

10:09 a.m.

Monday, December 17, 1990

[Chairman: Dr. Carter]

MR. CHAIRMAN: Good morning, group.

HON. MEMBERS: Good morning.

MR. CHAIRMAN: Well, the faces are more likely to be bright and shining now that the House has risen.

MS BARRETT: How come it doesn't feel that way?

MR. CHAIRMAN: Okay. You have agendas before you on the front page. Any additions, deletions? Thank you, Edmonton-Highlands.

MS BARRETT: Yeah. On the agenda I'd like to add, I guess, security mechanisms for constituency offices somewhere.

MRS. BLACK: Get yourself a St. Bernard.

MR. CHAIRMAN: Let's put it under New Business.

MR. WICKMAN: You didn't like that customer we sent you, eh, Pam?

DR. ELLIOTT: We don't want him back.

MR. WICKMAN: She lives in Edmonton-Highlands, and we said, "What're you doing in Edmonton-Whitemud?"

MR. McINNIS: Mr. Chairman, I notice the item Constituency Office Signage is there under my name. Is there an update, or is this the same old issue?

MR. CHAIRMAN: My understanding is that it's the same issue carried forward.

MR. McINNIS: One more time with feeling.

MS BARRETT: But it's under your name, John. Did you see that?

MR. CHAIRMAN: Well, it's there. Any other items of business? Okay.

A motion to approve the agenda, please.

MRS. BLACK: Yep.

MR. CHAIRMAN: Thank you, Calgary-Foothills. Those in favour, please signify. Opposed? Carried.

Item 3. What is your pleasure with respect to the November 22 minutes?

MRS. BLACK: A motion to approve as circulated.

MR. CHAIRMAN: Thank you, Calgary-Foothills.

A call for the question. All those in favour, please signify. Opposed? Carried. Thank you.

Item 3(b): November 23, 1990.

MRS. BLACK: A motion to approve as circulated.

MR. CHAIRMAN: Thank you, Calgary-Foothills.

A call for the question. All those in favour, please signify. Opposed? Carried. Thank you.

Item 4(a), Business Arising from the Minutes: Transportation . . .

MR. WICKMAN: Mr. Chairman, might we go to 4(c) and accommodate the gentleman and go into a closed door session, if we're going to do that now, and get it out of the way?

MR. CHAIRMAN: We're doing 4(a). That's what Mr. Whitehouse relates to. Transportation/Child Care at Town Hall Meetings. That's correct? If you want to bring a chair closer, down the end there.

Okay, David.

DR. McNEIL: I'd like to introduce Rich Whitehouse, who's the director of risk management and insurance services in Alberta Treasury in relation to the question of liability coverage which we were discussing. When we talked about this issue at the last meeting, we thought it best to have Rich come over and maybe talk generally at first about coverage and then respond to specific questions in relation to this item.

The item came up initially when members asked the question as to whether or not child care expenses and transportation expenses were viable under the constituency services order. One of the concerns of members was: if a member contracted with somebody to provide child care services or transportation services in relation to a town hall meeting or a constituency meeting, what kind of liability problems might that create for the member and the Assembly? So it's in that context that we invited Rich to come and give you his knowledge of the situation with respect to members' coverage.

Rich.

MR. WHITEHOUSE: Thanks, David.

On the specific issue, if I can address that. I believe Mike had suggested to me that there was some suggestion to review the type of agreement or arrangement you enter into with any people providing services, whether it's vehicles, whether it's a day care situation.

The simplest advice is that you're protected in those situations where you contract but not necessarily the person who is carrying out the duty on your behalf, and both may be sued in that situation. So if you have someone that particular day operating a day care or looking after a particular facility or driving on your behalf or whatever, that is primarily their responsibility. You will likely be brought into any suit, and we will defend you in the allegations but not necessarily the other party. So that's it in simple terms: the intent is to defend you.

MS BARRETT: That's basically the same as if we rent, say, a community facility for the town hall meeting and somebody's sitting on a chair and it breaks. It's the same sort of system, isn't it?

MR. WHITEHOUSE: Absolutely the same.

MS BARRETT: So there's no additional risk in that way. If you're performing ordinary duties, no matter what you do, you could always be held liable wherever you are if an accident occurs.

MR. WHITEHOUSE: Very definitely. In fact the principal risk, as we see it, is being accused: not necessarily being responsible but having to prove you weren't. That's where the protection is provided.

MS BARRETT: Okay. There was some suggestion that when we do this, we want to make sure that we never . . . How did that go? I think it was Ken who said that the contractual arrangement for, say, the hall or the licensed carrier should always be made in writing between us and that agent we're contracting, and that that's a necessary precaution. Is that . . .

MR. WHITEHOUSE: That's correct. We can provide, as well, some standard approaches that are recommended through government in signing agreements. There's no intent to dump on the hall full responsibility for what goes on, but in the example you gave, if a chair collapses, really it's difficult to find that as your responsibility. But if there were a 75-person limit in the hall and you allowed 125 in and something happened, there could be some responsibility on your part. Particularly when you're dealing with professionals to the extent of somebody who leases out a building regularly or somebody who provides day care regularly or if you hire a bus to bring people to a meeting, in those areas there are some very specific terms we'd recommend go in, with headings "indemnification" and "insurance." They should be responsible for their negligence and you for yours, and we will cover you.

MS BARRETT: Okay, so your best advice, then, would be . . . Let's say you rent a hall and you've got a separate room where you can have child care service. The smartest thing to do would be to contract to a licensed child care operator.

MR. WHITEHOUSE: Certainly that would be the best. But recognizing that you're not always in that position, you're going to have times where you have some possibility of even a teenaged daughter of one of the constituents doing it. There, I suggest, there would be some concern, because if I can't provide you with the protection, if the government can't do that through its fund, she may be in some difficulty if she is sued. The professional has no problem getting the coverage, I suggest. Sometimes they pay a little more than they wish, but they've got the opportunity. But there occasionally can be a problem if that individual is sued. There isn't a direct problem to you, but the indirect problem of that individual being suggested again to have had some responsibility is a potential problem if there isn't a professional that does it and provides their own coverage.

My understanding is that some homeowners' coverage, the family that person is part of, does extend it in some circumstances, but I would not want to guarantee it. So there is a potential difficulty where an individual who isn't a professional . . . As well, it increases your risk. If it isn't a professional, nonprofessional ways of doing things can cause you a problem.

MRS. BLACK: Particularly if you advertise that there's child care provided.

MR. WHITEHOUSE: I think that would increase it as well. I'm not a lawyer, but certainly part of the allegations I'd put in is that I had expectations.

MRS. BLACK: Because the intent of proper child care and professional would be mixed up.

MS BARRETT: Yeah. So then what you're really saying is that, you know, where possible try to contract to people who are licensed for that service whether it's a taxi, a bus, or child care service, but where not possible, call you. Is that what it amounts to?

MR. WHITEHOUSE: Well, the difficulty with our office is that we're limited, first of all, to government, and then extending to the Legislative Assembly and the elected members. I don't have the mandate or the protection to go outside of that to the private contractor, which, unfortunately, is what this example would be.

MS BARRETT: Oh, no. I meant call you for advice.

10:19

MR. WHITEHOUSE: Well, we could give it. The unfortunate thing is we may not be able to resolve it. But you've still got the protection.

MS BARRETT: Okay.

MR. CHAIRMAN: Calgary-Foothills, and then Mr. Clegg.

MRS. BLACK: The other comment I was going to make is: a lot of professional child care givers are licensed to perform their duties in a sanctioned child care facility as opposed to a general community hall. Would their insurance respond to their giving care in a nonsanctioned child care facility the same way it would if they were, in fact, on their own home base?

MR. WHITEHOUSE: The best advice I could give them, if they called on that, is to check with their insurance broker or company. I used to be in that business, and yes, I would give it when I was in the insurance area. But that is not an automatic, and the best thing for an individual in that situation to do is to check with their broker, their insurer, to make sure the coverage can be extended. I suggest it could. The difficulties with the facilities not being the same as their own day care centre aren't of their making, and that would likely then be someone else's responsibility if something happened. But I would check.

MRS. BLACK: Well, would that then fall back on the MLA that engaged them to carry out those duties?

MR. WHITEHOUSE: Logically, if someone is injured – and Mike can correct me here – on their behalf the parent would probably sue the care giver, sue yourself, and sue the owner of the hall. They would probably all be brought in. We would defend yourself.

MR. CHAIRMAN: Michael.

MR. M. CLEGG: Mr. Chairman, yes, I would agree that if there is an injury, the general approach is to join any party who is potentially liable in the claim so that when the facts are finally determined, there isn't somebody who should have been sued and wasn't. The other strategy, frankly, is sometimes to make sure you sue the person who's likely to be able to pay you if there is damage found, because you may find that you get an award against somebody who has no money.

With respect to contracting for services, it is possible when you're making a contract with someone, to say to them, "It's a

condition of this contract that you assure me, you represent to me, that you are both licensed" – if there is a licensing requirement – "and insured to do this job which I'm asking you to do." If they do that, then you have gone about as far as anybody could go to remove any liability upon yourself. The other possibility would be that if you were trying to provide a service that was not easy to obtain on an insured basis, in the circumstances you could always say to parents coming to the meeting, "There will be somebody there, and if you wish to make a personal arrangement with that care giver to care for your child, you can do that, but we wouldn't be involved." So then the parent would go along and say: "Who are you? I agree to give you \$3 an hour to look after my child." That kind of arrangement isn't ironclad, but it's pretty good, because it means that there is no contract between the member and the parent; it would be between the service giver and the parent.

MR. CHAIRMAN: Edmonton-Highlands.

MS BARRETT: Okay. What we were looking for is the right to pay care givers for circumstances such as a town hall meeting. If you follow that latter approach, then what you're talking about is the individual paying. Is there a way that they could arrange that we could pay that bill but they understand that the care giver . . . I mean, it's very easy to get a licensed care giver in a major city or even a small city; it ain't so easy in a town of a few hundred people. So if you were having a town hall meeting in a very small place, how would you get around that and yet be able to pay for that care through the constituency budget?

MR. M. CLEGG: I think an arrangement could be created that the contract was made directly between the parent and the care giver and that the MLA reimbursed that expense.

MS BARRETT: Ah. That's it. Okay.

MR. M. CLEGG: It's a little bit of a difficult thing, but you could arrange to avoid a direct contract between you and the parent on that.

MRS. BLACK: Could there be a type of hold-harmless agreement created?

MR. M. CLEGG: Yes. They're not always effective, of course, as I'm sure Rich was about to tell you. You can get people to sign things, and they help, but it depends partly on what the court views as the sophistication of the people who were signing them and the circumstances. You could just push something under a mom's nose and say, "Please sign this." It sometimes helps and sometimes doesn't. It depends whether you're acting reasonably.

MR. WHITEHOUSE: We do recommend it be done, but we don't recommend it to be used as a defence in court. If you were negligent, it wouldn't hold up. What it does if it's read, and that's one of the big ifs, is allow the parent to know there is some obligation on him or her to look at the site or to give consideration for the situation. So it's good because it's an attempt to rectify the problem before it occurs, but we would suggest that we wouldn't, nor would any good counsel I think, use that as a defence. If there was negligence there, we're not going to waive that.

MR. BOGLE: I just wanted to ask a question. What happens now with meetings? Do parents bring children? Are children with their parents?

MS BARRETT: I've never provided child care, although I have been asked to. The last time one of the kids was sort of noisy and disruptive. So I have been asked to, because otherwise, you know, they say: "I'm not going to come to your town hall meeting. I don't have a babysitter."

MR. WICKMAN: They're probably just looking for a reason not to attend.

MR. CHAIRMAN: Any other questions or comments?

MR. BOGLE: If I can just finish off my comment, it would be nice if we could find a way to accommodate the request but at no way put the Leg. Assembly at any risk. Having said that . . .

MS BARRETT: Yeah. I think that's the general hint we've been able to get from Richard: that where possible go for licensed contractors for both, for transportation carriers, check to make sure that they're insured, maybe even . . . Did you just indicate that you could suggest a couple of forms that we would look at?

MR. WHITEHOUSE: We could provide you with examples of very simple contractual agreements that aren't three or four page things.

MR. BOGLE: And this would come out of a member's constituency allocation. We have a list of acceptable items the moneys can be used for at the present time, do we not?

DR. McNEIL: I'm not sure whether we have a comprehensive list, but the order covers most of it.

MR. BOGLE: A guideline?

DR. McNEIL: Yes. It was requested, and in the material is a draft amendment to the order under tab 4A, under last piece there.

MR. McINNIS: "The Member shall, where possible, contract with a person who is licensed and insured to carry out that service." I think the only way to eliminate risk altogether is not to do anything. You know, risk is associated with anything we do. What we're talking about is how we minimize the risk and try to protect our legal position as far as possible.

I just had a question: what does the term "protected" mean? When you said that you would defend us, does that mean that if we're found liable, the government pays? Is that it?

MR. WHITEHOUSE: And pay on your behalf.

DR. McNEIL: That draft order in effect responds to the committee's concern that something be put in the order that puts some pressure on the member to ensure that they contract with an insured and licensed deliverer of service, whatever that service might be, whether it be transportation or child care.

MR. WHITEHOUSE: If you wish the contracts, to whose attention should I send them?

DR. McNEIL: Send it to me, Rich, and then I'll disseminate that information to all the members.

MS BARRETT: Great. I think that's exactly the way to go, including, if you could, a reference maybe in bold, "Where you cannot contract to a licensed and insured contractor, be careful," sort of thing, so when the MLA gets it, they see that the smart thing to do is to pursue somebody who's licensed and insured.

MR. CHAIRMAN: Okay. Any other questions or comments? No?

Thank you for coming.

MR. WHITEHOUSE: Thank you.

MR. CHAIRMAN: We'll give you a contact with David, and then we can go from there.

MR. WHITEHOUSE: I will.

DR. McNEIL: Thanks, Rich.

MR. CHAIRMAN: Yeah. We appreciate that.

MR. BOGLE: I'm just expressing support.

MS BARRETT: Good. Yeah, I think we've got it down pretty well.

MR. BOGLE: It's not the kind of thing we could use, because as you pointed out . . .

MS BARRETT: You never know.

MR. BOGLE: . . . there's not a licensed person.

MS BARRETT: I'm sure in Taber you would.

MR. BOGLE: In Taber, yeah.

MS BARRETT: Yeah. That's what I was asking Mike about: small town Alberta.

MR. CHAIRMAN: All right. Is it the wish of the committee to pass this Members' Services order?

10:29

MS BARRETT: I so move.

MR. CHAIRMAN: Call for the question.

SOME HON. MEMBERS: Question.

MR. McINNIS: Just one question before we do that. What's the legal meaning of the term "where possible"? Does that mean that if you contracted somebody and somebody could show later on that there might have been a professional service available, you've spent funds improperly and they won't be honoured?

MR. M. CLEGG: It would be interpreted to mean where reasonably possible. I think if a member had shown that they had taken reasonable steps to try and find somebody and had

not been able to do so, the fact that there wasn't somebody there wouldn't invalidate the payment.

MR. McINNIS: So you wouldn't weaken it to put "where reasonably possible" in there.

MR. M. CLEGG: No, I don't think so. There are various approaches which I've thought about. This was the simplest way. It would also be possible to say, "where reasonably possible," or we could say, "The member best endeavours to find someone who is . . .", which would put a specific duty to search, as it were.

MR. HYLAND: Let's use "reasonably possible." We can understand that.

MS BARRETT: Yeah. Why don't we put "reasonably"?

MR. McINNIS: That would be good with me. Perhaps I could move an amendment to put "where reasonably possible."

MS BARRETT: Great.

MR. CHAIRMAN: Question on the amendment. All those in favour? Opposed? Carried unanimously.
Motion as amended.

MS BARRETT: Question.

MR. CHAIRMAN: Those in favour, please signify. Opposed? Carried unanimously. Thank you.

MS BARRETT: One of those rare events.

MR. CHAIRMAN: We take them when we can.

MR. McINNIS: The holiday spirit.

MS BARRETT: Yeah, that's it. I know what's going on. Most of us are anxious to get out of here.

MR. CHAIRMAN: Okay, item 4(b), Greening the Hill. Status report, Clerk.

DR. McNEIL: I have a report, but in my rush this morning to come over here, I didn't bring it, so my secretary, I hope, is bringing it over within the next little while. But I do have a handout.

Basically, what this report does is go over all of those Greening the Hill initiatives from the federal House of Commons and indicates the status of that initiative with respect to the Legislative Assembly Office.

MS BARRETT: All right. Do we come back to that, then, Mr. Chairman.

DR. McNEIL: My apologies.

MR. CHAIRMAN: Okay, 4(c).

DR. McNEIL: Just an update on this one. We've yet to receive the official wording that's supposed to go on invoices and so on. That's still under development in Treasury. What we have done

is advised all our vendors that the Legislative Assembly Office is not subject to the GST and that we will follow up with a number, if we get one, or the official wording once it's been determined in Treasury as to what will happen.

At the same time, when we receive that, we will be sending a memo out to all members just to make them aware of the situation as it applies to the items they purchase through the Legislative Assembly Office and some of the problems that they might encounter if they try to purchase items on their own. As I say, there's still a lot of uncertainty with respect to the GST, but this is what we're attempting to do: to try to get the final resolution of how Treasury is approaching this in light of the government's position on the GST.

Michael, do you have anything to add to that?

MR. M. CLEGG: In addition to what you've said, just a little bit further about members' direct purchases. It is clear that the purchases by the Assembly are not taxable, and any direct purchase made either by the Legislative Assembly Office for a member or with one of the member's purchase order forms, which is clearly a Legislative Assembly purchase, will not bear the GST, and it will eventually carry the standard government statement to that effect.

However, there are other expenses which members do incur which are ultimately payable out of public funds. If you, for example, purchase an airline ticket or a service which you'll eventually be able to claim back, you'll not be in a position at that particular point in the purchase to say, "I do not have to pay the GST, because this is for the Crown." The same applies to any member of the public service who is doing the same. What has been agreed will happen in that circumstance is that the member will pay the GST. It would just be too hard on the merchants to get the verification. In the expense account the cost for the service and the GST will be separately shown. The Legislative Assembly Office will record all the GST that it has paid on direct purchases, and a claim will be sent by the government of Alberta on behalf of all departments, including the Assembly, to the federal government, which will refund the GST on those purchases which were ultimately for the Crown. But the member will have to pay the GST in the first transaction.

MR. CHAIRMAN: Oh, for the simple life.

MR. McINNIS: Yes. What a tangled web we weave.

The question, though, of airline tickets has come up already. I see that some government departments have put out a memorandum to their suppliers saying: stay tuned; we'll send you our number when we get it in the mail. I wonder if we could perhaps get something like that which we could send to our travel agents, presuming that if it's invoiced, it might be invoiced GST-free rather than having to be invoiced with the GST and having the Clerk apply to Ottawa for a refund. Do you know what I'm saying?

MS BARRETT: No.

MR. M. CLEGG: They're not allowed to invoice without the GST unless you've already given them the number. This is the problem that they're in.

MR. McINNIS: You have to have the number; okay.

MR. M. CLEGG: It's a catch-22 situation. Everybody's like this, and so . . .

MR. McINNIS: Am I reading that correctly? If the travel agency is invoicing the Assembly directly, then it would be GST-free?

MR. M. CLEGG: Correct.

MR. McINNIS: So we'd just have to wait till we get the number.

DR. McNEIL: Yeah, but as I say, we're waiting on that, the number and the wording to put on our purchase orders.

MR. CHAIRMAN: Okay.
Grande Prairie.

DR. ELLIOTT: Fine, Mr. Chairman. I'll pass.

MR. CHAIRMAN: Okay. We'll get an update on that one when it becomes available.

DR. McNEIL: Just to add to that, if any of your staff have any questions on this issue, have them call either Kathy Bruce-Kavanagh or myself . . .

MR. CHAIRMAN: Dial 1-800.

DR. McNEIL: . . . and we'll try to sort out the problem. We may not have the answer off the tops of our heads, but we'll get an answer.

MR. CHAIRMAN: Okay. Thank you.
We'll go back to 4(b) now that we have a report.

DR. McNEIL: Yes. As I say, this document summarizes the status of the various initiatives in the Legislative Assembly Office.

MR. CHAIRMAN: Order, 4(b). Order.

DR. McNEIL: Most of those items which we have been able to implement, we have implemented. You'll note the first item there; we're recommending that the eighth and ninth floors of the Annex become nonsmoking floors. We've assigned in number 2 the director of admin as the LAO environmental co-ordinator. I don't think I need to go through each one on the list unless you'd like me to. Again, this is the Legislative Assembly Office. This is strictly with respect to the Legislative Assembly Office; we're not dealing here with the caucuses.

MR. HYLAND: Just out of curiosity, how many smokers have you got on those floors? Are they all nonsmokers?

DR. McNEIL: We have a few, but not many.

MR. McINNIS: They're in the minority.

MR. CHAIRMAN: You probably should do like the Speaker's office, eh?
Edmonton-Whitemud.

MR. WICKMAN: Yeah. Mr. Chairman, glancing through here, there are some good, good things in here. I think it could take another bit of reworking. I want to make a couple of comments, and I don't want to offend anybody when I make them, but I did quit smoking three months ago. Even while I was a smoker, I was very, very conscientious of other people, and I even used to hesitate to smoke here. It doesn't bother me when people smoke. In fact, I rather enjoy having it blown in my face – it reminds me of the good times – but there are some people that it does offend. Now, when you say the eighth and ninth floor – for example, on the second floor we've had a nonsmoking policy for a long time, thanks to Sheldon. I think the third floor, I'm not sure there. But why would you only say the eighth and ninth floors? Like why wouldn't we get more aggressive with this whole nonsmoking policy and extend it to areas that . . . It bothers people.

10-39

DR. McNEIL: Just in terms of this policy, it's with respect to the Legislative Assembly Office; in other words, I guess only the staff that come under the direction of the Clerk. So that limits it to the people on the eighth and ninth floors. You know, we don't want to and won't make any proposals with respect to how the caucuses operate or what have you in this building. So this is strictly with respect to our own operation.

MR. WICKMAN: I'm not directing the question to you; I'm directing it to ourselves. We've eliminated smoking in the Legislative Assembly entirely, which was a really good idea, because it looked rather foolish for us sitting there smoking – and I did it a couple of times too – while people up in the galleries were looking down. I'm just saying that's one area I think we should rework.

Now, the other one too – and before I make the statement, I'm going to qualify it by saying that I do drive a Buick LeSabre, which is a rather big car. Honest Dave has a Chrysler New Yorker Fifth Edition, but it is a very big car. I did get rid of that big white beast I had. But when you relate to "Do not provide air conditioners in standard vehicles," I assume we're talking in terms of government-issued cars. Why not an attempt that when government cars are issued, those that are issued are more energy efficient? I'm not saying it because of the small amount of energy that's going to be saved. I'm talking in terms of setting an example. Why do we pick on an air conditioner and forget about the type of car?

MR. CHAIRMAN: Well, we can pass that on to the Minister of Public Works, Supply and Services, because that's where the vehicles come through.

MRS. BLACK: Well, what difference does it make if it has air-conditioning or not?

MR. WICKMAN: I don't know, but I'm saying if we're going to tackle . . . The air conditioner uses up more gas, more energy. But you know, that's not really tackling the problem. That's just tackling a little aspect of the problem when we address the air conditioner and not the car itself.

MR. McINNIS: Percy, would you say your car is bigger or smaller than a Ford LTD?

MR. WICKMAN: Mine is probably bigger. It's a LeSabre.

MR. HYLAND: Well, Mr. Chairman, if Percy picks on, for example, number 42, air-conditioned cars, that may be okay in Edmonton, but try driving where Bob and I come from or Pat in Calgary in the middle of summer without air-conditioning and see how far you get. Percy, you used to be able to put the top of the old car down, and that was pretty good air-conditioning. I mean, if that's the case, that we pick on cars, what about buildings? Are we going to stop air-conditioning the offices and then just . . .

MR. WICKMAN: I'm agreeing with you. I'm saying why are we picking on the air conditioner and not the entire car?

MR. HYLAND: Oh, okay.

MR. WICKMAN: The air conditioner is just a little symptom of the overall problem – to single out an air conditioner when we should be addressing the more global type problem.

MR. HYLAND: The one issue I wanted to talk about was smoking in the Chamber. It may have cleared the air in the Chamber, but as the Deputy Whip of the Conservative caucus, I'm sure it doesn't make attendance in the House any easier. When smokers have to go outside for a smoke, they don't stay there to do their smoking.

MS BARRETT: I'd like to hop in. I think the chairman had the right idea here, and that is to refer the matter to Ken Kowalski. I remember in Manitoba about eight or nine years ago the Pawley government moved to issue K cars – you know, they were still fairly efficient – to cabinet and those authorized, like Table officers and what have you, and did so throughout the government fleet as well. They went to smaller vehicles. Maybe Ken could look into that and see if the policy is still in effect and how well liked it was. I mean, there is a general orientation to using more fuel-efficient vehicles. Maybe we can just have a look at it.

MRS. BLACK: Now, let's not get carried away here. With some of those cars you can run faster than you can drive, let me tell you.

MS BARRETT: Listen, dear. You're talking about a person who could live in her car. Okay? So, you know . . .

MRS. BLACK: Well, we know. But I mean, let's not get carried away on these itty-bitty cars, because somebody can run down the highway faster than they're ever going to go.

MS BARRETT: Yeah, I know. All I'm saying is: I think David had it right. Let's refer the matter to the Minister of Public Works and have him look at it and see what the feasibility is without doing a major task force or anything else.

MR. CHAIRMAN: We have a report, an update in here. I'm sure all members will take it back to their caucus and let the other members of their caucus see it, and they can try to implement wherever possible. I'm sure all of you will dash back and implement number 36 by taking a brick and putting it into the toilet tank of the facility nearest you to save a bit of water. Edmonton-Jasper Place.

MR. McINNIS: I don't think we have toilet tanks. They're mostly the type right in the wall.

Now, this is a good report. I want to congratulate the Clerk for the format. It's easy to read. I also say I appreciate the point of the director of administration to be the environmental co-ordinator. I think that's a very positive move.

Just a couple of questions. One is about the cafeteria. Whose jurisdiction is that?

MR. CHAIRMAN: Public Works, Supply and Services.

MR. McINNIS: PWSS. Thank you.

MS BARRETT: What number was that, John?

MR. McINNIS: Number 24.

What jumps out at me is that there seems to be a problem on the eighth and ninth floors with cleanup facilities in terms of using reusable cutlery and so forth. I wonder if we can find some money next year to remedy that.

Maybe I'll just throw out a couple of things. The business about cycling. While it is nice to have a shower in an office building, I'm not really convinced that's necessary in order to promote bicycle commuting. There is, I think, one problem: sometimes if you get stuck without a lock, you may not be able to bring your bike inside the building. I think there's a lot of space there. I wonder if we could possibly bend that rule in some circumstances. I don't even know whose rule it is, but they don't like to have bicycles brought inside the building. I agree it shouldn't be necessary most of the time, but every now and then you find yourself without a lock.

There are two other things. One is the juice containers. We have these tetra paks down here in the Assembly. I think it would be a good idea to replace those if possible with this type of affair or perhaps a smaller one. The other thing we could do is put a juice cooler in there, which might even be less expensive in individual portions; I don't know. But then we also have the problem of disposables in that facility too. So I guess the toughest thing about switching to porcelain china, cutlery, and cups and so forth is that somebody has to do the dishes. I guess there's a trade-off there, and we have to make provision for it.

MR. CHAIRMAN: Water and phosphates, transportation.

MR. McINNIS: Well, it adds up, but you're still better off with reusable material than you are with the disposables for the most part.

MR. CHAIRMAN: Clerk.

DR. McNEIL: As I say, this was written with respect to the Legislative Assembly Office. At the last meeting we had, Mr. Kowalski tabled a memo with respect to the application of these provisions in government. So it deals with some of the responsibilities PWSS has in terms of the building and so on.

With respect to the cleanup facilities and showers and the idea of putting money in the budget, I've written a memo to all the chiefs of staff and also to the managers in the Legislative Assembly Office indicating that public works has asked us to co-ordinate any requests to them for building - especially the Annex - upgrading or changes that are required through the Clerk's office and the Speaker's office to public works. So a memo went out about, I guess, three weeks ago to each chief of staff and to the managers, and I'm expecting . . . In fact, I

think a response was due by December 15. So what we intend to do is gather all those suggestions together and then write to public works. In fact, they called me last week to see if we intended to do that. I said yes, we did; as soon as session was over, we would get a response back to them. That response will deal with some of the items in here that are mentioned. There is a concern about the lack of washup facilities on the eighth and ninth floors, for example. They indicated there might be some possibility of finding funds to do that kind of minor upgrading.

MR. HYLAND: Six and seven is the same thing. There's just that big old sink that we use for the moment.

DR. McNEIL: Yeah. Given that they're doing a mechanical maintenance upgrade on the building anyway, there may be a possibility of doing some of these things at the same time as they're doing this maintenance upgrade and minimize the cost of doing some of the common requirements.

MR. HYLAND: I noticed going through this list that when you hit that one with air-conditioning, it reminds me of the story my local RCMP detachment told me about when the feds bought . . . When Ford was supposed to quit making the big cars and they still wanted big cars for patrols, they bought thousands and thousands of them with standard equipment, no air-conditioning. They bought them in eastern Canada and shipped them west. The guys just swelter in those things trying to patrol in the middle of summer.

10:49

MR. CHAIRMAN: Okay. Other comments with this? We'll take it as information, and the Clerk will drop a note to Mr. Kowalski with a copy of the minutes, a transcript. Thank you for the work.

Are we ready to go to item 4(d), or do you want a five-minute stretch?

MR. BOGLE: That's good. Let's have a stretch.

[The committee adjourned from 10:50 a.m. to 11:14 a.m.]

MR. CHAIRMAN: Okay, ladies and gentlemen, I think we're at Mileage Program. I gather the Select Committee on Electoral Boundaries had some recommendations that sort of flow forward.

MR. BOGLE: No, Mr. Chairman. They're not specific recommendations from the committee. Members will be aware that I had asked that this item be put on our agenda during our last meetings.

I did mention to Robert, in terms of the agenda for today's meeting, that the recommendations flow out of the general recommendations from Electoral Boundaries. I'd like to go through the concepts of what's going to be proposed first, and then different members may wish to make motions.

I'll deal with the travel first of all. It's proposed that we increase the kilometre rate from 21 cents to 25 cents per kilometre, and that would be effective January 1, 1991. That would affect any claim back by what are referred to in the current orders as urban members or rural members.

MR. McINNIS: Effective what date?

MR. BOGLE: January 1, 1991. Also, proposing that we increase the upper limit for rural members from 45,000 kilometres to 60,000 kilometres.

One of the things we did through Electoral Boundaries was survey members to find out how much travel various members were claiming for. In fact, in the House on Friday, I believe Jerry Doyle made reference to the substantial traveling he does in excess of the upper limit, sort of proposing that the upper limit for rural members be increased from 45,000 kilometres to 60,000 kilometres. Keep in mind that an additional 15,000 kilometres would all be subject to producing receipts.

Another proposal on the mileage relates to members who use taxis in Calgary or Edmonton or the surrounding area. If Dianne Mirosch were here today, I know she'd be speaking to this issue, because Dianne has pointed out on several occasions that if she flies to Calgary – and let's assume the Legislature's in session – and she is going to a speaking engagement in the southern part of the city, it costs her more to travel by taxi to that engagement and then by a return taxi back to the airport than if she were to rent a car at the airport. So I'm hopeful a motion will come forward that will give the member the option of deciding whether they rent a car or take a cab. Of course, if there were any question as to that, the member is the person who justifies the decision which has been made.

MR. WICKMAN: Could I ask a question at this point, Mr. Chairman? This only pertains to out-of-town members, Bob, but in our caucus a couple of the Calgary members have asked me, and I said it's not presently permitted. But when they come to the session here, for example, they travel a fair amount by taxi throughout the city because they don't have a vehicle here, particularly if they have to fly back and forth quite regularly. So are you saying that what you are proposing would apply in that instance as well? Like, you're saying the reverse: from Edmonton you go to Calgary, you go off to a meeting; that person should be allowed to rent a car, which I don't have a problem with. What if you're in Edmonton?

MR. BOGLE: Yes. Although it was not envisaged that a car would be rented on a weekly or monthly basis, it's intended that if you are going to a specific function or if there are two functions in a day and the member can justify that on that particular day it's less expensive to rent a car than to take cabs, this is not . . .

MR. WICKMAN: I'm looking at the economy of it though, if anyone's ever done an analysis as to what amount of money is spent by out-of-town members when they're in Edmonton during session for taxi fares. Has that ever been done?

MR. CHAIRMAN: Kathy?

MS BRUCE-KAVANAGH: No, we really haven't done an analysis specifically for that, but I certainly can do it.

MR. CHAIRMAN: But the interpretation has been on a taxi in the capital city, that it's from the airport or a bus terminal to the Legislature and back. That's been its main function in Edmonton.

MR. BOGLE: I think it's been used by the odd member whose car wouldn't start at their temporary residence, or I mentioned the example of a couple of meetings in different parts of the city on the same day.

MR. WICKMAN: In Edmonton, Bob.

MR. BOGLE: Well, the current motion reads: Edmonton, Calgary, and the immediate surrounding region. It's not a privilege extended to Lethbridge or Medicine Hat or Grande Prairie, as I understand the order.

MR. CHAIRMAN: Okay. Well, one more comment, because we're going through the overview first and then coming back on the specifics. Edmonton-Jasper Place.

MR. McINNIS: Just a question for Mr. Bogle. As I understand what's being said, there is a concern that some of the members drive in excess of what the Assembly reimburses them for when using their own vehicles, and I know that to be true. In fact I think that's true for quite a large number of members. I think a lot of MLAs took this life-style test that the public health nurses had when they were here a year ago. We were all asked to do it, to meet with our public health nurses, and they compared our chronological age with our stress age, I suppose, by analyzing life-style factors. They would add or subtract years based on how healthy a life-style you lived. I think most of us probably suffered the same problem which reduced our life expectancy dramatically. That's the amount of distance we drive, because driving is one of the more hazardous things you can do. There's probably no way this Assembly can reimburse MLAs for the risk to themselves or for the hours they spend behind the wheel of a vehicle. We just hope we drive as carefully as we can and we don't do it under extreme conditions of stress. But I think that's a factor in common for all MLAs.

I believe what's being said is that the mileage should somehow approximate what actually takes place, that the limit of 45,000 kilometres is too little for some of the rural members. Now, that seems to be a reasonable principle. But then you also have the fact that this government for years has tried to decentralize government operations out of Edmonton, so we all have to deal with government departments which are not located or even headquartered in the city of Edmonton. For example, I've had to travel to Calgary to the ERCB on a number of occasions on behalf of constituents who were in the oil or gas field: consultants, geologists, or what have you. We have the Alberta Opportunity Company in Ponoka, the Ag Development Corporation in Camrose, the Athabasca University, and it goes on and on. Provincial institutions are scattered throughout the province, so unfortunately this is a problem that's not strictly limited to so-called rural members. I think we may have a serious imbalance with respect to a fair number of members. So I just wonder what the government is proposing, Mr. Bogle, in respect of urban members who drive on behalf of their constituents and suffer the same expenses and risks rural members do where they may drive, say, in excess of the quota allowed. That's the issue we're dealing with, the fact that there's a quota. Of course you have to demonstrate that you drive the kilometres, produce receipts and the rest. It's not an automatic allowance.

MR. BOGLE: I'd be pleased to come back to that kind of specific when we actually get into the motion.

MR. CHAIRMAN: On the overview.

MR. BOGLE: I'd like to get through the overview right now, and if there are questions . . . Like, Percy's question was clearly to seek information, and I think that's appropriate for the overview.

The next area I'd like to address relates to a current Members' Services order which allows the spouse, family, or guest of a member to accompany or join a member either in the provincial capital or in another part of the province on official business. Alan Hyland actually raised this point and reminded us that the original motion which resulted in this order being created – the motion was made by Frank Appleby in 1980 – called for up to six round trips per year. Our current order refers to four trips. So what the motion would propose is that we delete "4" and substitute "6" and make it clear that a spouse or a family or guest may join a member in the capital city. But if the travel is to be to any place else in the province, then clearly it must be an official function of some kind, and then the member, of course, could be called upon to indicate what kind of function that indeed was. But if a spouse is traveling to Edmonton to join a member on a weekend, whether the member is attending an official function or not, there's a reason the member is here. It could be to clear the backlog of work from the desk or other such things.

11:24

The next motion relates to members who drive in lieu of flying. All members are entitled to up to five trips per year anywhere in the province of Alberta. There's a suggestion that that be refined further and we credit the member who chooses to drive rather than fly at the rate of 1,500 kilometres per trip, and that's the round trip. That would take a member to the farthest parts of the province.

The last recommendation . . .

MR. WICKMAN: So you're saying there's six hundred and fifty . . .

MR. BOGLE: Five. If a member chose to drive and not fly at all, the member could claim up to 7,500 kilometres . . .

MS BARRETT: In a year.

MR. BOGLE: . . . in a year, and that would apply across the board to all members.

The last matter is really a matter of principle. It has no impact on the budget of the Leg. Assembly. If passed and approved, the intent would be that the Speaker would communicate with the Premier, the Leader of the Official Opposition, the leader of the third party, copy all other 80 members of the Assembly, and indicate that where a member sits on a committee and the committee mandate, responsibilities, duties cover a number of points, that committee should indeed be struck so that remuneration is provided to the member for the member's work. We can get into more detail when we get to the motion itself.

MR. McINNIS: What type of committees are we talking about? Could you give me an example of, say, one that's already in operation?

MR. BOGLE: Well, it could be a committee appointed through the Legislature by an order in council or by a ministerial order. So we're clearly speaking of a committee that has official status, ranging from a committee like a select special committee of the Assembly down to one appointed by a minister through a ministerial order. It could include government and opposition members, but it would not have to. It could be an entirely government committee. The motion, as I envisage it, would not

be directive, would not order, and does not have that kind of authority, but it would be used as a letter of principle that the Speaker in turn could communicate with others on.

MR. McINNIS: Mr. Chairman, it seems to me that a lot of these committees have remuneration attached to them. For example, the government has a committee right now on the Constitution, on which I believe there are government MLAs, which is holding meetings on Alberta's constitutional position.

MR. BOGLE: Yes.

MR. McINNIS: Now, I presume that carries its own remuneration with it. Maybe it doesn't.

MR. BOGLE: I don't know.

MR. CHAIRMAN: I don't think it does.

MR. McINNIS: It doesn't?

MR. BOGLE: Again, this was meant to be a motion of principle so that if a member is asked to serve on a committee and the committee is going to be reasonably active . . . Would it be helpful if I quickly went through the points, or would you rather wait?

MR. McINNIS: No. I simply wanted an example, if you could give one.

MR. BOGLE: I can't give you an example of an existing committee. I'm looking forward in terms of what kind of committees may be created in terms of workload, just so there's some continuity between the committees which are struck.

MR. CHAIRMAN: Okay. Was that the last point in the overview?

MR. BOGLE: Yes.

MR. CHAIRMAN: We'll pick this up when we come back. Let's sort of take ourselves back to the first motion, then, and work our way through the haystack.

MR. WICKMAN: Mr. Chairman, before you proceed, could I ask Bob if he could throw one more item on his agenda there that is related? It relates to the area where you talk in terms of being able to take mileage in lieu of flying.

MR. BOGLE: Yes.

MR. WICKMAN: Well, I'd like us again to have a discussion in that same area on the idea of pooling our air travel trips within our caucus.

MR. BOGLE: There's nothing wrong with either an amendment coming to one of the motions or a stand-alone motion.

MR. WICKMAN: I'll make an amendment when we deal with that particular aspect.

MR. CHAIRMAN: Okay. Thank you.

All right; let's go back to number 1, which is kilometres.

MR. BOGLE: Mr. Chairman, I'll move that Members' Services Order 4/83, the transportation and administrative services order, be amended:

- (a) in section 1(c.1)(iii) by deleting 21 and substituting 25, and
- (b) in section 1(c.1)(iv)(B) by deleting 45,000 wherever it may appear and substituting 60,000.

This would become effective January 1, 1991.

Clearly, the intent of the motion is to increase the kilometre charge for all members from 21 cents per kilometre to 25 cents per kilometre and to increase the upper limit for rural members from 45,000 kilometres to 60,000 kilometres.

MR. CHAIRMAN: Okay. Speaking to the first part, from 21 cents to 25 cents.

MR. BOGLE: As I've mentioned earlier, the reason the motion is rather technical: I had given it to Robert Day on Friday afternoon so that Michael could be contacted. We now have the reference to the Members' Services order.

John, I'll hand this to you, if you'd like.

MR. CHAIRMAN: Grande Prairie, then Edmonton-Highlands.

DR. ELLIOTT: Mr. Chairman, how does this 21 cents to 25 cents compare with the regular provincial government kilometre rates at present?

MR. BOGLE: That was one of the pieces of information which we looked at, and the rate is going from 25 cents to 26 and a half cents. I believe the date is January 1, is it? December 1; pardon me. So it's already gone up.

MS BARRETT: Is gasoline going to be subject to GST?

MR. CHAIRMAN: I don't know. Mr. Clegg?

MS BARRETT: Do you know if gasoline is going to be subject to GST?

MR. M. CLEGG: Oh, yes.

DR. McNEIL: But for members who use their PHH card, it will be rebated back through the Assembly.

MS BARRETT: It will, eh?

DR. McNEIL: Yes. Just as we rebate the other tax, FST, now.

MR. McINNIS: Mr. Chairman, I have two concerns. The first is that I've just been handed a piece of paper by Mr. Bogle that says what he said about 1(c.1)(iii) and 1(c.1)(iv)(B), but I don't have the order in front of me. I wonder if somebody has a copy of what it is we're amending. I'd like to say for the record that I object to having things like this handed to us in a meeting like this.

MR. BOGLE: It won't happen again.

MR. McINNIS: The member is saying that he will never again bring forward at a meeting like this . . .

MR. CHAIRMAN: Well, hon. members, we do this all the time, but if you want to change it, fine.

MR. McINNIS: Mr. Chairman, I wonder if I could now put my question to the member. He said that he would deal with it at the time this came forward. Is he prepared to deal with it now?

MR. CHAIRMAN: Is this on the 21 cents to 25 cents part? We're going to break this down into two portions. Otherwise, we're going to be seesawing back and forth. So if your comments deal with the 21 to 25, that's okay.

MR. McINNIS: Okay. The member stated that provincial government employees receive 26 and a half cents per kilometre. In that case, who pays the gasoline?

MR. BOGLE: The employee pays.

MR. McINNIS: What about this case?

MR. BOGLE: The Leg. Assembly.

MRS. KAMUCHIK: The Leg. Assembly pays for that through the PHH card.

MR. McINNIS: Thank you.

MR. CHAIRMAN: Edmonton-Whitemud. On this one?

MR. WICKMAN: Yes. First of all, let me say that I don't have a problem with the 45,000 to 65,000 for the rural. I respect geographical differences.

MR. CHAIRMAN: That's the next item, Percy.

11:34

MR. WICKMAN: On the 21 cents/25 cents - it was just touched on - I think we have to be very, very clear when we talk in terms of mileage as it pertains to ourselves and as it pertains to provincial employees that there is a difference, that being the fuel factor. On this particular part of it, I would like Bob to rationalize it a bit more. The extra 4 cents: is it the additional cost of vehicles, the capital cost of cars going up? What's the rationale? It's got to be tied to something.

MR. BOGLE: I handed my motion to John, so I don't have it in front of me, but I believe that the last order on the mileage was in 1986.

DR. McNEIL: Yeah. It went from 18 cents to 21 cents in 1986. It went from 15 cents, I think, to 18 cents in 1983. So there was a 3-cent move between '83 and '86. You're proposing a 4-cent move between '86 and '91.

MR. BOGLE: It's really the capital cost of replacing vehicles with the price of vehicles going up.

MR. WICKMAN: The price of vehicles. My understanding, Mr. Chairman - and I try to be very, very cautious in these matters - is that we ourselves cover the cost of our vehicles plus the cost of major repairs with the exception of, let's say, winterization and minor tune-ups and that. Everything else I always foot myself.

MR. BOGLE: Not major repairs.

MR. WICKMAN: Major repairs I foot myself.

MR. BOGLE: You pay for those.

MS BARRETT: You foot minor repairs, too, dear. Everything . . .

MR. WICKMAN: Yeah, everything except tune-ups and oil.

MR. CHAIRMAN: Antifreeze.

MR. WICKMAN: Yeah, when you go to Mr. Lube, for example, that type of thing: you get an oil job; you get a grease job. Everything else I pay for. Antifreeze they pay.

MS BARRETT: Liquids are covered.

MR. WICKMAN: So the rationale that this equates to is the cost of those type of repairs and the original cost of the vehicle going up. We've got to be clear. We don't equate it to the cost of the vehicles, because gas is a separate item.

MR. CHAIRMAN: Calgary-Foothills, Edmonton-Highlands.

MRS. BLACK: Thank you, Mr. Chairman. I just wanted to ask two questions. In industry what is the mileage rate on average? Do we have any idea what that is?

DR. McNEIL: I can't tell you that right now.

MRS. BLACK: I was wondering: in tax legislation on the use of vehicles, is there an upper limit as to what can be charged per kilometre?

MR. M. CLEGG: I had heard, Mr. Chairman, that for this tax year the rates generally charged for people in industry who are paying for their own gasoline was between 25 cents and 30 cents a kilometre, depending on the type of vehicle, and that generally the tax people would accept rates between 25 cents and 30 cents.

MR. CHAIRMAN: So as high as 30 cents.

MR. M. CLEGG: As high as 30 cents, yes.

MS BARRETT: I'd like to respond to Percy's question, because it was a question I asked when I was first elected and became a member of this committee. The difference in terms of not paying for our gasoline or oil and other people in the public service paying for that really amounts to, you know, 1 cent or 2 cents a kilometre. It's not that much of a difference. In both packages the real compensation for the driver is the wear and tear on the vehicle, and the wear and tear is going to be significantly greater on average, I would submit, when the vehicle is being driven by an MLA. I speak from my own experience. I put on 70,000 kilometres a year.

MR. WICKMAN: It depends how you drive, Pam. Speak for yourself. I'm a cautious driver.

MS BARRETT: You're cautious? I'm a cautious driver too.

MRS. BLACK: I followed you one night; you're not very cautious.

MS BARRETT: No, no. That's what that's about. You know, I go through a full set of tires at least once a year. I can ruin

a car in three years; I can put on 210,000 kilometres. So that's what the difference is about. I'm not sure if Bob wanted to add anything to it, but I'd like to know if that explanation satisfies.

MR. WICKMAN: You're saying 26 and a half cents is the normal charge; the compensating factor for the gas is built in at the 26 and a half cent point.

MS BARRETT: That's about the size of it, and I don't think that's unreasonable, given the amount - I mean, I'd be interested to know how much you drive. I realize that because I don't fly, I'm driving more.

MR. WICKMAN: I don't fly much either, Pam.

MS BARRETT: How much do you drive a year?

MR. WICKMAN: Oh, a lot.

MR. CHAIRMAN: All right; now we'll come back to the Chair and the Clerk.

DR. McNEIL: Just in terms of what costs you're probably covering with that 25 cents that's proposed, you're talking about depreciation, licence fees, insurance, and financing.

MR. CHAIRMAN: And insurance has gone up.

DR. McNEIL: Insurance has definitely gone up, and it's predicted to go up much more in the next years.

MS BARRETT: Oh, goody.

DR. McNEIL: Just to add that information on the details.

MR. CHAIRMAN: Okay. On this point, the 21 cents to 25 cents, are you ready for the question?

MRS. BLACK: Question.

DR. ELLIOTT: Just in adding to what has already been said here by some of the members, is the word "rural" MLA still applicable in this discussion?

MRS. BLACK: Multimunicipality.

DR. ELLIOTT: I'm a multimunicipality MLA. I just want to confirm what the others members said.

MR. BOGLE: If I might, these orders make reference to urban and rural. I think we will need to come back at one of our next meetings and adjust all our orders to reflect the new legislation.

DR. ELLIOTT: Okay. Well, that's fine. I'll withdraw then, Mr. Chairman. Thanks.

MR. CHAIRMAN: Parliamentary Counsel and Clerk, make note of that. It's multimunicipality.

Are you ready for the question on 21 cents to 25 cents?

MRS. BLACK: Question.

MS BARRETT: We're just voting on 21/25?

MR. CHAIRMAN: Yeah, 21/25. Those in favour, please signify. Opposed? Carried unanimously. Thank you.

Now let's deal with the next section, same mover, with respect to moving 45,000 to 60,000 km for multimunicipality.

MR. BOGLE: I think Percy had a question.

MR. WICKMAN: I don't have a problem with the 60,000 kilometres for the rural. All you have to do is look at a map. I look at the number of kilometres I put on myself in the city. Although as critic of Municipal Affairs I do get in some urban driving, by and large I have no problem with 60,000 for the rural members. It's up to 60,000 in any case; it's not 60,000 automatically.

MR. BOGLE: Yes.

MS BARRETT: Mr. Chairman, I've been on this committee since 1986, and usually what has happened, and I believe happened long before I joined the committee, was that where there was a recognized increase in the driving factor for MLAs - which will probably continue to increase, I suspect - there was also recognition of increased driving by urban MLAs, or single-municipality MLAs. I mean, what we're doing here is acknowledging the reality, the fact of life that rural MLAs drive a lot, but I have no information that would demonstrate that urban MLAs don't drive an awful lot too. So if this is a move to be fair, and I agree that it is reasonable to increase the maximum mileage allowance for rural MLAs, I've got to wonder why it isn't also being increased for urban MLAs, who also do a fair amount of driving. I think, as John pointed out earlier, you want to go to a number of provincial agencies that aren't located, say, in Edmonton or Calgary, and even if they are in Calgary and you happen to live in Edmonton, you've still got to drive that distance. There are provincial agencies all across the province, which some of us need to visit more than others, I suppose. So that's certainly the question that I would put.

MR. BOGLE: Well, that's a very fair question, Mr. Chairman. I think that if you look at the current maximum allowable rate for an urban member of 25,000 kilometres, it's deemed that that's more than sufficient to allow a member to travel around his or her constituency in a 12-month period. The additional mileage being recommended for rural members is in recognition of the greater usage. We did ask rural members to indicate . . .

MS BARRETT: But you didn't ask city members, you see.

MR. BOGLE: Pardon me?

MS BARRETT: You didn't ask city members. That's my point.

MR. BOGLE: No. We fell back on the point that the 25,000 kilometres in Edmonton-Highlands or Edmonton-Jasper Place or Calgary-Foothills should be sufficient. If you would like, I would certainly accept a friendly amendment that with the 15,000 additional kilometres we're proposing, the member be required to show receipts from service stations within his or her constituency to show that they are from the constituency.

MR. CHAIRMAN: Calgary-Foothills, followed by Edmonton-Jasper Place.

11:44

MRS. BLACK: Thank you, Mr. Chairman. As an urban MLA, I think the mileage for city MLAs at 25,000 kilometres is adequate. It should not be increased, and I am in favour of this motion.

The reason I say it's adequate is that when you look at the average size of a major urban riding, you're looking at approximately 30 square kilometres in size, and my understanding of the order was to allow the MLA to get around their riding to service their constituents. I think that when you have only a 30 square kilometre riding to service, certainly the miles do add up. Being a member that doesn't live in the capital, you have the additional travel if you don't fly to and from the capital. I find the 25,000 is more than adequate to service my constituents. That's not to say that I, too, don't travel outside my riding, because I do. But I think it's important that we recognize that the order was intended to service our constituents, and I feel that 25,000 is more than adequate.

I do feel, though, that in traveling this province this last year, the rural limit was not sufficient and had to be increased particularly up in the very northern and very southern parts of the province where the ridings . . . As an example, I look at Fort McMurray, and you've got 117,000 square kilometres of space in that riding. There's an awful lot of travel in Athabasca, et cetera. So I would be very much in favour of us increasing the rural, but I certainly would be very much opposed to increasing the urban limits.

MR. McINNIS: Can I put my question to Mr. Bogle now?

MR. CHAIRMAN: Sure.

MR. BOGLE: Go ahead.

MR. McINNIS: Well, the provincial government has relocated programs out of Edmonton in many cases for reasons of decentralization and to reverse rural depopulation and so forth. I don't think it would be a friendly amendment to suggest that a member has to produce receipts showing that travel was done within the geographic boundaries of the constituency. I think that would be rather silly, because sometimes you have to go outside the constituency to represent your people. I mean, that's all there is to it. I don't think it makes any sense to say that members can only travel within their constituency, because sometimes, as has been pointed out in the Assembly previously, you have to travel outside your constituency to get from one end of it to the other. That happens, right? We don't have a visa system in Alberta; you don't have to have papers to enter one riding or leave another. So I think that would be meaningless paperwork at the very best, but I do put my question in respect of members who have to travel to, let's say, Calgary to deal with the ERCB, Ponoka to deal with the Alberta Opportunity Company, Athabasca to the university there, or any other place where there is a provincial institution in which you may be involved with the representation of casework or what have you: what is the government prepared to do in respect to urban members dealing with that?

MR. BOGLE: Well, the first part of your comments, John: as you know, the current order allows a rural member to claim for up to 45,000 kilometres, the first 18,000 without receipts; between 18,000 and 45,000 kilometres with receipts from any

place within Alberta. My suggestion back to Pam was that if it's more palatable by asking that the additional 15,000 kilometres we're speaking of be with receipts from the constituency, something I, as the mover of the motion, certainly would be prepared to live with, I don't see it as a problem at all, because if you were to look at – I suggest my colleague Al Hyland of Cypress-Redcliff. Most of his receipts now are from service stations in the constituency, because that's where he spends his time.

But the second part of your question really is covered in an existing Members' Services order where a member is allowed to travel up to five times per year any place in the province. So in addition to using the 25,000 kilometres in your constituency, you've got five trips where you can go down to the ERCB office if you so wish. I've suggested today that one of the amendments we're looking at and will later propose, I believe, will relate to those five trips and give even more flexibility to members if they wish to drive rather than fly. So I think we can address the second part of your question in another motion that has not yet been put on the table but which was shared with you in advance.

MR. McINNIS: Mr. Chairman, I think we're sort of missing the point here. I don't really believe that any member of this Assembly makes a decision to travel on behalf of a constituent or a concern that they are responsible for in the Legislature on the basis of whether there is mileage to be had with it or not. I believe that we all do the job based on our perception of it, the need of it, and the demand that it has to be done. So what we're talking about is really what portion of a member's travel is reimbursable.

Now, the argument was put that there are rural members who travel in excess of 45,000 kilometres a year. I believe that to be the case. I don't believe the case is being overstated at all. I've heard members speak in the Assembly and elsewhere about the amount of driving they do, and I repeat that that's a very hazardous thing to have to do. We can't compensate for the hazard, but we can reimburse for the cost, basically to try to reduce some of the financial burden which may be on the member, his personal finances, and his family. That's really what this is all about, and I think it's a commendable recognition of the reality. But why is there no recognition of the reality in respect of urban members?

I'm not talking about those such as Mrs. Black who find the 25,000 kilometres perfectly adequate to do the job. Obviously, there is no problem to be addressed there because the existing mileage quota is sufficient to cover the amount of traveling that she does. Out of town members, of course, when they're in Edmonton can use taxis, again at the taxpayers' expense, to get to and from the building. I estimate I travel probably 10,000 to 15,000 kilometres back and forth to this building every year, before I do anything else, and that's all done with my personal vehicle. It's not done by taxi. Even though I suppose if I wanted to I could, you know, stick it to the taxpayers and take a taxi to work every day, I'm not going to do that. I can assure you of that. Nonetheless, that provision is there for rural members, and we accept that, we recognize that. We're prepared to do things on behalf of rural members to make their personal finances palatable. But in the case of those who may be over the 25,000 limit urban members, why is there no recognition there? I just don't understand that.

MR. CHAIRMAN: Okay. Thank you. You're starting to slide into repetition I'm afraid. The motion that we're dealing with is the second one on the page: 45,000 for multimunicipality

members. If somebody wants to bring in a subsection (c), they're perfectly free to do that when we get past this one, if we do.

MR. McINNIS: Well, actually, Mr. Chairman, I am prepared to do that but I'd like . . .

MR. CHAIRMAN: Well, not at this moment though.

MS BARRETT: Why can't you amend? It's an amendable motion.

MR. McINNIS: I've got an amendment to the motion.

MR. CHAIRMAN: Well, because I've got a piece of paper that's got two of them on it. If we want to add a third one to it . . . We've already passed the one. The Chair has just said it's quite willing to add it. He has given notification that it's likely to happen.

DR. ELLIOTT: With this discussion with respect to different constituencies, I think in this particular instance this increase in kilometres will apply to only a portion of those constituencies which are considered large and rural. For example, the MLA for the constituency of Smoky River will certainly be accommodated considerably by this change, whereas there are others of us holding certain rural constituencies that this will have very little impact on. But I think it's a major step forward for those people with the large constituencies. I'm looking at this as assistance to those MLAs who are representing very large constituencies and have a massive amount of driving to do within the constituency. Smoky River is the best example I've got. That's, I think, the purpose of this amendment.

11:54

MR. WICKMAN: Mr. Chairman, I thought we were going a bit off on a tangent there. Maybe I don't understand the policy clearly. But the comments made by the Member for Edmonton-Jasper Place about taxis: I understood that taxis are basically to be used for airport to Leg. type travel, not just freely back and forth to the Leg. Building. I don't think that's possible under our existing policy.

MR. McINNIS: It sure is.

MR. WICKMAN: Maybe it is; maybe I'm wrong. Nevertheless, that's not the intent. The intent of mileage is to provide for sufficient mileage that one does within their constituency, that they do within their general duties as an MLA. It does take a person out of the constituency; no question about that. There may be some urban people that do go over 45,000 kilometres. I would suggest that there's going to be rural people that won't even go over the 60,000 kilometres. I'm equating it proportionately. The proportion before between urban and rural, 25,000 to 45,000, was not fair and reasonable. The rural should have been substantially higher than the urban, not less than twice as much, and it is less than twice as much. Twice as much would have taken it to 50,000. I would suggest a rural member would do more than twice the amount of driving within the constituency and related duties as the urban. So the 25,000 to the 60,000 is a fairer proportion in respect to rural members. It may not satisfy every member. Some of us may suffer some hardships; so be it.

MR. CHAIRMAN: Thank you.
Additional on the rural member?

MR. McINNIS: If Mr. Bogle accepts my point that MLAs travel based on the need and not on the mileage, would he agree that those who are now over 60,000 kilometres basically get a \$3,900 shot in the arm through this motion? That's what it amounts to: 15,000 kilometres at 26 cents per kilometre.

MS BARRETT: Twenty-five.

MR. McINNIS: Twenty-five? Oh, sorry. That's basically what it amounts to, right?

MR. CHAIRMAN: Okay. Further comments?

MR. BOGLE: You can draw your own conclusions. The motion speaks for itself.

MS BARRETT: I just asked Bob if I could look at that survey, and I remembered that the survey was sent out as a result of some experiences we had when we were on the road with the Electoral Boundaries Committee. Sure enough; if you look at the responses that they got, you've got 20 MLAs right now that are over the maximum, and that's just government MLAs. So I do not dispute that rural MLAs drive a lot. I just want to make one more kick at the cat here with respect to urban MLAs. I believe that if you did the same type of survey and included urban MLAs, you would see that urban MLAs are also driving considerably more than they're allowed for reimbursement. I say that to be fair to one, you need to be fair to the other. I'm not speaking against this motion. I think it needs to be amended. I say we should be fair, but we should be fair to everybody.

MR. CHAIRMAN: Okay. Last comments with respect to this? I'm going to call . . .

MR. McINNIS: Mr. Chairman, I just want to indicate support for what my colleague has said. There's an historical relationship here. I support increasing it for the reasons I've already indicated. I think it's a hardship on members who do travel in excess of the allotment that suddenly the quota is reached and they're not able to qualify for reimbursement. So I have an amendment which would preserve the historical relationship between urban and rural, not change it or alter it in any respect at all. May I put that amendment now, or do you want to put it after the vote?

MR. CHAIRMAN: After the vote.
Call for the question.

HON. MEMBERS: Question.

MR. CHAIRMAN: All those in favour, please signify. Opposed? Carried unanimously.

MR. McINNIS: The amendment is to section 1 (c.i)(iv)(A), which is the urban portion, and it essentially parallels the one that was just moved by the government except that it strikes out 25,000 and puts in 33,000. That's not the same increase as rural members get. It restores the historical relationship since these things have been in existence. In other words, the mathematical relationship between 33,000 and 60,000 is essentially the same as

between 25,000 and 45,000. It actually comes out to 33,300, but I've rounded it back to the lower figure.

I think the arguments have been stated. It's interesting that this came forward as being from the Electoral Boundaries Committee, because no one in my constituency understood that these aspects were being dealt with by that committee. In fact, I don't recall seeing them in the terms of reference. So it's perhaps understandable that in dealing with problems that do exist, hon. member, in respect of representing rural/urban ridings, it probably didn't come forward. I mean, why would they? Most people wouldn't have thought that was a suitable subject for discussion at those hearings, so that's probably why you didn't hear about it. But it is a problem nonetheless. I think that while we have the patience to listen to and respond to concerns that come from rural members, hopefully they will show the same.

MR. CHAIRMAN: Taber-Warner.

MR. BOGLE: Thank you, Mr. Chairman. Just to refresh John's memory - and he might wish to go back and check *Hansard* on the hearings that the Select Special Committee on Electoral Boundaries held - you'll find that related to increasing the ability of rural members to service their constituents, to work within the ridings, to travel back and forth, many of the recommendations for increased support came from urban petitioners. That was to balance their argument that we should have all of the constituencies around the province as equal as possible on a voter basis. Whether or not any of those petitioners were from Edmonton-Jasper Place or not I don't know, but I do recall that in the nine hearings held in Calgary and Edmonton, the committee heard considerable input from petitioners to increase support for rural members.

MR. McINNIS: It's an excellent point.

MS BARRETT: Yeah. That's fair enough, Bob; absolutely. It was also part of our mandate to look at the realities facing all MLAs. But I just want to clear the record here: that is absolutely true, and I'm one of the people who stands by my commitment to make sure that members can do their work and do so on a fair reimbursement basis, but that is not to say that we didn't also say that urban MLAs should be treated fairly as well. Nobody came forward and said, "Only help urban MLAs; only give them additional help."

Obviously I'm speaking in favour of the amendment. The amendment that's being sponsored does not detract in any way from either the principle or the commitment to the motion that was just passed, certainly not from my perspective and I'd be surprised from anybody's perspective that presented to the Electoral Boundaries Committee.

MR. CHAIRMAN: Okay; I wonder if we might have five minutes. The chairman's fighting the flu, and I really need to take a short walk. See you all in five.

[The committee adjourned from 12:03 p.m. to 12:15 p.m.]

MR. CHAIRMAN: Okay, let's try again, please.
Edmonton-Jasper Place.

MR. McINNIS: Thank you, Mr. Chairman. A couple of points. One is the business of urban people coming to the Electoral Boundaries Committee of the Legislature seeking more assis-

tance and resources for rural members doing their jobs. I think the member did put the case that the reason they were doing that is that they were hoping for a more equitable distribution of seats, the idea being that we respond to the needs of rural members by providing them with the resources to do the job rather than maldistributing the electoral map on that account. Unfortunately, the other side didn't quite come through. We ended up with legislation that does build in considerable institutional biases between urban and rural, although the terms "urban" and "rural" are no longer used in the legislation. That may also present a difficulty, which I'm just raising in passing right now, for this Members' Services order, which has the terms "urban" and "rural" in it. Even though the government has moved away from that for fairly obvious reasons that were dealt with in the debate, they nonetheless have that.

I want to correct an impression that was put forward by more than one member that the allowances we're talking about are for constituency travel. Clearly, they're not. Those members who have the Members' Services order will see that clause (c.1)(iv), which is what we're dealing with – we've amended the second half, dealing with rural members, and we're now dealing with the first half, dealing with urban members – is headed "the amount of general travel within the Province for which the allowance may be paid shall be." Then it goes through (A) urban and (B) rural. So I wish to note, for the members of the government particularly, that what we're talking about is general travel within the province, and that's what that provision has always been there for.

It's hard sometimes when you try to get people to realize that there are many reasons connected with constituency service that might require a member to travel throughout the province. Now, it so happens that I travel 50,000 to 60,000 kilometres a year, which is certainly not out of line for what rural members travel; many of them travel a whole lot more. But it has many consequences, such as that a five-year warranty on a vehicle expires within a year. From that date forward you don't have the ability to have things done under warranty. In fact, vehicles don't last that much longer at that rate. So what we're dealing with is essentially a human dimension. The problems tend to be similar sometimes, more so than we realize. But sometimes I think we divide ourselves into armed camps and kind of shoot at each other, and it's not necessary at all.

We are dealing with general travel within the province. That's the category of item. This amendment is simply to preserve an existing relationship which has been there since 1983, I believe, when this category was created. I believe the relationship has not changed since 1983. I could be wrong, and it could be 1988. Anyway, it predates my service on the committee.

MR. CHAIRMAN: Thank you.

To get to the agenda, I think we're going to have to start implementing speaking once to each motion. Since Edmonton-Jasper Place is the sponsor of this motion, I think we'll take that as summation. All those in favour of the motion before us of increasing the urban MLAs from 25,000 to 33,000 kilometres, please signify. Opposed?

MR. BOGLE: Could we have it recorded, please?

MR. CHAIRMAN: Recorded in favour: Edmonton-Highlands and Edmonton-Jasper Place. Opposed: Calgary-Foothills, Edmonton-Whitemud, Grande Prairie, Taber-Warner, and Cypress-Redcliff.

Thank you. The next item.

MR. M. CLEGG: Mr. Chairman, may I just ask a couple of questions so I can be sure of how I draft the orders and to raise another quick point which relates to this matter before we leave the question of mileage? There is another order, the committee mileage allowance order, which also has a 21 cents per kilometre rate. The committee might wish to consider at this stage whether they also wish to increase that to 25 cents per kilometre. It's not something which I can really handle as a consequential amendment of this, because it is a different order.

MS BARRETT: So moved.

MR. CHAIRMAN: So moved by Edmonton-Highlands, dealing with the committee increase from 21 cents to 25 cents per km. A call for the question?

HON. MEMBERS: Question.

MR. CHAIRMAN: All those in favour? Opposed? Carried. Let the record show unanimously.

MR. M. CLEGG: Thank you, Mr. Chairman.

The second matter would relate to the commencement of the increased limit for rural members. I would presume that that would be applicable during this current fiscal year, so that limit would be the one which would be accrued up to March 31 of '91. Is that the committee's intent?

MR. CHAIRMAN: It would begin on January 1.

MR. M. CLEGG: Mr. Chairman, the rate per kilometre was stated to commence on January 1, but the actual limits are stated as fiscal-year limits, and they can only be changed with respect to the annual fiscal year.

MR. McINNIS: Do you mean this fiscal year or the next fiscal year?

MR. BOGLE: The motion that I made had three parts to it. The third part had an implementation date of January 1, 1991.

MRS. BLACK: That gives you your last quarter of the year.

MR. M. CLEGG: Well, no, we can't prorate them. That would in fact mean if we make a commencement . . .

MR. BOGLE: Why can't you prorate them?

MR. M. CLEGG: Well, we could if there were an amendment to the order to prorate it by a month.

MR. BOGLE: Well, then we'll do it.

Where we keep getting in trouble in this committee, Mr. Chairman, is that motions are made and then orders are drawn. As Percy just said, common sense tells you that if you're going to move the rate from 21 cents to 25 cents per kilometre, that also applies to the committee. It applies to anything else that we might be dealing with. Where we get ourselves tripped up is when we're dealing with some very specific order here and we miss a point, and then we're correcting it at the next meeting or two meetings later.

MR. McINNIS: Well, Mr. Chairman, it's a simple matter, and I think perhaps you're misdirecting your concern. It's the mover of the motion that has to figure out what it is you want to do.

MR. BOGLE: And the mover of the motion . . .

MR. McINNIS: On an annual basis you're allowed a certain number of kilometres.

MR. BOGLE: The mover of the motion stated . . .

MR. McINNIS: I didn't interrupt you.

MR. CHAIRMAN: Well, hon. members, forgive me; interruptions occur.

MR. McINNIS: Well, okay. But the point is quite a simple one.

MR. CHAIRMAN: Let's depersonalize it completely. I want you all now to work through the Chair, and we'll refer to Taber-Warner, Edmonton-Highlands instead of by first names, last names, and so forth.

MR. McINNIS: Mr. Chairman, we have a Members' Services order which states an annual limit; it doesn't state a monthly figure. So we lack the capability of adjusting that. If the member wants to create some transitional device to deal with the first three months of the fiscal year to add a prorated portion for this year only, to add, say, 5,000, then that would take care of that transitional period. Otherwise, it simply flows logically from the fact that there's an annual figure that's there.

MR. BOGLE: As indicated, Mr. Chairman, there were three parts to the motion. It was intended that it would be prorated.

MR. CHAIRMAN: Thank you.

Parliamentary Counsel, that can be taken into account. Do you need another special amendment?

MR. M. CLEGG: No, I don't need a new amendment, Mr. Chairman. I will draft the order for the committee to look at tomorrow and to make sure I've got what they wish to have as an order.

The third point I'd like to mention is that the designation of "rural" and "urban" is still correct and will be correct until members are elected to new ridings designated in the next election, so we don't have to worry about that change.

MR. CHAIRMAN: Okay.

The next item, if I've followed things correctly, deals with clarification about car rental, taxis. Is there a motion in this regard, or is the next one the spousal trips?

DR. ELLIOTT: Mr. Chairman, I have a motion in that respect.

MR. CHAIRMAN: Thank you, Grande Prairie. Are these copies here to be circulated?

DR. ELLIOTT: Yes.

MR. CHAIRMAN: Okay.

DR. ELLIOTT: I'm sorry, Mr. Chairman; you asked a question of me?

12:25

MR. CHAIRMAN: Is this the one on taxis?

DR. ELLIOTT: Yes, it is, Mr. Chairman: moved that MSC Order 4/83, the transportation and administrative services order, be amended by deleting section 1(b.1) and substituting reimbursement for the cost of taxi travel or car rental, whichever is deemed to be less costly [by the member], in the cities of, or areas surrounding, Edmonton and Calgary, subject to the submission of supporting receipts.

Speaking to the motion, Mr. Chairman, in addition to the comments already made in the overview. This is where members fly from, say, the Legislature to Calgary to take in two, three, or four functions in one day. If they could rent a car at the airport in the morning, do the business in the city in the one day and be back to the capital city that same evening, it'd be much less costly to rent the vehicle rather than do that traveling around the city as four or five taxi trips. This was brought to our attention by these members.

MR. CHAIRMAN: Okay; Edmonton-Whitemud, followed by Edmonton-Jasper Place and Calgary-Foothills.

MR. McINNIS: A point of order, Mr. Chairman. What agenda item are we on at the present time?

MR. CHAIRMAN: We're exactly where we were before: 4(d).

MR. McINNIS: Well, Mr. Chairman, with due respect, that doesn't have anything to do with taxis and car rentals. Does that have something to do with the mileage program? That was the agenda that I came to debate. Was there a motion to change the agenda?

MR. CHAIRMAN: Thank you, hon. member, but you were part of the meeting at the same time these various items were brought forward here, and there was no objection raised at that time.

MR. McINNIS: This item is only brought forward now for the first time.

MR. CHAIRMAN: Hon. member, it was said under 4(d), the mileage program. There were certain recommendations that flowed.

MR. McINNIS: Oh, I know that he raised it in his overview, but we either follow the agenda or we don't.

MR. CHAIRMAN: Well, thank you, hon. member, but because no objection was raised earlier, this is what we're following. Edmonton-Whitemud.

MR. WICKMAN: Yes, just a couple of questions. The earlier comment that I made, Mr. Chairman, would not apply. We resolved that in caucus. When a person comes up from Calgary for the Leg., they're around here long enough that in all likelihood they're going to have a second car here while they're staying here. What I'm talking in terms of is that it appears that it's going to address this: if a person from Calgary comes to

Edmonton when the session is not on and might have two or three things they have to attend to, that would apply under this order, eh? So it's not restricted to Calgary. My concern was that we don't restrict it to people going from Edmonton to Calgary, that it would work vice versa as well.

MR. CHAIRMAN: Thank you.

Edmonton-Jasper Place, followed by Calgary-Foothills.

MR. McINNIS: I understand that there are two changes contained within this proposal, the first being that local travel in the city of Calgary is now covered without limitation and, secondly, that the option is now available to rent a car rather than take a taxi where that's deemed to be less costly. Now, I take it that means that, say, a rural member in Edmonton during the session now has the option of renting a car during the time that we're in session if that's less costly than the volume of taxis they presently take. Am I understanding this correctly?

MR. CHAIRMAN: Clarification, Grande Prairie.

DR. ELLIOTT: We're offering this as an additional option to those opportunities that were available with respect to the use of the taxi. It's to accommodate city MLAs as they're accommodating their constituents in Calgary or Edmonton.

MR. CHAIRMAN: Calgary-Foothills, Taber-Warner.

MRS. BLACK: Thank you, Mr. Chairman. Actually, Calgary-Glenmore brought this up originally. As an example, when we come to Edmonton for session, if we bring a vehicle here for session and then have to fly back for X, Y, Z representation, et cetera, for us to take a taxi from the Calgary airport - we don't have a municipal airport as we do here in Edmonton, and I'm in the north end of Calgary, close to the airport, far closer than Calgary-Glenmore is - it costs me a minimum of \$28 each way to get to my riding for a function. So when you take that into consideration, quite often there are specials on that you can rent a car for \$36 or even less. It would be more economical to rent the car to go to the function and go back to the airport to get back up here than to pay out the \$56 in taxi fare.

Now, to go to Calgary-Glenmore, you're looking at probably \$40 or \$45 each way by taxi because our airport is outside of town. You know, if we had a municipal airport, it would be a different situation. When I come to Edmonton, to come from the Municipal Airport to the Legislature costs me \$8 and change - it depends on the driver - pretty close to \$9. In Calgary it's substantially different. This is to save money on the cost of the taxis; that's all this was intended for. You'd have to use your own discretion and be able to back it up.

MR. CHAIRMAN: This isn't really designed to be driving all over - in my case, in Calgary - using a taxi over my private vehicle or government vehicle.

MRS. BLACK: Not at all.

MR. CHAIRMAN: This is primarily supposed to be from airport to function to airport kind of thing. Is that right?
Taber-Warner, Edmonton-Highlands.

MR. BOGLE: The explanation has been given, Mr. Chairman.

MR. CHAIRMAN: Thank you.
Edmonton-Highlands.

MS BARRETT: Okay. I just want to clarify that vice versa is true as well. The only time I use taxis is if my car is broken, which it often is. Well, not that often, but too often for my liking.

MRS. BLACK: You've got a new one.

MS BARRETT: No, dear. I buy old cars and drive them until they die. I couldn't afford any other route.

So, for instance, all MLAs are allowed to take up to two taxis a day in and around the city of Edmonton if we need to, right?

MR. CHAIRMAN: No; that's news to use.

DR. McNEIL: There's no limit.

MS BARRETT: There's no limit? Okay; all right.

So if I have three or four appointments to go to and it would be cheaper for me to rent a car for that day than to take taxis to those appointments, then the same rule would apply under this motion, right? Similarly for Calgary MLAs who don't have two cars and leave their car in Calgary to come to Edmonton: same deal?

MR. CHAIRMAN: Is the answer yes?

MR. BOGLE: That's the way I read it.

MS BARRETT: That's the way I read it too. I'd just like to make sure I'm right.

MR. CHAIRMAN: Any further comments?
Grande Prairie, summation.

DR. ELLIOTT: I think it's all been covered, Mr. Chairman, thank you.

MR. CHAIRMAN: Okay. A call for the question?

SOME HON. MEMBERS: Question.

MR. CHAIRMAN: All those in favour? Opposed? Carried.
Thank you.

I believe the next item is spousal travel: spouse and/or friend, family member.
Cypress-Redcliff.

MR. HYLAND: Mr. Chairman, this is under minute 90.153, from the November 23 meeting, when I asked about the four spousal trips. Something in my memory told me that way back it was more than that, but I wasn't sure. I believe the minutes have been researched since, and it was found out that in 1980 the original motion was six. Somewhere along the way, and I suspect it was when we added the trips to anywhere in the province, the six were lost and all of a sudden it became four. As well, the trips anywhere in the province became four. That's where the mix-up was. Robert, have you got a copy of this?

MR. BOGLE: No. It's different.

MR. HYLAND: Yeah, because of that. Oh, okay. I thought you had a photocopy of that. Should we break and get a coffee?

MR. CHAIRMAN: If you want to just . . .

MR. HYLAND: I'll read it, but what it's adding is just the number and "or joins" in it: moved that MSC 4/83, the transportation and administrative services order, be amended (a) by deleting the first paragraph in section 2(b) and substituting reasonable travelling and living expenses of the spouse, family or guest of a Member who accompanies or joins the Member to the province's capital, or, providing that such trip is related to the Member's public or official business, to any other part of the province, subject to the following conditions.

That's the end of the quote on the first one.

The second section to the motion is in section 2(b)(ii), by deleting "4" and adding "6".

Really the only change from the existing is adding "family" and "or joins."

12:35

MR. McINNIS: Are there copies, Mr. Chairman?

MS BARRETT: No, he just said he hasn't had a chance. He hasn't photocopied it.

MR. HYLAND: Well, I thought it was, but we can break for a minute and photocopy it.

MR. WICKMAN: Well, why not just photocopy that one, and we'll just go on to the next one while that's being photocopied.

MR. CHAIRMAN: Al, if you want to give it to Michael. Thank you.

MRS. BLACK: What about this one? Has it been photocopied?

MR. BOGLE: I don't know. Which part are we using?

MRS. BLACK: The top.

MR. CHAIRMAN: Okay; the sum and the substance is that we will break for five minutes to get this paperwork straightened around.

[The committee adjourned from 12:37 p.m. to 12:43 p.m.]

MR. CHAIRMAN: Cypress-Redcliff, any other comments?

MR. HYLAND: No, Mr. Chairman.

MR. CHAIRMAN: Okay, thank you.

Edmonton-Highlands, Edmonton-Jasper Place.

MS BARRETT: I guess I'd like to make a general comment first. Sometimes it's important to have the orders in front of you, and it would be nice if in future we could do that so that I know, because now I have to ask a question and somebody's got to spend a minute finding it. I want to be refreshed on "subject to the following conditions." What are those conditions?

MR. CHAIRMAN: Mr. Clegg, have you got them there?

MR. M. CLEGG: Yes, Mr. Chairman.

Subject to the following conditions:

- (i) the function in each case must be held within Alberta and the expenses must relate to travelling and living within Alberta,

- (ii) no expenses may be claimed or paid under this clause in respect of more than 4 functions in any one fiscal year.

MS BARRETT: That's it for conditions?

MR. M. CLEGG: Yes.

MR. BOGLE: So "4" is being deleted, and we're putting in "6."

MR. M. CLEGG: That's going to be six.

MR. McINNIS: It seems on the surface that what this does is add two additional spousal trips to the four that we already have, although it's awkwardly worded so it may be more than that. Without losing my opportunity to speak, I wonder if I could just clarify whether that's what it is. Is there more to it than that?

MR. CHAIRMAN: It's just four to six, correct?

MR. HYLAND: That was the intent, yeah. It was to take it back to what it was supposed to be to start with.

MR. McINNIS: This is something I've never understood. We've got "spouse, family or guest," so that presumably includes a fair range of people. What is it that they're entitled to in the way of traveling and living expenses? Like, could each member of a family claim airfare, for example, or could they travel in more than one vehicle?

MR. HYLAND: The existing order says, "reasonable travelling and living expenses." I guess Kathy would be the best to answer that, but as I remember it, it's any meals . . .

MR. CHAIRMAN: Subsistence.

MR. HYLAND: Subsistence really. Separate vehicles, hotels? Separate vehicles: mostly it's air travel. As I said, the reason why "joins" was in, which could be your next question, John, is that somebody, like my wife, for example, would fly to Edmonton and then drive home with me. They've been allowing it in the office, but it just clarifies it to say that it doesn't have to be round-trip. It can be one direction.

MR. McINNIS: Thank you.

MR. CHAIRMAN: Okay. Questions? Calgary-Foothills.

MRS. BLACK: Thank you, Mr. Chairman. Just for clarification. Kathy, maybe, or Mike will have to answer this. When a spouse or family travels, does that portion of the cost become a taxable benefit, then, to the member?

MS BRUCE-KAVANAGH: Not that I know of. It's reimbursement of expenses.

DR. McNEIL: It's reimbursement of an expense, so it's not a taxable benefit.

MRS. BLACK: Even if they're not partaking in, say, the conference or whatever it may be?

MS BRUCE-KAVANAGH: We don't give it as an allowance. They submit an expense claim, and we reimburse them.

MRS. BLACK: Well, I know that in the private sector it's a taxable benefit when your spouse travels with you.

MS BRUCE-KAVANAGH: We haven't used it as such.

MR. CHAIRMAN: Okay. Edmonton-Highlands, Edmonton-Whitemud.

MS BARRETT: Yeah; I would just like to point out: I'm in favour of family unification, but do you realize that passing this order this way gives the spouses, families, or guests under these circumstances an entitlement that exceeds the entitlement of MLAs to fly in general? We're limited to five flights per year. I just want to point that out.

MR. McINNIS: Merry Christmas.

MR. CHAIRMAN: Okay. Edmonton-Whitemud, followed by Taber-Warner.

MR. WICKMAN: I don't want to be the sourpuss in the crowd here, Mr. Chairman, but . . .

MRS. BLACK: Then be quiet.

MR. WICKMAN: I was going to make it 10. How's that, Pat?

The Member for Edmonton-Highlands has raised the one point I was going to raise, but I guess it could be rationalized by saying: well, maybe I'm going to drive to Calgary to some function, but then the wife would, you know, be staying in the same room as me, anyhow, at no extra expense. Can somebody explain it to me? Is there a demand for this? Is somebody saying that it's causing a hardship? My wife actually prefers not to travel with me. After 29 years . . .

MRS. BLACK: I won't say anything, Percy.

MR. WICKMAN: What is it? So their wives can join rural members when the House is in session, or what? And does it happen a lot? Am I missing out on something in life?

MR. CHAIRMAN: Kathy, do you want to make any comments about this?

MR. HYLAND: I don't think it should be just rural members. I think anybody outside of the . . .

MR. WICKMAN: I meant outside of Edmonton. I'm sorry; I should say outside of Edmonton.

MS BRUCE-KAVANAGH: Well, also it does occur when there's a special event. When the Olympics were on, all members were invited to Calgary with their spouses, and that was the spouse travel.

MR. WICKMAN: Well, why wouldn't four times a year cover that? Where's the need for these two extra trips?

MS BRUCE-KAVANAGH: It's going back to the original order, I gather.

MR. WICKMAN: Oh, so is this correcting a technicality?

MS BRUCE-KAVANAGH: Yes, as I understand.

MR. WICKMAN: It's not like there is a cry for this?

MR. HYLAND: Now, there are some that are bumping up against it. My original intent was to correct what I thought was supposed to be there at the start.

MR. WICKMAN: Quite frankly I don't think you'd see very many members utilize it. I really don't. Pat, you told me your husband never wants to see you.

MRS. BLACK: No, he doesn't.

MR. CHAIRMAN: Well, I think it's one of those things that in some cases it's very important and in others it isn't.

MR. WICKMAN: You're speaking as a newlywed, Mr. Chairman.

MR. CHAIRMAN: Well, I'm speaking as one who has a problem getting to Calgary. When the House isn't sitting, I don't have the luxury of being able to leave the House like some of you, because I don't have a whole bunch of people to trade off with.

Taber-Warner, Grande Prairie, Edmonton-Jasper Place.

MR. BOGLE: I merely want a clarification from Kathy that we are speaking of round-trips so that if - as was the case where my wife and our two oldest children came up for the opening of the session. They flew up; I put in a claim for that. Then I drove them home on the weekend, so that would, in essence, be one and a half trips out of the total allocation.

MS BRUCE-KAVANAGH: Yes, that's how we count it.

MR. BOGLE: Thank you.

MR. CHAIRMAN: Okay. Grande Prairie, Edmonton-Jasper Place.

DR. ELLIOTT: Thank you, Mr. Chairman. My observation of this particular motion from a personal point of view is that four was not the issue. The issue was the type of function or purpose for which a spouse could accompany a member. I think the important thing is that that's been clarified.

As I pointed out, two things have kept my spouse from coming with me to the capital city or just being here period. For much of the time that I have been in this work, she has also had a job and has not always been available or could not always get the time to come with me. Secondly, my understanding of the order was that there were not enough functions that would justify - for example, the opening of the House or the Queen's visit or whatever. On revisiting this whole discussion from a personal point of view, I feel that it's become extremely important. Rural members can get locked into the Edmonton centre here for quite lengthy periods of time, and I think it's important that we have this opened up to this degree.

MR. CHAIRMAN: Thank you.

Edmonton-Jasper Place, Calgary-Foothills, and then I really think we should move on.

MR. McINNIS: I think my constituents will find it interesting that my spouse now has greater ability to travel than I do under the government package that's before us today. I have one question. Is there anything that defines the length of the trip, like how long a trip might last in terms of the subsistence payments: hotels, meals, and that type of thing?

MR. BOGLE: Well, the word "reasonable" is used in the order.

MR. CHAIRMAN: It's usually been interpreted as one night. If you're flying to Fort McMurray for a function, it's overnight accommodation and back. That's been the general.

MR. WICKMAN: Just a point of order to clear something up that I thought could be a bit misleading. In the six trips as related to the five trips or the four, to the Member for Edmonton-Jasper Place: it's not necessarily one more trip than you, because there may be an instance where three family members would come for that one, and that takes up three trips.

12:53

MR. McINNIS: If three members of your family travel one time, that's three trips?

MR. WICKMAN: That's three trips, yes. I think as mature adults, you know, we've got to kind of guide ourselves. Reasonable: I wouldn't get too hung up on that.

MS BARRETT: I don't think it hurts to say on the record - I mean, we're not talking like a week at a time here, folks, right?

DR. ELLIOTT: No, not in my interpretation of it.

MR. CHAIRMAN: No.

Mr. Clegg, then Cypress-Redcliff.

MR. M. CLEGG: Mr. Chairman, I wanted to bring up at this point the interpretation of the order, because it doesn't talk about trips; it talks about functions as the limit. That number, four, which would be amended to six, talks about four functions. This has two consequences. First of all, it means that if a member's family flies one way to the function and then makes their own way back, that is one of the functions out of the six. It isn't only half of it, so there's no way of recapturing that.

The second is that there's no limit on the number of spouses, guests, or family that can go to the one function, so if in fact there are two or three passengers that go to function 1, that is only one function. That is not three functions. For the next function that comes up, there might be one other. This is the way the order is drafted now. If it's the wish of the committee that this be related to a number of trips, then we should amend the words of subclause (iv) so that it reads "6 round-trips" rather than "4 functions."

MR. CHAIRMAN: Well, it seems to make sense to make it into trips. Is it agreed that this be part of the motion before us? Who else do we have left here? Cypress-Redcliff.

MR. HYLAND: Thank you, Mr. Chairman. I'm now assuming we've changed that same section by saying "round-trips" instead of "functions" as well?

MS BARRETT: Yup.

MR. HYLAND: What I was going to draw to your attention is that that section does read no more than "4 functions in any one fiscal year" and to clarify that it doesn't mean six trips with any number of people. It means six trips total, period.

MS BARRETT: Well, that will be clear as a result of the amendment.

MR. HYLAND: Okay. It used to come up when more people were staying in hotel rooms, before we had that capital city allowance. Now it seldom comes up unless you're going somewhere else, and that's usually only one day. There aren't very many people left that are staying in hotel rooms now. I think that cost used to come up more often, but now it's mainly the travel.

MR. CHAIRMAN: Okay. Call for the question? All consequential aspects of it will be carefully dealt with by Parliamentary Counsel.

HON. MEMBERS: Question.

MR. CHAIRMAN: Those in favour, please signify. Opposed? Carried.

Next item, please.

MRS. BLACK: The motion's been passed out.

MR. WICKMAN: Excuse me, Mr. Chairman; I want to speak on this one.

MR. CHAIRMAN: May I ask who's proposing it, first off?

MRS. BLACK: Mr. Chairman, I'd like to make the motion.

MR. CHAIRMAN: Yeah, okay. Thank you.

MRS. BLACK: I'd like to move that Members' Services Order 4/83, the transportation and administrative services order, be amended by deleting section 1(1)(c.1)(iv.1) and substituting:

(iv.1) in addition to the travel covered by subclauses (ii) and (iv), a Member who chooses not to travel by air on official business during the fiscal year as provided by clause (a)(ii) may claim in lieu mileage for up to 1500 kilometres per round trip and receive an allowance at the rate provided in subclause (iii).

Now, speaking to this, Mr. Chairman, I think it's important that many members don't fly, by choice, and therefore it would be unfair if they were not able to use their vehicles to travel and make some form of claim. This fits into the area of the five trips per year that a member would be able to travel by plane. They would be able to make five trips per year in their vehicles and not be penalized because they were not able to fly for various and sundry reasons. I think this is just something that addresses problems for both urban and rural members by adding that feature of the extra mileage that they would be able to claim if in fact they had to drive as opposed to being able to fly. It's very simple.

MR. CHAIRMAN: Okay. Edmonton-Whitemud.

MR. WICKMAN: Yes. Mr. Chairman, what I have is an amendment to this. It's important that it be dealt with as an

amendment to this, because it's not a new clause. The amendment would read: "or may transfer one trip to a caucus colleague." Now, speaking to that, this is to cover the situation where it just isn't practical for a member of caucus to say, "Well, I can't fly, so I'm going to drive there," because of time limitations. If I'm not going to use up my five trips, or the Member for Edmonton-Highlands, if it's in some part of the province you can get to readily by plane but you don't have the time to drive, then the option should be there to say, "I'm going to transfer one of my air trips to you," and then I would forego the 1,500 kilometres that I would be allowed. So it just gives me that additional flexibility.

MR. CHAIRMAN: Parliamentary Counsel, is this the appropriate place to have this discretion occur? Does that fit?

MR. M. CLEGG: The amendment could be procedurally handled here, but it might be better to deal with this particular option, if it were to be passed, in the basic entitlement to air travel, which is a different section.

MR. CHAIRMAN: That was my concern. I think we'd better take it as a separate item.

MR. WICKMAN: The only difficulty I have, Mr. Chairman, is that I don't know if I can support this if I don't know if my amendment is going to be supported, because that is not resolving the problem. I don't want to support something that's not going to resolve the problem. If everybody indicates to me that they feel comfortable with the amendment, then I have no problem introducing it separately. It's so logical that I don't understand why anyone wouldn't support it.

MR. CHAIRMAN: Well, I'll give you five minutes to have a coffee break and negotiate with the rest of your colleagues around the table.

MR. WICKMAN: My caucus - I don't need five minutes.

MR. CHAIRMAN: No, I meant with the others.

MR. WICKMAN: Yeah. I know.

MR. McINNIS: Mr. Chairman, I'm sorry to raise a point of order again, but this meeting was scheduled to go to 1 o'clock.

SOME HON. MEMBERS: Two.

MR. McINNIS: Oh, 2 o'clock. I'm sorry.

[The committee adjourned from 1 p.m. to 1:06 p.m.]

MR. CHAIRMAN: Okay, let's try again. The Chair rules that the amendment as proposed by Edmonton-Whitemud is not applicable at this time. I'm quite willing to entertain it at another, perhaps following upon this. I'll recognize it as the next item of business.

Okay, on the main motion, which is before us, Edmonton-Jasper Place.

MR. McINNIS: I think this is an excellent clarification that needs to be done for the reasons mentioned by the Member for Calgary-Foothills but also because not every place that's worth visiting in this province happens to have air service. Sometimes

you want to go to places where there's no air service, and I'm sure the Member for Cypress-Redcliff knows this better than most of us. So it's a good clarification.

MR. CHAIRMAN: Thank you.

Call for the question?

MS BARRETT: Sure.

MR. CHAIRMAN: All those in favour of the motion, please signify. Opposed? Carried unanimously. Thank you.

Now, Edmonton-Whitemud.

MR. WICKMAN: Mr. Chairman, I guess to make the motion very simple, listening to Parliamentary Counsel here, I should just move to amend the order to allow for the transfer of air travel within caucus in lieu of utilizing the 1,500 kilometres per round-trip.

Speaking to that very briefly, I would hope in good faith that members of the committee would recognize the uniqueness that some members do have, around this table and in the caucuses that we represent. The 1,500 kilometres additional allowance does go some distance to resolving it but not entirely. I don't think there'd be that much pooling involved, but there would be some instances where pooling would accommodate some members.

MR. CHAIRMAN: Okay. Taber-Warner, then Cypress-Redcliff.

MR. BOGLE: Well, I must speak against the motion. I think the motion we just passed was passed to provide additional flexibility for those members who are either unable to or choose not to fly, and by giving 1,500 kilometres credit per trip and using the five trips as a basis, 1,500 kilometres round-trip will take you to the furthest corner of the province and back. A good number of those trips, we know, won't be that far. So, in essence, member, the order is giving the greatest of latitude for those trips to other parts of the province outside one's own constituency, and that was the intent of it, as I understood.

So I think we've already dealt with the question of pooling at a previous meeting, but that does not mean it should not come back again for reconsideration. I merely point that out for the record, as a number of members are not here today, and I think the motion just passed goes a very substantial way to addressing the concerns that have just been raised.

MR. HYLAND: Mr. Chairman, my question. I thought when the member put the motion initially - for clarification, is he talking about total pooling of the five or pooling of just one of the five trips?

MR. WICKMAN: Pooling of the five, because if a member doesn't want to fly on one occasion because they have a fear of flying, you can have that same fear five times as opposed to one time. There are other instances where a member may only use it that one time, where it's done for a convenience. It's not just the economics I'm looking at; it's the time factor involved.

I guess it could be argued that 1,500 kilometres is worth \$375, roughly, in cash and I could say to a colleague, "Well, here; I'm going to pay for your trip, and I'm going to just claim it this way," but that's a very complicated way of doing it. It's so much easier just to simply be able to transfer that to another member. It's not a question of a 1,500-kilometre round-trip not being

sufficient in terms of mileage. It's the convenience, the time to drive that distance, and sometimes it's not practical to drive.

MR. CHAIRMAN: Further discussion?

Call for the question? On the amendment as proposed by Edmonton-Whitemud, those in favour, please signify. Opposed? The matter fails. Thank you.

The last item under 4(d) is, I gather, a statement of principle with regard to committees.

MR. BOGLE: I think we have a motion to distribute.

MR. CHAIRMAN: Who is sponsoring the motion?

MR. BOGLE: I am.

Moved that the Members' Services Committee endorse the principle that if a member serves on a committee, whether it be a committee of the Legislature or a government committee, that member should automatically receive remuneration for attendance at committee meetings if the committee meets at least four of the following seven criteria:

- (1) Appointment is made through legislation, by order in council, or by ministerial order,
- (2) The committee reports to the Legislative Assembly, cabinet, or to a minister,
- (3) The mandate of the committee is of provincial importance in scope,
- (4) The committee holds 10 or more meetings in a 12-month period,
- (5) Service on the committee involves out-of-province travel,
- (6) The committee holds public hearings in the province,
- (7) The committee meets with professional consultants and/or experts,

and further that the chairman of the Members' Services Committee communicate this motion to the Premier, the leaders of the opposition caucuses, and all Members of the Legislative Assembly. Again, the intent of the motion is merely that we communicate to the Premier, the Leader of the Official Opposition, the leader of the third party, with copies to the other 80 members of the Assembly, that these points should be taken into consideration when committees are struck to determine whether or not the work involves sufficient time from the member that remuneration should, in fact, be provided.

MS BARRETT: When we talk about remuneration, we're talking about the same schedule that we currently use?

MR. BOGLE: Yes.

MR. HYLAND: Mr. Chairman, we're not talking out of the Legislative Assembly budget?

MR. BOGLE: No, we're not, and the motion has no direction in that it does not force anything to happen. It's merely a motion of principle, so all 83 members of the Assembly would receive a copy of the motion from the Speaker and decide whether or not they feel any of the committees they're currently involved in would qualify or not. It would be helpful reference for future committees.

One of the things the Select Special Committee on Electoral Boundaries looked at was the possible greater use of all-party committees, particularly when you're dealing with a matter of provincial importance. We might use as an example the plight of the grain industry at the present time. Now, people can argue that many parts of agriculture are in reasonable shape, and they

are – the cattle industry, the hog industry – but the straight grain producer is in dire straits right now because of extremely low prices. Well, if it were deemed appropriate to put together an all-party committee, as an example, to do some further work on this matter, this would be a prime candidate for that kind of activity.

MR. CHAIRMAN: Edmonton-Whitemud, Edmonton-Highlands, Edmonton-Jasper Place.

MR. WICKMAN: Yeah. Just one quick comment, Mr. Chairman, and then I've got to be excused for 10 minutes. I've got a school downstairs for pictures.

I just want to say that if it's the concept of all-party committees and it's a statement of principle that adds to the concept of all-party committees, I think that particular concept is excellent. It's something our caucus has focused on, that it should be utilized. But the way it's worded right now, "committee of the Legislature or a government committee," that government, whether it be the existing government or a future Liberal government or New Democrat government, whatever – in effect you could, if you wanted to, under this motion set up all types of government committees and have those people paid. If we could restrict it to Legislature committees, to me that would appear to be more reasonable.

1:16

MRS. BLACK: On that point.

MR. CHAIRMAN: On that point, Calgary-Foothills.

MRS. BLACK: Mr. Chairman, if you restrict it – and correct me if I'm wrong – just to the Legislature, then it would be like standing committees. You may want to have a committee from the government – the Minister of Agriculture, say, as the example used, would ask members to go out and bring back information in a public hearing process and ask for a member from each caucus to participate. So if you put it through the Legislature only, then you're running it through to the Speaker and through a piece of legislation, whereas the minister could, in fact, put together an ad hoc committee with the ability to pay them. Government is, you know, the ministers.

MR. WICKMAN: Like, government – you could say "an all-party committee."

MR. BOGLE: Maybe.

MRS. BLACK: But that would come from the minister. The minister would request that. Well, he may not.

MR. CHAIRMAN: Okay. For clarification, Taber-Warner.

MR. BOGLE: Just for clarification, I may have been remiss in not giving another example. I gave you one, using an all-party committee approach. Another example, just looking back in my memory, would be: the former Minister of Agriculture put together a committee on pay the producer, the Crow benefit concept. It was a committee of all government members. In my view that committee would also qualify under the terms set out in this particular motion. So it should not be limited to the all-party committee approach, although that would certainly be an example.

MR. CHAIRMAN: In that case the Minister of Agriculture would have to come up with the money to pay the remuneration.

MR. BOGLE: Yes, of course.

MS BARRETT: Well, I have a couple of questions. One, if the committee is struck by the minister, does the minister's department pick up the tab?

MRS. BLACK: Yes.

MS BARRETT: If the committee is struck by cabinet, who picks up the tab?

MR. M. CLEGG: It's Executive Council budget.

MR. BOGLE: It can be, or . . .

MR. HYLAND: Or whoever signs it.

MRS. BLACK: Or the individual minister.

MS BARRETT: Okay. Theoretically a government caucus committee, of which you have many, could be struck by cabinet so that . . .

MRS. AINSLIE: No.

MS BARRETT: You're not talking about that.

MR. BOGLE: Not caucus committees as such. As we have now?

MS BARRETT: Right.

MR. BOGLE: We have an agriculture caucus committee.

MS BARRETT: Right.

MR. BOGLE: No, that is not the intent at all.

MR. CHAIRMAN: The Member for Edmonton-Jasper Place.

MR. McINNIS: At first I wasn't sure I understood this, but I think I do now. There seems to be a provision in the Members' Services order that if you're part of a Legislature committee, there's a per diem rate that applies, and that's all set out in the order. This really is to extend it to the other area of ministerial, order in council types of committees. The member mentioned the example of a Crow benefit committee consisting of all government MLAs. So it seems to me that this is to create a new category of employment that may be available to some members but not to others. Now, I'm not particularly impressed with the idea that this is a statement of principle and it doesn't involve the expenditure of money. Usually when people say it's the principle and not the money, it's the money. I think the money is what this is all about. Now, I have to say that as part of this early Christmas I'm opposed to this measure.

MR. CHAIRMAN: The Member for Taber-Warner.

MR. BOGLE: If I may make one other point for clarification, in the example I gave, the members of the committee were reimbursed using a prescribed rate as set out in a previous order

in council. So I do not see this as a way for committees appointed by ministers, using a long list, that either have been existence or are currently in existence to benefit. I'm looking at it as a statement of principle so that all members know that if they're asked to serve on particular committees, there are certain things they can address relative to their appointment to that committee and the time commitment involved.

DR. ELLIOTT: A question to the mover, Mr. Chairman, and that is about the criteria, the checks and balances built into this thing. Part of the motion suggests, "And further, that the chairman of the Members' Services Committee communicate this motion to the Premier" and so on. Would there be a communication, a follow-up, to the request that this be put into effect so the committee be struck? In other words, is there a judgment or a ruling? The answer, I gather, is no.

MR. CHAIRMAN: No.
Edmonton-Highlands.

MS BARRETT: Well, I'd just like to suggest that the concept of this would be dramatically improved, in my opinion - in fact, critically improved - if the reference was to all-party committees. That doesn't say anything about numbers, you know; you can still have a committee that's got a vast majority of government members and just one or two opposition members. But I move to amend by inserting the following: "serves on an all-party committee."

MR. CHAIRMAN: That goes in where? At the end of the first line?

MS BARRETT: Yeah; "if a Member serves on an all-party committee," and "an all-party" is the new reference.

MR. CHAIRMAN: Discussion on the amendment.

MR. BOGLE: Question.

MR. CHAIRMAN: On the amendment. Those in favour of the amendment, please signify. Opposed? Defeated.

MS BARRETT: Narrowly defeated.

MR. McINNIS: Mr. Chairman, I note that part B of the motion is that this sentiment be communicated by our chairman to various and sundry personnel. Presumably that's to give the status of this committee, whatever that may be, to the motion. I wonder, given my feeling about this, if we could add "and the recorded vote" after the word "motion" so that those who are receiving the communication will know exactly what it is they're dealing with.

MR. CHAIRMAN: First, we don't have a recorded vote. If you're asking for a recorded vote before you make this . . .

MR. McINNIS: You're anticipating what will happen when the vote is taken. Yes, it's my intention to seek a recorded vote.

MR. CHAIRMAN: Okay. So I take it the amendment on the B part is "and the recorded vote." Ready for the question on this?

MS BARRETT: Sure.

DR. ELLIOTT: No, I'm not, Mr. Chairman. I'm not sure I know what we're voting on.

MR. CHAIRMAN: On the second half of the page, Grande Prairie: "further, that the chairman . . . communicate this motion," and at the end of that will be "and the recorded vote."

MR. BOGLE: Yeah; by a vote of 3 to 2, or whatever it may be.

MRS. BLACK: That's an actual amendment, Mr. Chairman?

MR. McINNIS: An actual amendment, yes.

MRS. BLACK: You've got to be kidding.

MS BARRETT: No. He's saying that you communicate this motion and the recorded vote on it.

MRS. BLACK: Can't you request a recorded vote anyway?

MS BARRETT: Yeah, but he's saying that if you get the recorded vote, that vote would also be communicated.

MRS. BLACK: Wouldn't the caucus members tell their caucus leaders how they voted?

MR. McINNIS: We don't normally have it appended to a motion in this committee that it be sent to certain parties, but there's a further direction in this case. I'm simply seeking, hon. member, through the Chair, to have this recorded vote included with the communication of the motion.

MRS. BLACK: Does this have to be amended? Can't that just be a request?

MR. CHAIRMAN: It's been put forward as an amendment.

MR. BOGLE: Question.

MR. CHAIRMAN: Those in favour of the amendment, please signify. Opposed? The matter is defeated.

MRS. BLACK: Question on the motion.

MR. CHAIRMAN: Ready for the question on the main motion? Those in favour of the main motion, please signify. Opposed?

MS BARRETT: We'll have to vote twice.

MRS. BLACK: Which are you, John, for or agin?

MR. CHAIRMAN: You can't vote twice.

MR. McINNIS: My apologies, Mr. Chairman. I voted against the motion. Perhaps we could record that so it is clear . . .

MRS. BLACK: Are you for or agin? We don't know; you voted twice.

MR. CHAIRMAN: We'll have it recorded. Cypress-Redcliff, Taber-Warner, Grande Prairie, and Calgary-Foothills in favour; Edmonton-Highlands and Edmonton-Jasper Place opposed.

Item 4(f) in your binder brings you to Members' Services budget estimates.

DR. McNEIL: What happened to (e)?

MR. CHAIRMAN: Oh, it all got scribbled out because of other things that were here. Sorry. We'll go back to (e).
Clerk.

1:26

DR. McNEIL: This item arose from the budget discussion. I thought the best way to deal with this one would be to ask Kathy here to talk about the policy with respect to constituency and caucus mailings and some of the changes that were implemented.

MS BARRETT: As a result, she's been able to enjoy two hours of debate on other subjects.

DR. McNEIL: Well, it's apropos that she's here for these discussions, too, I would say.

MR. CHAIRMAN: Okay, 4(e). Kathy.

MS BRUCE-KAVANAGH: Looking through the minutes, I understand Mr. McInnis, the Member for Edmonton-Jasper Place, asked for some clarification on what was allowed and what wasn't allowed for members. Under MSC 4/83, transportation and administrative services order, item (f) talks about the mailings of members' correspondence. This is under things that are paid for members except for letters, pamphlets.

AN HON. MEMBER: Have you got more copies?

MS BRUCE-KAVANAGH: Oh, I'm sorry. We'll wait for the copies, if that's all right.

MS BARRETT: Okay.

MR. CHAIRMAN: Who has a copy? Who doesn't have a copy? Okay, then we'll wait.

Now we have the paper distributed. Kathy, would you like to explain what this item is?

MS BRUCE-KAVANAGH: Okay. It's the transportation and administrative order, section (f), which talks about services and things provided to and for the use of members and the mailing of members' correspondence except for letters, pamphlets, brochures, and greetings sent to constituents where the cost of the mailing is chargeable to a member's communication allowance. How we interpret that is that for this sort of day-to-day mailing, we request that a member send a memo to me in writing and we provide the money out of the Leg. Assembly funds, but anything that is a large mailout to all constituents should come from the member's constituency allowance.

MS BARRETT: Like our householders.

MS BRUCE-KAVANAGH: Yes.

One thing that has happened, I guess, within the Leg. Assembly itself: there have been some mailings done here, and the same applies to caucuses, as I understand it. They're just general mailings that we do, but any large mailouts from a caucus would come from the caucus budget.

MR. McINNIS: Okay. What's a large mailing?

MS BRUCE-KAVANAGH: Well, I guess if you're sending the same thing to everybody in the constituency. We have not really had any cutoff. I'm open to suggestions whether there should be one. I don't know. I guess it's up to the Members' Services Committee. What brought it up actually was that I noticed that the bill I got on a monthly basis from Public Works to the Leg. Assembly went from \$1,000 to \$10,000 within two or three months. So I've asked them to set up accounts for each area. I suspect what happened as well was that the mail room said, "Oh, we don't know where to charge this mail, so let's charge it to the Legislative Assembly." So hopefully that will reduce the amount of mailing going through the Leg. Assembly budget.

MR. CHAIRMAN: Edmonton-Whitemud, then Edmonton-Highlands.

MR. WICKMAN: Mr. Chairman, I need a bit of discussion on this. Now, what are we dealing with specifically? Which item?

MS BRUCE-KAVANAGH: Item (f).

MR. WICKMAN: Have you dealt with any of the others while I was away?

MS BRUCE-KAVANAGH: No. It was a question regarding what was the interpretation of what came out of the constituency budget.

MR. WICKMAN: Is this existing policy?

MS BRUCE-KAVANAGH: Yes, it is.

MR. WICKMAN: Okay. And was there a new motion?

MS BRUCE-KAVANAGH: No. There was a question as to what the policy was and was it written.

MR. WICKMAN: Okay. This is the policy. Well, I agree, Mr. Chairman, that any mailings from the constituency office should be charged against the constituency budget. If you have massive mailouts, that's no different than running an ad in the *Examiner* or whatever; that's communications and that comes out of the budget. In addition to that, every constituency is allowed a reasonable amount of postage for normal-type letters and correspondence that is done, and that's kind of capped informally. I don't have a problem with that. I would have a problem if people took mailouts from their constituency offices, brought them down here, and tried to mail them through here. That wouldn't be right, with the exception of Christmas cards, which I understand is part of the policy.

Everything I've said so far is correct, I believe?

AN HON. MEMBER: Yes.

MR. WICKMAN: Likewise, we are allowed within caucus to do mailouts, normal mailing. Like, if we want to communicate with Albertans, we're allowed to do that. That's not charged against a caucus budget.

MS BRUCE-KAVANAGH: Well, if you're doing a large mailout, yes, it's charged.

MR. WICKMAN: Well, define "large mailout" for me. That's maybe where the problem is.

MS BRUCE-KAVANAGH: I guess what I used as my guide is that I went back to the correspondence and had a letter from an opposition chief of staff stating: it was agreed our caucus would pay for the mailing costs for any large-scale mailing we undertook. So that tends to be the policy with all caucuses. I checked with the chiefs of staff, and they understood that to be correct as well.

MR. WICKMAN: But this isn't going to take away from our ability to communicate with Albertans? You haven't told me anything specific, Mr. Chairman. That's what I'm concerned about. I don't want to go back to our caucus and find that our correspondence is being rejected because it's being classified as a large mailout.

MR. CHAIRMAN: Taber-Warner.

MR. BOGLE: Well, if we're looking for a number, can we discuss some possible numbers and see if we can get consensus around the table on what a large mailout is? Because clearly, back to Edmonton-Whitemud's point, no one's suggesting that a member shouldn't communicate with constituents. That's why we have the constituency communication allowance.

MR. CHAIRMAN: But spend your own money, not the Legislative Assembly envelope, please.

MR. BOGLE: What if we said that if they can identify a hundred or more of an item, then that is deemed to be a large mailout and that automatically goes back to the respective caucus to be sorted out with the member?

1:36

MR. WICKMAN: A hundred per what, though? Per day? What are you talking about?

You see, Mr. Chairman, I think what you've got to do is send this back and kind of define it somewhat. If it's going to leave somebody in the situation that they've got to make that type of judgment, normally you would say "reasonable." Being mature adults, "reasonable" would be sufficient for us, but obviously for some reason the existing is being questioned. Now, I don't see anything wrong with the existing; I think it's good. I think it's good for elected representatives to communicate as much as possible, and I realize there is a communication budget within the constituency office to do that. But there are the caucus mailouts, and that is a normal part of communication from a caucus point of view. I'm sure all our caucuses do it.

MR. CHAIRMAN: Yes. From the Chair's point of view, I don't like some caucuses taking and overspending and trying to put the bill in on us when they should be taking it out of their own envelope.

MR. WICKMAN: Mr. Chairman, with due respect, what is overspending?

MR. CHAIRMAN: Well, it's occurred in the last number of months.

MR. WICKMAN: On whose part? Whose definition?

MR. CHAIRMAN: The Liberal caucus.

MR. WICKMAN: I know who you're pointing the finger at. That's obvious. I'm saying, though, that I need something more specific. I'm sorry.

MR. CHAIRMAN: I'm sure you're going to get it before the end of the meeting here.

Edmonton-Whitemud, Edmonton-Highlands—that's something more specific – and Cypress-Redcliff.

MS BARRETT: Yeah. Kathy, you said that it had gone up to about 10,000 a month, so that would be a total of 120,000 bucks a year relative to the amount of money we spend on pay and running offices, et cetera. I would submit that that's not that high. I'm not opposed to capping, but I want to worry you about one thing, and that is that when you respond to petitions, when you respond to mass mailings to you, you are talking about pretty large response mailings as well. I think you want to keep that in mind, and I think a hundred might be a little on the shy side, because what does tend to constitute a lot of your large mailings is responding to. As the Advanced Ed critic, for instance, just on collaborative nursing I must have had 250 to 300 letters. So what I did was stagger my responses, and the same with petitions and stuff like that.

So I just want to caution people. I mean, I agree that abuse is not welcome, but one of the critical parts of our jobs is communicating, is responding. We're doing that on an issue-by-issue basis, quite frankly, and \$120,000 a year for franking might be a reasonable amount in this day and age, when people are becoming more and more active in the lobbying process, and also when you compare it to the overall cost of running the Assembly. What was our total Leg. Assembly budget last year? About \$16 million?

MR. CHAIRMAN: It was \$20 million.

MS BARRETT: Yeah, I don't think \$120,000 . . .

MS BRUCE-KAVANAGH: Just to bring up a point on \$120,000, it tends to be more than that. Although those were three months that I looked at last year, I think we put \$252,000 in postage, and I think I budgeted for \$280,000 in this . . . Because around Christmastime we get \$40,000 and \$50,000 for Christmas cards.

MS BARRETT: So that's allowed, and that's just a Christmas card. That doesn't contain any content at all.

MRS. BLACK: Why are we letting Christmas cards go through this?

MS BARRETT: That's been observed for years.

MS BRUCE-KAVANAGH: I guess the question came up because of \$280,000 postage, and this is the reason.

MS BARRETT: Yeah, I understand.

MR. CHAIRMAN: Okay doke. Cypress-Redcliff, Edmonton-Jasper Place, Taber-Warner, and the Clerk.

MR. HYLAND: Mr. Chairman, I would like to move that we

form a subcommittee to deal with this.

MR. WICKMAN: I agree.

MS BARRETT: Yeah; I agree.

MR. HYLAND: We could go around and around trying to hit a number, but if three, or whatever, people can sit down and Kathy can give them all the information, then maybe we can hit something that fits everybody. So I'd like to move a subcommittee. Three is probably enough on a committee like that to come back with some recommendations for us.

MR. CHAIRMAN: Well, there seems to be unanimity on that. Those in favour of the motion to strike a subcommittee? Opposed? Carried unanimously.

MR. WICKMAN: I'm sorry. Unfortunately, I wanted to speak to it. I guess it's too late.

MRS. BLACK: Talk to the subcommittee.

MR. HYLAND: It's okay. You can be on it, Percy.

MR. WICKMAN: Well, Mr. Chairman, he's given me the opportunity to speak. Thank you, Alan.

We do have a subcommittee in place that is going to look at the communication/constituency allowance guidelines in any case. Would that not be the appropriate committee? That committee consists of myself, the Member for Edmonton-Jasper Place, and Bob and Dianne Mirosh are on there. Also, Mr. Chairman, if you would bear with me for a minute, I think that would be the ideal committee to look at a constituency budget in the next fiscal period, like we did last year when we sat down as a subcommittee and resolved that. We came back with a recommendation, and it worked out very nicely.

MS BARRETT: Mr. Chairman, Al moved for a subcommittee of three. I speak against this matter in going to the extent of a subcommittee. This is a very focused issue. I would request that one volunteer from each caucus raise their hand, and that would be the committee.

MR. HYLAND: Percy, put up your hand.

MS BARRETT: Okay, you'll serve on the committee. Thank you. I don't want it to go to your committee. It's a very focused issue. It doesn't need to take long.

MR. WICKMAN: Who's on the committee?

MS BARRETT: You, me, and Al by volunteer.

MR. CHAIRMAN: Edmonton-Whitemud is on the committee, Edmonton-Highlands, and Cypress-Redcliff, and it's being chaired by Edmonton-Highlands.

MR. WICKMAN: Because she made the motion.

MS BARRETT: I'll get my calendar tomorrow. It should only take one meeting.

MR. CHAIRMAN: Okay. As a resource person to the committee: Kathleen Bruce-Kavanagh.

MS BARRETT: Aren't you lucky. Christmas comes early for KB-K: another committee.

MR. CHAIRMAN: All righty. Thank you.

We are now over to item 4(f), budget estimates of this committee.

MS BARRETT: Kathy, we'll ring you tomorrow right after we meet and try to set up a time, okay?

MR. CHAIRMAN: Item 4(f) in your binder.

MS BARRETT: So we take from this that we're not meeting as often in the future?

MR. BOGLE: Where are you at?

MS BARRETT: Members' Services Committee budget, 4(f). Were we supposed to bring our budget books too?

MR. BOGLE: No; it's duplicated.

MR. R. DAY: This budget was put in place, Edmonton-Highlands, on the basis of a historical look at how often the committee does meet and has always been under budget in the travel expense area, for those members that claim on the travel. So this is a reflection of actual with some discretion there just in case there were extra meetings. Subsequently, pay to members has also been accounted for the actual number of times the committee meets.

MR. CHAIRMAN: Okay. Do you want to go through this page by page, or do you feel a sufficient comfort level to make a motion to adopt?

Calgary-Foothills.

MRS. BLACK: Mr. Chairman, I'd like to move that we accept the budget as presented. I'm very pleased to see that it's a 13.8 percent reduction overall.

MR. CHAIRMAN: That should encourage the other committees.

Okay, there's a call for the question. Those in favour, please signify. Opposed? Let the record show it carried unanimously. Thank you.

Item 4(g). We now devote the next hour listening to the report of the subcommittee.

MR. WICKMAN: Thank you, Mr. Chairman. The report is quite extensive, so if you would bear with me. We have not had the opportunity to meet, as the House adjourned on Friday and of course you called a very, very quick meeting here, so there wasn't the opportunity in between. As much as I tried Friday afternoon, members were simply not available.

1:46

MR. McINNIS: I beg your pardon?

MR. WICKMAN: As hard as I tried Friday afternoon, members were not available to meet.

MR. McINNIS: I received no communication.

MR. BOGLE: When did you call it?

MRS. BLACK: It was called at 7:30 at night.

MR. WICKMAN: Prior to the next meeting this committee will meet, in view of the short period of time. Again, though, I would like to see Communication/Constituency Allowance Guidelines extended. Well, maybe we'll deal with that item separately. Okay; next meeting.

MS BARRETT: I speak against professional confusionism. The next meeting is tomorrow, dear.

MR. WICKMAN: No; tomorrow is a continuation of this. I'm talking a meeting in January. We'll have met before then.

MRS. BLACK: In other words, you're not prepared today.

MR. WICKMAN: Exactly.

MR. CHAIRMAN: All right, no report.

MR. WICKMAN: Well, just say "report incomplete."

MR. CHAIRMAN: All right, an incomplete report.

Okay, item 4(h) is brought forward from the minutes point of view because there's a timetabling motion which had been passed at one stage, proposed by the Member for Red Deer-North, I believe. We'll carry on with this matter. Any additional comments on it?

MRS. BLACK: Mr. Chairman, are we meeting tomorrow morning?

MR. CHAIRMAN: It doesn't look like it.

MR. WICKMAN: Would the subcommittee like to meet tomorrow morning instead?

MS BARRETT: Yours can, dear. I don't want to.

AN HON. MEMBER: Good try, Percy.

MR. McINNIS: So what are we doing now, Mr. Chairman?

MR. CHAIRMAN: Well, we're reviewing (h) with regard to signage.

MS BARRETT: This is passed already. I don't know if there's anything else to be done.

MR. CHAIRMAN: So the matter comes into effect January 1. Okay.

MR. McINNIS: I think probably the easiest way for this committee to deal rationally with this proposal, if it so chooses, is to suggest that some standardized type of sign format be developed so that in future members may be able to easily accommodate the desire of the government members on the committee, which appears to be one of wanting standardization. We have over a period of time used our creative ingenuity and consultants and Lord knows what else to come up with an amazing variety of design, colour, shape, designation, and that type of thing. I understand the intent of the government is to try to get that all into one format, and perhaps that would be the direction to go for assisting members.

Of course, I was concerned at one time that there might have been a desire to waste some taxpayers' money by having things that had been done one way in the first place done over again, but clearly that's not the case, because the order takes effect from January 1, 1991, not from some other date in the past. I think it might be helpful for any members who are erecting signs in the future if they had some format to work from so they wouldn't perhaps inadvertently put something on there which is not covered by the order.

MR. CHAIRMAN: Calgary-Foothills, Cypress-Redcliff.

MRS. BLACK: Yes, Mr. Chairman. I think the Members' Services order clearly lists what is acceptable and what is not acceptable. I would suggest that this be adopted immediately and that notification be sent out to all members as quickly as possible. I don't think there's any crystal ball mechanism involved in what's acceptable and what is not acceptable. Clearly it has to be a constituency office. I think we've had all the arguments before. I don't know that there's anything further to come forward at this point.

MR. CHAIRMAN: Okay. Cypress-Redcliff, followed by Taber-Warner.

MR. HYLAND: Thank you, Mr. Chairman. Speaking for myself, in my mind the only consistency, according to the motion, that was supposed to remain in the sign was the words "constituency office." How the sign was made – shape, colour, format, whatever else – wasn't what the motion was all about. If what the hon. Member for Edmonton-Jasper Place has said, that it only becomes effective from January 1 on, is what the motion says, then that's not what I thought I voted on a couple of meetings ago. If that's what the motion says, then it's been drafted wrong, in my mind. Now, I don't know how other members feel, but that's the concern I have with it.

MRS. BLACK: Just for clarification, Mr. Chairman, are you suggesting that the signs that are made from this point on have to follow this order? I thought all signs, present and future, had to follow this order.

MR. CHAIRMAN: I don't know. I'm only the chairman.

MRS. BLACK: Could we have clarification on that, please?

MR. CHAIRMAN: Okay. Parliamentary Counsel.

MR. M. CLEGG: Mr. Chairman, perhaps since this order was drafted – and members will recall that it was drafted very quickly during a break – the question has arisen as to whether it means one of two things. It could mean that only this kind of sign can be paid for out of the constituency allowance, or it could mean that a constituency office which breaches this is not a constituency office and doesn't qualify for the constituency office allowance, which are two extreme interpretations of this. Members will recall that Mr. Day moved that its implementation be deferred because it had been drafted in great haste. I think there was some wish for members to have a chance to consider what its effect would be and how effective it would be. It is a concern to me exactly how it is to be interpreted, what members wish to happen as a result of this, what will be the consequences of an infringement of this.

MR. HYLAND: Mr. Chairman, can I finish?

MR. CHAIRMAN: If you're going to finish, all right.

MR. HYLAND: I guess my big problem is: hell, we might as well have sat here and drafted it ourselves. We had legal counsel draft the thing, and now some of us think it doesn't say what the motion said. Even legal counsel says, well, it may say this or it may say that or it may say the other. What the heck does it say? Not what may it say, but what does it say? Do we have to say what it says, or are the legal experts going to tell us what we passed so we know what needs to be done from now on? I mean, we can't go and say it may say this or it may say that. That doesn't help us a whole lot. What does it say?

MR. CHAIRMAN: Parliamentary Counsel.

MR. M. CLEGG: Mr. Chairman, in view of the two possibilities of what it might mean, I really think I need more instructions from the committee as to what they wish it to be. I find it difficult to draft something very quickly, and I sometimes find that when I'm doing that, I run into a situation where I'm not sure what the members wish to happen. Sometimes scenarios or other options, other interpretations, arise a little later. It's very, very difficult to think of all possibilities and all interpretations in a very, very short time while drafting. Because the order has not yet come into force – and one of the reasons, I understood from Mr. Day, for deferring it was so we could consider its effect – I think at this point some direction should be given so that the order can be made more precise as to what its real effect is with respect to the existing signs.

MR. CHAIRMAN: Okay. The question is: what do you want it to say, folks? Taber-Warner, Edmonton-Whitemud, Calgary-Foothills, Mr. Clegg, Edmonton-Jasper Place.

1:56

MR. BOGLE: Well, Mr. Chairman, I'd like to go back to the original motion. I've reviewed it since this was last brought up. The original motion allowed members time to change their signs if they felt the sign did not comply with the order. We had a lengthy and exhaustive discussion when the motion was presented and passed in mid-July of this year. In our orders there's reference to constituency offices; there are no references to any other hybrid names. The intent of the motion was clearly to bring all offices back to using the word "constituency."

My understanding from the mover of the motion, the MLA for Red Deer-North, who unfortunately is not with us today, is that his intent was to give members ample opportunity to make the necessary changes. I believe all members at the July meeting understood the intent, and if there's someone here today who's saying that that was not their understanding, I'd like to hear from them.

MS BARRETT: Yeah, me.

MR. CHAIRMAN: I still recognize the order of Edmonton-Whitemud, Calgary-Foothills.

MR. WICKMAN: Thank you, Mr. Chairman. I'm going to move that this order be delayed and the matter be reconsidered at our next meeting. There are a number of reasons why I'm making that motion. There is some doubt as to the intent of the motion. The member who made the motion is not here. I think

the whole thing was hastily thought out. I had some difficulties with what I perceived to be the interpretation behind it at the time, but it appears now that maybe my interpretation at the time was wrong, that it's just addressing from here on in the future. If it's addressing from here on in the future, that's a different story. Then a subcommittee should sit down and draft guidelines as to what's acceptable in the future.

I always had some difficulty with going back and kind of amending what was already in place, making it retroactive. With legislation you normally don't do that. Legislation is normally not done on a retroactive basis. So I don't think we can reasonably resolve this matter here today. I don't think it was well thought out. I think we should go back to the drawing board, and we should do it at our next meeting in January.

MR. CHAIRMAN: The intent of the motion is to move it to a January meeting or to move it to the meeting tomorrow?

MR. WICKMAN: No. January. I thought there was no meeting tomorrow in view of the fact that we're finishing up the agenda.

MR. BOGLE: We can meet tomorrow.

MR. WICKMAN: No. My intent is January.

MR. CHAIRMAN: All right. The motion before us, if there's no more discussion on it, is to table to a January meeting. Those in favour of the motion to table until January . . .

MR. WICKMAN: The next regular meeting, not tomorrow.

MRS. BLACK: That's tomorrow.

MS BARRETT: No. He specified the January meeting.

MR. CHAIRMAN: The motion before us is to table it until a January meeting. It's not discussable. Those in favour, please signify. Opposed? The motion fails.
Further discussion?

MRS. BLACK: Mr. Chairman, back to the main issue. I think it was perfectly clear. We danced around the block on this thing at several meetings, I think, and I think it was perfectly clear as to what was to transpire as far as bringing constituency signage in line. As far as I'm concerned, it was certainly the intent to give people the time line up to January 1 to rectify the situation. I think we have to deal with it today because of the time frame involved. I don't think there's really any question in my mind as to what was happening. This is not a retroactive adjustment. In fact, the decision was made July 19, I believe it was, to give people until January 1 to put the new signs in place. Surely to goodness, members have done that so that they can at least avoid the effects of the GST, the impact of that. Good heavens, there are lots of things there, and they've had six months to act upon this thing within their own caucuses. I find it amazing that all of a sudden people are confused over the issue.

MR. CHAIRMAN: We've copies of the transcript here. Perhaps they ought to be passed out.

Parliamentary Counsel, do you have any other comment at this stage?

MR. M. CLEGG: With respect to retroactivity, pure retroactivity in a classical sense would mean that the signs would be illegal from the time they were put up, but this order cannot mean that because this committee does not have the power to make purely retroactive orders. What it can do is declare that a member may not do this, forbidding signage in this sense, and have that effective from January 1, or it can state that it will not pay for signs which do not comply with these orders. That is essentially the debate between those two, as to which is intended.

MR. CHAIRMAN: Thank you.

Edmonton-Jasper Place, and then Taber-Warner.

MR. McINNIS: Well, Mr. Chairman, we're having difficulty here between those who believe in the government of men and women and those who believe in the government of laws. I mean, we pass laws, and that's where our authority comes from. It's not by virtue of the fact that we're authoritative persons. The Assembly passes laws which give authority to the government to do certain things, just as it has given authority to this committee to do certain things.

Now, some of the members seem to believe there is an intent to make this order retroactive, and in order to clarify that intent, I think we need to spell it out, because I'm certainly not going to be responsible for wasting at least \$1,200 of taxpayers' money on my account to go out and paint some signs unless it's necessary to do so. If it's necessary to do so, then I will do that, and I will be able to explain the reasons why quite legitimately. Otherwise, I will look like a fool, and I'm not prepared to do that for the benefit of a particular member who thinks it was the intent to do it.

I just don't think it's fair to put the wrath on counsel or anybody else for the fact that we have to make sensible decisions that make sense under the law. For that reason, let's have the issue out. I'd like to move an amendment to part 3 of the order, which now says, "This Order is effective January 1, 1991," to say that this order is retroactive to the start of this Legislature, because I think this committee potentially has the scope to do that. If there are situations that arose prior to that, I'm not aware of them. I think there may be. I mean, this is one of the bizarre things about this entire issue. There's still potentially a gray area, but if you want to make it retroactive, then bloody well make it retroactive, so I say retroactive to March 20, 1989.

MS BARRETT: Hear, hear.

MR. CHAIRMAN: Okay. Retroactivity, March 20, '89. Further discussion with regard to that?

MR. WICKMAN: Question.

MR. M. CLEGG: A committee or regulation-making board can only make something retroactive if it's specifically authorized to do so by legislation. The question of retroactivity means that if something was legal at the time it was done and you now say it's illegal, that is classical retroactivity. If you're calculating something from a time in the past, that's retrospectivity. It's not the same thing. But to make this order effective from 1989 would be a retroactive provision, which we don't have the power to do.

MR. BOGLE: Agreed. Question.

MR. CHAIRMAN: All those in favour of this amendment, please signify. Opposed? The matter is defeated.

Taber-Warner is the next speaker.

MR. BOGLE: Well, I wanted to remind the Chair that we've now passed 2 o'clock, our adjournment time, and I recommend that we adjourn now and reconvene tomorrow morning at 9 and begin on this particular agenda item.

MR. CHAIRMAN: Okay. Motion to adjourn. Call for the question.

MRS. BLACK: Question.

MR. CHAIRMAN: Those in favour, please signify. Opposed? Carried.

For purposes of expense accounts, today we will only submit up to four hours.

[The committee adjourned at 2:05 p.m.]