noted in *House of Commons Procedure and Practice*, second edition, at page 1025, even "in the event of a Member's death or resignation from the House," there are no means to change the membership of the committee except by the House or by some mechanism authorized by the House. Barring the lack of quorum, this committee, as being duly constituted by the Assembly, must continue its work as individual offices currently have a deadline to submit their finalized budgets to Treasury Board. Therefore, there is no point of order.

Moving on to the agenda, I don't believe we've had a motion to adopt the agenda yet. Would a member please move the adoption of the agenda?

**Mr. Eggen:** Mr. Chair.

**The Chair:** Mr. Eggen.

**Mr. Eggen:** Thank you. I would like to raise a point of privilege on this issue, then, please, a question of privilege, and I have copies of that to submit to both the chair and members. As well, I will submit my speaking notes to the chair.

**The Chair:** Do you want to read it in while it's being passed out?

**Mr. Eggen:** Yes, sir. I move that

the Standing Committee on Legislative Offices report to the Assembly a purported question of privilege related to this committee's decision to reinstate funding to the office of the Auditor General and subsequent statements by members of Executive Council invalidating those decisions.

Mr. Chair, I'm raising this point of privilege under Standing Order 15(2). It's based on the grounds that the independence of the Legislative Offices Committee has been obstructed by actions outside of our committee by members of Executive Council.

Because the work that we do here is vital to the independence of several officers of the Legislature and, as such, their ability to properly ensure that the government is working in the interests of all Albertans, our committee itself must be allowed to work independently from undue influence by external bodies such as the Premier's office or other facets of Executive Council. As such, any actions that bring the independence of this committee into question should be seen as impeding the independent work of the committee and impinging on the dignity and respect of its members and the entire Legislature.

Because it's rare, Mr. Chair, that the issues of privilege are discussed in the confines of a standing committee of the Legislature, I'd first like to detail the process used for such complaints before moving on to an explanation of the facts of this case and later to my argument as to how the actions taken by the Premier constitute a breach of privilege.

Again, this is a rare occurrence. It might be useful to review the process of such complaints. The case that presents the closest

parallel to the situation we currently find ourselves in can be found in the transcripts for the Members' Services Committee from February 27, 2013. In that meeting the Member for Edmonton-Highlands-Norwood brought forward a point of privilege against then Premier Redford, saying that the actions by her office had predetermined the decisions of that committee. In the ruling on the question of privilege, Speaker Zwozdesky, who acts as the chair of that committee as well, detailed a four-step process for questions of privilege in committee settings.

He said, number one, that a member must raise the point of privilege and that the chair of the committee must make a determination that the issue in question touches on the matter of parliamentary privilege.

Number two, if the chair determines that the matter in question actually does touch on a matter of privilege, the member raising the point may make a motion that the committee report to the Legislative Assembly on the purported issue of privilege.

Number three is debate amongst committee members, during which the member raising the question of privilege is able to present and defend his or her case that a breach of privilege has occurred.

Number four, should the committee decide in favour of the motion in question, it should be presented to the Legislature as evidence of contempt for the authority or activities of the committee. In such a case the Speaker of the Assembly would then be enabled to rule on the matter.

Given this review of the process associated with the matters of privilege and contempt, I would briefly like to detail the facts of this case and the specific scenario that I believe represents contempt for the authority, independence, and work of this committee. As such, I would ask the chair and other members of the committee to look at these following facts.

Last Tuesday both the office of the Child and Youth Advocate and the office of the Auditor General came before this committee to ask for additional funds to their annual budgets as approved in December 2014 by this committee. At that meeting the request for additional funds for the office of the Child and Youth Advocate was declined, but the request for additional funds for the office of the Auditor General was approved. The following day Premier Prentice and the Minister of Finance, Robin Campbell, held a press availability saying that the decision of this committee would not be respected, effectively overturning the decision made by the committee and its members. Funding for the Auditor General's office would not be restored.

On the question of timeliness, in accordance with the standing orders of the Legislature matters of privilege and contempt for it need to be addressed at the earliest possible juncture. Because the Assembly is not currently in session, this meeting of the standing committee is the earliest appropriate time for this matter to be addressed.

In regard to the breach of privilege specifically, then, *Erskine May* describes privilege as "the sum of the peculiar rights enjoyed by each House collectively . . . and by Members of each House individually, without which they could not discharge their functions."

As you are aware, "at the commencement of the first session of each Legislature a number of committees are established, including the Legislative Offices Committee as per Standing Order 52(1)(e)." The origin of the committee dates to November 1977, when the Auditor General Act was in fact adopted. Douglas Rogers, then the provincial auditor, who was appointed as Auditor General on April 1, 1978, suggested the need for a mechanism to ensure the preservation of independence of the Auditor General from the government. To help ensure this independence, a committee

consisting of nine members was established on March 20, 1978, as the Select Standing Committee on the Office of the Auditor General. In May 1978 the name of the committee was changed to the Standing Committee on Offices of the Auditor General and Ombudsman, and in 1980 the current name was adopted.

It will be shown below that

the tradition of the Alberta Legislature to date is to treat these committees as if they are populated by private members who toil on these committees on behalf of the Legislature as a whole . . . As such, it is understood that members are free to consult with anyone, including their fellow caucus members, but are also free from partisanship or influence from the Executive Council.

11:30

Interestingly, to my knowledge, nowhere in law, the standing orders, or accepted parliamentary authorities used to govern our Legislature does it describe how the independence of these committees is or should be maintained. However, the principle and general understanding that these committees are independent has been established by numerous rulings made by the Speaker of the Alberta Legislature as well as statements to that effect by various Premiers and cabinet ministers, as will be highlighted below, which have not been challenged by the Speaker. It can therefore be argued that this notion of independence has become part of the precedents and therefore the rules of our Legislature.

Some examples of rulings and independence of committees.

There are numerous examples whereby the Speaker has ruled that the proceedings of the committee cannot be directed or represented by the government. One [good] example of this was May 14, 1992, when the Speaker ruled out of order a question by member Ray Martin pertaining to whether or not the Premier would agree to direct the proceedings of the Members' Services Committee in a certain direction. In his ruling the Speaker stated: "The government cannot answer on behalf of the whole committee . . . the government certainly cannot direct what happens to all the committee." . . .

Similarly, on February 19, 2009, MLA Hugh MacDonald had a question ruled out of order by the Speaker. The preamble of the question stated that the government made a decision to fire the Chief Electoral Officer at that time. The Speaker ruled that the question was out of order given that the decision was made by the Legislative Offices Committee and not the government and that questions of committee proceedings are generally not permitted in question period. In his ruling the Speaker stated: "The committee is a committee of the Legislative Assembly, not a committee of the government . . . If there's going to be misunderstanding about this, then why have these kinds of committees?" . . .

Again, on December 1, 2011, a question by Liberal leader Raj Sherman asking the Premier about her decision to appoint Judge Justice Major to evaluate MLA pay was ruled out of order given that it was a committee decision to appoint the judge and therefore could not involve the Premier. In his ruling the Speaker stated: "That question is out of order. The Speaker of the Legislative Assembly appointed the panel as per the direction of the Members' Services Committee." . . .

On October 23, 2012, Premier Alison Redford described in detail how she understands that it is not her place to direct the proceedings of the Members' Services Committee. With reference to the committee's work with regard to Government Motion 11, to examine alternatives to the pension plan for members in the Major report from the 28th Legislature, First Session, she said:

This is a committee of the Legislative Assembly. Members who sit on that committee are fully able to explore the work that they do, as I understand it. My understanding is that the work of that committee was to review the recommendations

of the Major report. I understand that that's what they did, and I don't understand that it's my role to direct the members of the committee to do anything.

That is *Hansard*, October 23, 2012 . . .

Premier Redford [also went] to great lengths to describe how the Members' Services Committee should not be influenced by partisan politics. In reaction to information that the Wildrose caucus was going to publicly announce that they would be bringing forward a motion to the Members' Services Committee, the Premier stated during question period that "it is important for that committee to do its work without a partisan perspective." . . . Following this statement, she went on to describe how she looks forward to the decision of the committee . . .

Finally, Mr. Chair, in regard to a lack of precedents in the parliamentary authority:

As described in *House of Commons Procedure and Practice*, parliamentary privilege can be extended to both individuals and to the House as a whole. With regard to individual rights this includes, for example, freedom from obstruction, interference, intimidation, and molestation. At the same time privileges extended to the rights and powers of the House include the ability to regulate its own internal affairs.

As seen above, the Legislature of Alberta has seen fit to establish that special and standing committees of the Legislature work in a way that is independent. This concept of independence is especially held to in the case of the [Leg. Offices] Committee given its power to make policy decisions on behalf of all MLAs. It [should] be said that the notion of the independence of this committee, whereby the MLAs on the committee are expected to act as private members, is generally accepted as a rule. [Thus], it could be argued that the dignity and respect of the House is on [this] occasion hinged upon the idea that these committees make certain decisions on behalf of all MLAs and not in the interests of the government. This is particularly relevant on the issue of [budgets for independent officers of the Assembly]. It can therefore [also] be argued that parliamentary privilege must extend to the ability of all members of the committee to have their individual right respected and that the right of the committee to be independent is a matter of respect for the House.

It should be [also] noted that in my assessment this respect for the independence of committees is a peculiar attribute of the Alberta Legislature when compared to the federal Parliament. As described in *House of Commons Procedure and Practice*, committees in the House of Commons have delegated to them only the powers of inquiry and the authority to compel witnesses, not to make important policy decisions on behalf of all members. In general, these committees are there only to make recommendations to the House . . . They are generally seen as a benefit to the work of Parliament.

A quote from page 949 from the procedures book says, "It is more efficient to perform in small groups work that would otherwise be difficult to accomplish in an assembly of more than 300 members."

Indeed, [based on] the Speaker's rulings mentioned above, the most often quoted reference used by the Speaker was related to page 506 of *House of Commons Procedure and Practice*. This section in particular reads:

Questions seeking information about the schedule and agenda of committees may be directed to Chairs of committees. Questions to the Ministry or to a committee Chair concerning the proceedings or work of a committee, including its order of reference, may not be raised. Thus, for example, a question would be disallowed if it dealt with a vote in committee, with the attendance or testimony of Members at a committee meeting, or with the content of a committee report. When a question has been asked about the committee's proceedings, Speakers have encouraged Members to rephrase their questions . . .

On February 19, 2009, the Speaker also injected the following statement in between the above passages.

Questions to the Ministry on legislation or on a subject matter that is before a committee, when appropriately cast, are normally permitted as long as the questioning does not interfere with the committee's work or anticipate its report . . .

These procedures are in place to protect the work of the committees and to maintain order in the House but have not been crafted in order to maintain the idea that committees work without the influence of Executive Council or partisan politics. However, they have been [seen and] used in our Assembly to find questions that allege interference of the Executive Council in committee [were, in fact,] out of order.

This raises an important question, Mr. Chair.

While interference by the Executive Council in the affairs of the Members' Services Committee can be seen as an important issue, the rules contained in the parliamentary tradition detailed in the parliamentary authorities prevent us from asking a question along these lines in the Legislature. How, then, do we maintain the independence of the committee? We may need to conclude that resorting to the parliamentary authorities in answering this question may be of limited use.

So, in conclusion, Mr. Chair:

While the authorities may be limited in their ability to define and take measures to protect the independence of the committee, they do of course offer insight into the matter of parliamentary privilege and contempt. For example, *Erskine May* states that generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any Member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results, may be treated as contempt even though there is no precedent of the offence.

That's at page 128.

*Maingot* also notes, "As a working rule it can be said that when an offence is not identifiable as a breach of known and enumerated rights and immunities, then the offence is a contempt of Parliament."

He goes on to describe how

3. Contempt is more aptly described as an offence against the authority or dignity of the House.
4. While privilege may be codified, contempt may not, because new forms of [contempt] are constantly being devised and Parliament must . . . invoke its penal jurisdiction to protect itself against these new forms.

#### 11:40

When the Premier gathered the media to announce that the decisions reached by this independent committee of the Assembly were to be immediately disregarded by Executive Council and the government more widely,

it is my contention that the Premier was acting in contempt of both the privileges of the Legislature and the individual privileges of all members of the Members' Services Committee.

With concern to the privilege of the Legislature, by immediately invalidating a decision already made by an independent committee, it brings

into question the independence of the committee itself and therefore acted as an affront to the dignity and respect that should be afforded it.

While it has been said that the agendas of political parties rule the day inside committees, as shown above, it has always been maintained by the government . . . that decisions of the [committee] are not a government decision but those of independent MLAs.

By immediately reversing a decision arrived at by a group of MLAs, I suggest that the Premier has interfered with the autonomy of this

body to debate and make decisions in the best interest of the Assembly and the province in general.

With concern to the individual privileges of members, the Premier can be seen to have interfered and obstructed the work of every member of this committee. As an independent committee its work should be seen to involve honest and full debate before decisions are made on important [issues]. For honest and full debate to occur, members must weigh all of the evidence before making the decision.

For the Premier to immediately invalidate a decision that it had arrived at through the solemn process of consideration and debate is demonstrative of gross contempt for the privilege of the members of this committee.

In closing,

I ask you to find that in this case the Premier's undue influence over the independence of [this] committee should be viewed as disobedience of the rules of the Legislature and as an affront to the dignity of the . . . Legislature itself, not just those on the [Legislative Offices] Committee. I therefore ask that you send this issue to the floor of the Legislature so that it might be examined as an issue of breach of parliamentary privilege and a remedy can be sought

at the earliest convenience.

Thank you very much.

**The Chair:** Well, take a glass of water, Mr. Eggen.

Great. So with some of this I just want to get the proper legal wording, and also in lieu of kind of where we're at in the agenda, we'll take just a quick five-minute recess before we conclude.

Thanks.

[The committee adjourned from 11:43 a.m. to 12:04 p.m.]

**The Chair:** Okay. Thank you, everybody. Sorry. Had to take a little bit longer than five minutes there.

**Mr. Strankman:** Mr. Speaker, could I just get in some comments?

**The Chair:** You're the second one to call me Mr. Speaker, Mr. Strankman.

**Mr. Strankman:** Mr. Chair.

**The Chair:** There you go. Okay. Sure.

**Mr. Strankman:** I'll be very brief. It won't take any drink of water at all.

**The Chair:** Sure. Let me just say that we'll be quick if others want to make comments again. We'll be quick but prepared to rule on this, which will generate some more discussion.

**Mr. Strankman:** Absolutely.

**The Chair:** So go ahead.

**Mr. Strankman:** Well, I'd just like to remind the members at this table who they're supposed to be representing. It's not the Premier, and it's not the government. It's supposed to be Albertans, the people who elected you and your constituents. This committee was scheduled this morning because the Premier didn't like the decision made by the committee at the last meeting. It's not the Premier's job to dictate what these committees, made up of private members, decide. This committee should not be a tool for carrying out the wishes of the Premier, and this question needs to be answered for Albertans, who expect a simple spirit of democracy to be upheld in these committees.

It's clear that the standing orders were not necessarily written with these current Wildrose opposition circumstances in effect. I'd just like to refer to Standing Order 65(3)(b).

When a question of privilege arises in a committee or when disorder persists in a committee . . .

- (b) if the Assembly is not then sitting, the Chair shall adjourn the matter until the next sitting of the Assembly and shall then report to the Assembly.

I'd just like to get that on the record with my heartfelt concerns for democracy.

Thank you.

**The Chair:** Okay. Thank you, Rick.

Joe, you have a comment.

**Mr. Anglin:** Thank you, Mr. Chair. I just want to cover a statement you made on the point of order, which now applies to this question of privilege. When you ruled on that point of order, I believe you referenced section 52(5), which dealt with the proportionate membership of committees as prescribed under suborder (4): "may be varied by an agreement among all House Leaders." Of course, we don't have that. You referenced also, I believe, 52(4), which talked about that the standing orders select these memberships by a proportionate "number of seats held by each party in the Assembly."

I agree with you on the ruling that this committee cannot change that, and by your own words in your own ruling neither can any single member of this committee. Hence, when two members of this committee arbitrarily change that proportionate membership by crossing the floor, that can only be remedied by the Assembly and cannot be remedied by the chair of this committee or a vote of this committee. Only the Assembly can remedy that, and we are caught in a conundrum.

In reference to your statement of the Speaker – or I believe it might have been the Member for Edmonton-Centre – the Premier does have the privilege to call an immediate session if this was warranted. I don't think it is, but that is the role that the government has. It can call the Assembly back into session to deal with this right now, or we can wait until we come back into session in a few weeks and deal with this. That is the prerogative of the Premier and the government, but this committee acts independently. Of course, that's under question right now based on what's been printed in the press.

Just recapping, you ruled on that point of order based on these provisions that this committee cannot change the makeup of this committee; only the Assembly can. Hence, those words still apply to the individual members. Should they choose to cross the floor, they can. But they cannot change the makeup of this committee, and in doing so, they violate the intent of the Assembly, and that is fundamentally wrong.

Thank you.

**The Chair:** Okay. Thank you for being brief, Joe.

We still have the motion on the floor that Mr. Eggen has made, but I'll rule on the question of privilege and then continue the discussion if needed.

Mr. Eggen has raised a question of privilege to which I as chair must now respond. This is a rare occurrence in committees, but on February 27, 2013, Speaker Zwozdesky in his role as chair of Members' Services Committee set out the precedent to be followed. Members may also refer to the Practical Guide to the Committees of the Legislative Assembly of Alberta at page 46. As noted in that guide, the chair has "no authority to rule that a breach of privilege or contempt has occurred." The chair's role is a basic, preliminary one, to determine whether the matter touches on privilege and is not



more appropriately categorized as a point of order, grievance, or matter of debate. Although the chair would normally come back with a more thorough ruling, in the interests of time I have concluded that the question meets this very low threshold and could touch on privilege and will put the matter back in the hands of the committee.

Mr. Eggen has a motion forward. We can continue discussion and then vote on that particular motion. Thank you.

Jason Luan.

**12:10**

**Mr. Luan:** Thank you, Mr. Chair. I just have a quick comment before we vote. I want to acknowledge that I appreciate that members raised a question that the Premier made some comments, whether that caused a point of privilege. But I do want to remind everyone – and I agree with some of the comments made earlier – that we as committee members have full-fledged parliamentary privilege. We decide what's right, what's wrong in front of us. I don't care if it's my neighbour commenting on anything. It could be my friends. It could be my constituents. In this case it is the Premier. But it is all up to us, sitting here, with the full privilege to decide what you're going to vote on. So I want to remind everybody that that's the essential part here. I don't see the relevance of whoever made any comments prior to us making our decision. I'm prepared to vote.

Thank you.

**The Chair:** Okay. Wonderful.

Mr. Eggen.

**Mr. Eggen:** Well, thank you, Mr. Chair. I think that what the rules state is that – I very much appreciated your decision to see that my motion for privilege meets a threshold for moving forward. But then, based on your ruling, it just moves forward to the House. It's not for this committee to be voting on it. You've made your decision on it. Unless someone chooses to overrule your decision to have it pass forward to the Legislative Assembly, then, in fact, that's it. We're good. It goes to the Assembly, and unless someone is going to overrule that choice that you made, to say that my point of privilege in fact meets the threshold of acceptance, then I think that's all we needed to do unless someone is going to overrule your decision, which I don't encourage anyone to do so. I think we're good.

**The Chair:** All right. Thank you, Mr. Eggen.

In terms of that, again I'll point back to the February 27, 2013, ruling in the Members' Services Committee, where in fact a motion was brought forward. I will ask the Parliamentary Counsel to weigh in on this, however, to clarify.

Mr. Reynolds.

**Mr. Reynolds:** Thank you. Well, I . . .

**Dr. Brown:** Do we need to vote?

**The Chair:** No. Neil, we'll just let Mr. Reynolds weigh in first and then go to the vote.

**Mr. Reynolds:** Yes, there was a vote by the committee on February 27 after there was a finding that met the low threshold, and Mr. Mason moved the motion. This is a bit, frankly, out of order. Usually your motion would come after the ruling by the chair. You moved it before. That's the motion on the floor, and I believe the authorities are clear that it requires a motion of the committee to move forward to the Assembly.

Thank you.

**The Chair:** Okay. So the motion is on the floor. I'll call the question.

**Mr. Anglin:** Point of order.

**The Chair:** Sorry. Joe, you had one opportunity to comment on this.

**Mr. Anglin:** Well, I know, but this has to do with the advice you've just got.

**The Chair:** Okay.

**Mr. Anglin:** We're doing this backwards. That motion had to be made after your ruling. You made a ruling after the motion. That ruling, in my view, is not valid, so I'd like some clarification on that.

**The Chair:** Go ahead, Rob.

**Mr. Reynolds:** Yeah. Sorry. Just to clarify, I meant out of sequence, if you interpreted it some other way, but it's still a motion that was there.

**The Chair:** Yeah. So still the motion is on the floor.

**Mr. Reynolds:** It's still a motion that's before the committee.

**The Chair:** Yeah. Okay.

I'll call the question.

**Ms Blakeman:** Mr. Chair, 15(2).

**The Chair:** Sorry, Laurie. I forgot that you're on the phone there. Go ahead.

**Ms Blakeman:** Well, that was a mistake.

Under 15(2) could you explain on your ruling whether that means that just the question of privilege is going forward to the Assembly for decision or whether the entire meeting would then be suspended until that decision is finalized by the Assembly?

**The Chair:** We have to vote on the motion here before anything happens, so let's do that. Let's call the question on the motion. All in favour? Okay. Two in favour. Against? Okay. The motion is defeated.

**Mr. Anglin:** I'd like to submit a point of order, Mr. Chair. I'd note for the record that the Member for Calgary-Shaw voted, and under my argument his letter to cross the floor was also a letter of resignation to this committee.

**The Chair:** Okay. Unfortunately, you can't make points of order as a nonmember of the committee, Joe, but your comments are on record. Okay. Thank you.

All right. From my notes, yes, the agenda. Let's go. Would a member move the adoption of our agenda, please?

**Mr. Luan:** I move.

**The Chair:** Mr. Luan. All in favour? Any opposed?

**Ms Blakeman:** Opposed.

**The Chair:** Okay. Noted that Laurie is opposed. That motion is carried.

Approval of the minutes. Would a member move adoption of the February 10, 2015, minutes, please? Sohail Quadri. Sohail moved

that the minutes of the February 10, 2015, meeting of the Standing Committee on Leg. Offices be approved as circulated. All in favour? Any opposed? That's carried.

Okay. Now item 4 on the agenda, office of the Auditor General, review of funding request for 2015-16. In light of additional information researched and reinforced by the Minister of Finance and an opportunity for all members to consider the presentation fully by the Auditor General's office, it's prudent to call this meeting and review the decision that's been made.

Now, would a member make a motion that will permit us to continue the discussion on this item? Anybody? Sohail. Sohail Quadri moves the motion that – wait a minute. Where are we? I actually have Neil Brown to make a motion.

Sorry, Neil. I have you down on a list here. I apologize. Go ahead.

**Dr. Brown:** Okay. Thank you, Mr. Chairman. I would like to make a motion that

the motion passed at the February 10, 2015, meeting of the Standing Committee on Legislative Offices approving funding for the office of the Auditor General in the amount of \$546,000 for the 2015-2016 fiscal year be rescinded and that the Auditor General's January 28, 2015, request be denied.

**The Chair:** Okay. The motion is on the floor. Any discussion?

**Dr. Brown:** If I can speak to the motion briefly, Mr. Chair.

**The Chair:** Sure. Go ahead, Neil.

**Dr. Brown:** I won't repeat everything that I said in the February 10 meeting of the committee, but I think it's important once again to state that we have to be cognizant of the fiscal realities that we're dealing with here in Alberta. The Premier and the Finance minister have made the situation very clear; there is no more money. In fact, today one of the big five banks predicted we are going to have two quarters ahead of slight negative economic growth for the province. So we have a very different scenario from what we've been dealing with in recent years.

As I stated, Mr. Chair, in the last meeting, I've got nothing but praise for the work of Mr. Saher and his staff in the Auditor General's office. They do excellent work and valuable work on behalf of Albertans. That's work that helps us provide better services. I do value their work, but I also value health care and education and advanced education and social services. When we're looking at what the Minister of Finance has said will be approximately a 5 per cent cut across the board, then a 2 per cent cut doesn't look too bad, particularly when we do the comparison with Ontario's Auditor General. They have a population roughly three times what we do have in Alberta, and they have a budget of \$10 million less than we do have in Alberta, so I don't think they're doing too badly.

Again, Mr. Chairman, my motion is to rescind the motion passed at the February 10 meeting and to leave the budget as it was originally set.

**The Chair:** Okay. Thank you, Dr. Brown.

I have a speaking list with David Eggen and Jeff Wilson.

**Ms Blakeman:** And myself, Mr. Chair.

**The Chair:** Sorry. Thanks. We've got you, Laurie.

12:20

**Mr. Eggen:** Thanks, Mr. Chair. Again, I just want to reiterate my comments from the last meeting but also point out that this singling-out of the Auditor General and changing the decision that we made

here on this committee is perplexing not just to me but to Albertans in general and indeed right across the country. It demonstrates a lack of respect to this committee but, I think, more specifically, to the work of the Auditor General.

We heard some very convincing arguments from his office and from other PC members of this committee as well, who are conspicuously absent today from the same when they're reversing this decision, that the Auditor General saves us hundreds of millions of dollars in his deliberations over our budget. It is even more important now, with the government threatening to make significant cuts to the Alberta budget, that we need the Auditor General functioning on all cylinders. For the committee and for, really, the Premier of Alberta to choose to cut the funding of the Auditor General at the very time when we need him and his office most I think demonstrates a profound lack of both leadership and a sense of how to move forward during difficult economic circumstances.

Certainly, I will not be voting for cutting the budget of the Auditor General. I think that we need both him and his fine office more than ever right now, at this juncture in Alberta's history.

**The Chair:** Okay. Thank you, David.

Just, again, to reiterate, we're going opposition, government members, opposition, government members.

With that, Jeff Wilson, Laurie, Dave Quest, Joe Anglin.

**Mr. Wilson:** Well, thank you, Mr. Chairman. Respectfully, hon. colleagues, the value of the Auditor General and the value that the Auditor General provides to Albertans is not up for debate. What is up for debate is the minor reduction in the Auditor General's budget. Now, I am on the record as having supported providing the Auditor General more resources in the past, but we all need to accept that this is not business as usual, and the sooner that we all accept that this is not business as usual and adjust our expectations, the better.

Since the realities of the drop in oil prices have hit, the one constant that I have heard from my constituents is that they want off the boom-and-bust budget cycle. They are expecting me as their MLA, this Premier, and their government to make the tough decisions necessary to put us on a long-term path towards mitigating the province's reliance on volatile resource revenues.

This fact remains: Alberta's Auditor General has a budget that is \$10 million larger than the province of Ontario's Auditor General. Ontario has 9 million more people than Alberta. While I recognize that cutting 2 per cent from a budget can be challenging, I respectfully reject the position taken by some of my hon. colleagues that it will cut the office off at its knees. Even after a 2 per cent reduction Alberta's Auditor General will maintain its title as the most well-funded Auditor General office in the country. I would also like to highlight that this Auditor General and his staff have been excellent stewards of taxpayer dollars, returning money more than once to the Legislature since 2012, when I joined this committee. This is further evidence that this reduction will not damage the Auditor General's ability to execute at the level that Albertans have come to expect.

While I have long recognized the value of our Auditor General, the many employees in his office, and the work that they do, it is my view that there is greater value in supporting a vision that corrects the mistakes of the past while dealing with the realities of the present and puts our province back on track to be the fiscal powerhouse that all Albertans can be proud of. Today represents a step in that direction, and I will be supporting the motion to rescind the motion passed here on February 10.

Thank you, Mr. Chair.

**The Chair:** Okay. Thank you, Jeff.  
Laurie, on the phone, you're next.

**Ms Blakeman:** Thanks very much. You know what? I hear about fiscal realities, and what is happening here is that it's being stated as an irreversible fact that the government's choices on where it gets its revenue from is the only state of affairs and can be the only state of affairs, and that's simply not true. This government makes a choice to rely for a portion of its operating revenues on unreliable oil prices, and in doing that, they make children, students, ill people, postsecondary, infrastructure, and the Auditor General pay the price for a lower price per barrel, and that is, frankly, poor governance.

In this circumstance we are talking about the difference of half a million dollars. It doesn't sound like a big deal: "What's half a million dollars? He should just suck it up and hand it back." He's made a very clear case for that – everyone has spoken to how well he manages – yet we're in this circumstance where we're arguing about half a million dollars because of the choices that the government has made.

I'm listening to things – and I'm going to quote or paraphrase – like: we need to accept that this is not business as usual. I absolutely reject that. This is exactly business as usual. I have now served in the Assembly during three of these oil boom and busts, where the government relies on the oil, the price of oil goes down, and then they have to cut everything, not just core services.

I also have to make a point about the government moving in the right direction. You no longer have my trust that you are moving in the right direction. This government – the same government, the same ideology, and some of the same members – has continued to make the same choices, staying on that roller coaster of dependency on oil, so I don't trust that you are now going to move in the right direction. I expect you'll act like you did before and cut. And people in Alberta will tell you that they never got it back. Those that came onboard last time with Premier Klein: they never got it back. It affected their pensions. It affected their retirement. It affected whether they lost their houses or not. People are not willing to do this when the government keeps making the same choice.

Finally, I'll have to object to comparing the budget of the Alberta Auditor General with the Ontario Auditor General's. This is another example of half information that is constantly given out by government members. Unless you're willing to provide a graph that gives us a point-by-point comparison of the mandate and responsibilities of each of these offices, I reject your comparison. We have no idea what that office is mandated to do compared to what our Auditor General is mandated to do through his attest audits. We have no idea. He may have less legislation, fewer mandates or more. We don't know what the scope is. Just giving me a one-number comparison between the two comes very close to being deceptive, in my terms.

This entire situation has been created by a government that has shown that it is unable to manage money and unable to manage the enormous wealth that Albertans have been given. People are sick to death of this, and it's lazy and sloppy. I disagree absolutely that this is a necessary thing, that we've all got to pull together. No, it isn't. This is the normal style of business of this government in managing our money, which is very poor. It's a very small example of a much larger problem, the way this committee has been handled, the fact that we have a Premier that got up on television and said: I demand this committee cut this money. He did. It's on television. You can go look. He instructed the committee to do something that reflects very badly on Alberta and very badly on the Premier, in my opinion.

So, no, I will not support a cut to this budget on an ideological basis and on a practical basis. I think that the Auditor General made a very good argument to the practical basis. But ideologically

what's going on here is ideological on the part of the Conservative caucus, and it is very bad management all the way along – and we're now getting into 43 years of it – of the money of Albertans.

Thank you.

**The Chair:** Okay, Laurie.

Dave Quest, go ahead.

**Mr. Quest:** Thank you, Mr. Chair. I'll be speaking in support of the motion. I'm just subbing today, and I wasn't here for the previous vote, but I certainly would not have voted in favour of the increased sum. Ms Blakeman talked about comparisons not being legitimate. Maybe not just to Ontario, but in looking at the total expenditures for '13-14 for the British Columbia AG's office, about \$15.3 million; for Saskatchewan, \$7.9 million; for Ontario, \$15.6 million; and for Alberta, \$25.7 million, it's a very, very significant difference. If you look at the staffing levels around the different provinces – and I think comparisons are fair; how else could we measure? – the B.C. AG's office has 107 staff, Saskatchewan 60, Ontario 110, and ours at 150 staff members, all very capable people that do a great job for us. Nobody's questioning that. But when we look at the amount of support that our AG's office gets compared to others, it's not just a bit higher; it is much higher than anybody else in the country on a per capita basis plus other measurables.

12:30

Mr. Eggen talked about the singling out of the AG's office, but I don't believe that's the case. I think every office, every government department is being asked to practise restraint, and we're just asking the same thing of the Auditor General's office, so again I will be supporting the motion.

Thank you.

**The Chair:** Thank you, Dave.

On the speaker list we have Joe Anglin, Sohail, Rick Strankman, and Jason Luan. Go ahead, Joe.

**Mr. Anglin:** Thank you, Mr. Chair. It's actually shameful that the Premier has basically injected himself into or obstructed, in my view, the independence of this committee. And I understand. You know, you go back into caucus as a government party, you get to make the decision and come in a bloc and vote accordingly, and I understand that's the process. But when somebody steps outside that process and arrogantly or blatantly announces that "this is what I'm going to do," which is dictatorial, that's hypocrisy, in my view. There's a process to follow. Whether you believe in the process or not, it still has to be followed, and the independence of this committee must be maintained.

But the hypocrisy of measuring our AG budget . . .

**Mr. Wilson:** Point of order.

**The Chair:** Sorry. There's been a point of order called.

**Mr. Anglin:** Let's argue.

**The Chair:** Go ahead, Jeff.

**Mr. Wilson:** Thank you, Mr. Chairman. Standing Order 23(h)(i)(j). Language is clearly out of line. I would just ask the chair to remind the member that we are still technically in parliament and to conduct himself accordingly.

Thank you.

**The Chair:** Okay. Hon. member, you've heard that?

**Mr. Anglin:** Oh, I want to defend myself against the point.

**The Chair:** Okay. Go ahead.

**Mr. Anglin:** But thank you very much. I want to talk about the word “hypocrisy” because it has to be spoken about because it’s an accurate word to describe some of the events. Now, if somebody wants to claim that it’s inciteful, we’re talking about the literal . . .

**The Chair:** Sorry. We’ll just use it as a caution, and just continue in your comments. How about we do that? Okay, Joe?

**Mr. Anglin:** Okay. I’d be happy to do that.

**The Chair:** Okay. Thank you.

**Mr. Anglin:** But I still will use the word “hypocrisy” as it applies to the literal definition of the word “hypocrisy.”

**The Chair:** Okay.

**Mr. Anglin:** So it’s not intended to impinge upon anybody’s integrity.

**The Chair:** Got it.

**Mr. Anglin:** If they feel guilty, let them express that, but the fact is that I want to talk about it because this is absolutely important.

You measured the Auditor General’s budget against the Auditors’ General budgets of other provinces. But what you didn’t measure is the value we get for every dollar funded to our Auditor General’s office. So when you’re looking at measures of austerity, where you’re looking to cut people’s budgets, there is nobody in a better position to complete the audit, to find those places of savings that could actually produce a tremendous value for us. So you can’t tell me what the dollar value is for every additional dollar value to the Auditor General, how much savings that would result in, and that’s how that should be measured. And I will tell you that the Auditor General more than anyone is in a position to make that.

I want to point a couple of things out. We’re looking at, basically: between the Auditor General and the Child and Youth Advocate it was still under a million dollars. We’re dealing with the Auditor General’s situation, which is just over half a million dollars in budget. If you look at a comparison of provinces, somebody has to ask the question: why are we subsidizing B.C. Hydro to the tune of hundreds of millions of dollars? That is not addressed, and it can’t be addressed.

**Mr. Wilson:** Relevance.

**Mr. Anglin:** Well, you want to talk numbers. Let’s talk numbers because only the Auditor General really has the ability to look into that and say: this is where we could have a savings. If you look at our BRIK program, which is applied to the North West upgrader, which jumped . . .

**Mr. Wilson:** Relevance.

**Mr. Anglin:** The relevance is that it jumped from \$5 billion to \$8 billion, and you didn’t even ask a question. How is that for relevance?

**The Chair:** Joe, through the chair. Also, you’re doing a good job of tying it back. Just keep that up, all right?

**Mr. Anglin:** Thank you very much.

**The Chair:** Okay. Thank you.

**Mr. Anglin:** The CCS program that is funded for \$2 billion – now, depending on what figures the government has thrown out there, there’s still another billion dollars to be applied thereabouts, up or down. You can choose whatever figure you want.

These are areas that the Auditor General actually has the ability to look at and say to the government: this is where we can accumulate or look to cut spending to have the most effect to accomplish what we need to accomplish. But you cannot sit there and tell me that everybody’s got to cut. We are possibly looking at an election – everyone knows that – at a price tag of \$20 million minimum. That is absolutely outrageous, and it’s hypocritical to say that \$500,000 is outrageous but we can spend \$20 million on an unnecessary election. Like, you need more MLAs in the government party? You’re over 70 already.

**The Chair:** Pull it back.

**Mr. Anglin:** I mean, the reality is this hypocrisy of claiming that we need to cut front-line services like the Child and Youth Advocate, we have to cut the Auditor General, we’re not going to allow them to do the things that we’ve actually mandated them to do. They’ve come back and said that this is what we need to do. By law we have an election that should take place in a year, but we’ll spend that \$20 million this year. Completely unnecessary.

There’s a lot that can be done if we do our work to get it done. But don’t tell me that I can’t use the word “hypocrisy” when I’ve heard some members on this side advocate just the opposite barely two months ago.

Thank you very much.

**The Chair:** Okay. Thank you, Joe.

Sohail, Rick Strankman, Jason Luan.

**Mr. Quadri:** Thank you, Chair. You know, I think if I go back to my first meeting, I brought up this point. I think in the Auditor General’s report there was, you know, the increase of about \$546,000. What does this include? I think, you know, we have to put things in perspective. On February 10 I asked Ms McHugh: would this increase also include the 3.6 per cent increase made in, you know, the salaries? She said yes. So if you look at this money, it actually is going to go to the two new positions and increasing the salaries. We have to put things in perspective. Nobody can deny the hard work of the Auditor General and how efficient they will be. But, as you know, as the hon. member mentioned, it would be hypocritical if we’re saying that we have to be financially prudent – we have to make sure that we show it and that it starts somewhere, and we all have to actually buckle up because the ride is going to be a little rough. I think that is the thing Albertans want us to do, and we have to be responsible.

Thank you, Chair.

**The Chair:** Thank you, Mr. Quadri.

Mr. Strankman, Jason Luan.

**Mr. Strankman:** I’ll get it right this time. Thank you, Mr. Chair.

**The Chair:** Got it.

**Mr. Strankman:** I have a prepared statement here, and I’d beg your indulgence to go with that for now. It may involve a glass of water, but I’m hoping not. I’d like to start off my comments with noting how I believe this is a ridiculous meeting, and it’s ridiculous for a couple of reasons, the first being that despite my best efforts with caucus colleagues and our staff the Official Opposition has no real voting representation at this so-called all-party committee meeting.

I even notice, Mr. Chair, that you introduced the Member for Calgary-Shaw as an opposition member. I find that irregular at best. It's absurd.

These committees are supposed to represent the makeup of the Legislature and ensure that each party in the Legislature has the ability to put forward motions, amendments, and, most importantly, have a say through a vote on the decisions of this committee. What we have here today is a mockery of democracy. It's an absolute mockery of democracy. The people of Alberta elected an Official Opposition, Her Majesty's Loyal Opposition, and on something as important as deciding the fate of the office of the Auditor General, this government's gamesmanship means that Alberta's Official Opposition cannot meaningfully contribute to the decisions being made here today. I'd like to ask if the Auditor General was even invited to attend and speak at this committee meeting today. I'd be anxious for an answer to that.

Secondly, it's illogical that just a week after this committee met and made a decision on the Auditor General's budget, we're back here again for a redo because the Premier didn't like the decision being made by members of this committee at the last meeting. These committees are supposed to make important decisions on behalf of the Legislature, not the government. It's beyond the pale that the Premier can so blatantly overrule the decisions made by duly elected members, and it's clearly, in my mind, a complete breach of parliamentary privilege.

**12:40**

I also sat here a few weeks ago at the Members' Services Committee and made a motion in regard to the retracement of the wage increases that were brought forward. Some 5 per cent was the motion made by the committee. I made an amendment for 8 per cent and the 30 per cent that was initially given to cabinet ministers in the past. There's been no mention of the 30 per cent retracement of the cabinet ministers' pay. This government's members come forward in a magnificent fashion, talking about belt-tightening, seat belt tightening, with a 5 per cent wage decrease across the board. The price of oil this morning, the WTI index, is \$52.37, not the \$108.25 that it was when those wage increases were brought in.

Worst of all, Mr. Chair, the members of this government caucus on this committee are content to take their marching orders from their Premier without so much as a peep of discontent. I know that you're all elected to represent your constituents, and I don't believe you're doing your job.

Now, as to the decision on the budget of the Auditor General – and I hear the Member for Calgary-Shaw's arguments, and they're well placed – I'd like to remind us all of the value that the AG has demonstrated in terms of transparency, accountability, and exposing some of the truly egregious waste that this government would have preferred to keep quiet. In the last year alone the Auditor General brought attention to the government's inadequate monitoring of the billion dollars spent annually on long-term care. The office exposed how the former Premier broke the rules by awarding a sole-source contract worth \$240,000 to Navigator, which is very close to the same amount of money that the office of the Child and Youth Advocate had cut. The investigation and reporting on the sky palace and partisan use of the government air fleet by members of the PC government led to actual cost savings for the government. The Auditor General discovered the government knew it was costing taxpayers millions of dollars to run this fleet as opposed to other options. If it weren't for the Auditor General's investigation, those planes would still be costing us a fortune.

These are just examples of last year's significant waste, millions of dollars exposed by this office. So, of course, the Premier and the members of this committee want to cut it. It's not about being

prudent. It's simply another example of this government's intention to absolutely crush anything and anybody that would hold them accountable.

Last week the Finance minister had some advice for the independent offices, including the Auditor General, on how they could save some money. The advice included cutting back on office furniture expenditures, this coming from a government that had just spent \$150,000 on a brand new table in a caucus room at the \$400 million federal building. A hundred and fifty thousand dollars on a table? Like, really? There's a perfectly fine caucus table regularly used over at Government House, but for some reason this government felt they needed a new one. I struggle with that logic.

The other piece of advice that the Finance minister gave was to cut back on conferences and travel. The same day the minister gave this advice, a press release was issued by the government announcing that MLA Young was heading off to South Dakota for an agricultural conference. In fact, that's why the member can't be here today, and I'm pleased that he at least had a representative to substitute for him. He's travelling for a conference.

Finally, if this was really about tightening your belts, you wouldn't have a Premier telling . . .

**The Chair:** Rick, again, be like Joe and tie it back to relevance, just so you're clear, all right? Okay? Thank you.

**Mr. Strankman:** Well, I've got one more page left, Mr. Chair, if I could just roll through it.

**The Chair:** Yes.

**Mr. Strankman:** If this was really about tightening belts, you wouldn't have a Premier telling those tasked with holding his government accountable to do more with less while maintaining the same 4 and a half million dollar budget as the former Premier Redford.

I'd like to remind these members at this table who they're supposed to be representing. Again, it's not the Premier. It's not the government. It's Albertans, the people who elected you, your constituents. If you allow the Premier to dictate how you vote in these committees, to predetermine the decisions made by these supposedly independent and supposedly all-party committees, then what's the point in even holding these meetings? At some point we'll see on Twitter: we can forget the no-meet committee; government members have turned this into the why-meet committee. I'm calling on all members of this committee to represent Albertans to the government, not the government to Albertans.

Thank you.

**The Chair:** Okay. Thank you, Rick.

Jason Luan, go ahead.

**Mr. Luan:** Thank you, Mr. Chair. I actually feel very fortunate to have a chance to join this committee debate about this. Let me tell you that when we talk about hearing from our constituencies and so on and so forth, what I was hearing in my constituency about – in the midst of us talking about \$7 billion in the hole, in the midst of us talking about tightening our belts, in the midst of us talking about business as not normal, when I heard the increase requested there, I couldn't hold myself. So I asked for a chance to join the committee as a sub.

The reason is this. The Auditor General's work: I have to say on record that, along with some of my members who commented, I am a full fan of the work of our Auditor General's office. They are doing a fantastic job. I can tell you that from an emotional point of view I will join my colleagues to say that, yes, I want to support them; yes, I do.

At the end of the day the question is: if you do that in the face of that \$7 billion, how are you going to be justifiable to the rest of Albertans, to my constituency on how you're going to cut those other areas? To me, out of a \$27 million budget, one of the largest in the nation – and we're talking about a 2 per cent cut. We're talking about the possibility of looking at nondirect service related to training, to conferences, to all those other parts that I call indirect, and then we couldn't find a 2 per cent savings there. I will have a hard time when faced with the rest of my constituents.

Again, I want to draw the conclusion that many members mentioned today. I don't care who raises the issue. At the end of the day we are fully-fledged, parliamentary-privileged MLAs. We vote what's right, what's wrong. When I look at the numbers here that I have in front of me with our current Auditor General's office, in the faith of not discrediting all the great work his office has been doing, just the training alone is two times that of Saskatchewan and six times British Columbia. This is just talking about professional training and the conferences.

You know, with my understanding of the high quality of work our Auditor General does with the scale of a \$27 million total budget, I have full confidence that he will figure out a proper way of saving this 2 per cent. In fact, if we disregard this because we like his work, we just award that with the increase, I don't think we're doing good service for Albertans because Albertans expect us to operate efficiently with the utmost fiscal prudence, and they are right to request that we do that. So I will be supporting this motion.

**The Chair:** Thank you.

With no other speakers I'll call the question. All in favour?

**Ms Blakeman:** Recorded vote, please.

**The Chair:** Laurie has requested a recorded vote.

**Ms Blakeman:** And I'm voting no.

**The Chair:** She's voting no.  
Any opposed?

**Dr. Brown:** In favour.

**The Chair:** Okay. All right. We'll call a name here just so we clarify. Let's go around the room here first, and then we'll go on to the phone. Just say in favour or opposed.

**Mr. Quest:** In favour.

**Mr. Quadri:** In favour.

**Mr. Wilson:** In favour.

**Ms Olesen:** In favour.

**Mr. Luan:** In favour.

**Mr. Eggen:** Opposed.

**The Chair:** Laurie Blakeman, on the phone.

**Ms Blakeman:** Opposed.

**The Chair:** There. We've got you recorded three times now.

**Mr. Strankman:** So, Mr. Chair, it's fair to say that I have no opportunity . . .

**The Chair:** Just a second.

**Dr. Brown:** I'm in favour.

**The Chair:** In favour.

**Mr. McDonald:** In favour.

Do we have everybody? Oh. Genia Leskiw.

**Mrs. Leskiw:** In favour.

**The Chair:** In favour.

Okay. The motion is carried. Thank you.

**Mr. Strankman:** Mr. Chair, I'm denied the opportunity to vote?

**The Chair:** As a nonmember of the committee, yes, you are able to participate in the debate however not able to vote.

**Mr. Anglin:** Mr. Chairman, please.

**The Chair:** Right. Joe.

**Mr. Anglin:** I just would like it noted that the Wildrose does have two allocated seats on this committee and neither one is filled as a result of actions of two individuals.

Thank you.

**12:50**

**The Chair:** Okay. That's on record.

All right. We'll move on to the next agenda item, other business. Any items to discuss under other business?

If not, we'll move to the date of the next meeting, and that will be at the call of the chair.

Adjournment. Would any member move to adjourn, please? Cathy Olesen. All in favour? Great. Thank you. Meeting adjourned.

[The committee adjourned at 12:50 p.m.]



