



Legislative Assembly of Alberta

The 27th Legislature
Third Session

Standing Committee
on
Members' Services

Monday, April 26, 2010
1:30 p.m.

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Third Session**

Special Standing Committee on Members' Services

Kowalski, Hon. Kenneth R., Barrhead-Morinville-Westlock (PC), Chair
Campbell, Robin, West Yellowhead (PC), Deputy Chair

Allred, Ken, St. Albert (PC)*
Anderson, Rob, Airdrie-Chestermere (WA)
Elniski, Doug, Edmonton-Calder (PC)
Hehr, Kent, Calgary-Buffalo (AL)
Leskiw, Genia, Bonnyville-Cold Lake (PC)
Lund, Ty, Rocky Mountain House (PC)**
Mason, Brian, Edmonton-Highlands-Norwood (ND)
Oberle, Hon. Frank, Peace River (PC)
Pastoor, Bridget Brennan, Lethbridge-East (AL)
Rogers, George, Leduc-Beaumont-Devon (PC)
VanderBurg, George, Whitecourt-Ste. Anne (PC)
Weadick, Greg, Lethbridge-West (PC)

* substitution for Frank Oberle

** substitution for George VanderBurg

Also in Attendance

Boutilier, Guy C., Fort McMurray-Wood Buffalo (Ind)
Hinman, Paul, Calgary-Glenmore (WA)

Support Staff

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Allison Quast	Special Assistant to the Clerk
Bev Alenius	Executive Assistant to the Chair
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Brian G. Hodgson	Sergeant-at-Arms
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Cheryl Scarlett	Director of Information Technology and Human Resource Services
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Liz Sim	Managing Editor of <i>Alberta Hansard</i>

1:30 p.m.

Monday, April 26, 2010

[Mr. Kowalski in the chair]

The Chair: Good afternoon, ladies and gentlemen. It being 1:30 o'clock, we shall convene the meeting. The meeting was scheduled a number of weeks ago for April 26, 2010, location where we're at, the time from 1:30 p.m. to 4:30 p.m.

All members should be aware that Member Kent Hehr is with us via speakerphone. Kent, you are there?

Mr. Hehr: Yes, I am. Thank you.

The Chair: Okay. Very good.

There are two substitutions today, both noted. I've been advised that Mr. Ty Lund is here substituting for George VanderBurg, and Mr. Ken Allred is here substituting for Frank Oberle.

With us this afternoon. Mr. Campbell is here. Mr. Anderson has now joined us. Mr. Elniski is here. Mrs. Leskiw is here. Mr. Mason is here. Ms Pastoor is here. Mr. Rogers is here. Mr. Weadick is here, Mr. Lund, Mr. Allred, and we have additional members that have joined us as well to join the meeting.

We will now call this meeting to order. We have an agenda. On March 24 I sent a memo to all Members of the Legislative Assembly asking them if they had items that they wanted to have presented at this Special Standing Committee on Members' Services today. One member did respond to that invitation, and the item that the member wanted raised is on the agenda at 5(b). That was the only request we received.

We have the agenda in front of us, and if we could have a motion. Mr. Rogers moves the approval of the agenda. Secunder? Mr. Allred. All in favour? Thank you.

Approval of the minutes of December 2, 2009. That meeting was held. Since that time two additional things have happened. One is that the budget was put down by the province of Alberta – it was introduced on February 9 – and the Auditor General's report came out. There will be a few brief comments about both of them as we proceed. Any other business arising from the last meeting is identified in item 4, in my interpretation, but if members have questions or comments they want to make about the minutes of December 2, please do so now.

We have a motion, then, to accept? Mr. Lund, Mr. Weadick. Any discussion? Agreed? Thank you.

The Members' Services Committee is one of those very, very significant committees we have at the Legislative Assembly. Members, perhaps before we go to business arising from the last meeting, might I just make a few comments with respect to it?

First of all, on February 8, 2010, I submitted to all members a practical guide to committees of the Legislative Assembly of the province of Alberta and included information with respect to the committees that we have, including the Members' Services Committee. I would also like to alert members to the existence of the Legislative Assembly Act, which basically governs the functioning of the Members' Services Committee. There are a number of items in here that invariably questions do come up about during these meetings. I thought, perhaps, for a minute or two I might just refer you to that practical guide to committees dealing with the Members' Services Committee. Just allow me a couple of minutes to go over this because I think it is important in terms of the governance of this particular committee, and I hope that members would have nearby this particular document.

The first time that the Members' Services Committee ever met was in 1974, and traditionally it is chaired by the Speaker. The

Members' Services Committee, essentially, while it's not involved in the day-to-day administration and direction of the LAO, occasionally the chair, the Speaker, will refer matters to the committee for a management policy determination or to determine members' wishes or to provide an order with respect to the administration required to carry out their duties. Of course, we're assisted by the Clerk of the Legislative Assembly and the Legislative Assembly Office itself.

We have very, very specific tasks, including setting members' allowances, constituency office allowances, member benefits, outlined in the Legislative Assembly Act very, very clearly. Section 21 of that particular act, the Legislative Assembly Act, stipulates that the budget for the Legislative Assembly is prepared and approved by the Members' Services Committee and then transmitted to the Minister of Finance and Enterprise for presentation to the Assembly.

Section 39 of the Legislative Assembly Act empowers the Members' Services Committee to make orders in specific areas related to support services and benefits for members. It also provides the authority for the Members' Services Committee to set members' remuneration and allowances. Essentially, all of the salaries, allowances, expense allowances, deductions, and reimbursements provided in the Legislative Assembly Act fall within the jurisdiction of the Members' Services Committee.

The act allows for the making of regulations, orders, and directives respecting those things that will impact the Legislative Assembly of Alberta. Specifically, section 19(2) of the Legislative Assembly Act allows the Members' Services Committee to make orders which may vary such regulations or directives or may render them inapplicable to the Legislative Assembly Office or any particular office or employee of the office if such acts as the Financial Administration Act, the Public Service Act come in conflict with what we're doing.

The Legislative Assembly Act contains several references to this very special standing committee. It provides for the organization of it. Section 21(1) provides that the Members' Services Committee shall

- (a) prepare and approve in respect of each fiscal year an estimate of the sum that will be required to be provided by the Legislature toward defraying the several charges and expenses of the Legislative Assembly Office during that fiscal year.

The act also provides that once that document is then submitted to the Minister of Finance and Enterprise and it's presented to the Legislative Assembly, as it was this year on the date that the budget was introduced, on February 9, 2010, that subject document then is approved by the Legislative Assembly of the province of Alberta.

That particular document also goes on in section 21(2):

If at any time the Assembly is not in session

- (a) the Speaker certifies to the Lieutenant Governor in Council that, in the public interest, an expenditure of public money is urgently required in respect of any matter pertaining to the Legislative Assembly Office.

Then under subsection (b) of that act

- (b) the Minister of Finance reports to the Lieutenant Governor in Council that either
 - (i) there is no supply vote under which an expenditure with respect to that matter may be made, or
 - (ii) there is a supply vote under which an expenditure with respect to that matter may be made but the authority available under the supply vote is insufficient,

the Lieutenant Governor in Council may order a special warrant to be prepared to be signed by the Lieutenant Governor authorizing the expenditure of the amount estimated to be required.

Then, of course, we know the process for special warrants. They would then go to the Assembly in the fall of that particular year. If

the Assembly agreed to it, such a provision would then be provided for.

We also under the Legislative Assembly Act have clauses which provide for deductions that could be made

from the indemnity allowance and the expense allowance of a Member at the rates prescribed by the Members' Services Committee for each day in excess of 10 sitting days during a session on which the Member did not either take the Member's seat in the Assembly or in meeting of a committee of the Assembly otherwise than by reason of

- (a) illness or injury,
- (b) bereavement, or
- (c) public or official business.

I raise that at the moment, those three reasons which we have in the act, because in recent years a number of members have come to me with respect to ailing family members and the need for them to be away from the Assembly to provide health care for such members. Our act does not provide for a provision to allow me to basically excuse them from the Assembly, but I have considered it under a very, very broad generalization statement of bereavement even though the loved one has not passed away. But it's a matter that I want to bring to the committee's attention sometime in the future that we can take a look at this because with the average age of members in the Legislative Assembly and the longevity of our parents and close ones this issue will become more and more apparent, I do believe, in the years to come.

1:40

The act also provides for us the authority to make allowances for temporary residences in or near Edmonton and to allow for a variety of other things associated with accommodation here and the like. It also provides for additional provision for attendance at various committees, meetings, events that may happen during the year.

Section 42 of the Legislative Assembly Act states:

- (1) In this section, "recognized opposition party" means a party that
 - (a) is represented in the Assembly by at least 4 Members, and
 - (b) received at least 5% of the popular vote in the general election immediately preceding the year in which the allowance in subsection (2) is to be paid.
- (2) There shall be paid to a Member who is the leader of a recognized opposition party, except the Leader of Her Majesty's loyal opposition, an allowance at a rate per year prescribed by the Members' Services Committee that is not less than 25% of the rate of salary payable to a member of Executive Council pursuant to section 50(1)(a)(iii).

This committee sets the provisions for members of Executive Council. We are the ones who set the salaries for the president of the Executive Council, a member designated other than a minister of a portfolio, any member designated as a minister without portfolio and provide for all reasonable expenses associated with that as well. The act is quite inclusive with respect to all of these matters. It is a subject matter that falls entirely within the purview of this particular committee and not any other committee of the Legislative Assembly and is a result of the rules, the regulations, basically the motions that we pass that give effect to those particular things.

I say that as background to what we're doing under business arising from the last meeting. There were a number of items that were raised, and we'll come to that in a minute or two, but first of all we have (a) website guidelines for Members of the Legislative Assembly, constituency offices, and caucus offices. You'll see in your binder a document.

What is really clear to me: not very many years ago essentially when we were talking about guidelines, the word "website" didn't even exist in our language; now "website" has become a factor in

our language. If you look at this particular document – this is the document that I want to spend a few minutes on with you, and I'm going to ask the Clerk to get involved in it as well.

We've had a lot of consultations. When we had the last meeting in December, I indicated that this would be a major item that we would want to spend some time on at this meeting today because of what is simply going on. It used to be that it was pretty easy when it came to guidelines for the utilization of constituency office allocations, particularly for advertising and communication. Essentially, it included the media, placing an ad in a newspaper or something on the radio or television, signage on buildings and vehicles and perhaps even to assist personal experiences.

We're in a new age now, and we need to be up to date with respect to the rules and the activities associated with all of this. If you would look at the authorities applicable to websites, item 2 on that particular document, page 2, basically says: "MLA communication with constituents is governed by section 5 of the Constituency Services Order." Done in 1992, a few minor revisions I think since that time, but the order states:

- 5(1) The Allowance may be used to pay expenses which relate to non-partisan communication between the Member and his constituents.

The keyword here: "non-partisan communication."

- (2) An item may not be paid for under subsection (1) if it bears any political party logo, promotes political party activities, solicits political party funds or memberships, or contains personal criticism of another Member.

That has been around since 1992. There is nothing new in any of this.

Members will recall that in mid-January of this year I had to send a letter to one caucus basically saying that they should desist with respect to certain things on their website because it contained personal criticism of another member. That led to some discussion, some of the public media, which likes talk show things, basically saying that the Speaker was being antidemocratic because he wasn't allowing a particular caucus to provide criticism of another member on their website. But all I was doing was dealing with the rules that we've had in existence since 1992. I repeat them this afternoon because I think that members, all of us, need to be aware of what these rules are.

- (3) If a Member contracts for a service to facilitate communication, the Member shall, where reasonably possible, contract with a person who is licensed and insured to carry out that service.

There are some reasons for that. There are some liability factors that will kick into all of this if we're not careful. If an individual member finds themselves in a lawsuit, even though we have a general insurance policy for members, we may not necessarily stand behind that member if that member violates the rules of the Legislative Assembly. Similar rules are provided for the caucuses and are identified in that same section, section 2.

Section 3, the funding.

Section 1 of the Constituency Services Order entitles every Member to a Member's Services Allowance . . . each fiscal year.

We know that.

An MLA may use these funds for communications expenses authorized under section 5, including website development, hosting, maintenance, security, or domain name registration with the exception of domain names registered on behalf of Members and constituency offices, which are paid by the Legislative Assembly Office, Information Technology Services.

There is a statement in there with respect to caucuses as well.

We have considerations and guidelines for who is developing or maintaining the site. Some members have gone to contractors outside of the province of Alberta and put them under contract to

create their websites and their domain sites and the maintenance of that. We have to be sure that we would be in the position to basically deal with outstanding issues, if there are outstanding issues, for those websites that are contracted outside of the province of Alberta because different provinces and territories have rules or laws that may be slightly different from ours. So we have that section in there on considerations and guidelines.

On page 4 we have a section dealing with IT impacts, what is provided for and what is not provided for; a section dealing with costs; a section dealing with a declaration of domain names and sites within the LAO. You'll notice that the last sentence on that page says, "Web sites that are operated by the MLA or caucus that are not funded through the LAO and are not declared with the LAO are not eligible for MLA liability coverage." This is a factor that I think all members need to be aware of in terms of the new world that we live in.

A section on page 5 deals with domain names. We have a section on data security, including some words that are underlined under Data Security.

We strongly suggest that you select service providers or website hosts that do not store your data outside of Canada. Data stored in the United States may be subject to the US Patriot Act and eligible for disclosure to US authorities.

There is a section dealing with content and design and the linkages that they have and the need, of course, that all websites and links should be clearly labelled so that there is no possible way that a member will fall offside with the rules that we have.

There are sections on interactivity, copyright and intellectual property, terms of use, what happens during an election, and monitoring and compliance with respect to this matter.

Now, the Clerk and people associated with him and people associated with the various offices have been working on this for some period of time. This is our document that we want to use to go forward to make sure that we can implement and deal with this in a very, very fair way. Mr. Clerk, I'd ask you to provide some additional information with respect to this matter.

Dr. McNeil: I'm not sure that I can add much to your overview, Mr. Speaker. I think Jacqueline or Cheryl might be able to add something, Jacqueline with respect to the overall policy and Cheryl with respect to the IT impacts.

I think the general concern here is to make sure that members are fully protected in terms of how they're using the web to communicate their messages so that they minimize any risk that might be inherent in doing so and that they're following the various rules that apply with respect to copyright, especially if you're using Twitter or Facebook or things like that, that if you're using their logos, you observe the copyright requirements related to using those sites as well.

I think that the biggest thing that we've learned in the past year or so is that there are a lot of complicating factors with respect to using the web for communication that weren't inherent in using written communication, written advertising, and so on. It's a much more complex environment, as we've learned as we've gone along. I'm sure that you've learned that, too, as you've tried to develop your websites. Certain members are much more sophisticated than others in how they want to use the web, so we're trying to keep ahead of the potential problems that might arise in doing so.

Jacqueline or Cheryl, do you have anything to add?

1:50

Ms Breault: Your overview was pretty comprehensive, but maybe just a few points. Certainly, as it relates to contracting for any service, to do so under the aegis of the Legislative Assembly Office,

as the Clerk mentioned, provides you with a lot of protection that the office can provide. Additionally, even if it is a volunteer that might be helping you out, if you have a volunteer placement agreement, both things can be directed to the human resource services area.

It defines the scope. It takes a lot of the guesswork out in terms of what people are expecting, both what you're expecting from the person helping you out or the contractor and also what they're expecting, perhaps, from you and your staff in terms of input and oversight and checking. I think it just makes things a lot clearer.

We've developed a process whereby if we see expenses in the FMS office concerning websites, usually the accounting assistant will notify me, and I will send you an e-mail sort of saying, "Oh, by the way, we've gotten an expense for a website design or website hosting," provide a bit of direction in terms of our new process that we've developed with Cheryl in human resource services in terms of moving forward to either review an agreement or to develop one.

We have standard templates now. We also have a standard questionnaire to help you define the scope and the terms and conditions that you wish to have in place. It, hopefully, makes it a lot easier for you and also your contractor, who may not have dealt with a public-sector organization or the idiosyncracies of the Legislative Assembly or a member in terms of the special rules. Again, whether it's a caucus or a member, it's important that you provide oversight for your contractors because the content is, indeed, your responsibility.

More and more you're able to update your own website. You don't always have to go to a third party to do that, and that may be something your staff is going to be assigned. If you think they need training, maybe Cheryl can speak to that a little bit, but in terms of providing support to the staff in that regard, it might be something you want to evaluate and discuss with your staff.

Again, as already spoken about, if any public funds are used for the site, it falls under the Legislative Assembly Office, and certainly copyright does as well. For any questions – FMS and HRS are sort of tag teaming this along with ITS as joint support – certainly, let any of us know. In the recent past Cheryl and I have sort of been the key folks, I guess, to get things rolling for you so that the process can move forward as quickly as possible and you can get your site up and running or you can get your web hosting set up and paid for.

So from the perspective of developing and maintaining your site, a few things to think of.

The Chair: Additional comments?

Mrs. Scarlett: Just to add to that. More so as it relates to the IT side, the intent of the guidelines is to make it easier for you as a member or a caucus in the future development and the hosting. Like with our employment contracts and constituency office leases, we have now through the assistance of Parliamentary Counsel developed specific templates that address web design and development and web hosting and support through a process that we've been fleshing out. We appreciate the help of a couple of you that were the first ones that helped us develop this. It's working really well and working actually quite quickly.

In terms of when you're interested, as we say, we'd like you to contact us. We can provide the guidelines. There's a basic questionnaire to help you also identify what the services are because most of us are not in the business of the technical understanding, how we even get to the point. We just know we want a website. Through either the person you have in mind or your constituency assistant or yourself, some of these questions help you flesh out exactly what they are going to be doing, what the parameters are, even to the extent of how many pages and how interactive.

Most importantly, one of the things is that if it is interactive and you are collecting information, where is that being stored? It's your information. If it's questionnaires or if it's just "Contact us" and it redirects to the constit, you need to know – this is your responsibility – where any information that you collect on behalf of your constituents is being stored and managed. We can help you work through those things. From the answers to your questions, we just plug that into the contracts that we have developed and customize them as we go along to meet individual needs. It's not written in stone. We can take and tweak it in consultation with you and the vendor you have in mind in the process.

The nice thing: the contracts are meant to protect you, not to impose but, rather, to protect. So if the situation is not going well, you have the appropriate outs in terms of getting out of that situation. Also, it identifies clearly for the contractor those things that have been emphasized in the web guidelines relative to copyrights, data security, and, with respect to the hosting, specific statements of work or services that talk about "on behalf of the LAO," ensuring that the website is registered in the LAO name and that it's the member that has control over it ultimately. Before we pay, we're looking for proof of that in terms of the hosting because, unfortunately, contractors come and go, and when you need to have control, that has not been the case in the past, so we're working with you to get that and to make sure that you've got the bases covered.

One of the other considerations in here talks about domain names, and it references that the LAO owns domain names as it relates to constituency offices. Some time back we went and grabbed what we could in terms of domain names related to Airdrie-Chestermere, Athabasca-Redwater, dot ab, dot ca, or ca or dash, a whole variation, to try and make sure that the LAO owns and regularly renews those licences and properties on the domain names. We encourage you, when you're using your site, setting up your site, to use your domain name as referencing the constituency office. It is more generic, nonpartisan in nature. If that is what you're choosing to do, please give us a shout, and we can make arrangements in terms of working with your design and hoster to take that name that we own and let you use it for the period of time that you're the member.

If you are looking to use a different name, we will also work with you one-on-one in terms of addressing questions or concerns that may arise relative to the use of the name, still making sure, you know, if it's LAO funds that are paying for it, that the guidelines exist relative to expenditures and that, for instance at election time, pursuant to the dissolution policy those names and websites cannot flip over to be used for other purposes.

Again, guidelines to assist in terms of what I call this crazy world and changing world of communications up on the web. That's it.

The Chair: Jacqueline, do you want to add something?

Ms Breault: Just one last note. On page 4 near the bottom in terms of declaring the domain names, there will be two little wording changes relative to MLA liability insurance coverage that counsel suggested we make: "will be eligible" will be replaced by "may be eligible," and in the last paragraph there, "not declared with the LAO are not eligible" will be changed to "may not be eligible."

Additionally, should this policy go through, we'll contact members concerning their declarations and send the appropriate forms so that everybody can sign up appropriately.

The Chair: If there are questions from the members with respect to this, please put them through the chair, and we'll direct them to the appropriate person.

Mr. Allred: Mr. Chair, not a question but a comment. I commend you and the LAO staff for putting this very comprehensive guide together. Whether it's a public website you're designing or a private website, there's a lot of really valuable information in there. I certainly don't have any expertise on websites, but there are a lot of really good things that sort of raise some red flags and tweak your memory. I guess, as Cheryl said, we just say that we want a website, and we don't worry about the details behind it. But this is an excellent guide and makes us aware of a lot of the potential bumps along the way if we're designing one. So congratulations. Good job.

2:00

The Chair: Mr. Elniski.

Mr. Elniski: Thank you, Mr. Chairman. I would echo Mr. Allred's comments as well. I have, actually, two questions for you, that are probably quite simple. The first one is on page 6. What is breadcrumb navigation? I've never heard that expression before.

The Chair: Who wants to deal with that? Jacqueline.

Ms Breault: Thank you. Again, not being a techy person, I believe breadcrumb navigation is such that a person can see where they've gone if they're clicking and connecting to different links. I think that usually it's available on the top of the page so that you can sort of see where you're navigating versus just shooting somebody to a page with them not necessarily knowing how they got there.

Mr. Elniski: Oh, okay. Thank you very much. I didn't know that.

My second question. On that same page a couple of paragraphs down it talks about the permission to link statement. I'm just curious as to whether or not we'll be producing or recommending some standard wording that's been tested with respect to that permission to link statement.

Mrs. Scarlett: We can and will definitely produce some suggested wording and disclaimers relative to the link and the permissions to link as well as, if anyone is interested, those other things at the top of the page, the cautions that you are actually leaving your page, the disclaimers in terms of "You're leaving my page and perhaps jumping to other pages" so that it's very clear in terms of your page conforming. Wherever they may hop from there, they may not know that they've hopped, but for some reason they're thinking: this doesn't conform with what I was expecting. So most definitely.

Mr. Elniski: Okay. Thank you very much.

The Chair: Other questions from members?

Mr. Anderson: Just some clarification. I'd also like to compliment you. Dealing with websites, domains, and all these different things is complicated at the best of times, so I do appreciate some of the clarifications and some of the guidelines.

There are a couple of things. The first is regarding something that the Speaker was mentioning at the outset, and that was when he was reading over the MLA authorities applicable to the websites. Obviously, we don't want something that is, as he said, partisan or personal criticism. What I have a difficult time with, not that that's in there, is the interpretation of that. Much of what we do, of course, in the Legislature is criticism. Obviously, we don't want to personally criticize somebody on an individual basis, but oftentimes we criticize a person's or a minister's or the Premier's policies.

That, I would assume, is something that is healthy and something that we want to promote. That's something that I would like some clarification on.

Nonpartisan. I definitely understand that you don't want to post, say, a party event or something like that or ask for funds for the party, that sort of thing. However, as caucuses we do put out policy on things. The Liberals, the New Dems, the Wildrose, certainly the government all put out different policies on things. Again, is that partisan communication? I sure hope not because what else are we doing here but doing that?

If I could get some clarification around those two specific things. Where's the line? What can we criticize? What can't we criticize? What passes the smell test, what goes over the line in that regard, and how is it interpreted?

The Chair: Well, whatever I say now – and I'll invite other members to participate as well – is not going to be definitive. Remember that this goes back to 1992. Two things have to be borne in mind all the time throughout all this discussion: these are public dollars paid for by the taxpayers of Alberta. The men and women in this particular room and this particular committee are Members of the Legislative Assembly of Alberta – that's who they are – and we're here to represent all of the people of the province of Alberta.

Political parties exist. They exist outside of this domain. They have an opportunity to raise funds. They have an opportunity to market themselves. They can have their own budgets. They can print what they choose to print as they want. But this is a case of using public dollars in the province of Alberta for MLAs to communicate their views and their policies.

That particular item for MLAs goes back a long time. An item may not be paid for under subsection (2) if it bears any political party logo – these are not political parties in this room; these are MLAs – promotes political party activities, solicits political party funds or memberships, or contains personal criticism of another member. Some people will advocate and advocate very strongly that politics has itself degenerated into adolescent schoolyard practice by personal attacks on individuals in this system and ignoring the policies, that should be the debatable point. Some various MLAs, of course, depending on who they are, what their personalities are, what the background is, what they believe politics is all about, will venture across that line that I just gave, and others will stay within it.

It's very hard to put a list of 58 do's and don'ts, but it's very, very clear to me. If it contains personal criticism of another member, I'm not going to have on my website a 23-page condemnation of any one of you. I'd never do that. It's not my personality, to begin with. Why would I use public funds to do that? If I wanted to do that, I would go raise my own funds. As long as you recognize you're dealing with public, taxpayer dollars, there is a responsibility for it.

Mr. Anderson, I don't know what more I can say, but I'm going to invite other members to participate on that point. Mr. Mason.

Mr. Mason: Thanks, Mr. Chairman. It's a question that I'm interested in as well. Aside from the constituency website there are caucus websites, and what are caucuses but groups of people who are elected from a particular party? They were elected on a platform or a program of that party, and they function in the Assembly as representatives, not just as elected people generally but also as representatives of that party and its views. So where you draw the line is really the question.

I certainly agree with all of the things where it's specific. You know, it says that you can't be advocating your political party's meetings or raising funds for it or selling memberships for it. But we're elected here on a platform, and we advocate the policies of

that party both outside and inside the Assembly, so there has to be a capacity to be able to do that. We are a caucus of people from specific parties.

The one thing that I really am a little more unclear on is the boundary about personal criticism. As you know, the opposition's role is to criticize the government and to offer alternatives. If a particular minister, for example, is conducting themselves in such a way that you believe somebody better might do the job, then are you or are you not allowed to say so in your caucus communications? That's really the question.

The Chair: Well, that becomes very subjective. Again, I go back to these being taxpayer dollars. The purpose of it is to help an MLA communicate with his or her constituents. You've gone beyond that to basically say that it's the party that is now going to communicate with somebody else. It's one thing to say that we disagree with policies outlined by whatever it is, another caucus or the government, as opposed to saying: the idiotic minister responsible for such-and-such has disparagingly denounced me and insulted all of my constituents because of his buffoonery and total stupidity with respect to a certain matter. If you just say, on the other hand, "Okay; we disagree with the minister's policies," that is something. Personal criticism will come in there someplace, but again it's subjective, and you have to be careful about it. All I'm saying is: let's find the highest possible level we can have rather than the lowest possible statement that we can have. That's all I'm saying, and that's all we're saying.

Mr. Boutilier, you're here as a guest. Do you want to be recognized?

Mr. Boutilier: I am here as a guest and a member, proudly, of the Legislative Assembly of Alberta. I'd like to be recognized.

The Chair: But not of the Members' Services Committee.

Mr. Boutilier: That's correct.

The Chair: We'll invite you to participate as a guest.

2:10

Mr. Boutilier: Thank you. I understand those are the rules, that I'm allowed to participate as a guest.

Mr. Speaker, you raise an interesting point, and it's something that I'd like to bring to your attention and, actually, from the subjective perspective get your input on. I have my website as an independent member, and at one point I was informed that, in fact, the word "independent" could be used in my website advertising because independent is not a party, or at least not a party yet. The word "independent" is not a party, and consequently that word can be used.

I want to let you know from my own internal compass that I appreciate the wisdom of the LAO staff, who indicated that the word "independent" could be used for seeking input from my public, the public in Fort McMurray-Wood Buffalo, but my instinct told me that independent was sounding like Liberal or NDP or Wildrose or PC, so I chose not to use it. Yet under the word "independent" it's not a party. I could have used it. I found that interesting because of the fact that, I guess, I always viewed myself as a little party.

The Chair: The point?

Mr. Boutilier: My point is that the word "independent" can be used in my advertising as an independent.

The Chair: Absolutely. You are an independent.

Mr. Boutilier: Because I am an independent and that is not a party, consequently I can, unlike PC, NDP, Liberal, or Wildrose.

The Chair: I'm unaware of any registration of the Chief Electoral Officer in the province of Alberta that calls itself the independent party. There may be, but I'm just not aware of it. That's all I'm saying.

Additional comments? Mr. Weadick.

Mr. Weadick: Yeah. Thanks very much. I guess that for me as an opening point each constituency – Lethbridge-West, Lethbridge-East, or Airdrie-Chestermere – is made up of a group of people, none of which ascribe to any one party, each of which feels some attachment to that constituency, so any movement to build a constituency website that starts to try to divide that, I think, is wrong. It should be there to provide information, to create an opportunity for discussion about government policy or other policy and discourse. There are people from every walk of life that should be able to come onto any of our websites and feel very comfortable looking at the information, seeing what's there.

This isn't about someone trying to just sell their ideas. It's about providing information to an entire constituency made up of a very wide variety of people. If it doesn't do that and it starts to offend people for whatever reason, then I would be very uncomfortable about saying: this is paid for by the taxpayer. If someone wants to put their personal money up and open a website, they have a right at that point to say whatever the heck they want about anything, and people do do that on Facebook and a whole bunch of other places. But this is clearly something paid for by your constituents. They want to be able to access it and get information that is useful to them, and they'll come from all parties. So I think that's the prime consideration.

I'm in the middle of building one right now – we're not done yet – and that is the challenge, to find that balance where anybody in your constituency can log on, find the information they need, and not feel offended by what's there because this is all about the citizens of Alberta, whomever they vote for.

Mr. Anderson: Well, that's one way of looking at a constituency website, that's for sure. If we're worried about offending people when using taxpayers' dollars, we'd better just shut down the Legislative Assembly itself. The nature of our debate is often very – some people will get offended by certain things that are said by every party or will be uncomfortable. That's not a reason not to say those things. I definitely don't want to have a situation where we cannot have good, robust debate on policy and not be able to communicate that debate and the points in that debate to our constituents because I feel that's the very essence of our job.

I do just want to further go back to what the Speaker was saying earlier, and I actually appreciate the example that he gave because it helps me interpret personal criticism a little. I have a better handle on it now that he's given that example. I just want to confirm that if we're talking about a policy and we say that the policy of Minister Such-and-such or the policy of the Premier or the policy of the government or the policy of this other caucus or this other member of another caucus according to our understanding is such and we disagree with it for these reasons and this is what the Wildrose caucus or myself personally as an MLA for this area will be advocating for, that's acceptable, but what is not acceptable is saying, you know, "The MLA for Calgary-Glenmore is a blank" or "The Premier doesn't wear nice clothes" or something like that. He does wear nice clothes, obviously. That would be unacceptable.

For example, I had to wrestle with this recently when I crossed the floor because I was trying to communicate to my constituents my reasons for my policy differences on issues of democracy and policies with the governing party and with the Premier and with his staff. I was trying to communicate that with my constituents. We were having a lot of difficulty talking, trying to figure out between the LAO and myself what was the appropriate language for that. My view of it is that if I have a difference in policy perspective from the governing party or from the Premier, I should be allowed to make that view known. Would that be acceptable, Mr. Speaker?

The Chair: No, and I'm not going to be trapped on this today because right now I'm looking at the order that we had. It says, "contains personal criticism of another Member." That's the policy that this committee instituted. That's the policy I have to uphold with.

Mr. Anderson: I agree with you.

The Chair: As an example, in 31 years in this business I have never ever mentioned any opponent of mine in anything. Why would I give credit and identify somebody who was running against me? I don't have to criticize anybody. I just think about who I am and what I do, and that seems to work quite well.

Mr. Anderson: How often have you been in opposition during that time?

The Chair: I've been elected nine times.

Mr. Anderson: How long have you been in opposition of those nine times?

The Chair: Well, I tell you what, virtually every leader of every party in this province has run against me at one time or another. Not a problem. My spreads are pretty good by taking the high road. I mean, there are two ways of dealing with this. Sure, absolutely, play it down there in the schoolyard or play it above board and high. I never mentioned anybody's name in any opposition party in the last week, and I attended 12 events in my constituency. Why would I?

Mr. Anderson: That's admirable of you, Mr. Speaker. I'm just saying that as a member of the opposition it's our job – it's actually in the job description – to criticize the policies.

The Chair: You can. But do you have to use taxpayers' dollars to do it? That's the only question. That's the only question. If you do, we can deal with this and we can change this, but we're going to have a major discussion on this particular thing, and we're going to go back to the use of taxpayer dollars and what it's all about.

Mr. Mason: Well, Mr. Speaker, with respect.

The Chair: Well, you don't have to apologize, Brian. I'm just pointing out what we've been doing for 18 years. There's nothing new here.

Mr. Mason: Well, those last comments, in my view, went beyond what we've actually been doing because it's suggesting now that because our caucus receives taxpayers' money to operate, as does the government, it is inappropriate, then, to criticize the government. We're responsible not only to . . .

The Chair: No, no. That's not what I said. I responded to a question, I just told you, from my position. This is what I believe in. Okay?

Mr. Mason: Yeah. But you enforce the rules.

The Chair: Oh, no. Just a minute. I'm not that biased. Okay?

Mr. Mason: Well, you know, from my point of view the opposition's role is not only to disagree with government policy but to hold the government accountable for its performance. Sometimes a government in any province, not just this one, can have the best policies in the world, but they can be screwing up, or somebody can be screwing up, and the opposition has to be able to say that.

The Chair: There's nothing denying the opposition from saying that.

Mr. Mason: Okay. Good.

The Chair: What's denying it? Just, do you want to use taxpayers' dollars to do it?

Mr. Mason: Well, yes. Absolutely.

The Chair: Well, fine. That's why the New Democratic Party of Alberta does fundraising, isn't it?

Mr. Mason: No. This is in our parliamentary role as the opposition, not running in an election campaign.

The Chair: That's fine. Okay. Well.

Mr. Allred: Mr. Speaker, I find the debate quite fascinating here. Just a question to you, sir. Do you feel that this requirement in section 5 there is more restrictive than the rules of the House?

The Chair: Sorry; which one?

Mr. Allred: Well, what we were just talking about, the nonpartisan communication, et cetera, section 5(1), 5(2) on page 2.

The Chair: Okay. This was passed by this committee in 1992, and this has been the policy that has been extended since 1992, and since that time dollars have been provided for constituency offices for communications and for a whole series of things.

Probably is. Because, in essence, you're not using taxpayers' dollars when you open your mouth in the Legislative Assembly of Alberta.

2:20

Mr. Allred: Oh, yes, you are.

The Chair: Yeah, well. Okay. Look, I'm just pointing out what we have in existence. If we don't like what we have in existence, the committee can change all of this if it so chooses. I'm not arguing with any member. I'm just pointing out what it is. That's all I'm doing. When you ask me for specifics and when we have to deal with specifics, when I and the individuals in the LAO have to deal with a dozen or 15 kinds of issues each month – I can start bringing all of these examples to this committee, by the way. This would make great fun. You can make the decision with respect to all of these advertisements, newsletters, statements, and everything else.

I'd be happy to do that. No issue with that at all. All I want to deal with is the integrity of a system that I think is very important and how we use it. That's all.

Mr. Allred: I guess just to follow up on my question to you, it would seem to me that there should be no problem in quoting something out of *Hansard* on your website. That's public information.

The Chair: That's true.

Mr. Allred: It would therefore follow, to me, that the rules should be the same for what you say in the House as to what you say on your website. Now, judging from what you've said – and I agree with your interpretation – this is probably a little bit more restrictive. But if the committee is in agreement, maybe we should examine that.

The Chair: Listen, if a member here in this committee stands up in the Legislative Assembly of Alberta, the hon. member for whatever constituency, and wants to give a 10-minute speech on Bill 7, which we just had last week, talking about – it was elections, right? – the Election Act, one aspect of it, and wants to spend 10 minutes talking about her or his next fundraising in their constituency, the chair will probably talk about relevancy and intervene once or twice but, probably, if it's at third reading allow the widest possible scenario for you to promote your thing. Then I suppose if you went out and duplicated all of these speeches of yours and sent them to 15,000 constituents, yeah, you'd probably have something that would violate that. But it would be printed in *Hansard*, so you would get away with it. All I'm saying is that if you want to take out an advertisement in a local paper doing the same thing, you'd be pretty much probably offside.

Mr. Lund: Well, in that very example within the House people have got protection. They can say things about an individual, and they are not liable for a lawsuit. I would find it difficult if they could go out, then, and use taxpayers' dollars simply because it was in *Hansard* to promote whatever it was that they said. That to me is quite a contradiction, and I would have great difficulty with it.

Really, when you look at 5(2), it doesn't say anything about criticizing a policy. I don't know what's wrong with going and using tax dollars to point out the problems in somebody else's policy. It's when you get down to criticizing another member, personal criticism. There's a big distinction, I would think.

The Chair: Others?

Well, it seems this matter is of considerable interest, which I guess is the reason for me bringing it here. It seems that some members seem to be unaware of this, that it had been in existence in 1992. This is our document. This is our policy document, that we're going to go with, with respect, as the guidelines for us within the Legislative Assembly of Alberta. Any final comments from anybody with respect to this?

Yes, Mr. Boutilier.

Mr. Boutilier: Thank you, Mr. Speaker. What I've drawn from this based on the situation or ruling that was made – and, of course, I think it was the Liberal Party that had made comments regarding the Minister of Energy or minister of health at the time. I've drawn from that that if, in fact, the Liberal Party had indicated the official title on the issue of policy without mentioning the name, that would have been satisfactory.

The Chair: Probably so.

Mr. Boutilier: That's what I thought. Thank you.

The Chair: Okay. So that's our document. That's the one we're playing with and we will utilize. From time to time we'll bring it back. Members, in the meantime if there are issues with respect to any of this, you know that we're always open for modification and review and what have you, and I'm sure there will be something else that will come up with respect to this as well. Thank you.

Okay. Arising out of the last committee meeting there was a request that we do a cross-jurisdictional survey of funding for caucuses, independent members, and committee research. This is proving to be a really interesting scenario. In the document you have is a flow chart that says: Summary of Jurisdictional Survey, Independent Members Committee Research, April 2010. Some of this information, surprisingly, is not quite as easy to get as one might think. There are only two bodies in Canada that actually have public meetings of their board of internal economy or their Members' Services Committee. One jurisdiction has always been Alberta. Since the day we established a Members' Services Committee, there has never been, to my knowledge, an in camera meeting. Every one of these meetings is held in public, and it's held in this kind of venue.

Saskatchewan in the last couple of years has moved in that same direction, but in all other jurisdictions that I'm aware of in this country of Canada, including the House of Commons, everything is essentially in camera. So sometimes it's very difficult to get some information. As an example, if you take a look at this flow chart, you will see that we have information on Alberta, we have information from the House of Commons, but you see from Ontario "information not disclosed to the public." That's why it's blacked out. This is correct, Clerk? We were asked not to provide this in a public venue.

Mr. Boutilier: Excuse, Mr. Speaker. I don't have a copy as I'm not a member of the committee, so I'm just asking for a copy now.

The Chair: You're not a member of the committee, and you didn't advise us you were coming; otherwise, we would try and accommodate.

Mr. Boutilier: Could I get a copy, Mr. Chair?

The Chair: If we have a copy.

Mr. Boutilier: Thank you.

The Chair: So you see the numbers running for British Columbia. Quebec was not a complete response at this time. Saskatchewan: you can see their numbers. New Brunswick: you can see their numbers. Newfoundland you can see. Manitoba you can see. Then there are some notes. Nunavut and the Northwest Territories provide administrative support services to members but no funding to caucuses. We've had no response yet from Nova Scotia and Yukon. For Prince Edward Island neither detail nor the amount have been provided at the time we asked for it, and we've asked it now for several months.

If you go up and down those lists, you'll see comparatives across the country of Canada with respect to this, and you will see the amount of dollars provided under so-called caucus funding for caucus administration and research. That's basically caucus administration. Then you have the leaders' office funding, then you have other funding, then independent member funding, and addi-

tional committee research funding – that was the policy that we brought in a couple of years ago – and then you can see at the bottom line a number. This is a comparative. It will continue to evolve, and it will continue to be filled in. It was provided as per your request for information on this. If anybody has any questions or comments, we can proceed with them at this point in time.

Okay. It's provided for your information, then.

Mr. Hehr, are you still with us?

Mr. Hehr: Yes, I am.

The Chair: Okay. We don't want to leave you out.

Mr. Hehr: I'm just soaking it all in, Mr. Chair.

The Chair: You're a good man. Does that mean it's raining there?

Mr. Hehr: No, nothing like that.

The Chair: Okay. The next item on the agenda had to do with travel limits and travel limitations. A statement was made by one member basically saying: look; we currently have a policy in the province of Alberta that provides for a certain number of trips per year from the provincial capital to where we live and limits in terms of how much mileage can be claimed. For urban members it's 35,000 kilometres per year; for rural members it's 80,000 kilometres per year. A couple of members said that a large number of members of the Assembly had come to them and basically said that those limits were too low. I made the comment: well, our experience shows that most live within them and deal with them. So somebody said: well, okay, can we have the information?

There are three documents in there. The one that I would just focus on is the one that says Two Year Comparison – General MLA Auto Travel (27th Legislature). You see that we have them. There are two colours. There's green and there's blue. We have the specifics for everybody for 2008-2009 and 2009-2010, and you can run up and down and see the limits for a variety of people. In some cases you'll see people with zero claims. They're probably ministers who have automobiles and thus do not use their own private cars, so that would be the case. Others have chosen not to, and some will again, I repeat, have access to government vehicles, so they can't charge mileage if they have access to a government vehicle. You can see those numbers going up and down.

2:30

Overall we budget for 100 per cent utilization in our budget, and those are the realities of the call-up on those particular orders. Whatever dollars are left over in there we return to the general revenue fund in the following year. There are three of them. One is based on the two-year comparative, the other one is based on the 52 trips, and the other one is essentially on the summary of kilometres.

If anybody has any comments or questions with respect to this, I would be happy to deal with them.

Mr. Mason: Mr. Chairman, I just wanted to ask a question. I just find it curious. I do a fair amount of travelling in the province with respect to my responsibilities as a leader of a political party, and it looks like I've used about 57 per cent of the allowance. I'm just curious why a private member from Edmonton would be using more than 100 per cent.

The Chair: You mean Edmonton-McClung, there? He's over 182 kilometres, so he might've had a trip the last weekend.

Mr. Mason: Yeah.

The Chair: I'm not getting into that. I do not audit your trips, and I won't audit unless there is a reasonable reason to audit any member's trips. It's the same way that I don't know why, as an example, somebody in Edmonton would use zero miles. Surely, they must be doing something as an MLA, but presumably if they are, they have a government car. They're doing all of it in their own government car, and there's a reason for doing it. Or they choose not to. Some members will choose not to claim. That's their choice, and I won't second-guess that at all.

The numbers sort of run like this, in and out all the time, and there's little variance in terms of it, depending on who you are, where you are, and what have you. As an example, the MLA for Calgary-Fort is the Deputy Speaker. He must come to Edmonton at least 50 times a year, but he's got a government vehicle. That's why he doesn't claim mileage. He has the right to do that.

The reason for this was that I'm not coming forward with a recommendation or proposal that we change these limits that we currently have. That's the bottom line of all of this. We have frozen all of this anyway this year, but in anticipation of next year I would not be coming forward on the basis of this information, on the basis of this evidence.

Anything further?

Mr. Elniski, you're okay?

Mr. Elniski: Yeah.

The Chair: Okay. Thank you very much. That was done.

Records management. There are two kinds of records management that we deal with. One is records to help you as individual members for records management or to deal with the Legislative Assembly of Alberta. The last time that we dealt with this matter basically was 1996. If you look at the briefing note, mid-way through the page it says, "In November 1996 the Records Management Order (No. 1) was passed" by the Members' Services Committee. The order basically states a series of things, and it basically says that if the Legislative Assembly of Alberta, in dealing with its records, wants to make a technical or administrative change, it would have to come back to Members' Services to change the guideline.

What I'm requesting today is that we simply replace that clause which you see there. If you go to the next page, it basically says, "The Information and Records Management Program established and amended from time to time by the Legislative Assembly Office shall govern the management of records in the custody or under the control of the Legislative Assembly Office." This simply means that if there's something that has to happen within the Legislative Assembly Office for the records of the Legislative Assembly – not an individual member; it has nothing to do with members. Okay, fine. We get 13,500 tablings each year, and if we want to come up with a better system for information and records management of all these tablings, do we have to come to the Members' Service Committee to get approval for this? All I'm asking for is to basically say no. These are internal records of the Legislative Assembly and nothing to do with the members. It's just to bring it up to date.

Mr. Rogers: Mr. Chairman, I would agree with you. It would be a total waste of time to have to come here every time you needed to do this. I would be willing to move the motion as proposed, that the information and records management program established and amended from time to time by the Legislative Assembly Office shall

govern the management of records in the custody or under the control of the Legislative Assembly Office.

The Chair: Does somebody want to second that so we can have a debate if you want one? Seconded by Mr. Campbell.

Open to questions and discussion.

Mr. Allred: Well, Mr. Speaker, I don't know if my comments are relevant to the specifics of the motion or not, but perhaps as a suggestion I think we need to simplify and streamline the rules regarding tablings. For instance, I understand we only need one copy of some documents and for some we need five copies. With electronic communication these days it would seem to me to be logical to only require the original, and then everything else can be done electronically. It would save a lot of storage space.

The Chair: Absolutely. There's no doubt it would save a lot of storage space. This is a good subject matter for the Standing Committee on Privileges and Elections, Standing Orders and Printing to look at.

Mr. Allred: Okay. Thank you.

The Chair: Others? All in favour? Opposed? Carried.

Okay. The next one has to do with professional development. This is an area of interest to a lot of people that from time to time have come to me and said, "I want to attend something," a seminar or a course or a conference or to go and listen to somebody's speech. The question is: should some of these items be eligible for reimbursement from the Legislative Assembly? In this case it's under your constituency office allocation, not a new funding matter.

We looked at that and provide you here with a briefing note. Page 1 basically gives some briefing on that and on what has come up during it all. First of all, we have a travel and temporary residence allowance. Members can access certain things, plus they can also access X number of days when overnight accommodations are in existence throughout the province of Alberta.

Members should not forget that in the province of Alberta members have a tax-free expense allowance. What's the purpose of the tax-free expense allowance? Some people argue: for this sort of activity. You have caucus budgets, and from time to time caucus budgets are used to send members to some of these professional development things. We certainly have under the LAO a number of interparliamentary professional development opportunities. But over and above and in addition to that, we also allow people, if they're going to an event, to have dollars set aside for purchasing of tickets and participation.

What do we do about language? Okay. From time to time people have expressed an interest in language development, and we basically try to set up a situation, if it's language education, to see whether or not it might be available in Alberta and, if not, outside of Alberta. It's those sorts of things and how we want to refine them.

One of the things I wouldn't mind perhaps bringing forward, when we have a future meeting about the budget for next year, is to talk about this. I just throw this out to you today and invite feedback with respect to the thought process that this would be a possible good thing to do, to provide a set of dollars that you can use under the members' constituency office budget for professional development and what guidelines we will want around this.

I know that some members will say: fine, I want to spend a couple or three weeks in language training, and the best place for language training, needless to say, is southern France. And what time of year would that best place be? Well, needless to say, it's August. I might

point out that perhaps you can come with me to Legal, and I'll put you in a language training program in Legal. Somehow that's not quite as effective and as important.

You have all these things you have to deal with. On and on and on it goes. It's an area that can be of interest, but on the other hand, it has some grey hairs associated with it. I just throw it open for discussion. Anybody? Mr. Rogers, Mr. Lund.

2:40

Mr. Rogers: Well, thank you, Mr. Chairman. I guess I want to make a comment and then maybe look for a little clarification. When you raised the point about the tax-free allowance and some of what it was intended to cover, as an example, when I think of temporary absences or whatever that line item covers, often we as government members attend meetings in Calgary during the Stampede. Well, typically, I've found that an average room at the International – I want to be clear, not a palace – can run double what that allowance would cover. I guess your point that the tax-free allowance was intended to deal with some of it may very well be a reason for that allowance.

I'm just wondering: under the proposal that you mention here, would this be intended to be specific to a course? I don't know. For example, let's say you wanted to improve your French if you represented a French community like I do. Or would it be specific to an event? Do you foresee that? What guidelines would you see around that?

The Chair: Well, that's my dilemma. It can include all or include none, depending on how we arrive at it. That's why I'm open to getting this. You know that for the most part we discourage people from using hotel rooms for caucus meetings because that's considered political.

Mr. Rogers: I'm not sure to what you're referring.

The Chair: Well, you said that you would attend a caucus meeting in Calgary.

Mr. Rogers: I said government meetings.

The Chair: Yes. Yes, you did. And what did I just say?

Mr. Rogers: Okay. I thank you for the clarification.

The Chair: I have a funny suspicion, though, that you're not the only one who does that.

To go back to what we talked about a little earlier, Mr. Lund.

Mr. Lund: This is a bit of a grey area to me. Now, there's another thing that we could throw in, and that's the ability to – I think it's five trips somewhere within the province that we can go on now. I'm not sure if there are any real restrictions on the purpose of the trip. This one seems to be directed to professional development, whatever that means. I guess I'm curious. If we did accept this proposal, would this be something that you would ask permission to do, or would you just ask for forgiveness?

The Chair: Well, that's part of the dilemma. That's why I want the discussion on this. The difficulty is that if somebody decides to do something and it's clearly viewed to be offside, there would be no permission given. There would simply be a statement sent to them saying: you owe this amount of money. It can't be any other way. It can't be any other way. Everybody here is a responsible person and knowledgeable about all these things and has to deal with it.

I mean, there's not going to be a censorship, if we go forward with this, of somebody wanting to go to things. Right now we're pretty open on this. There are lots of provisions right now for members to do this except that it was raised at the last meeting, and that's why I throw it in. It's not that we don't have these provisions now to allow members to pretty much go, but from time to time some member comes along and says: well, I've got to do this. The language one in southern France is the most interesting one. Collège Saint-Jean in Edmonton doesn't seem to be quite as good as whatever this place is in southern France. I don't know. I told them to go to Collège Saint-Jean.

The Chair: Go ahead, Clerk.

Dr. McNeil: This issue arises from time to time when a member wants to gain particular knowledge in his or her critic area or in the area that he or she is sponsoring a particular piece of legislation: there's a seminar in Calgary that's a day long or two days long, and it's \$500. It's not in the member's constituency, and it's not directly related to the member serving his or her constituents, but the objective would be to increase the member's knowledge in that particular subject area.

That's where the issue comes up under the existing constituency office guidelines in that it is not directly related to communicating with constituents or in the constituency. That's where the issue arises, where members do have a need from time to time to gain additional information, education, whatever you want to call it on a particular topic, a particular subject area. This is what this discussion is about in terms of the experience that we have in having to reject some of these requests.

Mr. Lund: Well, in response to the Clerk's comments the fact is that many times there's a conference on a specific issue that we know as government members that we are going to have to deal with and going to have to vote on, and it would be very useful if we had that. It wouldn't have to be a critic.

Dr. McNeil: Oh, no. No. I'm not saying that.

Mr. Lund: It could be any member.

Dr. McNeil: Any member.

Mr. Lund: Exactly.

Dr. McNeil: I'm not implying this is just opposition members who make these requests. That's definitely not the case. It's just, really, to gain knowledge in a particular area for, you know, various reasons.

The Chair: Requests have been made in the past that have gone through various caucuses, and caucuses have dealt with this, so this is part of it.

Mr. Elniski.

Mr. Elniski: Well, thank you very much. As I look through this, I'm always reminded, of course, that knowledge is one of those things that you can never lose. I'm not onside at all with this particular proposal. I don't believe that any increased use of a members' services allowance for this particular purpose is either necessary or appropriate. We already receive a tax-free allowance, and I believe that it completely covers off any costs and expenditures that one might incur.

I attend every year the Manning conference in Ottawa, and I do so

on my own dime both for the cost of the conference and the accommodation, the travel, meals, and everything else, getting there and coming home. I feel that if it's really quite that important to the individual member, they're certainly free to do that on their own, but I do not support any change that would open this up at all.

Thank you.

Mr. Anderson: Well, I completely support this proposal. Going to the former comments, I guess I can understand the argument, hon. member, but at the end of the day, you know, we have a members' services allowance. It varies, but mine is roughly \$140,000, \$145,000, something in that area. We use the members' services allowance to buy paper, pencils. We use it to buy in certain cases gifts for certain purposes in our constituency, for communication, for all kinds of things.

Last year I was one of the members that was denied a request for attending an energy conference in Banff. I just wanted the fees of the conference covered so that I could go and understand a little bit more about the different energy issues in Alberta because we were, of course, in the midst of the royalty framework and such, and I wanted to increase my knowledge as much as possible on that. I think that, frankly, maybe we should have had a few more MLAs go to that conference. Maybe they would have done so if they could have had an opportunity to do so financially.

I think that, obviously, we do have the tax-free allowance, but that's a whole different can of worms to bring up. That's just essentially, for all intents and purposes, part of our salary. If not, we would be – well, I won't even go there. This is something outside. You know, the great thing about this is that there'll be, hopefully, a little bit less March madness and a little bit more using this throughout the year to become better MLAs for all Albertans.

I think it's a very, very good proposal, and we should support it.

The Chair: Mr. Allred.

Mr. Allred: Thank you, Mr. Speaker. I, likewise, support this. I think it's a very good recommendation. I have not been knocking on your door on this, but I've certainly spent considerable time with Mr. Ellis, not complaining about the present policy but trying to understand it. I think it's fairly clear with regard to language training, but it's very fuzzy on other types of conferences.

2:50

I was involved in the Standing Committee on the Economy for a couple of years, and I really made a special attempt to attend any conferences, speakers, or whatever on the economy. The same would apply for Energy or Health or Education or anything else. That really is our responsibility, to understand these issues so we can make rational decisions. I think it is absolutely essential to have some kind of specific support for this sort of thing.

To give you an example, when I was on the council for the city of St. Albert, we adopted a policy to give every member a \$5,000 allowance per year to attend things like the AUMA or the FCM or specific courses that they felt were advantageous to their learning requirements. That's what I think this sort of thing is for.

Another one is the Alberta Congress Board. They meet every fall in Jasper. They have a very good conference. It's composed of professionals, labour, a few government people, and other types of people, educators as well. It's a real challenge to go out there and pay the room rent at the Jasper Park Lodge, et cetera.

I fully support this. I think that it's a very good, positive move and will be beneficial to all members of the Legislature to help us improve and understand some of these issues.

The Chair: Mr. Boutilier.

Mr. Boutilier: Yeah. Thank you. I echo the comments made by the previous two members. In all due respect I disagree with the member from across the way, but I will say that I think this is a reasonable approach.

The Chair: Mr. Hinman, do you wish to join the meeting?

Mr. Hinman: Yes. Thank you, Mr. Chair. I just wanted to comment on this as well because it really is an overwhelming task at times to get the education you need. Probably one of the most, well, just incredible conference I went to was the Atomic Energy of Canada conference that I was allowed to go to, and the information there was just incredible. I think that any time that we can use this allowance – it's not an increase in allowance. This is just an increase in latitude in the allowance. I think that, again, as individual MLAs if you can see the value of attending a conference and in increasing your knowledge and experience, it's invaluable to what we're doing for the people of Alberta.

Though I don't have a vote on this committee, I'm very pleased with this increased latitude of using our constituency funding in a way that would benefit our constituents as well as all Albertans by increasing our knowledge.

The Chair: So when Mr. Mason, then, attacks you because you went to the Let's Nuke 'Em conference, this would be okay, right?

Mr. Hinman: Absolutely.

Mr. Mason: As long as he comes back with a certain glow.

Mr. Hinman: It's a green glow.

The Chair: Okay. But attending the Olympic selection curling bonspiel in Edmonton last December would have been acceptable or not acceptable as part of professional development?

Mr. Mason: How is that educational? How is that professional development?

The Chair: Well, I'm sorry. I'm dealing with 82 people who are very imaginative, and I can assure you that when I've listened to the 10-minute discourse, I'm almost convinced that they might be right, Mr. Mason.

Ms Pastoor: That's pushing it.

The Chair: Well, it's not pushing it, Ms Pastoor. You haven't seen these things.

Ms Pastoor: I know, but . . .

The Chair: Okay. You've got some very imaginative colleagues.

Ms Pastoor: Well, maybe you should share some of them with us.

The Chair: I will. Absolutely. Maybe I should bring the whole list in here first.

Ms Pastoor: Just some. The good ones.

The Chair: The good, yeah, which is very subjective. What is a good one, and what isn't a good one?

But, anyway, anybody want to add something further?

Mr. Hehr: Yeah. If I could talk, Mr. Speaker?

The Chair: Okay, Mr. Hehr. You go ahead.

Mr. Hehr: I agree with the one member who spoke. I don't think this is necessary. I think this is taken care of in our tax-free allowance, and I think it's better handled that way than through our budgets. I'll just leave those comments on the record for people to consider.

The Chair: Okay. Thank you.
Mr. Weadick.

Mr. Weadick: Thank you. I tend to agree with Mr. Hehr. I think we would have to have some fairly tight rules around what it could be used for, and of course there would have to be some public explanation as to what it's being spent on so that the constituencies have full knowledge of what the budget is being used for. If those were all in place, there might be a reason to think about it. But I think, generally – I've been in for two years, and the things that I've gone to, I just went on my own. I didn't feel there was any necessity for the constituency to pay for it.

Thank you.

The Chair: Ms Pastoor.

Ms Pastoor: Thank you. Sorry. I am definitely going to disagree with my colleague.

The Chair: Which one?

Ms Pastoor: From my caucus.

I agree with the words that the Member for Calgary-Glenmore said about increasing the latitude. I don't think that you can ever put a price on knowledge. Anyone who can gain extra knowledge to make them better in any kind of job – certainly, I can speak from my own knowledge in health care. You're always improving your knowledge. You're going to noon-hour sessions. You're doing rounds with doctors. You're always trying to improve your knowledge of whatever your particular job is. I think that this is a job, and I think that anything that we could do to improve our knowledge in whatever sector our job is is never ever lost either to the person that's learning or to the people in Alberta.

The Chair: Okay. I'm prepared to continue working on this subject matter and bring it back this fall when we go through the budget process meeting of the Members' Services Committee. Are there enough heads saying yes, to continue with it? Okay. So everything remains the way it is right now.

Mr. Campbell: Well, if we're bringing it back in the fall, I'm just wondering if it would make sense to bring back a more detailed list of what we consider professional development.

The Chair: Oh, absolutely. That would be part of it. Yeah, that would be part of the whole thing.

Mrs. Leskiw: And could we have examples of some of the things members have asked for for professional development so that we can see the variety of professional development that has been sought?

Mr. Rogers: Just categorize what it can be used for.

Mrs. Leskiw: Yeah. That's what I mean.

Mr. Boutilier: Mr. Speaker, my only concern on that would be – absolutely, bring back some of the ridiculous considerations, but please attach the member's name because otherwise, then, we're all painted with that brush of ridiculousness.

The Chair: Well, first of all, I don't do that. That's not the way this committee operates. That's not the way I would ever do that, so that's not going to happen.

Mr. Boutilier: So the ridiculous points will not.

The Chair: There are no ridiculous points. I have 82 colleagues in the Legislative Assembly of Alberta. All of them have the right to an opinion even though some people would think they're totally absurd.

Mr. Boutilier: Yeah. Thank you.

The Chair: Okay. The next item is purchasing mechanisms for constituency office items. This is a pretty all-encompassing one, and the argument being made from the member was that there are a variety of ways that we can improve this.

Clerk, who wants to deal with this? This is an area that basically I sort of, like, avoid.

Dr. McNeil: I think have Scott Ellis take us through this because he's the most knowledgeable.

The Chair: Scott Ellis, would you take us through this section, please? The whole purpose of this was to see if we can improve or refine.

Mr. Ellis: I think what the member was asking was: is there a better way in which we might process some of the expenditures relative to the constituency office budgets, and could we look into that given some government initiatives in that same vein that were being undertaken that he was aware of?

The Chair: Scott, let me just say something first of all. This area, though, is dependent on one very important principle. The MLA is responsible. This is not an area that could be delegated to somebody else. We as Members of the Legislative Assembly of Alberta have the dollars voted for us, allocated to us. We are the people who sign at the bottom line, and we are the ones who must assume responsibility. We should never ever consider delegating this to anybody else. Half of you will be in jail if that's the case. This is an individual responsibility.

Go ahead.

Mr. Ellis: With that in mind, we basically prepared a review of what we currently provide to members both relative to the members' issued credit cards – i.e., the American Express and the PHH cards – which were in direct compliance, if you will, with the transportation order that allows members to have those kinds of services.

We moved on into the members' services allowances. In looking at current practices, we have a variety of different ways that members can process expenditures, and these have evolved over time to facilitate members purchasing items. For example, petty cash. The odd time you have a rush, urgent matter. The courier is

at the door, and you need a \$20 bill to pay for the costs. You have petty cash in order to do that. Members who may be on the road travelling and have to pick up something can use a personal expense claim form if they're paying cash or put it on their credit card and submit an expense claim, and we process those very quickly. At least, I hope we're meeting your expectations in that regard.

3:00

In addition, we have online purchasing of supplies through the Legislative Assembly Office, so members have direct access there. The items are charged directly to their budget, so that facilitates the flow of resources in an efficient and effective manner. As well, the gift shop is a similar item, where purchases are made by members at the gift shop and directly transferred to their budget, so there's no cash that the member would have to pay out unless he chose to do it that way. So there are a number of different processes that members can have access to.

The other one is the purchase orders, which are fairly well accepted, particularly in the urban centres, obviously. Most vendors know government, know the Legislative Assembly, and are prepared to accept a purchase order in good faith. In some of the smaller communities that may be less likely. I think that where we've had a need there, we've been able to establish an account and get a purchase order system set up with that particular vendor and allow purchases to flow easily. The big benefit of having the purchase order system is that it forces the member to be approving the transaction before it actually occurs and making sure that the member is authorizing that particular expenditure, as is required by the Financial Administration Act. That's why we set up all members as expenditure officers for the MSA. So that's a key element in the purchase order system. Similarly, if the member was using his or her own credit card, there's a prior approval there.

Another benefit of the purchase order system is that it allows the constituency office assistant and the member to work together in terms of keeping a record of all the purchase orders that have been issued. When they get their monthly report at the end of the month, they can go through and see which purchase orders are still outstanding for that particular month and know exactly where they sit every month. We don't know what they've committed to down to the last hour, but they should know that. The reports get updated, ultimately, when we know all your commitments and how they flow in at year-end, but it's the members who know what their commitments are before they actually come on that report.

We looked at the option of procurement cards. That was an option, I guess, that was being put forward by the members as a possible solution to make things easier. Procurement cards are a little bit different than credit cards, and I think that's a primary distinction that needs to be made. Procurement cards are used in a very defined and limited role. Typically they'll be either for transportation or business expenses. They put limitations on the object of expenditure, they can put limitations on the amount of the expenditure, and they can even designate for whom or what vendors a particular card can be used. That's all controlled by a central body. When you establish the cards, you set out those limitations. Procurement cards can be limited and not offer you the flexibility that you currently enjoy by having the ability to do things through purchase orders, your own credit cards, petty cash, and those kinds of things.

That's one of the things plus the fact that I guess there have been some situations where credit cards have been not handled in the best way in the sense that they've been given to other people or the card information has been given by a member to someone else, and that information is then used in an inappropriate fashion. So there are

some risks there, and I guess that from our feeling, you know, those risks are fairly dramatic. I know that in the Auditor General's recent report they made reference to some credit cards and the desire for the Auditor General to have more stringent internal controls, and a lot of government departments are still working out that. But I think the risks are certainly there, and we feel, at this time anyway, that the risks outweigh the advantages of the procurement cards. We feel that we've got a flexible system now, and hopefully that will work into the future.

The Chair: Mr. Ellis, let's be very clear. Your last comments, about inappropriate use, had nothing to do with the Legislative Assembly of Alberta.

Mr. Ellis: No.

The Chair: We don't have such cards. The Auditor General was not talking about the LAO.

Mr. Ellis: Correct.

The Chair: Okay. This issue came up because a couple of members, I think, at the last meeting basically wanted to talk about procurement cards and the like. The bottom line is that after review of the whole thing we think that the system we have in place right now is very good and that we don't need procurement cards.

Mr. Elniski, Mr. Lund, Mrs. Leskiw.

Mr. Elniski: Thank you, Mr. Chair. Yeah, I would echo that sentiment. One of the slightly off-topic things I found out about the PHH fuel card, for example, which now resides comfortably under lock and key, is that the cost to the service provider for that particular card is roughly double what it costs to use your Visa card and carry the expenditure yourself, as is the case with the American Express, which I never really bothered with anyway. I've just parked them. I've got a credit card in my pocket. I'll pay for my fuel myself, and I'll expense it as is necessary.

You know, all of these items that we get into all cost money. We pay for an additional level of administration somewhere that, frankly, proves at best to be of marginal value to us. I would support you in not moving forward with the P-card because I think it's a solution to a problem we don't have, frankly, and rates right up there in my book with the PHH fuel card, which I also think is a very costly way of providing service.

The Chair: Mr. Lund.

Mr. Lund: Thank you. I agree that I don't think we need the procurement card. One of the worst examples of its abuse was my chief financial officer when I was Minister of Infrastructure. That was the one that the Auditor General was really zeroing in on, and that was awful abuse.

I want to thank you for the way that you're handling the petty cash issue now. I found it very, very difficult when we had the hundred-dollar limit and the MLA got the cheque to cash to put into petty cash. That was a real nuisance, I found. The way you handle it now is much better.

Thanks.

The Chair: Mr. Weadick.

Mr. Weadick: Thank you very much. I would agree that I don't think we need P-cards.

What I wanted to ask you about: I notice that a number of my monthly expenses go through on purchase orders, and they're quite small. It might be shredding in the office or stuff. What does it cost us to process a purchase order and a cheque? My concern would be that if I'm paying a \$23 bill with a process that costs \$40 or \$50 to do, then for some of that we may need to find some other way, whether it's using the American Express or something to cover those simply as a savings method to not run those big expenses.

Mr. Ellis: The short answer is that we haven't done the calculation of what the purchase order system costs us per transaction relative to other transactions. I think we can all agree that it's in the neighbourhood of \$25 to \$40, somewhere in there. Obviously, any expenditure below \$25, you know, is probably not worth putting on a PO, but I think there are other measures that are already there, in terms of petty cash and/or a credit card, that could facilitate those transactions. Certainly, I would encourage you for the lower value dollar amounts that it go through petty cash or be paid for by the member and expensed.

Mr. Weadick: I'm just thinking of, especially, shredding because it's something you do every month, and it's 23 bucks a month or something. It would probably be better if I told the shredding company to bill me on my credit card for the 23 bucks and then just put it through as an expense and save the PO and cheque-issuing costs on those kinds of expenditures.

Mr. Ellis: Yeah. As long as you take that into account in your monthly budgeting process and know that it's coming each and every month, I don't see an issue with that.

Mr. Weadick: Great. Then I don't think we need a P-card either. Thank you.

Mrs. Leskiw: First of all, I want to thank you and your department for the great work that you are doing, always very helpful any time anybody calls to find out expenditures and what we can be allowed to spend. I have to agree with my colleagues that the flexibility is fabulous. I mean, whether it's from a purchase order or through writing cheques, paying back has always been very efficient. Thank you for that. I would agree that I don't think we need to go to another card. Keep up the good work.

Mr. Ellis: Thank you.

The Chair: Others?

3:10

Mr. Allred: Well, very briefly, I would agree that we don't need the procurement card. I, like my colleague, have deep-sixed my American Express and P-card for other reasons. I think things work pretty well.

The Chair: This is an area that has proven to be very troublesome for other jurisdictions in Canada. Members will be aware of the situation in Saskatchewan, where upwards of a dozen or more did end up in jail in this area, about the tremendously difficult situation that Newfoundland and Labrador has gone through in the last number of years, the difficult situation in Nova Scotia. The rules that we have in the province of Alberta – touch wood or whatever the heck it is – basically have served us extremely well for all of our time. The number of issues that we have to deal with on a monthly basis and a yearly basis are very few, and the instruction given to the

administrators in the LAO is to be very vigilant and very tough with respect to all of these expenditure items, period, from all areas.

If notification has to be given to the member, it must be given to basically say: "This is an off-line expenditure. We can't accommodate it. You either pay for it under your own funds or some other way." You can always appeal to the Speaker in this regard, and there are very, very few people who have ever appealed to me with respect to any of the administration decisions with respect to this. The instruction given to the Clerk and then to everyone else in this area is: be very professional, very thorough, very comprehensive, and don't let anything get through that anybody has a question on.

Quite frankly, that's the only way we can do it. I think we have to, and we have to continue this. If somebody gets a little mad at times and wants to basically fire off a terrible memo to the Speaker, go ahead and do it, but you're not going to get any sympathy if we don't think it's appropriate. We've had no problems, and that's really wonderful. The last one, the worst one, is just the last several that have been reported by way of their reports this thick in some jurisdictions across this country. It is not nice reading.

The next item is the ongoing one that was asked for, again, cross-jurisdictional comparison of MLA remuneration, including committee pay structure. I did provide to you a document that came out of a recent report that was done, Report of the Indemnities and Allowances Commission of the Legislative Assembly of Prince Edward Island, in December 2009, and then I had provided you with a memo dated April 2010 basically showing you the remuneration comparatives across the country of Canada and committee comparatives and the like. That is as up to date as we possibly could get, which would be April 1, 2010, showing you the adjustments, again, across the country, and they continue to evolve.

In addition to that, you should have in there a couple of flow sheets, I do believe. One is the jurisdictional survey of members' pay, April 2010. It's a pretty definitive flowchart, and it shows you the comparatives with all the footnotes that go with it because there are so many variations across the country, but it's very easy to compare as to where everybody is. If you look at British Columbia, the base salary is \$101,859. In Alberta it was \$52,092 plus the tax-free allowance of \$26,046; Saskatchewan, \$88,067; Manitoba, \$85,564; Ontario, \$116,500; Quebec, \$85,388 plus a tax-free allowance of \$15,181; New Brunswick, \$85,000; Nova Scotia, \$86,619; P.E.I., \$65,344; Newfoundland, \$95,357; in the Yukon they get \$68,774 plus a tax-free allowance of \$13,226; Nunavut, \$90,396; and the Northwest Territories, \$94,906 plus a tax-free allowance of \$6,839.

Then you can see the other comparatives that go across for Speaker, Deputy Speaker, Deputy Chair, Committee of the Whole House, Government House Leader, government whip, and down the line it goes to all-party committees and what they would provide for committees. You'll note that all-party committees here in the province of Alberta will provide between \$1,000 and \$3,500 a month. In B.C. and Saskatchewan they will provide dollars for the chair and the deputy chair, no additional pay in Manitoba, no additional in Ontario, \$125 per day in Quebec, no additional compensation in New Brunswick or for the chair and vice chair in Nova Scotia. We don't have PEI's. No additional pay in Newfoundland or the Yukon. In Nunavut it's \$4,085, and no additional pay in the Northwest Territories. You can see the rest with government committees as well. That is for information with respect to you.

We also have in there a flow chart for the House of Commons and the Senate, April 2010, showing what those numbers are. The basic salaries: in the Senate \$132,300, in the House of Commons

\$157,731, and then you see the other amounts that would go down. The other flow chart, I believe, is basically the same. So I give you that. That's as up to date as it could possibly get. We continue to do this, and we have reports of every review done by every independent commission or Legislature that we can get over the last six or seven or eight years. We've got it all, and it's all current and as up to date as possible to show you exactly where we're at with respect to this matter.

Mr. Mason: Just a curiosity, Mr. Speaker. You may not be able to answer this question, but the Legislative Assembly passed a motion with respect to a review of compensation, and I'm just wondering where that is. I had understood the Premier to say that he would be contacting the other party leaders to talk about it. I haven't heard anything, and I'm just wondering if you know anything or other members of the committee do.

The Chair: I don't know if such a meeting has been held. I'm not privy to that.

Ms Pastoor.

Ms Pastoor: Thank you. The Leader of the Official Opposition will be meeting with the Premier on Wednesday about this very subject.

The Chair: Okay. We're up to date now. Please remember what we said right at the beginning, that the only one who makes these changes is the Members' Services Committee under the law of Alberta. Others?

Okay. The next area was a request for information technology services. Essentially, as far as I can understand, the member in question was wanting to talk about communication matters, how we can communicate with various audiences throughout the province of Alberta. As I believe fundamentally that the best communication is by looking people in the eye and being in the same room with them rather than through a gizmo, this really is an area that I would invite somebody else to lead us through.

Mr. Ellis, is it you? Or, Cheryl, is it you?

Mrs. Scarlett: It's me.

The Chair: Cheryl, please. Be very, very, very definitive if you can. I'll be back.

Mr. Campbell, you're the acting chair.

[Mr. Campbell in the chair]

Mrs. Scarlett: As a follow-up to the questions that were raised at the last meeting, we would like to use this document to expand on some of the technologies that currently exist and ones that we're in the process of developing to provide you as members with additional tools to communicate using technology, should you choose.

Basically, what this document addresses is twofold: number one, more of a business corporate solution to, if you will, web conferencing, and it also makes reference to other technologies to assist us in more peer-to-peer, one-to-one informal communications. You already have your current primary laptop, which has the capability – it has a built-in webcam – and we would be pleased to work with any member who's interested in terms of how you could use that, for instance, in other meetings that you may be attending or unable to attend but wanting to link to, with the proviso that the ability for you to link in to some of those other meetings is totally dependent on the technologies that they have at the other end. That being the case, if they have the abilities for web conferencing in different kinds of perspectives, we can take and work with you in

advance with your laptop and try to help you join the meeting using the web conferencing or audioconferencing through your computer if you aren't able to attend. In those kinds of situations we'd like you to give us a call.

3:20

What we have done here is outlined a technology that we presently have, and it's referred to commonly in our business as Office Communicator or unified messaging. Currently we have access to Microsoft Office Communicator, which gives us the option to allow you to use the audiovisual and web conferencing in addition to the instant messaging. OCS is the terminology that we throw out. It is there on your machine now, and up till now you may have been using it back and forth with your constituency staff for texting. What we want to do, for those who are interested, is show you how you can further use that for your internal audience.

Again, thinking ahead, you are not always in your constituency office. There may be a time and a place where it seems more appropriate for you to see and chat with your constituency employees. Also, it may be important for you, as we develop this, to review documents together. The technologies are evolving with some training, so we can offer that to you. The nice part about this particular tool is that it works in conjunction with your contacts. Your internal contacts also have the built-in phone numbers, contact information, so it links together and is a nice business tool to assist you that way.

[Mr. Kowalski in the chair]

The other thing that we're looking at is expanding and allowing you to better learn how to use some of what we're calling mobile devices or mobile services to enable you to do some of this remote web conferencing, if you will. Again, if you're sitting in your office here and your constituency staff is there, you may have telephone access, or you have many different alternatives, but through some of our mobile tools we're going to give you some alternatives if you choose to take advantage of them. With some of our mobile devices – PDAs seem to be a common one – the change that we're making there is that we are in a position and have tested and can expand our support of different kinds of PDAs through a technology called ActiveSync, which allows us to be able, just like with the BlackBerrys, to provide that instantaneous real-time synchronization of e-mails, contacts, and your calendar or calendars. So those are the three business functions that we can take and support.

With respect to the cautions on PDAs from there they are all very different, but from a business application those three work just like the technologies we've been supporting to date. In addition, we're in a position right now with the technologies, if you choose, to pursue some of what in the tech world they call applications: BB apps, iPhone applications. However, there is some training involved with that and some cautions and administration and management. We want to provide the tools that will assist you; however, that means that you need to spend some time with us one-on-one so that we can take you through and provide the cautions as well as the tools.

Internet sticks are another way that you can take that laptop and plug it in on a short-term basis and webcam through OCS to your constituency office. Also, through another product called Live Meeting perhaps you can connect in that way, audio and video, to a constituent. So those are kinds of tools that as they evolve may be of interest to you.

Other support in terms of PDAs and training: we're referring to tethering using your BlackBerry like an Internet stick for short-term solutions. So many, many different options that way to provide you

with additional ability to take and use what we're rolling out to address a business need for web conferencing, not necessarily to replace the formal medium such as we're in right now but more those informal meetings that you are all involved in.

That technology, as I mentioned, is evolving. We were just in communication with Microsoft itself, and they're talking about enhancements as they go in terms of future integration with other third-party applications. You guys know them as MSN or Yahoo! or Live, those things that make it easier through just clicking the button from where you are right now, and that can maybe allow you to integrate and video text with someone who is used to using MSN. We are also looking at other technologies similar: the peer-to-peer, the one-to-one, not necessarily a business application. Skype is one that's well known out there. We're looking at those kinds of things.

However, our first consideration always has to be ensuring the security of our IT infrastructure on your behalf. The primary difference between the business solutions and those types of consumer products is that the business solutions build in more authentication and encrypting as you go along at each of the points, where some of those other products don't. That's why we tend to so far say: hang on; we're still looking at those. But we have lots of options available to you. I want to offer that up.

The one thing with the expansion, as is in the document here, of the instant messaging and the OCS is that there's something called open federation. There are more and more public entities using the same product, the Microsoft Office Communicator. If they're using that and they have been federated with us, with our permission we can take advantage of all those technologies internally that you would have at your constituency office with anyone that's federated. Presently the government of Alberta is federated. That works only if that person at the other end has the technology. We have been told that the Legislative Assembly of Ontario is federated. As this goes up further, there may be more entities, so it may be of more value in our world.

In terms of the go-forward so far most of our testing and evaluation has been internal. What we'd like to do now is put it out to interested members in a pilot group to help us and assist us in fleshing out how you might see yourself using it and make sure that what we envision truly does work in the way that we expect or what we need to take and pursue and develop. The document here tries to outline those things to you.

Our process, where we're at right now, just as an aside: in our spring constituency seminar here in early May we are providing training to all constituency staff on how to use and become more comfortable and familiar with OCS in terms of using the audio and the video. So they're going to get that. They'll be provided with the webcam to put in their office and the headsets. It's something that if they're comfortable, maybe they can help you understand, and you can test it out and see if that's a tool that works for you. So we're working forward that way.

Again, if you have any of those web kind of needs, come and see us. You have a laptop that has capabilities. We will work to see what can be done at the other end if it's an external kind of meeting.

The Chair: Thank you very much, Cheryl.

My experience with this whole area is that if somebody else pays for it, everybody wants it. My question, though, is: how many of you actually use any of this stuff? Anybody want to fess up? Okay. You use the telephone, yeah, and I can understand a BlackBerry. But we're spending a lot of money in this high-tech area, and it seems to me we're being driven by a lot of people who work for us who think this is the answer to everything but that none of the members themselves, very few of them, actually use any of this.

Sometimes this is a real problem because there's big money being spent in this area.

Ms Pastoor, Mr. Mason.

Ms Pastoor: Thank you. Well, I'll certainly show my ignorance by saying that I'm not sure that I understood a word she was talking about. Part of it is because I haven't personally taken the time that's really required to learn how to do it. If I learned how to do it, yes, I would use it. It's my own fault for not taking that extra training. Some of this stuff I certainly would use, but I need to know how to do it.

3:30

The Chair: That's an interesting guilt complex: I support it, but because I haven't spent any time doing it, it must be my fault.

Ms Pastoor: Yeah. Well, no. It's true; you really have to understand how to use these things.

The Chair: Mr. Elniski.

Mr. Elniski: Thank you very much. Did I just hear you say a moment ago that you are now going to be supporting the iPhone? That's a very significant shift for the IT department. Tell us more.

Mrs. Scarlett: Yes. This document indicates that we are here to support PDAs and smart phones, and we have spent some time here recently testing out the iPhone as a PDA device. We wanted to make sure that ActiveSync worked so that it could function in terms of the support of those three major activities that you presently use other devices for. Yes, we are getting into that business. If that's something that you are interested in, again, we need to meet with you in advance. A caution that the one device, the BlackBerry, that you may be familiar with, does not function the same way as an iPhone and vice versa. They are like apples and oranges.

Mr. Elniski: I would agree that they are. The big advantage there, the big interest in it for me is that I have fairly large hands and very, very tiny buttons. Of course, the iPhone doesn't have that problem. I'll be coming upstairs to see you.

Mr. Mason: Well, I inquired about the iPhone some months ago, and I'm encouraged to learn that you are going to support it.

In terms of the other stuff about video conferencing, Mr. Speaker, my wife works for the University of Alberta, so I'm somewhat familiar with the technical support provided by that organization to people. You know, there's free software that provides video conferencing relatively easily which my wife uses all the time. It's called Skype. You know, I have not used it, but it does occur to me that a lot of these solutions are just being generated online, are available on the Internet for people that do want to use them.

I know that sends shivers up the spines of IT people, but I just think that there are more cost-effective ways for people. If they want it, they can just get on the Internet.

The Chair: Skype is great. It just crashes my computer every time I try to put it on. Until I figure out how you solve that problem – absolutely. It doesn't cost anything, as far as I can understand, other than it crashes my computer.

Mr. Mason: Just upgrade to Windows 5.

The Chair: Yeah. Windows, the biggest redundancy movement ever in the history of mankind. Sorry, Cheryl.

Mrs. Scarlett: Just a quick comment and follow-up to that. That particular product that you speak of also has some corporate products that have come out in more recent times. As the document refers to, we're going to continue to look at that and other common peer-to-peer type of products. Again, the caution is making sure that those types of products also have some built-in authorizations, authenticities, and encryptions in terms of from this end and that end of the two parties. They are being used. They are a simple solution that I've been told works like a charm with very little training.

There are other products, and we have some built-in ones that haven't cost us anything through the Microsoft Office solutions here as well. It just came with the package, so we're pursuing that.

Mr. Campbell: Well, I've got some concern about the expense, too, and, like you say, how many people actually use what we offer. It's a great cost. Unless members are prepared to take the training to actually do this, I think that we're a little ahead of ourselves in some of the expenditures we're going to make.

I guess I'm old school, you know. I find the best way to talk to people is actually to go out and see them, shake their hand, and talk to them versus e-mailing them. As far as video conferencing, you know, I've used video conferencing. It's delayed, and I find it actually quite frustrating because you don't have that dialogue that you have when you're actually looking at somebody face to face and talking to them.

Myself, personally I use my BlackBerry, I use my laptop, and that's it. For example, I tried one of those smart sticks. I never did get the thing to work. I mean, maybe it's just my age. You know, my daughter is 14, and she can work all that stuff with her eyes closed, but for myself personally and for the expenditure I just think we should be real careful on how quickly we move through this.

The Chair: Others? Cheryl – I'm sorry; Mr. Rogers.

Mr. Rogers: If Cheryl wanted to give an update, Mr. Chairman, I'm fine. It's up to you.

Mrs. Scarlett: Just one last quick comment. Some of the technology I talked about in terms of the OCS we're using right now as a remote tool to deliver and maximize our training courses out to constituency office staff, so it is a way. We're going to be using it for HR orientations and other kinds of training. In short periods of time it is a way for us to reach out for an hour and catch our employees throughout the province. We're finding that to be very beneficial in terms of one application internally.

The Chair: Mr. Rogers, go ahead.

Mr. Rogers: Well, thanks, Mr. Chairman. Just a few quick words. I do believe that we have to stay current, and it's important that we have these technologies available, I would say, in some limited form. As an example, Mr. Hehr couldn't be here today. It's great that he does have some participation in the meeting. But the idea that we would move into this area in such a manner that it almost becomes the norm rather than the exception, I think, would be an unnecessary expense. I would rather that we continue to pursue these technologies to be used in addition to face-to-face, as some of my colleagues had mentioned earlier.

Thank you.

The Chair: Well, we will be – we always have been – as up to date as we possibly can be with this. There are 83 MLAs, and there are tremendous differences in the interests of each among the various

members. But the key thing, I think, is – some of you have already put your finger on it – you can buy all of this equipment, but if somebody is not trained in the utilization of it, then I think we're making a terrible mistake here with respect to some of this stuff. There has got to be some knowledge factor that goes hand in hand with it. Maybe one day somebody will actually invent something that's usable for the vast majority of citizens, myself included, Mr. Mason. Absolutely, without any doubt.

Anybody want to say something else in this area?

Mr. Allred: Well, just a comment. I agree with most everything that has been said. I am concerned about the expense and the actual application. Are we going to use these? I think if we're looking for a technology that we can and will use, we should be looking at desktop computers in the Assembly and an electronic voting system. I think those would be much more appropriate.

The Chair: You can use computers in the Assembly.

Mr. Allred: No, but desktops. Everything installed right there. Permanent.

The Chair: Oh. Okay. You mean as opposed to . . .

Mr. Allred: Yeah. Everything could come online and dispense with more paper.

Dr. McNeil: Our sort of policy, our objective, has been to be on the leading edge in terms of anticipating members' needs so that we're not a year or two behind when members are requesting but not on the bleeding edge, where we're spending all sorts of money for no particular purpose. For a lot of this technology the possibility is built into the office suites that we buy. It's a question, then, of whether or not we utilize that particular element of those office suites as opposed to going out and buying. "Oh, this is a special deal; we'll go out and pay \$50,000 for this": we're not doing that.

This item is on the agenda because a member of this committee asked for it. He said that he wanted to be able to do certain things in his constituency office and in his Legislative Assembly office. So we're responding to more than one member but, in the case of this committee, a particular member who wanted to explore how he could do this or could he do this with the technology that we have. In most instances we're responding to members' identification of a particular need that they'd like us to at least explore for them. But, as I say, we try to avoid being on the bleeding edge.

3:40

I think that over time the kind of expenditures that we've made in the IT field has enabled us to do that. You hear about computer systems, ATB for example, who spent \$160 million or whatever it was for a system that didn't work. We've never been in a situation where that's happened. We've worked incrementally to develop in responding to members' needs, and I think, relatively speaking, we've been fairly successful. We don't want to change that approach. You know, the cautions that members have raised here are definitely those that we take into consideration all the time as we move forward with our planning.

The Chair: It would be slow, cautious. It won't be the WestJet approach.

That covers the business arising from the last meeting unless I have missed something with respect to this matter.

Now, under new business. Since the last time we met, of course,

we've had the Auditor General of Alberta's report. His report had a very, very small follow-up to what we dealt with several years ago. Basically, the Auditor General reports that when he last talked about this matter – it's a little strange why there's such a disconnect in time with respect to this. We dealt with certain matters in 2007, and he just added an update to that with nothing further. There are no issues with the Auditor General. He seems happy with what we're doing in the LAO. The Clerk has met with him, and I already got the report. I've looked at it, and I see no outstanding issues at all. Thank heavens. That was provided for information.

Anybody have any comments or anything?

The next item under new business, the Wildrose Alliance leader's allowance. I received a note dated April 13, 2010, from Mr. Anderson in response to the question for the meeting in here. There is a copy of the note that he sent in there, and it says:

The Wildrose would ask that we discuss the "leaders' allowance" available to the NDP, Liberals and PC Party caucuses. The Wildrose Alliance caucus has not been provided with this and we believe that we should be given this same allowance as a caucus.

We would like to argue our caucus' case for this allowance.

The PC Party caucus does not get a leader's allowance, has never had a leader's allowance ever. It doesn't exist.

In addition, before we proceed with this, I'll circulate a package, a background paper, for you in response to this matter. Unfortunately, we were still working on it on the weekend. I think included in there is a history of the leader's office allowance, first section, and then a recognized opposition party, funding of a leader's office amount within caucus budgets, history of the leader's office allowance, including copies of all relevant motions that have been made over the years. That should be included in that as well.

I will stop. We'll just circulate that paper, and then we'll have a chance, I hope, to discuss it further.

I'll turn it over to Mr. Anderson now.

Mr. Anderson: Mr. Chair, could I ask that my hon. colleague and our acting leader in the Legislature, the Member for Calgary-Glenmore, be able to give the presentation? Is that okay?

The Chair: If Mr. Hinman wants to make the presentation, please proceed.

Mr. Hinman: Well, thank you, Mr. Chair. It's a pleasure to be here again in front of the Members' Services Committee debating the caucus funding for opposition parties. I appreciate your saying that the government doesn't receive any caucus funding, but it is worth noting that the Executive Council receives almost \$25 million, which is a substantial amount.

The Chair: Mr. Hinman, I'm going to stop you right there. This is a meeting of the Members' Services Committee, and we're not going to have a debate with you or anybody else. I read from a memo that came here saying: PC Party caucus. I'm going to make it very clear that historically from the first day there was a Members' Services Committee meeting, the government caucus has never received a leader's allowance. That's what we're talking about. Nobody is going to have a debate with me on this point, but I'm going to chair this meeting to make sure that we're dealing with the truth and not somebody's belief.

Mr. Hinman: I always appreciate the direction from the chair.

To step forward, then, I think everybody here as elected Members of the Legislative Assembly understands the importance of proper funding. That's much of what we do when we look at the funding

for health care, the funding for police, education, or the actual funding for the elected members of the LAO and those opposition parties that they represent.

We feel that the funding should be formula based, that it should be direct and clear so that any person can understand it. We think that it should be nonpartisan and in an equitable manner, one that the average Albertan, when they look at it and it's explained, agrees that this looks fair and proper. We see that, for example, with the base funding for MLAs at \$67,000. We see that in the devices that we're allowed, the laptops and the PDAs, that it's very clear and equitable in all those areas. The question that we want to bring before the Members' Services Committee today is the purpose of caucus funding and to ensure that each caucus does receive an equitable amount that allows them to perform their duties.

On December 14, 2005, the Members' Services Committee met. One of the things from that meeting that was put out was the role and function of a caucus. The role:

The primary purpose of a caucus office is to support its members in the conduct of their parliamentary role(s). These support services may include research and assistance with policy development, communication of policy, general administrative support and participating in drafting Private Members' legislation, motions and questions for introduction and debate in the Legislature.

Key functions of a caucus:

Research, analyze, develop and present [in the Legislature] bills or amendments to existing or proposed legislation.

Assess and debate proposed and existing legislation in the Legislature and, where necessary, propose alternative policies to those of government.

Provide support and direction to private Members with respect to the House proceedings.

Support the communication of policy and positions and debate on legislative matters important to Albertans.

We've actually had a fair discussion today, you know, on what is okay to have on a website, what kind of criticisms we can do, what sort of new policies that we can and should be presenting in the Legislature. All those things, we feel, are very critical. We feel that the Wildrose Alliance has done an admirable job in its alternatives and the ideas that we present to Albertans, but we feel that we certainly are not in an equitable position when it comes to funding, and that seems to refer often to the designation of what is now called the leader's allowance.

We just want to go back a little bit in history and review some of those things that we've had. Caucus budgets for the opposition parties were created back in 1982. I believe the process by which opposition leaders have been recognized in the past is of value in considering this proposal. According to the Legislative Assembly Act when there is not a Leader of the Official Opposition, the Speaker can give the, quote, leader's allowance – i.e., caucus funding, salary, or stipend – to anyone in that party. Whoever the legislative funding goes to is deemed to be the Leader of Her Majesty's Official Opposition.

As we learned in the ruling with Mr. Howard Sapers and the Liberal Party leadership – this is in *Hansard* the 21st of April 1998, page 1579 – the person recognized as the legislative leader by the Speaker can automatically be given jurisdiction over the additional allowance or allowances for the opposition party caucus. As in Mr. Sapers' case – and this is relevant to our argument – this was done even while there was a newly elected party leader outside the House, Mrs. Nancy MacBeth.

We would also hazard to guess that no allowance adjustments occurred – again, maybe I should jump past this because we're speaking of the government – when Premier Don Getty was without a seat, but when Mr. Martin in 1984 or Dr. Pannu in 2000 or Ms

Bettie Hewes in 1994 or Don Massey in 2004 served as acting or interim leaders of their respective parties.

In other words, from the time a member is deemed the active leader for the purpose of the Legislature, they have in the past been accorded the ability and responsibility to steward the full amount of an opposition caucus budget whether or not their party's chosen leader is a sitting MLA. It would seem perfectly within the spirit of this precedent that the Speaker and perhaps the Members' Services Committee, I guess, would likewise recognize someone in every opposition party to be entrusted with the disposition of their opposition caucus allowance, often referred to as the leader's allowance, and that this person is the leader of the party and its caucus as it pertains to any and all matters related to the Legislative Assembly of Alberta.

To summarize, relying on the precedents of this committee and the Legislature, no party of two or more members has ever been denied the caucus allowance regardless of whether or not their party's leader is an elected member of the Legislative Assembly.

3:50

To refer back to a few other cases, as I mentioned earlier, 1982 is when the Members' Services Committee was first struck, and at that point it was the Representative Party and the New Democratic Party that each elected two members. The New Democrats were given official party status, but the two independents, who proceeded to form a new party, were appropriately given a caucus allowance under the logic that it was important for democracy to have properly funded opposition parties. Ever since, a similar caucus allowance has been given to every party represented in the Legislature by two or more members.

In 1986 the Members' Services Committee had a very thorough discussion on how to come up with a relatively stable formula to determine the amount of these allowances. During that discussion it came up with \$140,000, with a per member administrative assistance allowance of \$40,000. Also notable is that in these discussions committee members were repeatedly using the terms "leader's allowance" and "caucus allowance" interchangeably to describe these caucus budget amounts. For example, Ms Pam Barrett explicitly refers to "the caucus allowance or leader allowance, whichever way the members care to view it." That's in *Hansard* on the 22nd of July 1986, page 101.

Appendix A from the minutes of July 15, 1986, presents two proposed funding formulas. While neither was adopted, they referred only to graduated allowances for the various opposition party caucuses. Others noted that the term "leader's allowance" is somewhat misleading, as Mr. Gordon Wright stated that "if by leader's allowance you mean all the extra research that has to go on and does in fact go to other places than the leader." Again, this is in *Hansard* the 15th of July 1986, page 77.

The hon. Ken Kowalski, not yet the Speaker, referred a number of times to each caucus leader consulting with the rest of the caucus on how to spend this allowance. Although he expressed a desire to delineate between the amount allocated to the office of the leader and to each individual, he recognized that there would be a global caucus allowance – again, that's *Hansard*, the 22nd of July 1986, page 91 – and was very supportive of being generous to the two-member fourth party.

In the end the final resolution passed on this issue says nothing of leaders' allowances, rather that motion 86.103 allocates resources to the opposition caucuses or each party's opposition office, including that of the unofficial Representative Party. The motion was passed unanimously.

On the 26th of January 1994 the Members' Services Committee

echoed the notion that, despite the name it had come to take on, this caucus allowance was not meant to be allocated merely for the use of a party leader but for the entire caucus. As Mr. Nick Taylor explained to Mrs. Dianne Mirosh,

it was felt that the leader of an opposition party – the government party has access to cabinet and the government's resources but the leader of a second or third or fourth or fifth party doesn't, so they should get an allowance to do a little more research, not the leader but the whole party in itself. So it is not really a leader's allowance.

An opposition party allowance would be a better term for it.

The precedents of equity and generosity in this Members' Services Committee have been seen in its willingness to grant the caucus allowance to a party even when its membership falls to only one. This was the case when the caucus funding was granted to Mr. Martin after the tragic death of Mr. Notley and when full opposition caucus status was given to Dr. Pannu after the resignation of Ms Barrett. Although in each case their caucuses returned to two after the ensuing by-election, it does not appear in either case to have been a condition of caucus recognition, nor do the records that I have seen indicate that their allowance was reduced or pro-rated.

The reason we've come before Members' Services, again, is because I think each member in here understands the daunting task of doing the research, of providing good information to the members to be able to communicate with the people of Alberta new policies, new ideas that we feel can move the province forward and, as we've discussed, new technology here and everything else. It's always about the importance of doing the research, having the background and, again, then presenting it to the Legislative Assembly, where we can have some good, open, and honest debate on what are our choices, what are our opportunities.

For that reason, once again, we're coming before Members' Services to ask that we change that designation. That is why the Wildrose Alliance Party and the Wildrose Alliance caucus have designated me as the acting leader of the Wildrose Alliance Party and caucus in all matters pertaining to the Legislative Assembly of Alberta. In the spirit of the precedent that's been put forward in the past, perhaps the wording is critical. Like I say, the caucus and the party have put that forward so that we might be able to meet those precedents of the past and receive that full funding.

My colleague, I think, has a few motions that he'd like to present to the Members' Services Committee.

The Chair: We'll go forward. Help me, though, please, first. You referred to the Speaker and discretion about awarding dollars. Can you tell me where in the Legislative Assembly Act of Alberta that is to be found?

Mr. Hinman: That's astute of you to pick that up. I see that I don't have my papers in front of me. When I read that, I thought: hmm, I don't have the quote. But I'd be happy to . . .

The Chair: Well, that's really interesting because I've studied the Legislative Assembly Act thoroughly, and I can't find verification for that. So it would be really helpful if you can tell me what clause it is under the Legislative Assembly Act of Alberta that that's to be found.

Mr. Anderson: If I may, Mr. Speaker. Obviously, you're right; it's not in the act. The problem is that I think we were under the impression, given the letter we received from you after the two members crossed the floor in January, including myself, that your interpretation was that because our leader was not elected, we would not receive the allowance. You are correct that that was an

interpretation. You don't set those rules, obviously; the Legislative Assembly Act does. I think that's where that was coming from.

The Chair: Additional comments or questions? Mr. Allred.

Mr. Allred: Yes. Could I get clarification? There seems to be some confusion between the terms "caucus allowance" and "leader's allowance," but how is that different from the research allowance?

The Chair: Mr. Allred, who is that question to?

Mr. Allred: Mr. Hinman or Mr. Anderson or anybody that can answer it.

The Chair: Do you want to go ahead, Mr. Hinman?

Mr. Hinman: Well, I guess I'd let the Speaker answer that first if he would so desire.

The Chair: Okay. I thought you were having a discussion. Go ahead with your question again.

Mr. Allred: Well, I'd like to know if the leader's allowance, caucus allowance, or whatever is different from the research allowance.

The Chair: Yes, absolutely.

Mr. Allred: It is. Okay. They're two different funds?

The Chair: Actually, three.

Mr. Allred: Three funds.

The Chair: Yes.

Mr. Allred: Okay. What is the third one, then?

The Chair: Go back to the documentation that you had. Where was it again?

Mr. Allred: That's where we've got the research funding.

The Chair: If you go back to this one here, this flow chart.

Mr. Allred: Yeah. That's research funding.

The Chair: Okay. Well, you can see that for caucus administration we basically provide to each caucus a sum of money based on \$67,407 times the number of members in their caucus. In the case of the Official Opposition caucus there would be a number of \$67,407 times eight.

That's the one we're talking about, Mr. Clerk? Okay. That's the caucus administration.

The next one, if you look underneath there, is leader's office funding. For the Official Opposition in the province of Alberta today the leader's allowance, for the leader, is \$466,498.

Then in the last couple of years we created these new research dollars. If you go further down, you will see that there was a number we agreed to based on a formula discussion. We basically said that the government caucus would get X amount of dollars; the Official Opposition would get half of that, \$385,182; and an opposition, in this case both the Wildrose Alliance and the NDs, each get \$192,591; and because we have some independents, in this

case Mr. Taylor and Mr. Boutilier, we give them each \$96,296. So to answer your question, there are three distinct categories.

4:00

Mr. Allred: Okay. Thank you, Mr. Speaker. I guess I should have looked a little more closely at this other document.

The Chair: Okay. We have Mr. Anderson, Mr. Mason, and Mr. Boutilier.

Mr. Anderson: Thank you, Mr. Chair. I will be brief as I think the hon. Member for Calgary-Glenmore did a good job there. I think the main thrust of the proposal that we're putting out there is that because we've designated Mr. Hinman as the acting leader of the Wildrose Alliance Party and caucus in all matters pertaining to the Legislative Assembly of Alberta, given the precedents it is very clear that it would be an unprecedented decision for this committee, not the Speaker – and I'm glad the Speaker pointed that out and set us straight on that – to deny full caucus funding to the Wildrose Alliance. It has never been done; that has never been denied for a party of two or more individuals in the Legislature since 1982.

We need that as an opposition. We need those research dollars, those communication dollars to perform our duties as an opposition caucus. You know, I'm not going to go into sob stories, but it is a huge task to take the amount of information that comes out of the government departments and try to analyze it and try to form policy positions on it and get the research done that's necessary for that and then communicate those things to the province of Alberta and to Albertans. Again, my feeling is that this would be unprecedented.

One of the main points and I think the strongest precedent is when Mrs. Nancy MacBeth was elected leader of the Liberal Party. She was not a sitting member at the time. The Speaker recognized Mr. Sapers as the leader, and the caucus was given the full amount of funding. We also saw this, of course, with the NDP caucus on the tragic death of Mr. Notley. There are precedents out there.

There's also just the basic fairness argument. You know, if you have the NDP with two seats in the Legislature – and we're not trying to take any caucus resources away from the NDP; they're doing good work with it – we feel there is no reason why they should have more caucus funding than the Wildrose Alliance with three members in the Legislature. I think Albertans just have a general feeling and understanding: "You know what? That's not correct." This delineation – leader's allowance, caucus allowance – the fact is that in the opposition parties, as we've talked amongst one another, there's no doubt that this money goes towards the caucus. It's for the benefit of caucus. It goes towards research and all communications for the caucus.

Obviously, Mr. Hinman has to act like the leader, essentially, for our caucus. He has all the legislative duties that Mr. Mason has or Dr. Swann has. Mr. Hinman has to perform those in the same way. There's no difference for all intents and purposes.

Mr. Chair, would this be an appropriate time to put a motion forward?

The Chair: I have three people on my list right now who wanted to participate. I'll come back to you with respect to the motion.

Mr. Anderson: Okay.

Mr. Mason: I'm happy to wait until the motion is on the floor, Mr. Speaker.

The Chair: How about you, Mr. Boutilier?

Mr. Boutilier: That's fine.

The Chair: How about you, Mr. Rogers?

Mr. Rogers: Thank you, Mr. Chairman. I need clarification, if I may. One of them may come from you, and my second one would be directed to Mr. Hinman. Again, my clarification is around the term "leader's allowance." I wonder if you might give me some clarification because we're dealing, I believe, with the amount that, for example, in the case of the Liberals is \$466,000, the NDs \$233,000. What do we have in the language of what is currently in place?

The Chair: I provided some history of what we did in the LAO with respect to this matter. Perhaps it's as pertinent now as ever to deal with that, and then we'll go to Mr. Anderson after that.

Okay. Historically, basically the leader's allowance. In 1979 the Legislative Assembly Act was amended to include a definition of a recognized opposition party, and it also established a rate of remuneration for that role besides that for the Leader of the Official Opposition. In 1989 amendments to the Legislative Assembly Act permitted the Members' Services Committee to set the remuneration for the leader of a recognized opposition party, subject to certain minimums.

When you go back into it and the documentation I provided to you for the funding amount of a leader's office within caucus budgets, you can see basically some background in there which is very, very important. If you look at the documentation we have on the history of the leader's office allowance, certain motions were done on July 15, 1986. It's the motions that are important because that's the decision of the committee. It's the motions, not the words, the speeches given on behalf of certain members of the committee. It's the motions finally concluded that basically give us our operation mandate.

On July 22, 1986, there were various motions regarding caucus budgets but no final conclusions reached. On July 29, 1986, MSC motions passed pursuant to a July 15, 1986, motion that provided for an allocation of \$40,000 for a nonexecutive member for the 1986-87 revised caucus budgets and the allocation then of \$140,000 for the Representative opposition, \$220,000 for the Liberal opposition, and \$300,000 for the Official Opposition.

Then on January 8, 1987, there was actually a reduction. Then there was the establishment of a budget amount for the office of the Leader of the Official Opposition. When it was first established, it was based on an average budget total for all ministers' offices, based on existing figures. Then there was the establishment of a budget amount for the office of the leader of the Liberal Party, and there was an established budget amount for the office of the leader of the Representative Party. That, in essence, is where we ended with that.

If you look in that package that I've provided to you, you can go back to the last two pages, pages 20 and 21, I think, or minutes 60.87. Regardless of all the debate, all of the discussion, all of the motions that came and failed, at the bottom of the page – well, it's minute 87.263: "Moved by Mr. Campbell that the 1987-88 budget figure for the Office of the leader of the Official Opposition be established at a reduction of [a certain amount]." Then on the next page: "Moved by Mr. Campbell that the 1987-88 budget figure for the Office of the Leader of the Liberal Opposition" and then for the leader of the Representative Party.

This was all based on the assumption that the person who would be the leader would be a sitting Member of the Legislative Assembly of Alberta. That essentially has been the process that we've followed, and even when the leader was not in, the person who was

the leader was a Member of the Legislative Assembly. Mr. Clerk, could you just perhaps give us a little information on a couple of those events?

Dr. McNeil: Yeah. This is the second-last paragraph of my submission.

Over the past 25 years when party leaders seated in the House have resigned . . . in all but two instances have the interim party leaders and/or newly elected party leader been Members of the Assembly. In those two instances it was determined given the financial impact of the loss of the leader's allowance on caucus operations, decisions in this regard would be made in the ensuing year's budget deliberations. In both instances, the leader of the party was elected as a Member of the Legislative Assembly and the leader's allowance was allocated in the next fiscal year. In one instance the vacancy existed for approximately five months . . .

That was between Mr. Taylor and Mr. Decore.

. . . and the other for approximately two months.

Mr. Mitchell, interim Sapers, and then Mrs. MacBeth. So there was a five-month period and a two-month period.

4:10

If you look at the financial impact on a caucus if they based their hiring decisions, staffing decisions on a certain amount of money at the beginning of the fiscal year, the judgment was that it would be unfair to take away half that budget, especially in '88-89 when that leader's allowance was more than half the caucus's budget at the time, and that the Members' Services Committee would have to make a decision at the beginning of the next fiscal year when the budget was developed. In both instances the leader was elected and sitting in the House when those budgets were developed for the next year. That's why the leader's allowance wasn't reduced.

The per-member allocation is reduced whenever a member resigns or moves to another caucus. The leader's amount in those two instances was not adjusted for the reason of the fact that the impact on the caucus, given that they'd made certain staffing decisions and other decisions based on that budget allocation, was perceived to be something that the committee should deal with as opposed to an administrative decision.

The Chair: Mr. Rogers, does that answer your question?

Mr. Rogers: Thanks, Mr. Chairman.

The second portion to Mr. Hinman, if I may.

The Chair: Proceed.

Mr. Rogers: Mr. Hinman, just to be clear, I need you to clarify for me what you're asking. Just a comment. You're aware that we currently have a budget that was passed in this Assembly which, I believe, proposes a \$4.7 billion deficit. If I'm not mistaken, you and your party have suggested that this budget, if you were the government, is probably some \$3 billion more than you would see fit to bring forward. Am I clear in understanding that you're asking us – we're now a month into the current fiscal year – if we would add an additional \$233,000 to this existing budget?

The Chair: Well, not quite because they haven't presented any motions yet, Mr. Rogers. That will come as soon as we conclude with you. Then we can debate the motion.

Mr. Rogers: Thank you. I look forward to it.

The Chair: Mr. Anderson. Oh, Mr. Hinman. It says Mr. Anderson on the motion, so that's why I addressed Mr. Anderson.

Mr. Hinman: Oh, okay. I thought I was going to address some of his questions, but yes, we'll go to the motion.

The Chair: Let's have the motions first so that we can actually focus our discussion, okay?

Mr. Anderson: All right.

The Chair: Which one do you want to deal with first?

Mr. Anderson: The first one I'll just read into the record. I propose the following motion: "Be it resolved that committee members of the Standing Committee on Members' Services approve the leader's (caucus) allowance per annum funding in the amount of \$233,249 to the Wildrose Alliance caucus." And I have copies.

The Chair: It's being circulated right now.

Just as it's being circulated, again, Mr. Anderson proposed the following motion:

Be it resolved that committee members of the Standing Committee on Members' Services approve the leader's (caucus) allowance per annum funding in the amount of \$233,249 to the Wildrose Alliance caucus.

Do I have a seconder for this motion?

Mr. Mason: Do we need seconders in committee meetings?

The Chair: We'll get one, though, and make it really formal today.

Mr. Mason: Sure.

The Chair: Okay. Mr. Mason.

All right. Now we'll open the floor for discussion.

Mr. Anderson: Can I speak to the motion?

The Chair: Absolutely.

Mr. Hehr: Could I be added to the list?

The Chair: Absolutely.

Mr. Anderson: As a point of clarification, we can talk all we want about – I think the precedents are very relevant. I appreciate the explanation from the Clerk, but I would say that at the end of the day those leaders' allowances were still given to the leaders that were not elected in the Legislature. If it was a hard-and-fast interpretation and a hard-and-fast rule, then they would have been reduced.

Given all of that, aside from all of that, our acting leader for all purposes in this Legislature is sitting to my right. It's Mr. Hinman, plain and simple. He is the acting leader of the Wildrose Alliance caucus and party in the Legislature. Let there be no doubt that even if he wasn't the leader, there's a very good argument to be made that we should still receive that caucus funding – very good argument. There's an even better argument, in fact I'd say an iron-clad argument, that as he is now the acting leader of the party and the caucus for all purposes related to this Assembly, there's no precedent that I've seen and that I think anyone could come up with where the Wildrose Alliance caucus should be denied based on the same grounds.

Again, we're not asking that money be taken away from the NDP. It is \$233,000. Going back to a question earlier with our \$4.7 billion deficit, which we have definitely, we have an alternative budget that

has various proposals in it. I don't want to turn this into a budget discussion, but to that specific question I would say that I think that if you want to do it appropriately and reallocate \$233,000, it would be out of the \$15 million Public Affairs budget.

But I don't think this is what this is about. If we're going to have a budget discussion, let's open it up to everything. We do have to invest in our democracy. We do have to hold elections, regardless of whether we have a deficit. We do need to have elections. We do need to fund democracy. We don't shut the whole place down because we have a deficit. We realize that. But the fact of the matter is that it's part of our system to have funded opposition parties that are able to hold the government to account as best they can through doing research and communications and other tools at their disposal to do so.

In the past the Speaker and the Members' Services Committee have been very generous in that treatment of third parties and opposition parties. We would just ask that that precedent be respected, especially since the acting leader is now an elected member of this Assembly. That is Mr. Paul Hinman.

The Chair: Mr. Hehr.

Mr. Hehr: Yes, I'm here. I'm first on the list?

The Chair: You're first on the list.

Mr. Hehr: Okay. Well, thank you very much. I'd like to speak in favour of this motion, put forward by the members of this committee, essentially for the reason of democracy. I think that we do need a well-funded opposition in this party, and precedence has been set going back some time. As you've indicated, Mr. Speaker, and as the letter from Mr. Hinman indicates, it appears that going back sometimes we have had these precedents.

Now, I will note that our standing orders do indicate that no party is supposed to receive funding unless they have four members in this House. It's interesting, you know, since the New Democrats have received funding in this regard and have seen it for quite some time – and we continue to be supportive of their efforts despite the fact that they are offside of this standing order – that we make the same reference for the Wildrose Alliance. I am surprised that they would be bringing forward this motion given that they believe that the government screws up everything from research, so I assume that's no different in this case. But, nonetheless, that's me digressing on another diatribe.

Anyway, on this part of the motion I am willing to say that it's a good motion, one that funds our democracy, that appears at times to be at peril in this province. I urge all other members of this committee to do the same.

Thank you very much, Mr. Speaker.

The Chair: Thank you very much, Mr. Hehr. I just want to provide one word of caution to you. You used the word "precedent" on several occasions. I think that the usage of that word in this context is highly debatable, and you might find yourself being in a very intense debate. I'm not going to assume from my reading of this that that's actually correct.

Mr. Hehr: Fair enough.

The Chair: Mr. Allred.

Mr. Mason: You had me, didn't you, Mr. Speaker?

The Chair: Yes, I did, too. That's right. I want you now.

Mr. Boutilier: And Mr. Boutilier as well?

The Chair: Actually, I'm going to give preference to the members of the committee, and then it will be Mr. Allred, then Mr. Boutilier. Go ahead.

Mr. Mason: Thanks very much, Mr. Speaker. Well, you know, I would like to speak in support of this motion. It seems to me that while the Legislative Assembly Act defines an official party as having four members of the Assembly, there is a long established precedent. I choose that word advisedly because I think it's very clear that there is a precedent that caucuses of political parties have been given funding, and that goes back a number of years. You know, I've been somewhat surprised, and I was surprised by Mr. Oberle's comments at our last meeting with respect to funding, including what I took to be an implied threat to our funding.

4:20

The only thing that I can see that's changed as far as we're concerned – we elected two members in the last election. We still have the same two members. For us nothing has changed. But something else has changed which is affecting our status in this Assembly, and what's changed is of course the Wildrose Alliance getting a couple of defections in the Legislature. Another really significant fact in my view is that the public opinion polls have shown in some cases that the Wildrose Alliance Party is leading the Progressive Conservatives at the present time. So it seems to me that the government caucus, the Progressive Conservative caucus, is interested in limiting the capacity of the Wildrose Alliance and, I also believe, limiting the capacity of the New Democratic Party caucus in the Legislature.

The problem for us is, of course, that we have received a number of privileges, for which I believe now there is well-established precedent, including the funding for the leader's allowance but also including other things, and that is the right to be represented at certain events that take place in the Legislature rotunda, Remembrance Day and many other items. Now, some of those have suddenly been withdrawn, and you, Mr. Speaker, have started to refer to us as independents. That's new. That's not how we were referred to or treated after the last election.

I did have a discussion about some of these matters with the Premier right after the election. I won't disclose anything that we said, but we certainly had a discussion. I was encouraged after the election in the support that we did receive by the government caucus, including encouragement to participate on all of the committees of the Legislature and including continuation of the funding, the precedent for which had been set a number of times ago.

I just want to say in crystal clear terms that as far as we're concerned, our status should not be diminished because the Progressive Conservative caucus has a concern about the Wildrose Alliance, and we will fight very hard to retain our funding. There was a suggestion, I believe, in Mr. Oberle's comments at the last meeting that our funding after this year may actually be threatened.

I think that it's very important that we recognize the precedent that has been set. While official party status is four, funding for political party caucuses has always been provided in the past 20 to 30 years. So I think that you have to treat the caucuses the same. I certainly disagree strongly with the Wildrose Alliance – God help us if they ever form the government of this province – but that is not justification for making a decision relative to their funding. They have to be treated equally and the same.

So I urge all members of this committee to support this motion.

The Chair: Mr. Allred, followed by Mr. Boutilier.

Mr. Allred: Well, thank you, Mr. Speaker. I guess I've got to plead ignorance, but hopefully being an alternate here can excuse that. Mr. Hehr referred to the standing orders. I presume he meant the Legislative Assembly Act, and I think I'd like to read part of it, section 42 in particular, which talks about "allowance to leader of recognized opposition party." It says in this section that

"recognized opposition party" means a party that

- (a) is represented in the Assembly by at least 4 Members, and
 - (b) received at least 5% of the popular vote in the general election immediately preceding the year in which the allowance in subsection (2) is to be paid.
- (2) There shall be paid to a Member who is the leader of a recognized opposition party, except the Leader of Her Majesty's loyal opposition, an allowance at a rate per year prescribed by the Members' Services Committee, [et cetera].

I recognize that section 19 of the same act gives this committee the discretion to vary a "regulation, order or directive made under the Financial Administration Act," but it doesn't appear to me that it gives the discretion to waive a section of the act. I guess I would ask how we have got around section 42 of the act, particularly with regard to the section on "at least 4 Members."

Mr. Mason: It only covers the salary of the leader.

Mr. Allred: Is that only salary? Okay.

The Chair: Okay. We're going to deal through the chair.

Parliamentary Counsel, would you like to give an interpretation of that?

Mr. Reynolds: Thank you. With the greatest of respect, I don't think that we've gotten around the legislation in any way. The legislation states when a salary or allowance will be paid to the leader of a recognized opposition party, but it doesn't restrict other instances when you could pay an allowance, which is how I interpret the allowances that have been paid in the past. I mean, you have to pay this, but it doesn't say that you can't pay anything else with respect to a caucus. It doesn't even address, you know, those funds.

The Chair: Clerk, are you involved in this one, too?

Dr. McNeil: Yeah. Just to elaborate on that, that refers to a salary paid to the leader of a recognized party. It doesn't have anything to do with caucus allowances at all. It's just the salary. So if the Wildrose Alliance had four members, then the leader of that party, if he or she were in the House, would be paid a salary.

Mr. Allred: Okay. Thank you for that clarification.

The Chair: Mr. Boutilier.

Mr. Boutilier: Yes. Thank you very much, Mr. Speaker. This is my first attendance at a Members' Services Committee in my almost 14 years in the Assembly, and I'm just so sorry about what I've been missing. As a member today I would like to say that from the comments made in here – and I welcome any clarification from the chair – it's my understanding that an elected member from Edmonton who was the acting leader – and I use the term "acting leader" – Mr. Howard Sapers, did receive the leader's allowance for his caucus. It's my understanding that an elected member now, Paul Hinman, who is the acting leader, is asking for the same.

Obviously, the member from Calgary who is on the teleconference indicated about democracy. It's very clear to me that call this whatever you wish, history is a very good teacher. A Liberal member, regardless of what political party, was an acting leader elected from Edmonton. He received the funding. Now there is an elected acting leader from Calgary, and obviously I believe he would receive the same funding based on the history of what was described.

Relative to the comment by the hon. Member for Leduc-Beaumont-Devon making reference to budgets approved – I'm sorry, Mr. Chair, but I'm uncertain how the Members' Services Committee is in fact called or by whom. So the timing of this meeting today – I'm not sure who calls the actual Members' Services Committee, so I certainly would appreciate a clarification, making reference to the fact about the budget and that there's a deficit. I'm not quite sure who calls the Members' Services Committee. To the hon. member, perhaps he may know who it is.

The Chair: Yes. The chairman of the committee calls the hon. committee members together as a result of consultation with the committee members. In this case at least one member said that they wanted to raise the point at the Members' Services Committee, and the chair circulated the information to all members and said, "Are you available on this day?" and gave them options. I gave them two days, today and tomorrow. The vast majority basically said that they couldn't come tomorrow but that they could come today between the hours of 1:30 o'clock and 4:30 o'clock, which begets a real problem because we're almost at 4:30 o'clock, the time to rise. So I would like some advice on how we're going to continue to proceed here.

Mr. Boutilier: I'd like to continue.

The Chair: You're not a member of the committee, Mr. Boutilier, so you'll have no say in that decision. The other members were clearly given the time frame and everything else.

Mr. Elniski, you have the floor if you have any advice on this because we will be rising at 4:30.

4:30

Mr. Elniski: No, I do not, Mr. Chairman, but I have a clarification point. In the motion here the phrase "leaders (caucus) allowance" appears. That seems to appear for the first time. Given that words have exact meaning, do we have a legal interpretation as to what that phrase implies?

The Chair: A legal interpretation on that: well, we'll ask Parliamentary Counsel if there is such a thing.

Mr. Reynolds: No. Well, I think the briefing note that was circulated by the chair goes into the history of it, which I imagine would be a better description than you could find anywhere else. I mean, that's a good description of what has gone on.

The Chair: Hon. members, the rules that we apply in this committee are not dissimilar to any of the rules in any other committee. A date is given for a meeting. Time frames are set aside. In the Legislative Assembly the standing orders clearly state that certain things will leave. If it's 6 o'clock, no matter what the business is, we just get up and go. A number of you have made it very clear to me that this was the time frame today for this meeting, and that's why it was scheduled. I'm in your hands as to where we're going with this because at 4:30, which has got to be pretty quick, I'm going to have to call this meeting to an end, and I don't know how we're going to go forward.

Mr. Rogers: I'll be quick, Mr. Chairman. I think this is something that's certainly worth discussing further at the next meeting. My point earlier about the budget is that it would be an item for next year's budget. I'm all for democracy as well.

Thank you very much.

The Chair: It is now 4:30.

Mr. Mason: I'll move that we extend Orders of the Day to finish this item.

The Chair: With unanimous consent because a large number of members said that they were going to budget their time to be here. Is any member opposed to continuing this meeting?

Some Hon. Members: Yes.

The Chair: Then we're not. Okay.

Mr. Anderson: Can we have a vote on it before we leave?

The Chair: This is unanimous consent. I mean, people have told me why they were going to be here on this day, including yourselves, saying you're not available for certain other times, so we're here.

This matter will come back at the date of the next meeting, and I'll be guided by your advice with respect to this. You can convey when you think the next meeting should be.

Meeting adjourned.

[The committee adjourned at 4:32 p.m.]

