

Legislative Assembly of Alberta

The 27th Legislature First Session

Standing Committee on Privileges and Elections, Standing Orders and Printing

Wednesday, September 3, 2008 9:03 a.m.

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Standing Committee on Privileges and Elections, Standing Orders and Printing

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* substitution for Arno Doerksen** substitution for Frank Oberle

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[Mr. Hancock in the chair]

The Deputy Chair: Perhaps we could call the meeting to order. I apologize for imposing on you as chair of the meeting, but unfortunately Ray Prins is indisposed today. His father-in-law passed away on Friday, so he's attending to family matters. I don't know how I ended up as vice-chair of this committee. I'm going to have to get George later about that. However, it falls to me to step in for Ray.

Today's meeting is essentially for the purposes of taking a look at the standing orders and particularly the direction that was referred to us, so that's the focus that we'll have today. I might note just for the record that pursuant to Standing Order 56(2.1) to (2.3) Mr. Dallas is substituting for Mr. Doerksen, and Mr. Jacobs is substituting for Mr. Oberle. Are there any other substitutions that should be put on the record?

We have guests, colleagues: Ms Blakeman, as the House leader for the Official Opposition.

Ms Blakeman: Yes. I think I was supposed to be subbed in, but I don't think a letter actually got off the printer, so I'm happy to be here as a guest. Thank you for the welcome, and welcome to my fabulous constituency of Edmonton-Centre.

The Deputy Chair: Other substitutions or other participants, colleagues who are here to participate in the meeting? No.

The minutes of the last meeting have been circulated. Could I ask for a motion to adopt the minutes?

Mr. Rogers: I move, Mr. Chairman.

The Deputy Chair: Moved by Mr. Rogers. Any errors or omissions? I'll call for a motion of approval. All in favour? Opposed, if any? That would be carried.

We have an agenda that's been circulated. I guess I've moved ahead on the agenda; I'm not one to follow scripts. Are there any additions to the agenda? Can I assume that the agenda is approved as presented? Oh, they want me to be formal. This is a committee. Moved by Ms DeLong. All in favour? Opposed, if any? Carried.

The agenda, then, as we've just adopted, suggests that there might be presentations from House leaders. I'm in the chair, so I won't be making a formal presentation per se, but we have had a circulation of a number of documents which I think are very helpful. I hope people have had a chance to take a look at the documents. One of them is a comparison between the previous standing orders and the temporary amendments of 2007 and the temporary amendments of 2008. I think there was also a circulation of a cross-jurisdiction summary of House sittings. There was a circulation of past and current practices for main estimates consideration in Committee of Supply and a circulation of the Committee of Supply process. So those documents are in hand.

I guess the purpose of today's meeting, then, would be to identify any issues or concerns or ideas that members want to have on the table with respect to the standing orders. My anticipation would be that we would not make decisions with respect to the standing orders today but identify the issues for the benefit of the table and then have the opportunity to take those back to our respective caucuses for discussion and come back to a meeting later this month or early October to finalize.

Welcome, Dr. Sherman.

Dr. Sherman: Sorry I'm late.

The Deputy Chair: Without further ado, then, do we want to proceed?

Ms Blakeman: Mr. Chair, maybe I could just ask you to expand on that process because I am a little curious about how this is supposed to work. In my experience as House leader for the Official Opposition this committee has never been called prior to this and prior to the recent – I guess it'd be that in almost a year now it's been called a couple of times. The previous years' negotiations were done primarily between the government and the Official Opposition House leader and certainly with the additional participation of the House leader from the third party. Is there an expectation that somehow I'm supposed to negotiate with this committee, that I would present what we were hoping for and leave it in the hands of the committee and a decision would be made and we were supposed to be happy with that? Can you just expand a bit on what you think this committee is going to do? Or are we putting ideas forward, mulling them around in our various caucuses, and then the three House leaders are empowered to get together and do what they always did anyway?

The Deputy Chair: Well, probably the only thing out of that that would not be within the purview of the committee would be your happiness. Other than that, the rest of it . . .

Ms Blakeman: But you're perfectly capable of granting it to me.

The Deputy Chair: My understanding of the process is that we did go through over the past number of years a number of negotiations relative to the House rules. Then the temporary standing orders were brought in, and as the Standing Committee on Privileges and Elections, Standing Orders and Printing it was referred to this committee to determine whether we wanted to ratify the temporary standing orders or change them in any way as a committee of the House in a recommendation back to the House.

Ms Blakeman: Then my further question is: which temporary standing orders? I'm sorry to take up everybody's time, but just for clarification purposes there was a very thorough series of negotiations in early 2007 which resulted in a series of changes. We operated under those changes for the fall of '07, I think. The committee was charged at that time to particularly look at the Committee of Supply operating rules. The committee never ratified anything, but it did make a recommendation which was passed that said that we'd like to continue operating under those temporary standing orders until the end of 2008, so two more sittings. In fact, after the election the temporary standing orders, not having been ratified, disappeared. A few of them came back at the beginning of the '08 sitting of the 27th Legislature. So which temporary standing orders are we looking at? The ones from 2007 or the different version, which includes some but not all, which appeared in 2008? 9:10

The Deputy Chair: Well, subject to correction from counsel, that would be a moot point. What's been referred to this committee are the temporary standing orders from 2008, as part of the motion that brought them in requested that they be referred to the standing committee. As part of that discussion with respect to issues around the temporary standing orders, one would assume that members would be able to raise issues with respect to the standing orders that they wanted to raise. If there was something coming forward from

2007 or previous that someone wanted to deal with, presumably this committee could deal with it.

The amendments that are on the table that were referred here cover most of the salient issues in terms of Committee of Supply, meeting times, those sorts of issues. I would presume, subject to correction from counsel, that anything else relative to the standing orders would be part of the discussion about whether this committee felt that the temporary standing order amendments that were referred go far enough or cover the ground. So it's the 2008 standing orders that have been referred, but it's open to the committee to make a recommendation with respect to whether they're sufficient or whether any other changes should be made or whether they should be ratified in the form that they were put.

Mrs. Forsyth.

Mrs. Forsyth: Thank you, Mr. Chair. I have read with interest the documentation that was given to us. It's been very thorough and very well done. My compliments to whoever put the book together.

I had the privilege of attending the Canadian Commonwealth Women Parliamentarians' meeting that was held in Halifax, which I found very, very interesting, and then followed up with some more meetings where some of my colleagues joined me. A lot of the discussion at the women parliamentarians' association was: how do you attract more women into government? It expanded that to: how do you attract more people to run for government?

One of the things that I was very proud of was the fact that I think we are leading the pack in regard to some of the motions that we put in previously on changing the hours to make it more family orientated, which I think came under your leadership with some of the opposition, the no night sittings, which makes it more feasible for everybody else to participate and, in my mind, to get a life because I think the long hours that we put in are extremely hard on us.

One of the things that I found very interesting in the documentation that was given to us and in talking to some of my other counterparts across the country was morning sittings. We always seem to fly at night for many, many long hours, and I look back and think: how much are we absorbing when we're sitting till 1 or 2 in the morning or even 11 o'clock at night? I guess my question to you, Mr. Chair, is: in looking at that, is going into some morning sittings on the table? It says, you know, that you could have one morning or two mornings instead of trying to cram everything in.

The Deputy Chair: Yes, anything relevant to the standing orders that were referred, which includes the time of sitting. As you recall, we're sitting now from 1:30 to 5:30 and at 8 o'clock. Previous standing orders did provide for 1 to 6 and no evening sittings. So I think that's a topic that certainly would be on the table.

Perhaps it would be appropriate to then revert to the agenda, which suggests that there be presentations from Ms Blakeman and Ms Notley. Just to put a context so that they know, it's not my intention to make a presentation relative to the rules. I think we've put most of the rules on the table in the past in the various temporary standing orders. The timing of this meeting is such that I haven't had a chance as House leader to converse with my caucus. I've got some of their suggestions, and I think members of the committee will have some coming forward, but my anticipation is that we will need to have a discussion around Committee of Supply and how we do it. There are a number of options that could be potentially discussed with respect to Committee of Supply, whether we continue with the process that we used this year. I would have to be candid and say that I think there's not a lot of excitement about reverting to the process that we used in 2007, but there are a number of options.

When I identified the documents on the table, the one that I

missed out was the August 19 memo from the Speaker. I think all the options that we might want to consider are on the table already. I don't think that at this time it makes sense for me to try and pick some of them for the very simple reason that I have to have that discussion with our caucus with respect to where they want to go, even on issues relative to night sittings, for example, and those sorts of issues. As far as I'm concerned, the issues are on the table that I would want to have on the table. I look to other members' identification of issues that may or may not be here, because the purpose of today's meeting is to make sure we have all the issues on the table so that we can have a full discussion with our caucuses and come back and be definitive at the next meeting. Is that fair enough?

Ms Blakeman, do you want to proceed?

Ms Blakeman: Thank you for the opportunity to offer some suggestions and observations to the committee. I'm coming into my sixth year as House leader now, and I see this position with two mandates to it. One is to enhance and uphold the processes of the Legislative Assembly; in other words, to help the work move forward in a fair and democratic manner. The second is to defend and promote the interests of the Official Opposition.

I think the standing orders work because we all consent. In the same way that we allow the police to hold some power over us by consent, so, too, do members of the Assembly operate that way with these standing orders.

One of my cautions is that previous to this, as I mentioned, we've always been involved in a negotiation process, a back and forth. If we're looking at putting new things or different things on the table, we need the opportunity to be able to make decisions based on the choices that are in front of us as a caucus. You do end up saying: well, I'll give up this thing that I really, really want so that I can have that thing that I really, really want. We as a caucus agree to abide by that, and we move forward. Obviously, we don't like everything that happens, but that's life in a small opposition. I do have a concern that I don't end up in a position of having to negotiate with a whole committee of people without being able to have that ability to go back and work with my caucus and say: we'll give up this, but we'll take that.

The second thing that I've observed – and the documentation, as mentioned, is excellent; thank you very much to the staff for the support there – is the particular position that Alberta finds itself in and has for many, many years, which is the very large majority that the government enjoys and the very small opposition that we don't enjoy so much on our side. That does change things.

I'm noticing, for example, that in some of the places where there are morning sittings or different kinds of question periods, there are either a lot more people in the Assembly overall or a lot more opposition members. We're dealing with a certain economy of scale here, so at a certain point there are only so many opposition members to do all the different kinds of work that have to be done. Fair enough. That's the lot that we drew, and we're willing to do the work. However, we can't be put in a position where we have to do all that work at exactly the same time. That will make sense to you all when I come back to it again.

I do have a sort of a listing that I could hand out to you all so that you can follow along. If I could impose on Jody or somebody to hand this out at this time. Thank you.

Specifically, I'm looking, as everyone is, to enhance the working conditions for the members of the Assembly and make it a more humane place to work. Part of what comes under that is the constituency weeks that we had in '07 and didn't have in '08; the hours of work, when we start and when we end; and trying make that work, in a way, because I'm aware that most of the people in this Assembly are from out of town. I'm extremely lucky to be able to be in my riding and to have my office a block away and to live very close. I'm the only one that gets that. Everybody else is dealing with great distances and a certain amount of work that has to be done in the Assembly, so I know that hours of work are something we need to settle.

9:20

In addition to that, another thing that has come up is scheduling for committee work. Again, there are only so many of us in the opposition and so much work to be done. We're now experiencing an issue where there isn't a lot of effort made to make sure that the scheduling of committees is done at a time where you haven't double-scheduled members of the opposition.

Morning sittings are a huge issue for us. There is a certain amount of work that we have to do in preparation for question period and for the day, and that takes a certain period of time. I'm aware that there's a great deal of interest from government members in moving into morning sittings, and that is a real difficulty for members of the opposition. Our budget, as you well know, is based on the number of people that we get elected, so it's smaller than it was. We have less support. Some of us write our own questions, so we have a set amount of work we've got to do in preparation for question period. To go into morning sittings probably means that I'm going to have to report to work here at about 5 o'clock in the morning.

As you well know, our work never ends promptly at 6. There are always events to attend. Since I live in my constituency and it's right here, there's a real strong expectation that I, for example, will be at these events. So although I know that morning sittings look very attractive to government members, it presents a very large barrier for members of the opposition. As I said, there are different kinds of work. We're happy to do all of it. We just can't do it all at the same time. Asking us to go into morning sittings, a period of time when we do all of our prep work for the day, takes away our prep work or moves us into much earlier in the morning.

I had also started out in 2007 to enhance the role and protect the time allotted to private members, and I would like to see restored Standing Order 8(3) that existed in April '07. Specifically, that clause said that if for some reason we didn't accomplish the full three hours of private members' business on Monday afternoon, the reminder if the time owed, if you want to put it that way, would take place on Thursday afternoon before government business began. That was only used once. I think it occurred because there was a Standing Order 30 debate that took place, which of course the Assembly agreed to. I felt it was really important, if we only have that one afternoon for private members' business, that it's allowed to take place in the week and that it not be forfeit for other business.

For some time I have been asking that the private members' public bills work better for members of the opposition. In my time I've experienced a number of times where the Official Opposition had no bills that got debated in the Assembly, and I feel that's not appropriate. I have argued for some time that the Leader of the Official Opposition should be given the first position that is assigned: Bill 201. I'm assuming that the third party would also like a fixed position that was somewhere in the top 10 so that they got their bill debated as well. At times it has been talked about in position 206, I think, but don't quote me. The rest can go in the draw, but at least we have some presence from the opposition parties in the private members' bills.

We really need to find a process to allow opposition members to bring current events and policy topics to the floor for debate and decision in a timely manner. At this point opposition members have to put in their bill ideas, and they're due in about a week or 10 days. This is what is then used in the spring session, so we're six, seven, eight, nine months behind whatever current events are. It's a difficulty that I don't think we should have to experience in this day and age. Everything is moving faster. So often we end up with bills up that are no longer relevant. They've already happened, are accomplished, whatever. It's gone. The government can bring whatever they want to the floor in whatever time they want to bring it to the floor, and I think the opposition need opportunities to do that.

It's important to me to see the Legislative Assembly more relevant in decision-making and more representative of Albertans. I am very concerned with what I see as the government's trend now of introducing controversial bills very late in the sitting and then bringing in time allocation on every section of the bill so that the bill is passed very quickly, in many cases in about three days, before the public really even gets a chance to understand what's going on. I think we need to look at that.

We're all looking for a workable and fair Committee of Supply process. I wish us all good luck on that one. But for the members of the opposition to be able to question the government, there is not a lot of detail in those budget documents. It takes a long time to draw the information out. Some ministers are obviously more cooperative than others. The way we're working it now is that the Official Opposition gets the first hour following the minister's presentation to question. I'm suggesting that the minister's presentation be moved to the end of the allocated time period or not done at all. I know that for some ministers it's an additional workload to come up with their opening remarks, and they'd just as soon not do it.

If we as the Official Opposition could start off on the budget questioning and get the use of the full hour and then move to the third-party time allocation, then the minister or private members from the government side could use the remainder of time. We really are in a position where we're trying to question a health department where billions and billions of dollars are being spent in an exchange that goes back and forth over a period of 40 minutes. It's just not realistic.

The other thing that got lost from 2007 was requiring ministers to provide written responses to unanswered questions within 14 days of their debate. I would like to see that restored. It is very difficult for us to be able to vote on a ministry when missing a whole bunch of information. I asked the questions. They weren't able to give me the information at the time. I go into that final vote without knowing what the answers to those questions are. Clearly, the ministries that present immediately prior to the final vote – okay, fair enough – are not going to get their answers in, but everybody else should be able to. As soon as that rule was gone, we didn't get our answers. Again, few ministries did, but most of them didn't.

We would like to see in question period a return to the 45-second rule, and lift the prohibition on preambles. I'm aware that a number of members on the government side feel that, you know, the preambles are abused and it is an opportunity to throw insults and all of that sort of thing. That may well be true, but you have a lot of tools at your disposal to either curb that or discourage that. For us, when we've asked a question, we're looking for an answer from a minister, and 45 seconds from those ministers who choose to give us information is not very much time. They're getting cut off.

The prohibition on the preambles. The difficulty for us is that without a preamble to be able to reorient yourself according to the information the minister just gave you in answer to the first question, you've got no way to do that if all you can do is ask your next question. You can't recontextualize what they just gave you. It makes us less effective in question period. I would like to be as effective as possible, so I'm asking for that to be restored.

I'm aware that there have been a number of suggestions over the years to somehow limit the tablings, and I object to that very strongly. It's one of the few ways that are open to the opposition to bring the voices of the public onto the floor in a timely manner. I would resist strongly any attempts to limit it to so many a day or so many minutes a day or anything like that. I just think it's really wrong.

I have a particular bugbear with Standing Order 8(8), which I view as a sneaky kill for a private member's bill. I think if you want to kill a private member's bill, fine, but let's debate it and get it out in the open. This kills a bill through a poison. It's a slow death that hopefully nobody notices. I think if you want to kill it, then get out the knife and do it on the floor in front of everybody. We're happy to debate it all, but I'm not keen on a poisoning kill.

I would like to see us try and stay with the 75 sitting days goal and the 75 hours of Committee of Supply debate. Again, I'm underlining that we don't get a lot of time, really, to question, particularly when there's an almost equal participation from government backbenchers in the Committee of Supply debates. It's really difficult to pull the information out.

9:30

I believe that we fixed this, but I want to put it on the record. I want to make sure that including minority reports in reports that get tabled in the Assembly is definitively restored. I think we addressed that and put it into the temporary standing orders in 2008, but I want to make sure that's in there. Again, you have a huge majority. You're going to get what you want, but I think it's important that that minority voice is heard and that it's included in the minority reports and we don't have to go through some other kind of trickery to get it on the floor.

Those are the issues that I see as important. I'm sure others will come up. I'm happy to take that back to my caucus and get a reaction from them and return to the next meeting, and I'm very happy to answer any questions that you have for me.

The Deputy Chair: Thank you.

The floor is open for any questions.

Ms Blakeman: Rock and roll.

Ms Notley: Yeah. Here we go.

Ms Blakeman: I'm so glad you liked everything.

The Deputy Chair: Assumptions, assumptions.

Ms Notley: I'll take it as agreement.

Ms Calahasen: Remember what assume means.

Ms Notley: That's right because, you know, if we can agree to that, I can probably agree to stop talking. You know, what the heck.

The Deputy Chair: But we like the tone of your voice.

Ms Notley: As a starting point, of course, you know, Ms Blakeman pointed out that she's been House leader for six years. I've been House leader for about, I don't know, six months, maybe that, and have sat through one session. So I'm still learning in terms of what it is that, you know, ultimately will work for our caucus. Frankly, we're learning, too, with there just being the two of us. Nonetheless, I have a few observations.

I want to start, maybe, by just speaking in favour of some of the points that were raised by Ms Blakeman with respect to this process, in that I'm still interested in ensuring that we have the opportunity to negotiate ultimately where things end up and the opportunity to consult with our caucus because, you know, it takes me forever to consult with my caucus. It's very difficult to track them all down.

The Deputy Chair: It's probably getting the consensus that's difficult.

Ms Notley: We find that rock, paper, scissors works quite well.

Nonetheless, it is still a process that should be negotiated and consulted, so what I put forward today, I mean, is basically for discussion purposes. You know, the lawyer in me wants to just make it clear that I reserve the right to throw a whole bunch of other stuff on the table as this discussion unfolds basically because even listening to Ms Blakeman, she raises a number of points which I hadn't addressed in what I'd originally put together yesterday.

I, too, have a very brief document, so I'll maybe hand that out and go over those points there and then comment as well on a couple of additional points that Ms Blakeman raised. I'm wondering if I could just make sure that I've got my copy. Yeah, there you go. I hope we brought enough copies.

The Deputy Chair: I can see I'm going to have to get more computer literate. Three-colour graphics.

Ms Notley: Not me. Trust me, not me.

Anyway, just as a starting point, I think, again, I want to repeat a couple of the objectives that Ms Blakeman pointed out, which I think that we can all agree to at least in principle, which are that the Assembly should be structured and the rules of the Assembly should be structured and the rules of the Assembly should be structured in a way to enhance debate, to enhance the depth of debate and the breadth of debate and the scope of debate, and ultimately – I would go even a step further – to reinvigorate Albertans' confidence in the democratic process. I think this is a point that I've raised before, that we should be viewing all the decisions we make around the business of the House through the lens of the 40 per cent turnout that we got in the last election and that as legislators we need to take that problem very seriously and that outcome very seriously. It really is about enhancing the nature of debate in the House. With that in mind, I'm going to speak just briefly on the issue of question period.

I have a graph here which outlines question period minutes by party. It's a cross-jurisdictional comparison. Now, I appreciate that the rules of order in other jurisdictions in some cases do technically allow for government members to participate in question period. That's not reflected in this graph. What is reflected in this graph is my office's investigation of the practice in these jurisdictions that are identified. For instance, in theory in Ontario the government members get question period time, but quite practically speaking they were somewhat attacked in the media for taking advantage of that particular opportunity and ultimately for political reasons backed down and gave question period back to the opposition.

Question period is, in my view, the transparent and open opportunity for the opposition to do that which our parliamentary system anticipates that they will do, which is to hold the government accountable. I think that that is reflected in the way Assemblies across the country structure their question period, so you will see what is quite notable there. I'll say at the outset that we don't have a lot of staff. There were a whole bunch of phone calls made, and we got some returns back and some not. That's the only reason why we don't have all the jurisdictions reflected there. It's not that we picked ones that have graphs that wouldn't help us; it was just that we didn't hear back from them. It may well be that there are outrageously huge yellow bars on that graph in the provinces we didn't talk to - I don't know - or it may be that there are none. Just to let you know that that's how we went about getting our information.

In any event, you'll see that Manitoba and Alberta are the two provinces where government members take up any portion of question period. You know, it would be ironic because, of course, I do spend a lot of time talking about how Manitoba is the perfect example of government, so you certainly have some basis on which to suggest that there is good reason to have government members asking questions in question period, at least to me. Nonetheless, you'll see that their portion is significantly lower than what we see in the House in Alberta, so I would suggest that this graph shows that in Alberta we have a very unique situation, which in effect reflects a significant reduction in the role of the opposition vis-à-vis the government as far as their use of question period.

That, of course, has increased in the last session because we moved to the 35-second rule. We're just shooting through questions really, really fast, and as a result, because the government members are on the back end of that question period list, the 35-second rule has resulted in this yellow bar growing quite significantly. That bar is based on the information we received from I think it was the House leader's office, but it might have been the Speaker's office, showing an average of 50 questions per question period, which I think is actually a little bit lower than how many there actually are because as we got through it, they went faster at the end of the session.

In any event, our view is that, frankly, there should be some consideration about whether the quality of question period might be improved as far as it relates to the historical objective of question period by reducing the number of questions allocated to government members - I know that this is going to be very popular with everybody around the table, but nonetheless it's got to be done – and giving a bit more questions to the opposition parties.

I would suggest that that, of course, is balanced by the fact that, I'm assuming, government members have numerous opportunities to question their government in caucus and that that's where the kind of questions that you hear the opposition members asking are asked, because it's not expected that the kinds of questions that opposition members ask will be asked by government members in the Assembly. I mean, let's call a spade a spade. We know that that's the expectation.

9:40

So that's where we sit on that. You'll see that at the end of the day we're not asking for a lot, but I'm suggesting that the number of questions allocated be increased and simply that our caucus get a third one and that it would be in the 17th position. With all that, I'm not asking for the world, but that's what we're putting forward.

The second issue, again on the same focus, which is the breadth of debate and the scope of debate and the opportunity for the Assembly to discuss ideas which are new and different, is on the issue of the private members' bills. Again, with respect to the crossjurisdictional comparison, my understanding is that there are not that many jurisdictions that rely on the lottery system. I know they do rely on it in Ontario. It's actually the subject of quite a bit of heated debate right now, and I'm not convinced they'll be relying on that for a long time in the future. What we are suggesting and what we'd urge the government ultimately to consider is that we move towards the kind of model that we see in Saskatchewan, where basically what happens is it's 50-50 between the government and opposition. Then the opposition breaks down the bills that they get on the basis of a pro rata calculation of the number of seats that they have. Again, not unreasonable, but the idea being that a great number of the private members' priorities on the government's side are presumably reflected in the government bills. Again, that's a given, you know, that you are government and presumably that's how your caucus works, that those kinds of priorities find their way to the government bills. We don't get invited to your caucus meetings, and we don't get an opportunity to run our bills through that internal process. It would make sense, then, that we would have a greater opportunity to get bills forward.

As it is, for this session and for the next one we have no bills, and the lottery system is such that we probably won't ever get a bill on before the next election. That, to me, I think, is a very overt and crystallized example of a problem in the system as far as ensuring breadth and scope of debate in the House. The proposal that I'm putting forward would see us with maybe one or two bills a session: again, not outrageous proposals but an opportunity for the opposition to actually lead the debate on a couple of issues every now and then.

With respect to the sittings of the House, it's not an issue that we're hugely wedded to one way or the other. I believe that we need to reduce the number of night sittings. I know there are other members in the House who in the course of the last sitting actually talked about having just had children over the course of that sitting, so there are a number of MLAs who have young children this time around. I think that there should be no reason why you don't get a chance, if you're in the same city at least, to occasionally kiss your kids goodnight when they go to bed. We should not be setting up a system that would limit MLAs' ability to do that because, of course, in the long term it's going to undercut the number of people that will consider running. For that reason I'd rather see night sittings at least limited. Again, we're flexible on this. It doesn't need to be a case of them being banned forever. I'd rather not see them ever, but if they were limited and scheduled, that would be a reasonable approach.

The same thing: mornings. I agree with the Official Opposition House Leader that if every morning was the House and we were also trying to prepare for question period, it would become a bit onerous. But I think there's room. I think you could have a late start in the morning on some mornings. I don't want to see a repeat, though, of what we had in the last session, with late night after late night after late night. It's gruelling, and it's very dysfunctional for family life. It's not the kind of thing that's going to contribute to positive debate on any side.

Frankly, the quality of debate at 9 o'clock at night on all sides: no one's listening to each other anymore, I mean, if we ever are. But it's certainly not happening there at that point. Generally speaking, we need to move towards making things more reasonable for people to live their lives, to enhance the quality of debate but also to ensure that we don't set it up so that opposition members are trying to do three things at once, which is why, sort of, repeated morning, morning, morning sessions would be very difficult to maintain and would ultimately undercut the quality of debate.

Committee meetings. This was just something that we came across more recently. It's a small thing, but I'd like it to be set out clearly that committee meetings are not being scheduled at the same time as other committee meetings are scheduled when members sit on both committees. You know, we've put it out there that we've given the opposition members opportunities to sit on all the committees, but if the committee chairs go ahead and schedule them simultaneously, then it is for all intents and purposes a denial of our right to sit on those committees. As I put in here somewhat facetiously, I mean, we are brilliant, but I can't do time travel. I'd love to; can't do it. So I think there should be a clear indication that that shouldn't happen anymore, that committees be scheduled simultaneously, because they are right now.

Now, with respect to the Committee of Supply, you'll see that I didn't put anything on this document. As I say, I do reserve the right to go into that in more detail, and I probably will. I don't have the benefit of the three systems that, essentially, we've observed over the course of the last five years to compare to. I only went through the system last time.

I will say this, though. Just based on the information that the staff provided to us – and, again, thank you very much for that; it was very detailed – we see that the number of hours designated to Committee of Supply in Alberta is significantly lower than in the jurisdictions that the comparisons were made with. My own experience in B.C. was with a system where there were no time limits, and I can tell you that that fundamentally – fundamentally – changed the nature of Committee of Supply. Compared to that, it's truly not effective here.

Frankly, it's not a real process here. The limiting of hours the way we do right now, the fact that there is no ability to priorize – if you have a ministry where there are a lot of key issues with a very huge budget, presumably the opposition and Albertans would want us to be able to spend several days on that ministry and maybe not so much time on the ministry of culture that particular session. Yet there's no opportunity for that. So it's not a real debate, quite frankly, the way it's structured right now.

In the best-case scenario I'd rather see us try to sort of replicate the B.C. model. Barring that, though, I think that there needs to be some mechanism through which the opposition can take a role in priorizing the ministries and priorizing the amount of time that we would be given with respect to the estimates and moving it around somewhat with respect to the ministries if you want to make it useful.

I know that there are some places where there are concurrent committees of supply. Just repeating, again, the comments made by the Opposition House Leader, that's just not workable for the opposition the size it is right now. That would be a crystallized demonstration of how we don't really expect the opposition to be truly engaged in the process, if we were to embark upon that system, because we don't have the resources to do concurrent committees of supply.

That is about it for what I have to say at this point. As I said before, I reserve the right to say lots more as the discussion unfolds.

The Deputy Chair: Welcome, Mr. McFarland, to the meeting.

Thank you, Ms Notley. I presume that you would be open to any questions or comments.

Ms Notley: Absolutely.

The Deputy Chair: Any question or comment?

Mr. Rogers: If I'm on the list, Mr. Chairman.

The Deputy Chair: Yes. Is that for question or comment or for a new submission?

Mr. Rogers: No. It's comments relative to the comments from the two House leaders today.

The Deputy Chair: Just before you do, then, perhaps I could ask: is it possible if we can get copies electronically for the clerk so that it's easier to prepare the minutes?

9:50

Ms Notley: I believe you have mine.

Ms Blakeman: Yeah. I'll do that.

Mr. Rogers: Well, thank you, Mr. Chairman. Again, I want to thank both House leaders that have made points and presentations so far. I would say that as a member of this committee and a member of this Legislature I am certainly willing to consider anything that makes the efforts that we put in here on behalf of Albertans, the people that we represent, much better and more productive.

I just wanted to refer to one particular point raised by the thirdparty House leader, and that's the suggestion of removing government members from the question period. I just want to be on the record here stating that I am completely opposed to that. As a private member I would certainly be very disappointed if I did not have the ability on behalf of my constituents to stand up in the House and be on the record on any particular matter of urgency or importance on an ongoing basis to my constituents. I recognize the points that are being made and, certainly, the difference in the size of the caucuses, but the reality is that each individual member is here representing their constituents. I think it's important that, particularly for private members, we have the ability to stand up in the House and be on the record on a matter of importance to our constituents.

The other point that I'd like to make as well – and this is for general discussion – is that, frankly, when we talk about time allocation, with all due respect and sensitivity to allocating time equally between the various caucuses, first and foremost, if it were up to me as an individual – and it's not because, of course, we make decisions as a collective. But I can tell you from my observations sitting in this Legislature, now in my second term and my fourth year, that I think that if we were truly serious about serving our public to the best of our abilities, we would cut in half most of the time that we allocate for all of this business in the House and force us all, government or opposition members, to stand up and say something that's meaningful in a shorter time span.

I don't think it serves us or the public any good in expanding the amount of time that we spend in the House, be it middle of the afternoon or 1 o'clock in the morning, pontificating, to use a word an old uncle – God rest his soul – of mine used to use all the time. I think that we can do a much better job of serving the people of Alberta in making good use of the time that we spend here and maybe spend more time out in our constituency. Somebody spoke earlier about losing the constituency week. We have to stay in touch with the people that sent us here, so I think it behooves us, as we consider this in this committee and as we take it back to our relative caucuses, to keep that in mind, that we make the best use of the people's time, because it is the people's time.

I thank you, Mr. Chairman.

The Deputy Chair: I take it you're suggesting shorter, sharper speeches.

Mr. Rogers: Absolutely. It would take me too long to say that.

Ms Calahasen: I'll attempt to do that.

This is my sixth term. I've seen a lot of standing orders come and go. I've sat mornings and I've sat nights and I've sat afternoons.

I've seen a lot of talk that has gone nowhere in most cases, no matter whether it was 2 o'clock in the morning or whether it was 3 o'clock in the afternoon or 10 o'clock in the morning. I'm really intrigued with some of the comments that have been brought forward. I do have some questions relative to that because I don't think we have a perfect system yet, so listening to what we can do to improve the system so that all Albertans have a chance of being involved in a democratic system is important for me.

My questions are based on what you have brought forward, both opposition leaders. The first question is on the private members' bills from Ms Notley. You suggest that the opposition allocate bill presentation on a basis of seat distribution. The question I have is: did you not want to put the name into the draw, or is it because of the numbers of government members, that prohibits you from being drawn? What's the basis of your comment when you said that you will not have an opportunity to be making any statements on private members' bills? That's my first question.

Ms Notley: Right. It wasn't a question of statements on private members' bills. It was a question of getting bills up. When I said seat distribution, I meant seat distribution within the opposition but ensuring that the opposition got at least half the opportunity to generate private members' bills. That's what I was suggesting.

In terms of within the opposition it seemed a reasonable suggestion that it be on the basis of seat distribution. But that's a different thing. There you're using sort of the election outcome as a measure within the opposition. To get to the 50-50, you're recognizing the fact that the government already owns the government bill process and that the private government members already have an internal process through which to have their bill priorities reflected through the government process and that there is a role for opposition to get their bill ideas and discussions, legislative agendas, and priorities at least on the table for discussion. That's why the 50-50. Two different kinds of rationales with two different formulas. The perseat formula comes into play within the opposition.

I also want to just clarify. All my ramblings about Manitoba might have been unclear. I wasn't suggesting that the government not have any questions in question period. I was suggesting that the balance be rejigged and that it be reduced so that if there is a burning constituency issue, by all means, that should go ahead. But if a minister is just looking for an opportunity to answer a question about a press release that he put out that day, you know, maybe not so much in question period. I don't think that's what it was designed for.

Ms Calahasen: Thank you.

The second question has to do with the Official Opposition member. Ms Blakeman, you indicated on point 10 75 hours of C of S debate. When I look at the history and the information that was provided to us, we seem to be actually in a really good position in terms of the hours that we put in. I'm just wondering whether or not that additional amount of time would provide you with what you hoped you'd be able to get for your opposition members.

Ms Blakeman: I would say: at a minimum. We have actually never achieved the 75 hours. That was what we were shooting for as an optimum goal when we did the 2007 negotiations.

The other part of that is when you compare across the other jurisdictions, you have in most cases less participation from government members. As the third party House leader has already mentioned, the government members have a number of other opportunities to ask those kinds of questions. You've got your standing policy committees, you've got caucus meetings themselves, you've got walking down the hall and talking to your colleague, none of which are open to members of the opposition.

When we were looking at the debate, the 75 hours was a sort of bare minimum, even taking into consideration what was happening in other places in Canada. I'm trying to remember: one of them was 90 hours or 100 hours, which is much more the norm. The 75 hours was a minimum, especially considering that up to half of that period of time is used by government members to question ministers. In other places that is not true. The entire time or most of the time is used by members of the opposition.

In the example that the third party House leader mentioned of spending three days on, for example, health, yes, they adjourned, but the difference there is that there is no specified end time to that. We have been forced into those kinds of choices where we're told, "You're going to finish budget debate in X number of days or X number of hours," let's say, "so if you want to spend three days on health, that's fine. Which three ministries are you going to dump off the list because there's now no longer time to debate them at all?" That is not a palatable solution for members of my caucus, to say: oh, well, we're not going to do Transportation or Culture or any number of other ones.

That 75 hours is a minimum.

Ms Calahasen: Thank you. I'll come back for other questions, Mr. Chairman.

The Deputy Chair: We have Mrs. Leskiw, Mr. McFarland, and Mrs. Forsyth.

10:00

Mrs. Leskiw: Thank you. I'm new at this – it's only been my one sitting – but there are some observations on how hard the sitting was for me the first time around. First of all, to question period. I have to agree with my colleague Mr. Rogers that I like the idea that I can question because it shows that we're not always in agreement, that even though we are the governing party, it doesn't mean that every single one of us thinks the same way on every single issue. Some of the issues that we bring up might not be an issue in Mrs. Forsyth's constituency but might be an issue in mine. I know a lot of my constituency watch question period. They even mentioned that they saw me eating candies out of your desk.

An Hon. Member: Busted.

Mrs. Leskiw: Busted.

So to me, in being allowed to get up and question, whether the minister may agree or disagree with the question that I have asked, I feel that as an elected member I have that opportunity to do in a democratic society.

Coming to nights and morning sessions, I find the night sessions were very, very hard. As a teacher I know what the attention span is of my grade 8 students, and I find the attention span in the evening of fellow colleagues and MLAs around was almost the level of my grade 8 students. I find it very hard on health. In the evening sessions I found myself run-down from a health perspective. People do not listen in the evenings. They're tired. They spent a whole day since morning working in their office or doing whatever.

By not having evening sessions, I find we can attend functions. A lot of times you're invited to do a function back in your own constituency. I'm two and a half hours away. I could always whip back to go to an evening function. Also, I don't have young children, but I'm from Edmonton. My entire family is in the city, so it gives me time to spend time with my daughter and my elderly mother and so on. So I like when there are no evening sessions. Do I think we may need them once in a while? I think that if we need them, fine, but if I had it my way, I would eliminate evening sessions.

Morning sessions? What I find is that because I'm two and a half hours away, a lot of times I can drive in on Monday morning instead of coming Sunday night. It allows you, then, to do something in the evening and still come back next morning to make it for our 11 o'clock caucus meeting. Also, I find I'm usually in the office at 8 o'clock in the morning if I'm not in the constituency, and I find that's when I do all my paperwork, so I like the idea of not having too many morning sessions.

It's an experience. I do think the opposition represents a constituency just like I do, and if we can accommodate things to make this a truly democratic system where the opposition is allowed to voice their opinion more readily, then I'm all in favour of it. Those are my newbie comments for the day.

The Deputy Chair: Thank you.

Mr. McFarland and then Mrs. Forsyth.

Mr. McFarland: Thank you. I just had a comment to make. Not to be argumentative with you on the private members' bills, Ms Notley, but I think all of us have to realize that we're all private members. I know that you didn't intentionally try to differentiate between an opposition private member's bill and a government private member's bill, but in fact if we all are private members, then each one of us has 1 out of 83 chances of having the top spot.

I know from my own experience that I've never been successful on my private member's bill initiative, and obviously I didn't get support from my own colleagues. I can recall trying to raise the drinking age on two different occasions and a number of other issues that were important to our constituents, not personally but to our constituents, and I felt that was my opportunity as a private member, regardless of party affiliation, to raise those issues.

So if we're talking about splitting it off based on parties, I don't agree with that because I think it's a very fine responsibility that we have and the only opportunity we have as private members to bring forward initiatives. I can be as jealous of somebody's position as you are for not getting a good draw because most times we're well below the 50 per cent, and we won't see the light of day.

I just throw that on the table for what it's worth, not to be argumentative. I think we should all be proud that we're private members.

The Deputy Chair: Thank you.

Mrs. Forsyth: Well, I found this conversation very interesting, and I appreciate the comments from the opposition. I've been around since '93, so I've seen all sorts of things happen from '93 under the opposition with Laurence Decore, who had a much bigger opposition at that particular time. Quite frankly, we were glued to our seats and just about had to get permission to be able to go to the bathroom because you needed the numbers in the House. An exciting time, I think, in government when you had that kind of balance.

I'm going to take this a little step further to where we're looking right now, where I'm sitting, in 2008 with the larger majority that we have. I think you need to understand that from the government side since '93 I have never ever seen where colleagues around me are in a position where we're fighting for members' statements, recognitions, question period because of the huge majority. I recall wanting desperately to get a member's statement through on sniffer dogs. Well, I had 15 colleagues in front of me that felt that their members' statements were equally as or more important than what I wanted to discuss as a member's statement. I sometimes wonder if the opposition doesn't recognize that our own colleagues have issues in regard to recognitions, members' statements, question period.

I feel sorry for our House leader because for everybody in our government that wants to ask a question, it has to be done today, and we've already filled up the roll. I'm thinking: I've got a question or a recognition or a member's statement that's vitally important to my constituency. The House leader, Mr. Hancock, is saying: well, we can see you doing that a week from Tuesday. So, you know, it's important that the opposition understands, while we have a huge majority, the dilemma that we're having.

Private members' bills: a huge supporter of private members' bills and have been since '93. It was literally a feeding frenzy this time in regard to trying to get our names up on the Order Paper because, again, we have this huge majority, and we've got colleagues whose names have been pulled ahead of us, and we want to get our private member's bill up on the ladder. You know, I guess life is funny because it's like winning a lottery. It's your ticket that has to be drawn. You're thinking: well, geez, I bought 25 tickets, and I'm reading a story about a guy in Quebec that bought one ticket – the first time he's ever bought – and he's won.

I think we have to understand that the way the Speaker, I understand, did it this year – and I could be wrong – is that a memo was sent out to private members indicating that if they were interested in bringing a private member's bill forward, put their name forward. I don't know exactly how many of my colleagues didn't participate in that particular process, but it opened up the door for more people to participate. Unfortunately, I had to do a lot of wheeling and dealing for 2009 to be able to move my private member's bill up. I know you don't have that opportunity, but it's important that the opposition understand that when we have this huge majority, we're fighting the same fight as you are with your two members or the members of the opposition from the Liberals.

10:10

I want to talk briefly about the evening sittings. We have huge initiatives about what's happening in this province in regard to healthy Albertans – that was an initiative when Minister Hancock was health minister – in regard to how you keep healthy. Well, I can tell you that when you're starting your day at 7 or 8 in the morning and you're sitting in the Legislature even till 10 o'clock, that is not healthy. People at home do not know that we're sitting.

I personally have a dickens of a time even going home. My husband plugs in a movie Friday night, and I'm sound asleep on the couch 10 minutes after it started because I'm tired. I'm putting one foot in front of the other because I've sat Monday, Tuesday, Wednesday. I come home Thursday night after driving for three hours, and he says to me, "Let's go out for dinner on Friday night." "No. Let's not. How about bed? I'm tired."

I think we really have to rationalize these evening sittings, yet I look at it from a government perspective, where it's important when we've tabled legislation from the government. I speak as a former minister and now as a private member. We have bills that have to get through, that we want to get passed, yet, you know, we've got 80 bills in the Legislature. I know Dave works very hard in trying to negotiate with the opposition in regard to how we get these.

I think somewhere there has to be a balance, keeping in mind quality of life. I mean, two of our members this year have newborns, one just recently, last week, who has got two little ones now and a newborn. How does he maintain that quality of life so, like you said, Rachel, he can go home and kiss their children? I don't know what the answer is, whether it's morning sittings, whether we sit, maybe, from 1 to 7, which will give us half an hour from 1:30 and another hour and a half. You know, I think we can all snack if we have some almonds in our desk or something to get us to go till 7 o'clock at night. I don't know, but I just think that there has to be some quality of life.

I was laughing because I was going through some stuff over the summer. I swear to God that every MLA that has entered this Legislature automatically ages 10 years after the first two years in government. You know, I saw some very candid pictures, and for every single one of them I'm saying to myself: "God, they look tired. They've got bags under their eyes down to their cheekbones." I watched my colleagues this session. I call them the virgins. You know, I'm trying to explain to the two new people beside me, Genia and Rob, what's happening, and they're overwhelmed with what's going on, and then they're seeing themselves sitting in the Legislature till all these ungodly hours, wondering why they're doing this.

I just think the three parties can go and work together and come up with some sort of solution. I know there were complaints that 1 o'clock isn't convenient. We heard more complaints. I'm thinking: well, why not? We've heard that the opposition has to get ready in the morning for question period. Okay. I can live with that. I can appreciate that from both standpoints because you don't have the staff. We don't have anybody preparing our questions in question period as private members. I don't know if you think we have all this magical staff somewhere. I know I do a lot of research into the questions that I'm asking, and I know Genia does.

The last thing I want to discuss is in regard to question period and the importance of us having the ability to be able to participate in question period and committees. I had an interesting meeting a couple of weeks ago with the board of directors from the Calgary public library in regard to more funding. She pointed out to me very eloquently that one of my colleagues, the Member for Bonnyville-Cold Lake, was on the record in *Hansard* speaking about the need for more funding for libraries. I found that very astute for the fact that I thought: nobody reads *Hansard*, not that I'm aware of. I was amazed at the importance – and I've spoken to my colleagues about the fact that it was important – in my mind, for them to have what was important in their constituency recorded in *Hansard* so that they can take it back to their constituency and say: "Look; I have spoken."

As much as I appreciate what Ms Blakeman and Ms Notley have said and what George and Barry have reiterated, you know, it's important for us as government members also. We're getting swallowed up with such a big government now that we need the opportunity ourselves to get our issues forward that are important to our constituents.

Thank you, Mr. Chair.

The Deputy Chair: Thank you.

I have Dr. Sherman and then Ms DeLong.

Dr. Sherman: Thank you, Mr. Chair. I guess we all have to ask ourselves why we're here. I think the number one reason that we're all here is to have in the House effective and respectful debate on the issues for the people that we represent.

Well, being the doctor in the House, I have to say it's hard to have effective, respectful debate when the working conditions are unhealthy and people are exhausted. Sometimes you just want to get stuff through for the sake of getting it through because you're tired. You know, we do have to look at our rural colleagues. A lot of our rural colleagues when they're here would rather work. Then when they're home, they're actually still travelling around doing a lot of work. Being a city guy, I think at the same time that waking up at 6 a.m. and going to bed at 1 a.m. isn't healthy either. We do need to find a fine balance there with a lot of young members where they're able to spend time with their children and their families for half the days. I still do understand the concerns of our rural friends because I think their lifestyle is probably the unhealthiest.

The issue of private members' bills. I'm new here to politics, but with 72 members I can appreciate that ground has changed. In a respectful way I think the opposition maybe should have an opportunity because there are so few members. In fact, I think it would be interesting if we government members got a chance to question the opposition members on their private members' bills. It is like winning a 6/49 ticket for them to be able to have a position, and it's an opportunity for them to bring reasonable ideas forward to see if we can actually compromise on them.

I think we have a good opportunity here to achieve good things in the House. We do represent the people of Alberta. Compromise, at the end of the day, is what's going to give people some hope into maybe making them go to the polls if we conduct ourselves in a reasonable way. I would be in favour of giving the opposition an opportunity to bring private members' bills forward.

On question period. There are a lot of government members, and we all represent somebody in the province. Alberta is a unique situation. In fact, I think we probably have one of the biggest majorities in the country, and that's why you see this big yellow bar. It's only one-third of the time that the government members are allotted. Personally, any questions I ask are questions posed to me by my constituents complaining about government issues. I refuse to ask puffball questions in the House, and it's incumbent upon our government members to decide whether they're going to have puffball questions or whether they're going to ask tough questions that their constituents have asked of them. I think it's important for us to have that opportunity to get into Hansard. As Ms Blakeman said, people do look at Hansard. I think many of the members on our team as well as your team would like that opportunity, and it is the only opportunity for us private members to let the people know that we actually represent them. In that respect it's only one-third of the time, and I would like to maintain that opportunity.

Thank you so much for giving me this opportunity to talk.

The Deputy Chair: Thank you, Dr. Sherman.

Ms DeLong: I just want to put in a word of support. Actually, George covered most of the importance of the private members and how important it is that we do represent our constituents. Both the private members' bills and question period are extremely important to us. They're important to our constituents. When it comes to question period, yes, it is a chance to ask some very hard questions. Also, I sometimes ask questions that have a very positive answer, you know, simply because I do believe that it's also the right of my constituents to hear good things, too, especially if there's a negative story out there that is clouding the issues.

10:20

I want to reiterate that, you know, private members' bills are really important. Hey, you guys might think that you're losing the lottery right now – okay? – but it's quite possible to have a balance in here. Say that out of the 83 members there were only 22 on the government side. Then it would be the government members that would be losing out on the lottery because there would only be 20 private government members that were in the draw, and there could be 41 opposition members in the draw. You know, it is a fair draw right now in terms of private members, so I'm very keen on keeping that balance in there.

When it comes to sitting hours, I'm stuck here anyway. I know that if we change it so that we have absolutely no night sitting hours, then I'm going to have to be up here for more days possibly. I also know that all of our government committee meetings are going to be at night anyway because, hey, we're here, so they'll book them. You know, my time is going to get booked up regardless of how I do it, so if we do need to put in some night hours, I'm willing to do it. But I'm thinking that especially in terms of health and the bags that we all get, if we can get home at least in time to get eight hours' sleep, it would be absolutely wonderful.

The Deputy Chair: Thank you.

Just for the record and for clarification because there has been, I think, some confusion: it's clear that with private members' bills and private members' motions it's just private members. It's not the full 83 that goes into the draw; it's 59, I think, or something like that. Just for clarification for the record.

Ms Pastoor and Ms Notley.

Ms Pastoor: Thank you, Mr. Chair. Listening to some of the conversations around the table, I'm hearing some really good arguments for a larger opposition.

The Deputy Chair: I'm sorry. That would be out of order. This committee cannot accommodate that kind of a suggestion.

Ms Pastoor: This is my second term. Certainly, based on my experience from the first term, I just assumed that a 12- to 16-hour day was the norm. Again, as Ms DeLong has said, it's because we're from out of town. I'm here, and I would prefer to work and keep a full day going as much as I can rather than perhaps sitting around in the evenings. If I could count on committee meetings at night, then that would be so much the better. I know that it would be very difficult to make everybody happy on this particular question about evenings. But if we don't do evenings, as Ms DeLong has pointed out as well, I can see us sitting longer periods. Just because we don't want evenings doesn't mean to say that we cut down the hours of the debate.

Those are my very, very brief comments. It's very difficult to please everybody on this, but I think that the majority of the members are from rural areas. I'm again just speaking for myself, but I have two colleagues that are sitting at the table with me who also come from the south. You simply couldn't drive. I mean, we all flew this morning, but we're still looking at two hours up in the morning and two hours back in the evening. It can be a productive day. We come and work, and then we can get home. But you can't do that every day when the House is sitting. For myself, when I'm here, I would prefer to do as much work as we can and perhaps get out earlier at the other end of the session.

Those are my comments. Thank you.

The Deputy Chair: Thank you.

Ms Notley: I just wanted to comment on a couple of the points. Several people have made points with respect to both my proposal or to discussions or points on private members' bills and also question period. Again, I know it's not going to be popular – I would preface this with that – but nonetheless, you know, a lot of what is suggested is compelling. A lot of the "well, we need to talk; we need to get on the record; we need to be able to send stuff out to our constituents and show them that we're on the record on this and that" is all compelling.

However, I would suggest that a lot of the points that are being made are being made from within the context of the view that we are functioning with a representative Assembly and that sort of democratic structure. We aren't in a representative Assembly where we are all private members who do what we want when we want on the basis of what our constituents tell us to do. That is not the political system we operate in. We operate in a parliamentary system. One of the fundamental features of the parliamentary system is caucus discipline.

Another fundamental element of that is that the government caucus has a whole parallel process for priorizing and putting issues into play as far as the legislative agenda. It also has a parallel process in terms of the resources it has at its disposal for communicating to members of the public.

Now, I've already mentioned before, you know, my concerns around the fact that we only had 40 per cent of Albertans cast a ballot. Even within that 40 per cent, if we pretend for the moment that that was 100 per cent, kudos, more power to, and in no way, shape, or form can I walk away from the fact that over 50 per cent of Albertans cast their ballots for the Conservative Party. They did. But roughly 48 per cent did not.

[Mr. Rogers in the chair]

We have, unfortunately, a first past the post system, which most commentators see as being somewhat problematic to democracy in terms of the real interests of constituents being properly reflected in the Legislature. The fact of the matter is that of those who chose to vote, 45, 48 per cent – I'm not exactly sure how much it was, but over 40 per cent did not vote for the government; they voted for someone else. So we don't just have a role in the Legislative Assembly as one private member out of 83 or one private member even out of 59; we have a role of being people who have taken on the responsibility of trying to represent the interests of those 48 per cent of people who did not vote for the government caucus under our parliamentary system. It is, as a result, I think, somewhat misleading to talk about, you know, that all of us are private members and we all need to have an equal amount of time as though we are a representative Assembly.

Now, if we want to talk about those private members' bills and the ability of us all to sort of get in there and that it's just luck of the draw, well, fine. Then why aren't we creating a government bills section, an opposition bills section, and a private members' bills section? That would be sort of like the intellectually accurate way to look at this issue because we're not just private members; we are opposition members, and there is a government section. Private members' bills have historically been the way that the opposition gets that role filled, and it's not the same for me as it is, for instance, for yourself because there is a whole separate system that also is there to support the work that you do as a government member who happens to be a private member.

We as opposition members don't have access to that. That's why the rules of the Assembly need to make special provision for opposition members. While I do find very compelling the issue-byissue frustrations and objectives that you have of getting on the record vis-à-vis your constituent issues and I appreciate the need for that and an opportunity for that in the Assembly, I don't believe that that should be the overriding goal to the exclusion of our ability to fulfill our role not only as private members but as members of the opposition. That's what my proposals are geared towards achieving.

The Acting Chair: Thank you, Ms Notley.

We have Ms Blakeman, followed by Mr. Bhardwaj and then Mr. McFarland.

Ms Blakeman: Thank you. I'm going to expand a bit on what Ms Notley just put on the record, and that is that all private members are not the same. You do have some of those private members carry more than one role, and that is that they are members of the opposition.

[Mr. Hancock in the chair]

As such, when we're looking at questions for question period or private bills or motions, we are currently in a position of being limited. We have to look at that and go: "Okay. I've got a question. Do I ask it in my portfolio capacity as a critic for a big department, or can I use this time for my own constituents?" So we are always having to look at everything with two roles.

10:30

I appreciate that government private members wish to get up and bring forward issues on behalf of their constituents. Yup. So do I. But I also have an obligation to bring forward issues as the opposition, hopefully bring forward an alternative view to what the government is presenting. So it's not true that all private members are the same. We're all treated the same, but we are not, in fact, the same because those members that are elected into opposition positions do have to perform more than one function. It's more than just representing your own constituents. It's also serving as a critic for a particular portfolio. Of course, with very small oppositions as we're dealing with during this term – and let's deal with what's in front of us – you often have them with multiple roles, so they're even having to choose on a daily basis or with private members' bills which of their anywhere from two to six or nine ministries they are going to work with in that limited time.

I will also just put back on the record that during the 2007 negotiations, when we talked about getting rid of the evening sittings, the thought at the time was that the policy field committee meetings would take place in the evenings. It wasn't as though we were all going to get to skip off to the movies. It was just a matter of allocating time, with the expectation that the committee meetings would meet at night. Ironically, none of them did. One of them actually had a five-minute meeting that was called at 5:30. The meetings were not called at night. They were in fact called in the early mornings and across lunch and dinnertime, which was pretty strange. So I would say that if we are going to get rid of the night sittings, could we please look at having the committee meetings?

Again, we said these were all-party committees. I'm very frustrated by the attitude that as long as there's a majority of the members on a committee, then we'll go ahead with that time even if it often means that no opposition members would be able to attend the committee meeting. That has happened in more than one instance, where we've pointed that out and they were going to go ahead anyway. So there is a real scheduling issue. You guys enjoy a whopping big majority, but here's the price you pay: your scheduling is going to have to include a very small minority when you organize these things.

Thanks.

The Deputy Chair: Thank you.

We have Mr. Bhardwaj and then Mr. McFarland.

Mr. Bhardwaj: Thank you, Mr. Chairman. A quick comment on private members' bills. As a private member my name was drawn. I think it's a huge educational experience for new members. Your name being drawn and having to go through the process and being

able to debate in the House is huge. If that is taken away from us, I think new members especially will lose a great deal.

In terms of question period I think it's important for us to be able to stand up. Once again, you know, on my first few questions I fumbled and stuttered, really uncomfortable. I think we need the opportunity as much as anybody else to be able to ask questions and sometimes speak our mind and speak on behalf of our constituents. Thank you.

Mr. McFarland: Mr. Chairman, my apologies for referencing 83 private members. I'm running on two hours of sleep. I apologize.

An Hon. Member: Farming.

Mr. McFarland: No, it's not farming. I wish it was.

Maybe it's the short sleep, but I get tired of this little lecture from opposition parties after every election about the number of people that didn't vote for the government. I guess I'm the longest serving person here, and I think I've got to know most of the constituents at least by name or location. I have to say that I have never ever had an inquiry from somebody that I knew didn't vote for me that I didn't react to and try to assist. By the same token, the questions that I've raised – and I don't get up and raise a lot – most times come from people that I know didn't vote for me. So I guess that when I hear somebody telling this committee that they feel hard done by because they lost by 2 or 3 or 10 per cent, I have to think of when I was a kid playing hockey. When you won, you won, and when you lost, you didn't get two-thirds of the Stanley Cup because you were only a goal behind. You lost the bloody thing.

I think it's quite a remarkable thing that we can come here as private members. As I said before, we should be proud as private members to be able to stand up, do the things that constituents like you to do, raise the issues that they like you to raise, recognize the people you want, get to drive back home for five hours minimum so you can spend some quality time so you can drive back the day before, on a Sunday, a family day, when the rest of you guys in the city get to have it kind of easy sitting at home. If I rankled some, so what.

The Deputy Chair: Thank you.

I have no one else on the speakers list. If I might be permitted just a couple of comments. I can nominally pass the chair if you wish.

I think we heard some comments around question period and the role of private members and the important role of the opposition. I think that both of those pieces are very important to raise. In my position as House leader – I think it's been now 10 years – although I haven't had the privilege of being a private member during most of that time, I've always jealously guarded the role of the private member in the House, whether opposition or government side. The role of the Legislature to hold the government accountable, in my view as a parliamentarian, is extremely important, and that's not limited to the opposition. I think it's very important that private members, regardless of whether they're in the opposition caucus or the government caucus, get the opportunity to hold the government accountable.

The suggestion that all those issues can be raised within caucus is just not a reality. With your caucus, the NDP caucus, you know, you can raise all the questions you want. We have 73 people sitting around the table. That affords us the opportunity to bring a very good representation of the province into a caucus meeting, but it doesn't afford everybody unlimited time to raise the issues that they want to raise at a caucus table. You have to have processes to get issues on the table, and private members do have issues that they raise. The government agenda is not the same as the caucus agenda. That might surprise you. Not everybody agrees on every issue. That might surprise you as well. That's the beauty of a caucus, that you can have differing viewpoints. I probably would agree that the Member for Bonnyville-Cold Lake should be limited in the number of questions she gets to ask only because she tends to focus on Education. But I think it is important from that perspective in the process.

Hopefully the chair will be back for the next meeting, and we'll be able as House leaders to bring forward recommendations coming out of this discussion and coming out of our caucus meetings on these issues. I for one will always jealously guard the role of the private member, whether they're in the government caucus or opposition caucus, to raise their questions, to have members' statements, and, quite frankly, to bring forward bills. As the Member for Little Bow indicated, you know, there are sometimes issues that either don't make it onto the government agenda or don't get government approval which a member still believes is important to bring forward and, while we are in a parliamentary democracy, we still have the obligation of representing. I think the representative side of our process is extremely important.

Having said that, I think I omitted in the first list of documents circulated – but I think I mentioned it later – the memo from the Speaker relative to issues that we should address our attention to as part of the review. I just wanted to make sure that was there.

10:40

I think it's important to ask, then: are there any issues which have not been raised either in these documents or in today's meeting that members feel should be on the table for standing order questions? One I would raise that has come up from caucus members from time to time is the issue of quorum. In the 2007 standing orders we had put in a provision that there not be quorum during Committee of Supply because there weren't going to be votes during Committee of Supply. The votes were all going to be at the end. That was not carried forward into the 2008 temporary standing orders, but it does come up whether or not we could or should revisit the question of quorum.

I think the other issues that have been important are all on the table in one way or the other: the question of sessional dates, the question of times of sitting, the question of constituency weeks. I'm hearing informally and I think around the table that everybody believes we should put constituency weeks in. The one piece I would put on the table as part of that is that I think there needs to be some flexibility. We had a form of flexibility built into the 2007 standing orders as to how we design it, so it's not automatically every fourth week. You can align it with your spring breaks or with your long weekend or whatever. So constituency weeks but with some flexibility to design the calendar before the start of the session.

I believe Mr. Rogers raised the question of speaking times. That's not, I think, addressed elsewhere. It's not something that we've dealt with in the 2007 standing orders or the 2008 standing orders, whether or not we would get more done if we had shorter, sharper speeches. I think that was what you were raising.

There are some peripheral issues raised in the Speaker's memo relative to reporting back from committee, for example, on bills. I think that potentially we can deal with them administratively. Perhaps as House leaders we can deal with those and bring back recommendations.

I think the big issue for us to deal with as a committee is relative to the various forms of Committee of Supply that we've experienced. I think there have been at least four iterations of that. We had the format that we used this year, which was essentially a scheduled afternoon or evening and the amount of time. There was some flexibility for the opposition to assist in scheduling so that the larger departments could be scheduled in a longer block of time but not a lot more flexibility than that. Last year we had opposition days scheduled and some greater flexibility in that but with some feedback from members of cabinet, particularly the ones that had to appear two or three times. We've had just the regular Committee of Supply, and we've had what the Member for Little Bow will remember as the A, B, C, D committees. I think the Speaker's memo and some of the background documents refer to other jurisdictions where their equivalent of our policy field committees could be delegated the in-depth coverage. I think the federal government passes their budget very quickly but leaves the committees to do more in-depth review. I think there could be some suggestion or discussion around Committee of Supply in one of those formats or otherwise.

In terms of the question that Ms Blakeman raised with respect to how we respond to questions, certainly as Government House Leader I'm alive to suggestions that we could take to colleagues in cabinet on how we could do that. There's been some suggestion that government members have more opportunity to question their colleague cabinet members. I don't necessarily believe that. You know, anyone can run into a cabinet minister in the hall and ask them a question. It's not pertaining to a particular caucus to do that.

Ms Blakeman: But not standing policy committees and not caucus meetings.

The Deputy Chair: That's true although with caucus meetings, you know, when you've got 72 members in a caucus meeting, there's not a lot of time for side chats.

Ms Blakeman: It's a difficult problem, but I'll trade.

The Deputy Chair: All I'm saying is that our members as well are very interested in some of the detail in the budget and not only doing that in private or in a caucus behind closed doors but doing it where their constituents can see them doing it.

Those are the main issues that I think are on the table. There are some other issues that are peripheral to those, but the real questions that we'll have to deal with, I think, at the next meeting in terms of making recommendations, then, back to the House deal with sessional times, hours of sitting, basically how we accommodate the work that needs to be done while maintaining healthy lifestyles and actually being able to come and bring vigour to the work, and how we assure the role of the opposition in holding the government to account while respecting the role of private members in government to hold the government to account.

Other comments or questions?

Mrs. Forsyth: Just a clarification, Mr. Chair. This discussion that's taking place is for the 2009 session. Am I correct? It will not affect the fall sitting?

The Deputy Chair: No, it wouldn't affect the fall sitting. We would report back during the fall sitting, but the idea is to deal with the standing orders for 2009. I mean, that's not to say that there couldn't be changes to the fall sitting if we wanted to make those changes, but that's not what has been referred to this committee.

Mrs. Forsyth: Okay. So then if we're talking about 2008, we originally were from 1:30 to 5:30. What time did we start?

Mrs. Forsyth: At 7:30 with a week's break in November. That was under the standing orders.

The Deputy Chair: That's right. We have the week of November 11 as a constituency break in a session which starts on October 14 and presumptively ends December 4. I don't think that's in the standing orders.

An Hon. Member: Yes, it is.

The Deputy Chair: It is? Okay.

The time is 1:30 in the afternoon to 5:30 and 7:30 until whenever we finish.

Mrs. Forsyth: So the role of this committee, then, is that actually we're looking at 2009, which I think is a wonderful idea. When does this committee have to report back to the Legislature?

The Deputy Chair: Prior to October 30.

Mrs. Forsyth: Thank you.

The Deputy Chair: Mr. Reynolds.

Mr. Reynolds: The only thing I was going to say is that in the Speaker's memo there is just one issue that perhaps the committee may turn its attention to that would have an impact upon the 2008 sitting, and that's the issue about the private members' bills and the government bills referred to policy field committees during second reading debate. When they come back, they'll come back right in the middle of second reading, which is permissible. It's just an issue that perhaps the committee could canvass.

The Deputy Chair: Perhaps we'll hear from Ms Blakeman and then come back to that issue, or perhaps I could respond to that now because I don't understand the issue. I mean, it's gone out to the committee for extra debate. It comes back in second reading for whatever period of time remains in second reading subject, of course, to the recommendation of the committee. So if the committee recommends that the bill proceed, presumably it would come back and proceed. But it's not in committee; it's in second reading. It'll go to committee for any potential amendments that the committee might be suggesting, but at the time it comes back it's still in principle stage, so it would be subject to debate for the remainder of the period of time if the House concurs in a motion that the bill proceed. What's the issue?

Mr. Reynolds: Well, thank you, Mr. Chair. Certainly, nothing that I thought would keep the committee here debating it right now. I think the attachment to the Speaker's memo points out that with respect to the private member's bill that has been referred to the policy field committee on the economy, I believe – and my colleagues can correct me – there's five minutes of debate left on that with five minutes for the sponsor to close debate. If that's agreeable, then the committee would report back, and then you would have only 10 minutes in the House at second reading, depending on what the committee had recommended, to look at it, to consider the committee's report, and debate. That's fine.

The other thing, of course, is that for most of the standing orders it's presumptively based on the fact that these are referred either after first reading, so before second reading, or after second reading, so before committee stage. It's just a matter of if there are any issues that the committee would like to address about reintegrating the bill back into the Assembly during the second reading debate.

I mean, I believe that the Speaker would of course be willing to rule on the matter if there is no consideration by the committee or look at the rules in that regard, but because it is an unprecedented situation, I think the intention of the Speaker's memo was just to see if the committee had any views on this matter.

10:50

The Deputy Chair: It's on the table as a result of the Speaker's memo, and I appreciate your bringing it to the committee's attention. We can address that at the next meeting if there's any wish to address it.

One of the ironies, of course, is that we often hear about the perils of time allocation, and of course every private member's bill is under time allocation for the purpose of ensuring that they actually get to a vote. Government bills, of course, don't have that, and every time time allocation is brought in, it's to the peril of democracy. But the time allocation in the private members' bills is, of course, necessary to ensure democracy, so it's a bit ironic. That's just a slight editorial comment.

Ms Blakeman.

Ms Blakeman: Thank you. Three final things. I would like to see recommendations or suggestions for changes to the standing orders around two pieces of those policy field committees. One is that we have left ourselves a bit of a hole in that you can refer before second or before committee. What we tend to want to do is refer in the middle of second, so we need the mechanism to do that. Right now we are pretzel shaped trying to figure out how to work within our rules, and there's nothing that allows us to do that, so if we can look at how to accommodate moving it to the policy field committee from second debate. I won't give you the review on it.

The second thing is that I think whatever we do around those policy field committees, again, we meant that to augment but not replace, and it's why Committee of the Whole stays. That's our opportunity to in fact amend the bill, perhaps based on recommendations from the policy field committee work. Again, members of the opposition can't lose that opportunity to speak to the bill because we may not have been able to participate in that given committee.

I'm in a position where I'm on the economy committee, but I am critic for a department that has a bill up on film classification, so I've been trying to go to those committees or read the *Hansard* so I can keep up on what debate is going on so I don't repeat what's happened when I actually get into debate. As the critic I will of course be speaking on that bill. So there is a need to understand that we didn't create those policy field committees to replace but, rather, to augment.

On a different topic, I think it's important to put on the record, because there have been a couple of comments made here, that MLAs who live in Edmonton don't get to go home, put their feet up, and eat bonbons while the rest of you are driving hours and hours to go home. We do other things. There are other expectations. I would not say that any MLA in here works any less hard or more hard than I do. It's different, but it's not less. Just in defence of the city MLAs. What happens to us is that people know we're here, so there's an expectation that we will be at those events. Of course we would. They can see us in the House. Yes, we're going to be at that event for three hours. So you're on the highway for three hours, and I'm at an event for three hours, but it doesn't mean that we're not putting in the time. I just wanted to put that on the record. Finally, Mr. Chairperson, what now? Is the expectation that this committee would end up putting forward a series of statements saying: we charge the House leaders to come up with something on hours and something on new standing orders for the policy field committees moving things to second? What's the level of detail that this committee is going to move forward on? If it's a negotiation process we're now going to go into, we're going to need more than one meeting, but if the next meeting is just to give general areas that the House leaders will then be charged to do the detail work on, then probably one more meeting is going to do it.

Over to you.

The Deputy Chair: Well, first of all, I would go on the record as agreeing with you, hon. Member for Edmonton-Centre, with respect to the role and function of MLAs in the city.

Some Hon. Members: And close by.

The Deputy Chair: And close by.

There's a huge expectation that MLAs, regardless of where you come from, will attend events, but I can tell you that there are days when I wish I was an MLA from out of town because I could go home. No one understands that there are expectations when you get home. You're not able to stay home. You have to go to events as well. I think that because this is a public meeting and it's on the record, we should be clear. Regardless of where they live, MLAs work horrendous hours. People ask me how many hours I work, and when I start to count them up, I quit because I don't like the answer. It's a lot of work, whether we do it to ourselves by sitting past midnight to get the agenda done or whether we extend the amount of time and therefore the time people are away from home. I just want to reiterate that. It's a huge amount of work, and because we're on the public record, I think it bears saying that.

With respect to "where next?" I guess that's the next piece of the agenda. Item 6 on the agenda is whether there is any direction to staff in terms of preparation for the next meeting. In other words: do we have the material we need, and is there anything else that we need in order to take this further? Then the real question comes, about how the committee wants to carry out its business. My presumption would be – and I stand to receive direction from the committee – that you would want House leaders presumably to go back to their caucuses, although I think it's the purview and responsibility of every committee member to go back to their caucus and get some input and direction around the issues that are on the table. Presumably House leaders will need to organize that in some way for presentation to the committee's discussion at the next meeting. Would that make sense?

I mean, I don't think the committee can negotiate. I'm not sure that as House leader I want to do a lot more negotiating because we've been doing this for a long time. We've got most of the issues on the table. We've got the 2007 and 2008. I think that what we need to do is discover where we're together and where we're apart. If the three of us can come to the table with a joint submission, that would be a wonderful thing. If we can't, the committee will still have to meet and presumably will want to hear from us as somebody bringing forward the point position from the various caucuses.

Mr. Rogers: That sounds good.

The Deputy Chair: Is there any other comment or issue that needs to be on the table relative to the understanding of the rules?

Can I take it that the business of today's meeting is done and that we may adjourn?

Mr. Rogers: Mr. Chairman, if I may. I notice that we have the date of the next meeting. I believe the 15th is proposed. Some of us have a conflict there. I know I for one have a conflict. I don't imagine that we could sit and try to negotiate that time here, but I just wanted to raise that.

The Deputy Chair: I'm glad you did raise it because, from a practical perspective, my caucus meeting is the next day, so the 15th will not put me in a position to be any closer or, I would suggest, any of the government members any closer to bringing back their caucus viewpoints. Would it be open to the committee to leave the next meeting at the call of the chair in consultation with members?

Ms Blakeman: No. Get your Day-timers out. That's really hard once we leave this room.

Mrs. Forsyth: September is a crazy month. I mean, I'm working with Jody on the Alberta heritage savings trust fund. It's just an insane month for everybody. This meeting was plugged into my Day-timer: September 15. I can't speak for everybody else on this committee and I appreciate what you're saying about our caucus meeting the next day or something, but I would rather meet here on the 15th or cancel the meeting and book something for October, maybe, when we're in session because of the fact that we have to report by the 30th of October.

The Deputy Chair: Personally, it would be my preference to cancel the 15th just because otherwise I'll be coming back and saying virtually the same things I have said at this one. I haven't had any instruction from my caucus. We won't take it any further from that perspective. I mean, that doesn't mean the committee can't make its own decisions, but my input as House leader is that I haven't had any input from my caucus.

The other piece is that I think House leaders need a chance to work together. Schedules are horrendous. I would be in favour of not going ahead with the September 15 meeting. I say leave it open to the chair because it does mean the end of September or early October probably. I mean, it's your meeting. You tell me what you want to do.

11:00

Ms Blakeman: I'd rather have the input of the government caucus. There's no point in having the meeting if we don't. You know, we need to know where the government caucus is willing to go. It does mean we are going to have to schedule a meeting for early October and maybe another one for mid-October depending on how active this gets. Yes, I'd appreciate the time to be able to schedule the three House leaders together as well. So if we cancel the 15th and try and do something the beginning of October, that would be good.

The Deputy Chair: Can I accept that as the will of the meeting?

Ms Notley: Can there be some notation that there's just not an email going out telling us when the thing is without any indication of, for instance, the House leaders at least being available to be there?

The Deputy Chair: Well, I would certainly appreciate that. Having a meeting today wasn't my idea of a good time.

Ms Notley: No, no. It's just that that's sort of the way it's been going with the committees. They're just coming. I'm not the vice-

chair on any of the committees, so there is no discussion, and it can't work.

The Deputy Chair: I will take it back to the chair that when he schedules the next meeting, there ought to be some form of consultation about time. I know I as a member would appreciate it, and I'm sure others would.

Mr. Berger: I would just add that there's probably no perfect time for anyone. If we're going to consult, we'll just continue consulting about when to have the meeting rather than having the meeting. There has to be the flexibility to actually say, "Here's a date; let's have the meeting," especially for those of us who are travelling four and a half hours to get here, too. **The Deputy Chair:** Yeah. That would be the chair's prerogative, presumably after consultation, to pick the time. I think that's how this one worked. I mean, I responded saying neither was convenient and that I didn't see the need for the meeting but that the 3rd was better than the other alternative.

Are we all done on that topic? Motion to adjourn. All in favour? That's it.

There's no meeting on September 15. The chair will consult with members relative to the time of the next meeting, and presumably between then members will talk with their caucuses, and House leaders will try and bring some form of consensus.

[The committee adjourned at 11:02 a.m.]

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