

[Mr. Kowalski in the chair]

THE CHAIRMAN: Well, good morning. We will begin because that is the thing to do, and we'll hopefully be joined by our other colleagues shortly. One member will not be here this morning, and that, of course, is Mr. Woloshyn, who just recently had his major surgical procedure. I am advised that he is in good health and recovering very, very well, and that's positive. I've no notification from any other member that they would not be here today.

So we have an agenda that was circulated – what? – 10, 11, 12 days ago and posted in the normal way. There are two items that I would like to see added to the agenda simply because in the leading up to these meetings I conveyed notes to all Members of the Legislative Assembly asking them for their thoughts as to what they would have added to the agenda. The first of these is a letter that I received from the Official Opposition whip, Laurie Blakeman, a letter which I will circulate now, and we'll have this matter put under Other Business. The second item is a letter that I received from Mr. Brian Mason. Ms Blakeman's item has to do with proposed changes to constituency office allowances – that would be 6(a) – and Mr. Mason's item came about in the way of a letter/memo that he sent to me the other day and I circulated to all of you, and it has to do with the subject of same-sex benefits. So 6(a) would be constituency office allowances, and 6(b) would be Mr. Mason with the same-sex benefits.

Will there be additional items that hon. members would like to have added to the agenda, to change the agenda? Then I take it the agenda is okay. Thank you very much.

Now, the minutes of the August 7, 2001, committee meeting were circulated, dealt with. There is no business that I am aware of arising out of the minutes other than one item. It has to do with constituency services amendment order 9, is what it will be, and it simply has to do with the updating of the allocations for the members as a result of the Members' Services Committee and the constituency services amendment and simply puts in and gives us the authority, then, to print in the *Members' Guide* what the actual constituency office allocation is for the fiscal year 2001-2002 as of April 1, 2001. That's a matter that was dealt with, the results of the reallocation of numbers coming through from the electoral officer dispositions that we had on numbers of constituents in each of the constituencies. But hon. members may have items they want to raise out of these minutes, and we'll go to that now.

MR. McFARLAND: Mr. Chairman, under Old Business, 3, is constituency and Leg. office staff extended benefits, and there is a notation that you would be notifying us of any information following negotiations that I gather were ongoing. Has there been any update to that with respect to long-term service?

THE CHAIRMAN: There's no update that I can provide at the moment. When we had that discussion at the last meeting – now, you're dealing with constituency office personnel. We looked at that, and we basically said that we would wait for the allocation of dollars under all personnel associated with the LAO pending the conclusion of the government and Alberta Union of Provincial Employees' contract negotiations. So when we were notified in November that the allocation for the fiscal year 2001-2002 was 5 percent for salaries and then the settlement between AUPE and the government for April 1, 2002, was 4 percent, a number of you basically indicated to me: well, that probably ameliorates or meets the concerns that were raised at that meeting, the 5 percent adjustment and the 4 percent coming up, and probably there was no

need to bring the matter back at this moment, but I'm governed by what you feel or think.

MR. McFARLAND: No. Actually, it had nothing to do with the rate. It was more to do with any movement in terms of long-service benefits.

THE CHAIRMAN: Well, again, the way the constituency office staff is dealt with – you're going to have to help me on this one, members. Under the procedures that we have, every office personnel – and I believe that we're probably looking – there are 83 constituency offices in Alberta; Cheryl, correct me if I'm wrong – at upwards of 150 people.

MRS. SCARLETT: In constituency offices?

THE CHAIRMAN: In the constituency offices. Now, some will have one person; some will have two people. But the member hires the person, determines the rules of engagement for the person or persons in their constituency office, sets the conditions of employment, sets the conditions of work, determines the salary. They become employees of the Legislative Assembly of Alberta. They are not employees of the member. They're employees of the Legislative Assembly of Alberta. They're under contract. There are 83 members, and each one determines in his or her own fashion. There's no consistent pattern across the board with respect to this. Most individuals that I've talked to as members have basically said that they sort of like it that way. So that's why we haven't designed a package to cover all 83, because there are so many permutations and combinations.

MR. McFARLAND: Thanks, Mr. Chairman. I wasn't looking for it. I was just more interested in the information in the event anyone brought it up. Thank you.

THE CHAIRMAN: Okay. Anything else arising out of the minutes of August 7, 2001?

Well, then can we have a motion for acceptance, please?

MR. DUCHARME: So moved.

THE CHAIRMAN: Mr. Ducharme, seconded by Ms Haley. All in favour? Opposed? So the minutes are carried.

Now, I indicated that there was one item that had to arise out of it, and it's simply to do with the mechanics of having the numbers published in the *Members' Guide*. It's called constituency services amendment order 9, and it basically puts in place the budgeted figure of \$48,720 for constituency office allocations for the fiscal year April 1, 2001. This is an after-the-fact thing that we have to do in order to get it published in the *Members' Guide*.

Are there any questions on this, first of all?

MR. MASON: Mr. Chairman, the issue has come up regarding the allocation of computers. I just wanted to ask: are we going to deal with that as a separate item?

THE CHAIRMAN: When we come through, we can do that under 5(a), budget development guidelines.

MR. MASON: Okay.

THE CHAIRMAN: This is an after-the-fact item in here that we're talking about right now.

MR. MASON: Right. Thank you.

THE CHAIRMAN: Other questions?

Well, then all those in favour of this constituency services amendment order 9, please say aye.

HON. MEMBERS: Aye.

THE CHAIRMAN: Opposed? Okay. It's carried.

Okay. The next item has to do with Old Business, 4(a), Long-term Disability Benefit Plan Review, and it says: the chairman. There's a blue sheet in the documentation which you have.

Now, this long-term disability subject matter is a rather interesting one. Prior to 2000 but still existing today, at this time that we sit, there's a provision under the Legislative Assembly Act that when all the mechanisms dealing with members were dealt with in the early 1990s, the one area that somehow was not transferred to Members' Services authority was the question of disability, long-term disability, disability now in the case of a member. So what we did in 2001, after discussion here, we advised the government that it should move responsibility for this matter to the Members' Services Committee. That was done in the spring of 2001 with an amendment to the Miscellaneous Statutes Amendment Act, but included in that statement was that until the Members' Services Committee, by the Speaker, informed the government that it was ready to have its own program for disability, the existing plan would remain in place. So that's where we're at: with the existing plan remaining in place.

Now, the interesting thing about it is that while there is provision under the act that the Lieutenant Governor in Council, i.e. the cabinet, would have to deal with a disability question if one were to come forward, the fact of the matter is that back to 1905 in the province of Alberta, in the complete history of Alberta, no member has ever found benefit under a disability plan. No member has ever applied successfully for disability, should that have occurred.

10:40

We've had some situations in the last five years since I've been Speaker. We had a situation where one member was hospitalized for three or four months, and in fact there was some concern about the future of that member when he was hospitalized. We had another member who resigned. I don't think I'm being out of order when I say as a result of, quote, a near-death experience, end quote, but there could have been possibility there for applications under the disability program, but no one has ever, ever done it and successfully done it.

When there was an MLA pension plan in the province of Alberta and people became infirm, they had an option. They could call on the benefit they might get under the pension plan. Well, that pension plan ceased to exist in 1989. So the question, then, of disability is: what would it be, and how would it come about?

Here's the rub in the whole thing. In terms of all the discussions that we've had in the last six months dealing with outside consultants with respect to this matter, the main purpose of disability is rehabilitation of an individual. If an individual unfortunately becomes hospitalized, becomes infirm, cannot return to work, they can go under a disability plan. Some people will go for a short period of time. Some people will go for months. Some people will go for years. But in all those cases there's always the end objective, rehabilitation, so that the person can return to his employment at the conclusion of the rehabilitation.

Well, in the case of MLAs that becomes an impossibility. Under the rules of the existing thing, the only way you can ever access

disability is you have to resign as an MLA. So if you go on disability but the objective is to have you rehabilitated, number one, you have resigned as an MLA. Secondly, under our laws within six months there must be a by-election, so the job is filled. So you do become rehabilitated, but there's no job for you to go back to.

In the discussions we've had with outside consultants with respect to this matter, there's a concept known as the white-collar plan or coverage. At this point in time it basically provides for an alternative, but we're not satisfied yet that we're in a position to come back to this committee with any kind of a recommendation with respect to this in any way, shape, or form. So where we're at right now is that we're continuing to do research. We're continuing to have discussions with all kinds of consultants with respect to this matter. We're continuing to try and determine what might be possible if anything is possible. Right now if a member were to come today and say, "Look, I cannot carry out my duties; I want to go on disability," I'm not sure what would happen. My advice to that member would be: "Well, okay. You're infirm, but you can't go on disability because we don't have a disability program. But nobody can remove you from your office other than your electors, so you remain in this position as an MLA until the conclusion of your term." There's a lot more work that has to be done.

I'm open to answering any or all questions or getting any advice from any committee member with respect to this matter, because it's proving not to be a very easy thing to look at. There are a lot of professional consultants out there that have a lot of views on this thing, but you still come around to that one conundrum: how do you deal with the rehabilitation and philosophic concept and the return to employment?

MR. MASON: I'm just wondering. You're basically saying, Mr. Chairman, that if someone is unable to perform their duties, their option is to not resign, in which case they continue to get their full salary.

THE CHAIRMAN: Yeah. There is no other option that I'm aware of today. In those jurisdictions that have pension plans, there is the provision to fall back on that. We don't have that option. Under our laws it says that in order to access it, you have to resign. If you resign, then there has to be a by-election in six months, so the job is filled. And how to get around all those things – the conclusion is that Members of the Legislative Assembly of Alberta will never, ever have a disability fund. That may be the ultimate conclusion, but in the meantime we'll continue to do the work that's required to try and find a solution to this problem.

MS HALEY: Just on that point, Mr. Chairman, I'm fairly confident that there's a deduction on my paycheque for long-term disability. One wonders what one is paying for.

THE CHAIRMAN: That's absolutely correct. Every MLA has a deduction on a monthly basis for disability the same way that we have a deduction for WCB, the same way that we have a deduction for UIC, but no member will ever qualify for UIC, Unemployment Insurance Commission. No member will, but there's a deduction. There's a disability deduction every month, too, but no member has ever qualified. Unless we find some mechanism dealing with this – and from time to time there are concerns about the health.

MR. BONNER: It seems that the assumption here is that a person must leave their employment as an MLA.

THE CHAIRMAN: Yeah.

MR. BONNER: But other jobs don't have that.

THE CHAIRMAN: Agreed.

MR. BONNER: So could not the provision be that they're on this disability until the time of election?

THE CHAIRMAN: That's all part of the option package that we have. There are the peculiarities associated with elected people. You're right: it doesn't apply to other people at all. In your former profession as an educator, if you went on disability and you returned to good health, you would go back to the job that you had. In this case, it seems a conundrum, one, to have to resign in order to access it, and secondly, then the six months to fill the thing with by-elections, and then seven months later you may be totally rehabilitated, but, "Sorry; somebody else got your job." Nobody else is going to tell that other person, "You're only there for seven months or eight months." So that's the conundrum.

MS HALEY: So, Mr. Chairman, you will continue to . . .

THE CHAIRMAN: Yes, we will do it, and any advice you can provide in this regard would be very welcome. We've got a series of consultants we're dealing with, and we're scouring everything possible, including looking at all other jurisdictions.

MR. McFARLAND: Mr. Chairman, is there a requirement under law to make the deductions for UIC, WCB, and disability insurance? If you can't provide it and you can't claim for it, isn't the simplest way to do it to totally eliminate the deduction?

THE CHAIRMAN: Cheryl, do we have to? Are we mandated to?

MRS. SCARLETT: Just to clarify, for the WCB and the LTD, yes. There is no deduction for EI for members. There was at one time, and that was addressed. That's going back; my apologies.

THE CHAIRMAN: That's UIC. Good. Okay.

MR. McFARLAND: But at the same time, Mr. Chairman, if I understood the conversation that an MLA could not qualify for WCB or disability insurance, how can you be mandated to make a deduction?

THE CHAIRMAN: Well, our experience is that no one has qualified, so be careful about saying you could never – I mean, the experience is that no one ever has to this point in time, but we could make a very strong argument, and we have had some people who have been very, very ill.

Mr. Ducharme.

MR. DUCHARME: Thank you, Mr. Chairman. Going back to the issue of the long-term disability, is there the possibility that you're also looking at possibly self-insuring rather than looking for outside firms?

THE CHAIRMAN: The answer to that question would be yes. This involves a search of all of the options, but when we feel comfortable, when there's something we can look at, I'll bring it back, and then we'll have to spin it out some more. I don't see an early solution to this at all. I mean, I can't tell you that by January 4 or February 19 I'll have a solution. I just don't.

MR. DUCHARME: It's just that I'm concerned that, as you indicated, we're rather unique and don't really fall into any plans that are presently existing. We may have to also look at that aspect.

THE CHAIRMAN: Agreed.

MR. BONNER: We would be covered by WCB in the event that as part of our job we were involved in a car accident. [interjection] Yes, we are, if we're on WCB benefits.

THE CHAIRMAN: And there is the conundrum. There are two versions of the same subject. We've never had an application to have it tested.

MRS. JABLONSKI: That was my question too. Are we covered by WCB or are we not?

THE CHAIRMAN: Well, we have coverage.

MR. REYNOLDS: There's a special act called the M.L.A. Compensation Act which allows MLAs to be eligible for WCB, the equivalent of being a WCB participant. So in certain conditions, subject to the WCB and the legislation, MLAs could collect benefits.

10:50

THE CHAIRMAN: And the history is that no one ever has?

MR. REYNOLDS: Not yet.

THE CHAIRMAN: Okay. Is there anything else on that subject matter? So we'll continue it, and we'll keep it on the agenda, and it will come back for update next time as well.

Under Old Business, 4(b), you have a document, a binder, I guess, referred to as the budget document, estimates of the Legislative Assembly for the year 2002-2003. The year 2002 of course is next year, starting April 1. We're in the process now at the normal time, and the first item – there's a sheet of paper in there that basically shows the consolidation of the decisions that have been made in 2001, decisions made at the August 7 Members' Services meeting and then endorsed in the Legislative Assembly in Committee of the Whole on November 22, 2001. So that gives you the consolidation. That's just a sheet of this stuff. You've seen this before. It was available in the Legislative Assembly in Committee of the Whole on November 22 and follows through with the decisions made in Members' Services on August 7. That's simply an update for the consolidation. Again, it just repeats what was tabled in the House and shown in the estimates.

Does anybody have any . . . Yes, Mr. Mason.

MR. MASON: Mr. Chairman, I wanted to ask about how we're dealing with the liability for the transition allowance. Is this an averaged estimate of what the transition will cost every year, or are we trying to build up a fund to cover the liability? It's \$4,200,000 a year. Obviously it will be higher in some years and lower in others.

THE CHAIRMAN: No. We agreed in the planning of this in previous Members' Services that what we would do is determine what the future liability is based on 83 members leaving at one time, and then we would set aside funding over a period of time to reach that limit, so whatever that would be, it would be arrived at. In the event that all 83 departed at one time, it would be completely

funded, and there would be no long-term liability associated with it. So there's an allocation to your \$4.2 million being put into that fund.

MR. MASON: And when do we reach that amount? How many years does it take to build the fund up?

THE CHAIRMAN: Well, if all 83 members were to resign today, there wouldn't be any money in the fund to pay for it. It couldn't handle it.

MR. MASON: No, no. How long will it take to reach the amount in the fund to cover the full liability?

THE CHAIRMAN: Three more years, I would think.

MR. MASON: Three more years. Okay.

THE CHAIRMAN: The current year and the year starting April 1, 2002, then April 1, 2003, and April 1, 2004, and then that should be done and be completed. There would be no long-term liability.

Other questions? Okay. Thank you very much.

Then under New Business, 5, you have the 2002-2003 Budget Development Guidelines. Now, the process that we're in is that we're looking at the budget for the fiscal year beginning April 1, 2002-2003. So as has been our tradition, I come to you with parameters to look at in the building of that budget, and in the first section of the document that you have, in the overview, are the parameters that we have. These parameters are essentially – I'll go through them specifically with you – a hold-the-line budget.

There are two extraordinary items in it that I will explain, both of which drive this estimate, this budget. One is the result of a decision that the Legislative Assembly made on November 29, the last day of the Assembly, where the members voted to create an Electoral Boundaries Commission and set up an Electoral Boundaries Commission that would start its work after April 1, 2002. Unfortunately, the resolution of the Assembly did not allocate funds for the Electoral Boundaries Commission. Because it would be totally inappropriate for the government to fund the Electoral Boundaries Commission – it has to be a nonpartisan, hands-off thing – in the past it is the Legislative Assembly that has funded the Electoral Boundaries Commission. So we had to go back, look into the records to see what this would be, and there's an allocation of \$500,000 set aside for the Electoral Boundaries Commission.

When I sit before you today, I have a little problem. Under the resolution that was passed at the November 29 meeting, it said that the chairman of the Electoral Boundaries Commission would either be the Auditor General, the Chief Electoral Officer, the Ethics Commissioner, or a judge or retired judge, and four other members who would be appointed by the Speaker, two upon the recommendation of the Premier and two upon the recommendation of the Leader of the Opposition. At this point in time I have no idea who any of those five are going to be. We know we're going to have a commission. I don't know who is going to be the chairman of the commission, I don't know what the plan is, but we've got to have money set aside for the commission in order for it to do its work. So there's an allocation of \$500,000, and it comes under the Legislative Assembly of Alberta estimates. It has nothing to do with anything else, but it's there.

The second thing in here – and I'll come back to all of this – there are these two extraordinary ones. There's now a charge of \$278,400 directed to us to pay. Until this point in time all of our telecommunication services associated with private members, Official Opposition, all the opposition caucuses, and all the LAO

branches have been provided by one agency in the government, and that would previously have been the department of public works. Now I believe it's either Infrastructure or Transportation. They've advised that as of April 1, 2002, they will no longer pay this telecommunications bill. So we have to build the budget for it into our LAO estimates, and it's \$278,400. Of that, \$255,200 is for the assumption of ongoing telephone line charges, and \$23,200 is budgeted for set replacements and service charges. In this fiscal year an agency of the government is paying for this. As of April 1 it must be a charge under the Legislative Assembly estimates. That will show in our bottom line an increase of \$278,400.

The third little item. An additional charge in there is risk management and insurance. The insurer that we have under Alberta Treasury tells us that we can expect at least a 10 percent surcharge, so we're up to \$121,252 now for our risk management insurance premium.

So with those three items that's about \$930,000 that has come to us.

So then on the 2002-2003 budget preparation parameters the following will hold true for everything across the line. Everything is rounded off to the nearest thousand dollars. Those operational matters in this budget will show a 2 percent increase because of inflation. So if we have \$300,000 for the computer replacement program, if that was the budget this year, it would be increased 2 percent, to \$306,000, for the budget April 1, 2002. That's a stationary assumption, a parameter through it all.

Secondly, we now know what the public service settlements are, the AUPE settlements. We didn't know this in August, but we know it now. For the AUPE, for the government of Alberta, the conclusion was 5 percent for the year 2001-2002, but beginning April 1 we know it's 4 percent. So we have the parameter of 4 percent for all the manpower across the whole thing. We know for a fact that that will be the settlement for all LAO employees, and we've used that as the figure for everybody in the whole thing. We're basically talking about a pretty substantial number of people. In these parameters it shows that the total number of staff associated with the Legislative Assembly of Alberta is 89.85 FTEs. However, for the budgeting provision of that 4 percent allocation – take 83 MLAs out of that for the moment – the remainder is over 400 people. Although the LAO only says 89.95, I'll let Cheryl explain how we get to that 400 others.

MRS. SCARLETT: Basically, as we mentioned earlier, in constituency offices we have about 150 employees, be they part-time or full-time. We have a group of employees, as well, working in our caucus offices, which fluctuates but is between 60 and 70. Within the LAO, in terms of the actual number of people, when you add them up, you've got about 150, which translates into the 89.85 FTEs. A component of our operation is the summer temporary employees that come to us. That takes you to just over 400.

11:00

THE CHAIRMAN: Thank you. The 4 percent allocation, then, is right across the board for that. So that's about 400. Then you've got the members, the MLAs. We're governed by the formula that was determined a number of years ago that the MLA compensation package would be adjusted as of April 1 based on the previous calendar year's average weekly earning index of workers in the province of Alberta. So on April 1, 2001, that adjustment was 3.34 percent. A year ago we put 4 percent in the budget, and the adjustment last April 1 was 3.34 percent, so the difference between the 4 percent we had in the budget and the 3.34 percent is returned to the Provincial Treasurer. Those dollars go right back. You recall

that a year ago when we did this, all the reports of the meeting by the media and everything else were that the MLAs get a 4 percent salary increase, no matter how many times you said it wasn't going to be 4 percent, that we did that for budgeting purposes. The fact of the matter was that it was 3.34 percent.

This average weekly earning index we get once a month from Statistics Canada, and we follow it and monitor it. So far we've got the number for January, February, March, April, May, June, July, August, September. I don't think we've got October yet; do we?

DR. McNEIL: No.

THE CHAIRMAN: We don't have October, November, December. So I put in for the budget parameters a number of 4 percent. It will not be 4 percent, but I don't know what it will be. It will be less than 4 percent. I don't know if it will be 3.7 percent, 3.1 percent, or 2.9 percent. I don't know that right now. So the provision in here is for 4 percent, completely understanding again that we will announce it when we get that number in March. I think this last year we didn't know what that number would be until about the last day of March. Then it's announced for the April 1 adjustment. The difference goes back to the Provincial Treasurer. It has lapsed. It is not expended. We know that for the public service it's 4 percent. We know that's settled, but we do not know what it will be for members. So in terms of building this budget, that would be 4 percent.

The next item then. The constituency services element: again, the manpower adjustment of 4 percent applies exactly with it. The communication element: the number of electors rose to 1,902,904, so we apply that formula. That's a draw of an additional \$56,000 over 83 constituency offices, so about \$700 an office. The promotional element is adjusted to reflect the increase in the number of constituents. Again, the number of constituents now as per the statistics branch was 3,077,500 Albertans. So the adjustment to get that new number is a cost of \$29,000, again for 83 constituency offices.

The Legislative Assembly Office adjustments. They get the 4 percent, but they also have that public service settlement grid, which provides for merit up to 3 percent. That's built in here as well.

The transitional element: the annual contribution, Mr. Mason, remains exactly the same. There's no variance. It's the same thing on a yearly basis of 4.2, so there's no change.

For budgeting purposes we're talking about 85 sessional days, and again you have to guess. In this year, the year 2001-2002, we will not have 85 sessional days unless the decision is made in the next few days to come back in the first week of January, but I don't think that's the word right now. I think the word is basically that we're probably looking to come back the last week of February or the third week of February. So we know that we will not have 85 days, which means that the budgeted number that we have for days in the current budget will not require 85, so we will lapse those funds, and they will be returned to the Provincial Treasurer as well.

Then we have the decisions made of the Members' Services Committee: again, the population figures, the kilometre figures, the per diem figures, and the other allowances, just applying what those decisions were.

Now, one of the things we did – I did. I guess I have to take responsibility for it; the Members' Services Committee can't. When there was need in September and October as a result of circumstances in the province of Alberta and when the government said it wanted to lapse 1 percent from its various budgets, I went through our budget and found lapses of 3 percent, not 1 percent. One of those items lapsed was the furniture program that we had

committed to for the year 2001-2002. This committee a year ago gave approval to embark on an office rehabilitation program for the constituency offices to make them ergonomically sound, to make sure that the furniture was maybe vintage 20th century instead of 19th century and all the rest of that stuff. So we had a budget of \$360,000. By September we had advanced work for about, Mr. Clerk – what? – \$50,000?

DR. McNEIL: It was \$60,000.

THE CHAIRMAN: So \$60,000, and we canceled the rest. That was deferred. There was a deferment there of about \$300,000 in the current year. So anybody who believes they're getting office improvements in December or January or February or March is not getting them. They are not happening; those things are being deferred. So what we did then was take that budget, which was deferred this year – lapsed savings of \$300,000, a third of a million dollars. It is the same budget that's put back in for next year. So we're behind schedule on it, but actually I haven't received too many letters or complaints from members with respect to that. So that's in there, and it's the same thing. It's across the board.

The next item – I've already talked about it – is the telephone and telecommunications charge of \$278,400. The next one is the risk management of \$121,000.

The other thing the budget simply shows is that there was a bit of reorganization internally. No additional dollars; dollars were just shoveled from one little branch to another little branch. We've had to add \$50,000 on April 1 of next year for the select special freedom of information and protection of privacy review committee. That work is currently being done. For that committee I have some money in it this year, but it needs money in it after April 1. So there's \$50,000 for that committee. We have to fund it under the LAO.

Then you've got the Electoral Boundaries Commission budgeted amount of \$500,000.

Again, no increase in positions. It's the same manpower. We're holding at 89.85 FTEs.

That's basically what the budget is, ladies and gentlemen. It simply applies the formulas and adds those three things that we had surcharges on including the Electoral Boundaries Commission. If we don't put the dollars in for the Electoral Boundaries Commission, I have no idea what will happen. Maybe some people would say that's a good thing. So I'll stop, and I'll answer any questions or attempt to clarify.

Dr. Massey.

DR. MASSEY: That shift in the telecommunications budget, does that happen to each of the departments as well, or has it already happened?

THE CHAIRMAN: That's my understanding. It'll go into effect April 1.

DR. MASSEY: So it won't really change the total budget.

THE CHAIRMAN: The bottom line for the whole organization known as the government and the LAO: there's no bottom line change on the \$22 billion figure. It just means that in that one department, they no longer have that charge of \$280,000. It's now shifted here. So I guess it's happening to all departments.

DR. MASSEY: Another question: what did the last Electoral Boundaries Commission cost us?

THE CHAIRMAN: We anticipate \$480,000, so we're just about right on the same thing, \$480,000 to \$500,000. Now, you see, my dilemma is that I don't know what the chairman – he or she may come back and say, when they get appointed, that they want to advertise three times in all the papers instead of once. I think that advertising last weekend for the Auditor General and the Information and Privacy Commissioner – they had a great debate in Leg. Offices about advertising or not, but they're looking at a hundred grand or something to do newspaper advertising once. If they do it twice, then it's 200 grand.

MS HALEY: Mr. Chairman, with regard to this, in the Miscellaneous Statutes Amendment Act that was passed in the Assembly there was a determination that an Electoral Boundaries Commission would in fact be struck. I think it's very prudent to put \$500,000 in the budget. I guess the reality is that if whoever that commissioner turns out to be comes back and says that it's not the right amount of money, then we will have to deal with it at that time, but on this basis, I think this is the best guess that we can come up with, and we need to be prudent in what we're doing.

THE CHAIRMAN: Well, I agree. That's why I put it in.

MS HALEY: I have no problem with the amount because I know that that's what they spent last time.

THE CHAIRMAN: Mr. Horner.

MR. HORNER: Thank you, Mr. Chairman. I had two questions. The first one was also with regard to how much it cost last time for the boundaries commission.

The other question. We do have a heightened amount of security around the Leg. Building and obviously with the LAO, but I don't see anything with regard to an increase in security costs in our budget. Are we doing more for security? Where is that in the budget?

11:10

THE CHAIRMAN: The answer to the question is yes, we are doing more for security. Two, where is it in the budget? It would probably be located in House services mostly.

Three, I don't think it'd be prudent to identify the actual specifics. It's always been a conundrum to me when we talk about security: if everybody wants to talk about it in public, well, how can it be secure?

MR. HORNER: I appreciate that. Thank you.

MR. MASON: Mr. Chairman, could you give us some figures with all of these factors in, including the expenditures to do the boundaries commission, what this would represent in terms of a percentage increase over the base budget?

THE CHAIRMAN: If you take a look at the next page in that document, you will see that you've got three columns in there. You've got the 2001-2002 forecast, you've got the 2001-2002 estimate, and then you have a column on the left, the 2002-2003 estimate. So you'll see that the numbers are the same for the forecast and the estimate for the current year. It's \$32,468,000, and you'll see that the budget that I'm proposing for April 1, 2002, is \$34,760,000. The difference between the \$34,760,000 and the \$32,468,000 is \$2,292,000. You can calculate that percentage on either base you want, the \$32 million or the \$34 million, so the

difference is 2.281. The Electoral Boundaries Commission would be \$500,000, so that would ratchet it down to 1.7 or 1.8. The \$300,000 for the telecommunications would ratchet it down to, I guess, 1.5. That risk management thing, \$125,000: it'd be about 1.3 something. The 4 percent across the 400 and some odd employees: if they were to average 4 percent, that would be an average of, let's say, between \$1,500 and \$2,000 an employee, depending where they're at. That would be approximately \$800,000 for all of those, the 400 plus. So it would be down to about \$600,000, \$700,000. That essentially would be made up of the annualization of those other expense-related allocations we have.

MR. MASON: I apologize for being just a little bit confused, but you've got a difference, an increase, between 2001-2002 and 2002-2003. You've got an increase there of \$2.28 million. Those additional expenditures which you mentioned are expenditures that will take place in the year 2002-2003. Is that correct? But I thought you were subtracting them from that \$2.28 million. Shouldn't they be added to it?

THE CHAIRMAN: That is the increase. It's all in there. The parameters are not over and above that bottom line.

MR. MASON: So the \$2.28 million total increase, all in, includes the \$2.4 million for the liability for the separation allowances?

THE CHAIRMAN: Yes, indeed. It's all included in it. Everything's included.

MR. MASON: Where are the offsetting reductions? Could you maybe go through that?

THE CHAIRMAN: Offsetting reductions? Sorry; I don't understand. You'll have to help me here.

MR. MASON: If we're adding \$2.4 million . . .

MRS. JABLONSKI: We're not adding. It's here. It's in the forecast, in the estimate, and in this year's.

MR. MASON: So it's included in this year's base budget already. That explains it. Sorry. Thank you.

THE CHAIRMAN: At this point in time, with the general parameters are there additional . . . I'd like to take you through these other things very briefly, if you wish.

What you've got in that next section, the estimates summary: again, we just went through that. You've got the forecast, the estimate – again, those are the words used – and the estimate, so basically the bottom line is to look at the 2001-2002 estimates of \$32,468,000.

All the parameters that we just finished talking about being built in would bring us a budget for April 1, 2002-2003, of \$34,760,000. That includes everything I talked about. You see the \$500,000 for the Electoral Boundaries Commission. You see the straight across line: no increase in the transition allowance of \$4.2 million. Then you can see the revenue projection: basically the same. Then you go right up to the top, and all of the other binders following this, then, are examples or amplifications of the top, so just go to the top one again.

Financial management and administration services: you've got a difference of \$5,000, from \$482,000 to \$487,000, and there's a reason, when you go into the next section, as to why that's that. The

human resources branch goes from \$559,000 to \$642,000, and again the specifics are outlined in the tab following it. The Speaker's office goes from \$334,000 to \$354,000; that's the percentage of the increase for the manpower in the Speaker's office, nothing else. That's what it is. The public information branch goes down from \$1,305,000 to \$1,077,000. You look at one further down where there's just an allocation of dollars because of internal organization. The Legislature Library, from \$1,268,000 to \$1,379,000; House services, from \$2,502,000 to \$2,880,000; information systems services, from \$2,039,000 down to \$1,851,000; legislative committees, from \$211,000 to \$260,000. So you've got a subtotal there for the current year estimate, 2001-2002, of \$8.7 million. As a result of the parameters we talked about, this goes to \$8,930,000.

The next one: MLA administration. The forecast of \$16,583,000 goes to \$17,625,000, so you get those two subtotals and you can see the difference in there.

Then you've got government member services on the formulas that we have – that's the government caucus – the estimate: from \$2,499,000 to \$2,597,000; Official Opposition, from \$761,000 to \$791,000; New Democratic caucus, from \$275,000 to \$287,000. So you see the subtotal there. Those are the expenditures.

Then we take off that little bit of revenue that we get from the gift shop, we add in the \$4.2 million and the \$500,000, and we get to the bottom line: \$34,760,000.

Would you like me to proceed to the next ones, or would you like me to answer questions?

The next page, then, is the projected estimates, because you wanted the three-year projections going out. So you can see the base year 2001-2002, the estimate for 2002-2003, and then you see 2003-2004, right up to 2006. It basically shows hold-the-line budgets, just the application of formulas, nothing else, nothing built into anything.

MR. MASON: Mr. Chairman, it seems that there is an inflationary increase built into the projections for all of the MLA administration budgets, but there's no inflationary increase built into the caucus budgets. Is there a reason for that?

THE CHAIRMAN: Well, it's exactly the opposite. That's not true, and we'll come to that, if you'll wait. Okay? We'll come to that situation. Well, would you like to look at the caucus budgets now? I can flip through these any way you want, or I can go one at a time.

MS HALEY: Why don't you just go through them the way they're presented here?

THE CHAIRMAN: Okay. So then we've got the financial administration. You can see the specifics there with the breakdown. The bottom line is that there's a \$5,000 adjustment, from \$482,000 to \$487,000. What's happened is that one manpower was taken out of this particular little service and was relocated to another branch. So you can see this one holding to the estimate for manpower, eight and nine.

Human resources sees that increased; the manpower goes from six manpower to seven. You can see the breakdown of everything in there pretty much, the parameters applied, and that's it.

The Speaker's office, which is one that I know you'll want to take a fine-tooth comb and a great big magnifying glass for, goes from \$334,000 to \$354,000. Same manpower: three. The adjustment is the manpower allocations for the employees in the Speaker's office, which is three – four, I guess; the MLA is paid as a Member of the Legislative Assembly – based on that parameter as well.

The next one is the public information branch. It goes down from \$1,275,000 to \$1,052,000. There are two people less in the public

information branch; the manpower goes from 15 to 13. They are relocated to another branch. The relocation of those dollars – this one goes down, but another one goes up by the corresponding amount and is broken down in there.

11:20

The next one is the Legislature Library. The Legislature Library has the same manpower, and its total manpower allocation is in there. I don't believe there's anything else that kicks out under the manpower allocation. Sixteen and a quarter staff in the Library.

House services. There's a manpower allocation of two in there. It goes from 28.6 to 30.6. This is the one that provides for basically a pretty substantial amount of labour, and you can see those dollar figures in there that apply what we had talked about earlier.

The next one is information systems services. Again, its manpower held at 12. It goes from \$2,039,000 down to \$1,851,000, but again that's picked up in another one of those internal transfers.

The next one is the committees branch. It shows an increase from \$210,000 to \$259,000. Now, what you've got here essentially is \$50,000 for that select special freedom of information and protection of privacy review committee. That's 50,000 bucks that that committee is going to be asking for. You've got the Alberta Heritage Savings Trust Fund committee, \$92,000. You know, if the committees are determined to do the work and the Legislative Assembly gives them the authority to do it, then we've got to put the money in the budget.

The next one is the MLA administration. You see the number there, the total. If you look under operational expenses, the travel allocation, there is a difference in there. That's the mileage allowance for MLA travel between their constituency and Edmonton. Remember that the number that we have this year is based on only seven months of the 12. Next year we have to annualize it to the 12, and that's why you see that percentage adjustment in it. The rest basically holds true. It's exactly what we talked about. You can see the telecommunications up in there because of the transfer of that nearly \$300,000 we talked about earlier, and that's why it shows up. The MLAs aren't getting more money; it's just that that's the way you have to budget.

Government members. Now, to answer your question, Mr. Mason, this is based on \$53,000 per member. So one year ago that number was – what, again?

MR. GANO: It was \$51,300.

THE CHAIRMAN: It was less than that.

DR. McNEIL: It was \$49,000, and then it went up.

THE CHAIRMAN: A year ago it was \$49,000. Then we moved it to \$51,000 as a result of decisions made in August, and now we're moving it to \$53,000. So that's an allocation adjustment of \$4,000 on the \$49,000 base. So to answer your question about an increase in the per member allocation for the caucuses, this is among the highest of increases. It was \$49,000 a year ago. It'll be \$53,000 on April 1, 2002. The difference will be \$4,000 based on \$49,000, and you can calculate what that percentage is.

MR. MASON: Okay. But that's an increase between one year and the other, and we were looking at the three-year projected estimates.

THE CHAIRMAN: Oh, okay. Sorry.

MR. MASON: I see that in 2003-2004 and 2004-2005 there have been inflationary increments to the administration budgets but not to the caucus budgets. They're flat.

THE CHAIRMAN: You're absolutely correct. The only thing we know for certain right now is what the salary settlement will be on April 1, 2002: 4 percent. We have no idea what will be beyond that, so we didn't carry anything in there. You're right. But that's not going to be the final budget. You know, there's a settlement for 2003 and beyond. That's what will be built into the settlement if we follow our policy of applying what the government has done with the public service. You're right. That was just a projection.

On the basis of the government caucus, there are 49 private members, and it's based on an allocation per member, so 49 times \$53,000. That's where you get the number.

The Official Opposition budget is based not on six private members but on seven private members including the leader. That's always been the definition of this committee. So it's seven times \$53,000 plus the leader's office allowance of \$362,000 and the Calgary caucus office, \$58,000. What you've got is a combination in the leader's office of those adjustment figures and parameters, so that would be an increase from \$761,000 to \$791,000.

Then the New Democratic opposition office, based on two private members at \$53,000 each, is \$106,000. The leader's office allowance, which is to be half of the Leader of the Official Opposition's office allowance, is \$181,000 because of rounding. It could be \$182,000, but it's rounded down to \$181,000. So that's the reason for that. You know, Mr. Mason, if you figure that you need that extra thousand, you'll have to appeal to your committee members. But we were just following the policy; that's why it's rounded off at \$181,000, not \$182,000.

We continue to carry an allocation, of course, for independent members' services but no dollars, and we continue to have a line allocation for vacant electoral divisions but, again, no dollars because there are no members.

The last page is the Electoral Boundaries Commission: \$500,000, a blanket number, not broken down because we don't know how it will be broken down.

Those are the parameters and the budget, ladies and gentlemen. Now, because of the silence in the air I can only assume one of two things, those two things being the following: either you are overwhelmed by what we have for you or you are kind of satisfied. If you're overwhelmed, you tell me what that means. If you sort of say that that's a manageable budget, then if you could give me some positive direction with respect to this, we would like to proceed with putting these final numbers together and getting all the documentation in order for the process that we would have to follow for filing in the Legislative Assembly.

MR. MASON: I just wanted to ask about the computer allocation, and I don't think that it affects the numbers. There was some discussion, because I think this was referred to the technical committee to talk about, and I don't think they were able to come to a resolution of the issue. We had a suggestion around some of the proposals that were made. I don't know if this is the time you'd like me to bring it forward.

THE CHAIRMAN: It is the time. Now, what we had done a number of years ago was agree that we would have a technical committee made up of Mr. Gano and others from the Legislative Assembly and representatives from each of the caucuses, and they would meet and talk in this virtual language that none of us understand. But we arrived over the years at a certain formula for the application of equipment.

I'm now going to turn this over to the Clerk or Mr. Gano because I don't understand half the language. All I know is that we have a

lot of computers. Would you bring us up to date on where we're at and perhaps share with the other committee members what Mr. Mason's concern is?

MR. GANO: Yes. Mr. Mason is correct. The information technology committee did meet on this.

THE CHAIRMAN: Do we have enough copies for everybody of this little overview here?

MR. GANO: This document is coming around. Basically what it does is give you a bit of a history of how we arrived at the allocation formula and what it currently is at. The allocation formula as it currently exists was created in 1989. If you go through the list, it says: one workstation per caucus for admin, one workstation for every two private members, and so on and so forth. What that really means is that we allocate one and a quarter workstations to the caucuses for every private member; that's the allocation formula that we currently use. That allocation formula was changed slightly last year when we went from one printer for every four workstations to one printer for every two workstations, so the allocation formula did change slightly last year.

11:30

In the meeting that was held by the information technology management committee, a couple of other options were presented to them. Option 1 was to increase the workstation allocation to one workstation for every two private members, which basically means it increases from one and a quarter to one and a half workstations per member. Option 2 was to increase the allocation to one workstation for every member, so again increasing the number of workstations for private members. The third option was to basically do away with the allocation formula and just base it on the number of people that were in caucus offices, just using the number of people that were hired by the caucuses and saying that that was the number of workstations the caucuses required. Those were the options that were presented to the committee. The committee subsequently formed a subcommittee, which basically consisted of a representative from each caucus office, myself, and Val Rutherford. That subcommittee was unable to come to a consensus.

MR. MASON: Mr. Chairman, if we look at the package, we see the current situation here broken down by caucuses. If you look at workstations, this is the entitlement. The Liberals are entitled to 10, the New Democrats to 4, and the PCs are entitled to 55, but I understand that the PC caucus does not need or has not taken all of theirs. If you look at option 3, which is one workstation per FTE, the total number of workstations is actually 10 less than the current allocation, but I think it would be roughly the same as it is now.

I'll just make it very, very simple. Under the current formula we are allocated four workstations, and we have five staff. We need an extra workstation, just to make it very, very simple. If we adopted option 3, I don't think we'd increase the total number of workstations; we'd actually reduce the number that are allocated that are not used.

MS HALEY: Well, with regard to whether or not we use the number that we've been allocated, Mr. Mason, there are not a bunch of computers sitting in a closet somewhere because we're not using them.

MR. MASON: No, I didn't say that. No, I don't mean to imply that at all.

MS HALEY: Could I finish, please?

MR. MASON: Okay.

MS HALEY: We'd have to go out and buy the computers. You also have to have staff that can maintain them. So what we've tried to do in our caucus is set up a very tightly fiscally controlled group of people on our number of computers, printers, and everything else. We try to manage our resources to the best of our ability, which usually results in us putting money back into the general revenue fund at the end of the year.

Now, with regard to your request for more, I'm going to have to be honest with you. I don't see any reason for two members to have more than four workstations. We're trying to live within a tight fiscal budget as well. You've allocated your resources in a way that you see fit. If you choose to purchase more computer equipment on your own and do what you want with your own laptop, whatever, those are choices that you have to make. But you've allocated your resources in your way, and I see no reason to change the allocation system now.

MR. MASON: Mr. Chairman, I'd like to propose a motion that the Members' Services Committee adopt option 3 as the means of allocating computer workstations.

If I can just speak to it?

THE CHAIRMAN: Absolutely.

MR. MASON: I think there are a number of reasons why this is a reasonable solution. First of all, workstations, or computers, are now an essential component of working life, and everybody who works in a modern office needs a computer. Telephones are allocated one per FTE. There's not much difference, in terms of equipment, between computers and telephones.

The second thing is that we have purchased equipment, but it comes at the expense of other things. It's not up to the same standard as that allocated by information systems services, and what happens is that it creates problems for them because you get different types of equipment that they have to maintain, so you lose your standardization. The LAO has to then maintain various types of equipment.

So I think that this is reasonable. It won't cost anybody computers. It would get people computers who need them. It won't increase the budget for computers. It's just a fair way to deal with it and I think a more modern approach to computer workstations.

THE CHAIRMAN: Mr. Horner.

MR. HORNER: Thank you, Mr. Chairman. As I understand it, the caucuses are the ones who decide the number of FTEs that they're going to have. Is that correct?

THE CHAIRMAN: Yes.

MR. HORNER: So if as a caucus we decide that we want to increase the number of FTEs in the caucus to 20, by choosing option 3, would we not be tied to then going out and purchasing 20 computers and the other accoutrements? I think that would be a dangerous precedent for us to set. Personally, I think the way we have it is working. I agree with Ms Haley that if we want to go outside the formula, we have a budget of our own that we can work with to purchase additional computers if we so choose.

THE CHAIRMAN: Other members?

DR. MASSEY: We've had the sort of awkward experience of having people trying to share computers, and it's not the best use of people's time. The notion that we could have one workstation for each full-time equivalent I think is a sound one.

THE CHAIRMAN: Other comments, hon. members?

MS HALEY: I guess I just want to reaffirm that the way our budgets are set up is such that we make decisions inside our own caucus on expenditures, on what we're going to do and how we're going to do it. If I see a reason to purchase an additional computer for someone in research or one of the staff, then that is a decision that we make inside our own caucus budgets. I think that the computer allocation is very fair. We've certainly expanded it vastly in the last five years from where it was. Perhaps over time it needs to be reassessed, but right now I think that the allocation formula has been worked out. It has shown to be fair to everyone. I see no reason at this point to change it and risk having to purchase another 20 or 30 computers, which are replaced every two years or three years. It's just a very expensive thing, and I don't want to increase this budget.

THE CHAIRMAN: Mr. Mason to conclude.

MR. MASON: Well, I've indicated that there's not an increase to the budget as a result of this approach. Obviously, we are very stretched in terms of resources in trying to do our job and would appreciate a little help in that respect, Mr. Chairman.

THE CHAIRMAN: Okay. The committee has before it a motion, as proposed by Mr. Mason, that the Members' Services Committee adopt option 3 as a formula for the allocation of computer workstations in the various caucuses. All hon. members in favour of the motion, please say aye.

SOME HON. MEMBERS: Aye.

THE CHAIRMAN: Opposed, please say no.

SOME HON. MEMBERS: No.

11:40

THE CHAIRMAN: The motion appears to have been defeated.

Just in conclusion of this matter, Mr. Mason, do I take it the issue is that you've got five staff and you've got four workstations?

MR. MASON: Five staff, and the formula gives us four workstations. That's right.

THE CHAIRMAN: This is the whole big issue?

MR. MASON: This is the whole big issue.

THE CHAIRMAN: And this is where the lack of consensus comes from in the information technology committee?

MR. GANO: That's true.

THE CHAIRMAN: Let me get this straight so all members understand it. You chaired this meeting?

MR. GANO: Yes.

THE CHAIRMAN: There was a representative from the government caucus, a representative from the Official Opposition, and a representative from the NDs?

MR. GANO: That's correct.

THE CHAIRMAN: So when you say that you lacked consensus, does that mean it's 81 to 2? You did the vote of the various caucuses? Did the Official Opposition agree with the NDs, or were they a part of consensus? Do we play politics in these committees over a computer? [interjections] No. I want to know so I can understand it.

MR. GANO: Two caucuses agreed; one caucus didn't.

THE CHAIRMAN: Okay; so that's the assessment of it all.

So you've got five people, and you need five machines. Have you thought about maybe having a good visit with either of the two caucus leaders and saying: can you lend us a machine?

MR. MASON: Well, I just didn't get the sense, Mr. Chairman, that there would be that level of co-operation.

THE CHAIRMAN: Well, maybe in the spirit of Christmas coming up, we'll see if we can help you with respect to that. Okay?

Anybody else have any other questions with respect to this computer allocation model? Anyone else?

Okay. What would you like to do with the document? Mr. Broda.

MR. BRODA: Yes. Can I make a motion that we accept this document?

THE CHAIRMAN: Certainly you can make a motion.

MR. BRODA: I'd like to do that.

THE CHAIRMAN: It would be helpful if you would be perhaps a little more specific, and perhaps if you look under the estimates summary on page 1 of one, where there are some actual numbers, that might be helpful.

MR. BRODA: I would like to make the motion that we accept basically holding the line, other than what has been identified, for 2002-2003 and that a grand total of \$34,760,000 be approved as the budget.

THE CHAIRMAN: Discussion? Dr. Massey.

DR. MASSEY: May I ask one question?

THE CHAIRMAN: Certainly.

DR. MASSEY: On the risk management there was some discussion last meeting. Can we just have a quick update?

THE CHAIRMAN: It's \$121,000 for the premium for April 1 of 2002.

DR. MASSEY: And that's not going to change?

THE CHAIRMAN: No. What they have advised us is that that would be the premium for next fiscal year.

DR. MASSEY: Thank you.

THE CHAIRMAN: Discussion? Well, then would all hon. members in favour of the motion put forward by the hon. Member for Redwater setting the estimates for \$34,760,000 as of April 1, 2002, please say aye.

SOME HON. MEMBERS: Aye.

THE CHAIRMAN: Opposed, please say no.

MR. MASON: No.

THE CHAIRMAN: You're opposed? Okay.

So it can be recorded that there was one opponent to it. Thank you very much.

Now, having done that, then on the agenda we have two other matters of business. One, as I indicated, is that I would circulate the memo from Ms Blakeman of proposed changes to the constituency office allowance. The process, of course, in dealing with these matters could have been before we dealt with the budget or after we dealt with the budget, but it was posted under Other Business. The point, as you can see in the letter from Ms Blakeman, is that she's basically saying that the constituency office allowance is grossly insufficient. The memo was written on October 11, in fairness I believe to Ms Blakeman, and since that time there were allocation adjustments made, as you know, so I'm not so sure that the concern is as high today as it was then.

Dr. Massey, you may or may not want to add something?

DR. MASSEY: No, I don't.

THE CHAIRMAN: Okay. So we'll just consider it for information then?

DR. MASSEY: Yes, sir.

THE CHAIRMAN: Okay. Mr. Mason, you sent me a letter the other day, and this letter has been circulated to all members of the committee. It has to do with an item that you wanted raised at this particular meeting, so all members have a copy of your letter. The subject, if I'm not mistaken, is same-sex benefits.

MR. MASON: That's correct.

THE CHAIRMAN: Okay. The floor is yours.

MR. MASON: Then, Mr. Chairman, I would like to move that employment benefits be allocated in same-sex relationships in the same way as they are for common-law relationships.

THE CHAIRMAN: Now, you want to start off this discussion with a motion. Is that correct? You're moving this?

MR. MASON: Yeah, I'll move that.

THE CHAIRMAN: Okay. We'll just make sure the secretary has the exact wording in here so we know exactly what we're talking about. Do you have it?

MRS. DACYSHYN: I do.

THE CHAIRMAN: Could you read it back so we're sure just exactly what we're talking about.

MRS. DACYSHYN: This was the motion that stated that

employment benefits be allocated in the same way for same-sex relationships as they are for common-law relationships.

THE CHAIRMAN: Is that correct, Mr. Mason?

MR. MASON: Yes.

THE CHAIRMAN: Okay. Proceed, then, with a discussion if you wish.

MR. MASON: Mr. Chairman, I have a situation where I am unable to provide employment benefits for my staff in my constituency office as a result of the policy. I would just like to indicate that this is contrary to the trend in Calgary, in the Capital health region, in the Edmonton and Calgary public school boards, the universities of Alberta and Calgary, and a whole list of private companies including the Bank of Montreal, IBM, Shoppers Drug Mart, and so on. We really are out of step, and I think it's important, given recent court decisions which indicate that discrimination against people on the basis of their sexual orientation is not compatible with the Charter, so I believe that the committee should change it.

This is currently subject to a human rights complaint, but I feel quite strongly that we ought to correct it and not let the Human Rights Commission do that job. I believe that we ought to make the right decision and make employment benefits available on exactly the same basis as they are currently provided for people who are in a common-law relationship.

THE CHAIRMAN: Does anyone want to participate? Would you like some background on this?

MR. DUCHARME: Mr. Chairman, I would encourage the member to possibly defer this motion. The reason I'm saying that is that recently it has been announced that the Ministry of Justice is presently involved in a family law reform project where they will be consulting Albertans, and they are anticipating looking at areas of review such as the termination of relationships, spousal support, et cetera. I believe that it would be very premature for this committee to go into the discussion at this time until we've fully consulted with Albertans. Wait till spring to see what comes of it following this consultation.

THE CHAIRMAN: Mr. Broda, then Ms Haley.

MR. BRODA: Yes. I'm just kind of curious. When you say employment benefits, what are you referring to? Just bring me up to speed. Basically, is it all employment benefits, or what specifically?

MR. MASON: The basic package for dental benefits.

MR. BRODA: Okay. They can't include them in there is what you're saying.

MR. MASON: Yes.

MR. BRODA: But the individual can get the benefits that are there.

MR. MASON: Yes, but they cannot for their partner. Their partner is not eligible.

MS HALEY: You mentioned the court case, and my understanding was that that was in the intestate law. At that point, from my

understanding, the court ruled that the government had nine months to respond and bring their acts up to date. The Minister of Justice had requested a three-month extension so he could complete the stakeholders' input from Albertans. My understanding is that there would be legislation coming forward in the spring that may deal specifically with this issue, or it may deal with dependent relationships on a broader scale. So I would hope that we would wait until that review has been completed and Albertans have had an opportunity to have some input, and then I would see a lot of government acts at that point getting changed. There would be a logic to changing this at that time, if that in fact is the recommendation coming back from the Minister of Justice.

11:50

THE CHAIRMAN: Mr. Horner.

MR. HORNER: Thank you, Chairman. I guess I also just wanted to encourage the committee member to possibly defer this motion because by way of the letter it almost looks like we're dealing with a specific case, and I agree with Ms Haley's comment that perhaps there's a broader discussion to be had here and other things to be brought into it. Certainly, if it is in front of the human rights board right now, I don't want to do their job either, from the standpoint of their dealing with something. There are other items, as was also mentioned, the family law review. I don't think we should complicate matters by coming out with something that may not be well thought out, given the input from other Albertans, so I would ask the member to defer it as well.

THE CHAIRMAN: Mr. Mason, you have a motion. You can ask that the motion be read and we have a vote on it. If it's in the affirmative with the majority, then there's some direction given to the Legislative Assembly Office. If it's defeated, it ends it. There is a suggestion made by some of your colleagues that perhaps they want more time to think about this and to defer it. So it's up to you. You're riding the horse.

MR. MASON: I appreciate that, Mr. Chairman. I appreciate that the review is under way, but I also know that the Legislative Assembly is independent and that this committee is independent of the government policy. We don't necessarily provide for our employees exactly what the government is doing. So I think the government review is of interest to us, but it doesn't mean that we should necessarily be held up by that, because we are certainly able to operate independently.

I guess I'd ask the question: if the motion is defeated now, does that mean it can't be brought up at a later time when the government review is finished?

THE CHAIRMAN: No. It could be brought up at a later time – sorry; I shouldn't be interfering in this – but you may not get the flare that you want by having it defeated when I hear a member saying they would be happy to defer, which means that presumably they'd be happy to have it come back. If you defeat it, somebody may then make the argument that we've dealt with it already, so we're not bringing it back.

MR. MASON: My problem is that I've got staff I'm dealing with that I'm unable to provide full benefits to, so that's an issue for me. You know, I don't think people would shoot it down later because they shot it down today, Mr. Chairman. I just think it's a very important question, and I'd really like to put the question.

THE CHAIRMAN: Okay.

Mr. Horner, do you want to say something? I was going to call

the question.

MR. HORNER: Well, I guess, Mr. Chairman, I just wanted to kind of comment that Mr. Mason mentioned that he was dealing with his own staff. We as a committee, as I understand it, being a first time member, represent all of the MLAs in the Legislative Assembly. Personally, I've not had a chance to discuss this item with any of my colleagues as their representative to this committee, and I'd also appreciate having that opportunity before it was brought back. I suggested a deferral because, you know, it's obviously a very interesting topic and the people of Alberta are interested in it. Unfortunately, if we bring it to a question, I'm going to have to vote no, and I would just as soon it be deferred so that it's still on the table.

THE CHAIRMAN: Mr. Mason.

MR. MASON: When do you expect the next meeting of the committee to take place, Mr. Chairman?

THE CHAIRMAN: At the call of the members.

MR. MASON: And when will the review be finished?

MS HALEY: My understanding is that the government, through the Minister of Justice, has an extension to the 1st of April on that particular piece of legislation, so my belief would be that the Minister of Justice would be coming forward with legislation for the spring session which would lay out the government's parameters on it. So we're not talking about something a year from now. We're talking about a few months from now.

MR. MASON: Well, all right, Mr. Chairman. I'll agree. I would hope that we can have a meeting of this committee sometime during or shortly before the spring session, and if that's the understanding, then I would agree to lay the motion over until that meeting.

THE CHAIRMAN: Okay. You want to table it?

MR. MASON: Yes.

THE CHAIRMAN: Okay.
Everybody agree to tabling it then?

HON. MEMBERS: Agreed.

THE CHAIRMAN: Okay.
I'm going to call on Dr. McNeil for one procedural matter before we go to number 7, the date of the next meeting. Dr. McNeil, what are we doing now?

DR. McNEIL: This is an order. You just passed an order to impact the constituency services amount effective April 1, 2001. Given that you passed a budget which implements a 4 percent adjustment in the constituency services component of the members' services allowance, this order institutes that effective April 1, 2002. So it's just a matter of a motion from the committee to approve this order.

MR. HORNER: So moved.

THE CHAIRMAN: All hon. members in favour of the motion please say aye.

HON. MEMBERS: Aye.

THE CHAIRMAN: Opposed, please say no. Okay; that's carried.
Number 7, Date of Next Meeting. Now, there is something that may come to our attention, but I don't know the timing of it. You will recall on the risk management subject that the Minister of Justice undertook to take a review of the risk management matter. He hired consultants. There have been some exchanges of information with the Legislative Assembly Office and these people with respect to the report. I have been advised that should the Minister of Justice get a report, he will directly report to the Speaker for a review by the Members' Services Committee to see what implications there would or would not be in it. It was suggested to me about a month ago that that report might be available even in time for this meeting, but obviously it has not arrived yet.

12:00

Should this report come, then it would seem to me that the Members' Services Committee might want to be available in early February to review the report. So could I suggest that under item 7, Date of Next Meeting, I try and find a date in, say, the first week of February? Then, Mr. Mason, we'll see whatever further happens on the subject you have. It might be the next time to have a brief discussion or discuss it at least for progress. Would that be okay with the members of the committee? So we'll find a date in – I don't have a calendar in front of me. It would be in the first week of February.

Maybe, Madam Deputy Chairman, you have a suggestion?

MS HALEY: No. I'm sorry; I don't have a suggestion as to the date, but may I make a comment with regard to the next meeting? I guess what I want to say is that with the uncertainty on the prices of oil and gas and the problems that have been experienced lately in trying to reduce budgets and expenditures, if something untoward happens in the next month or six weeks that would indicate that we have a problem with the provincial budget, we need to be prepared to also come back and look at this one again.

THE CHAIRMAN: Yes, and I think that's understood by everybody.
So would my trying to find a date in the first week of February be okay? That would meet everybody's . . . Okay. It would be at that time, so you can plan other schedules around whatever it is.

February 4, 2002 – Sergeant-at-Arms, confirm this for me – is the date of the 50th anniversary of the ascension to the throne by Queen Elizabeth II.

MR. HODGSON: February 6, sir.

THE CHAIRMAN: February 6. Okay.
Any other matters? I'm sorry; we're three minutes past 12, so can I have an adjournment motion? Thank you very much, Ms Haley and Mr. McFarland. Everybody agree?

HON. MEMBERS: Agreed.

THE CHAIRMAN: Merry Christmas. Have a happy and safe New Year. Thank you.

[The committee adjourned at 12:03 p.m.]