



Legislative Assembly of Alberta

The 29th Legislature
Second Session

Standing Committee
on
Privileges and Elections,
Standing Orders and Printing

Wednesday, June 22, 2016
1 p.m.

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**Standing Committee on Privileges and Elections,
Standing Orders and Printing**

Fitzpatrick, Maria M., Lethbridge-East (ND), Chair
Babcock, Erin D., Stony Plain (ND), Deputy Chair

Carson, Jonathon, Edmonton-Meadowlark (ND)
Coolahan, Craig, Calgary-Klein (ND)
Cooper, Nathan, Olds-Didsbury-Three Hills (W)
Ellis, Mike, Calgary-West (PC)
Goehring, Nicole, Edmonton-Castle Downs (ND)
Hanson, David B., Lac La Biche-St. Paul-Two Hills (W)
Kazim, Anam, Calgary-Glenmore (ND)
Loyola, Rod, Edmonton-Ellerslie (ND)
Malkinson, Brian, Calgary-Currie (ND)*
McPherson, Karen M., Calgary-Mackay-Nose Hill (ND)
Nielsen, Christian E., Edmonton-Decore (ND)
Schneider, David A., Little Bow (W)
Starke, Dr. Richard, Vermilion-Lloydminster (PC)
van Dijken, Glenn, Barrhead-Morinville-Westlock (W)
Woollard, Denise, Edmonton-Mill Creek (ND)**

* substitution for Anam Kazim

** substitution for Chris Nielsen

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1 p.m.**Wednesday, June 22, 2016**

[Ms Fitzpatrick in the chair]

The Chair: Welcome to the meeting of the Standing Committee on Privileges and Elections, Standing Orders and Printing.

I am Maria Fitzpatrick, MLA for Lethbridge-East and chair of this committee. I'd ask that members and those joining the committee at the table introduce themselves for the record. I will then call on the members joining the meeting via teleconference to introduce themselves.

Ms Babcock: Erin Babcock, deputy chair of this committee and MLA for Stony Plain.

Loyola: Rod Loyola, MLA for Edmonton-Ellerslie.

Mr. Malkinson: Brian Malkinson, MLA for Calgary-Currie, subbing for Anam Kazim.

Ms Goehring: Good afternoon. Nicole Goehring, MLA, Edmonton-Castle Downs.

Mr. Carson: Good afternoon. Jon Carson, MLA, Edmonton-Meadowlark.

Ms Woppard: Good afternoon. Denise Woppard, MLA, Edmonton-Mill Creek, subbing for Chris Nielsen.

Mr. van Dijken: Glenn van Dijken, MLA for Barrhead-Morinville-Westlock.

Mr. Cooper: Nathan Cooper, MLA for the outstanding constituency of Olds-Didsbury-Three Hills.

Dr. Massolin: Good afternoon. Philip Massolin, manager of research and committee services.

Ms LeBlanc: Stephanie LeBlanc, Parliamentary Counsel.

Ms Dean: Shannon Dean, Law Clerk and director of House services.

Mrs. Sawchuk: Karen Sawchuk, committee clerk.

The Chair: Now on the phone, if you'd please introduce yourselves.

Mr. Coolahan: Craig Coolahan, MLA for Calgary-Klein.

Ms McPherson: Karen McPherson, MLA for Calgary-Mackay-Nose Hill.

Dr. Starke: Richard Starke, MLA, Vermilion-Lloydminster.

Mr. Ellis: Mike Ellis, Calgary-West.

Mr. Hanson: Dave Hanson, Lac La Biche-St. Paul-Two Hills.

Mr. Schneider: Dave Schneider, Little Bow.

The Chair: Thank you very much.

For the record I would also note the following substitutions: Mr. Malkinson for Ms Kazim, Ms Woppard for Mr. Nielsen.

The meeting agenda and other documents were posted to the committee's internal website for members' information.

Before we turn to the business at hand, a few operational items. The microphone consoles are operated by the *Hansard* staff. Please keep cellphones and BlackBerrys on silent and off the table as they

can interfere with the audiofeed. Audio of committee proceedings is streamed live on the Internet and recorded by *Alberta Hansard*. Audio access and meeting transcripts are obtained via the Legislative Assembly website.

Meeting participation via teleconferencing. Section 6 of the Legislative Assembly Act permits participation in a committee "by means of a telephone or other communication facilities that permit all Members participating in the meeting to hear each other if all the members of the committee consent." For the members' information the committee rooms are equipped to facilitate participation via teleconference. The six members participating today via teleconference may not move a motion nor vote on any motion put forward in this respect until a motion is passed to agree to participation via teleconference.

Mr. Malkinson.

Mr. Malkinson: Thank you very much, Chair. At this time I would like to propose a motion to allow our members who are teleconferencing to participate in the meeting and move motions for the duration of the 29th Legislature. Would this be the appropriate moment to do that?

The Chair: Actually, just give me a minute.

Okay. For the members teleconferencing to participate, the committee must pass the motion to allow for teleconferencing today, or they may pass instead a motion to approve meeting attendance by telephone for the duration of a Legislature. It is important to note that either motion must be passed unanimously. I'd also note that a motion approving teleconferencing for the duration of the 29th Legislature would not preclude the committee from determining that the members' attendance in person at specific meetings is required.

Do the members have any comments or questions in this respect?

Hearing none, Mr. Malkinson, would you please go ahead.

Dr. Starke: Chair?

The Chair: Sorry?

Dr. Starke: Sorry. I guess, two things. I would certainly encourage all members to pass this motion unanimously. I think that participation by teleconference is something that facilitates the ability of people, especially from outside Edmonton, to participate.

Second, I'm not sure if everyone else that is participating by telephone is getting this, but I'm getting a tremendous amount of background noise, lots of clicks and interference with your own microphone feed, Chair. I'm just wondering if there's something that can be done to alleviate that because it is very distracting.

Mr. Coolahan: I am as well, Dr. Starke.

Ms McPherson: As am I.

The Chair: I'm not sure why that's happening. We're checking on it to get it taken care of, though.

Okay. Mr. Malkinson.

Mr. Malkinson: Thank you very much, Chair. I would like to take this moment to make a motion that

for the duration of the 29th Legislature the Standing Committee on Privileges and Elections, Standing Orders and Printing permit committee members to participate in meetings via teleconference.

The Chair: Any discussion on this motion?

Hearing none, all those in favour please say aye. Those opposed? Hearing none, this motion has been carried unanimously.

Now we'll get to the agenda. Would a member move the adoption of our meeting agenda? Mr. Carson. I'm sorry, Mr. Carson. I didn't hear you.

Mr. Carson: My mike wasn't on. Thank you. I would move that the agenda for the June 22, 2016, meeting of the standing committee on privileges and elections, et cetera, et cetera, be approved as it is.

Thank you.

The Chair: Thank you.

All those in favour?

Mr. Cooper: I just have a quick question on what the "et cetera, et cetera" was.

Mr. Carson: I can clarify. I will clarify that that would be approving that the agenda of the June 22, 2016, meeting of the Standing Committee on Privileges and Elections, Standing Orders and Printing be adopted as circulated.

Thank you.

The Chair: All those in favour, please say aye. Any opposed? The agenda is accepted as circulated.

Now we'll go to the review and process, committee mandate, Government Motion 19. Members should have a copy of Government Motion 19, part B of which directs this committee to review the operation of morning sittings of the Assembly, set out in part A of the motion. As noted, the committee must complete its work and report to the Assembly by October 27, 2016.

I'd like to ask if Ms Dean or Ms LeBlanc have anything to add with respect to the committee's mandate.

Ms Dean: Madam Chair, I don't have anything further to add. I would just point out that this committee only deals with matters that stand referred to it from the Assembly, so I think the motion is fairly straightforward.

The Chair: Thank you very much, Ms Dean.

Do members have any questions in this respect?

Now to the review process and tentative timeline. Our next item of business is a proposed timeline and process document completed by the LAO committee staff for members' consideration. The document provides a suggested format for the committee's review of the standing orders related to morning sittings, keeping in mind the requirement to report to the Assembly by October 27, 2016.

Do members have any comments or questions with respect to the suggested timelines and process? Mr. Cooper.

1:10

Mr. Cooper: Thank you, Chair. It's great to be with you today. Congratulations on what I believe is chairing your first meeting since your election. It's such a historic event, that we could all be together today at what I'm sure many of you will know has been kindly and often referred to as the no-meet committee. I can only imagine, I guess, that there are a lot of former members that would have desperately wished to have had their chance to meet, particularly the ones that had to pay back significant sums of money because the committee never met. You know, when you're part of such a historical event – I mean, I look back, and the committee really met briefly in 2008 and 2007 and then prior to that, 20 years prior, in 1987. So it's exciting that we could be here together. I just am overwhelmed by emotion, really.

Now, I also know that not everybody had the opportunity to pay back the money from the no-meet committee. I understand that it's

unfortunate that the Premier wasn't able to be here. I know she's busy now and unable to attend these events, but I think that she might have been one of those folks. But she was perhaps participating in the committee at that time pro bono. I'm not really sure what happened. More specifically, I guess, than the events of the past and those who may have not paid back the money, with specifics toward the timeline ...

The Chair: Excuse me, Member.

Mr. Cooper: Yes.

The Chair: Would you have something specific for our agenda, please?

Mr. Cooper: Oh, yes. Well, I think the historic nature of such an event is very timely for our meeting this morning.

But to the point that we are currently discussing, which is the process of the review, I see that the proposed timeline really pushes us right up to the deadline. I am fairly passionate about the review of standing orders, and I recognize that we are going to be primarily focused on this one topic, that has been referred to us, with respect to morning sittings. But I think that not allowing us time towards the end of the process may be a disadvantage. Perhaps if we expedited the process and aimed to be finished by mid- to late September, it would give us some additional time in October. I recognize that we're reviewing the draft recommendations in October, but if we could move that all up, I think it could be wise given the timelines.

I'm not totally bent on it, but I just wanted to at least highlight that I would hate to see us get in a situation where we're being rushed given that we have all of this time over the next number of months. If we expedited it, I think it may be advantageous.

The Chair: Thank you for your comments.

Do research services or Parliamentary Counsel have anything to add at this point?

Do any other members have any comments with respect to Mr. Cooper's comments?

Mr. Cooper: After we hear from research and depending on their comments, I may or may not be pleased to make a motion to add to my point. We'll see. They may disagree, and they are exponentially more wise than I, so we'll see what happens here. But no pressure.

Mr. Carson: I was just going to add that we all, I'm sure, have quite busy schedules, so I was happy with the proposed timeline, but I think it would be good to hear from everyone else, including people on the phone.

The Chair: Okay. Are there any other comments from the members of the committee on the timelines? On the phone lines, are there any other comments? No. Thank you.

Okay. We received a general overview of the issue and the process before us in preparation for our next meeting. I would suggest that the committee invite House leaders and independent members to make presentations on behalf of their respective caucuses on the issues that they have identified with respect to morning sittings. The committee may also wish to receive input from the Legislative Assembly Office through the Clerk of the Assembly.

Any discussion on the suggested invitees? Are there any other parties the committee wishes to hear from? Mr. Loyola.

Loyola: Thank you, Madam Chair. As I reflect on this, I know that when we stay late in the Legislature, that impacts several people

that are working inside of the Legislature Building, so I was hoping that we would entertain the opportunity to hear from security officers and also the facility maintenance staff to see if we could get opinions from them on how it kind of affects their work.

The Chair: Mr. Reynolds.

Mr. Reynolds: Thank you, Madam Chair. I just want to say that it would be my intention, if we are in fact invited to make a presentation, to do so on behalf of the entire Legislative Assembly staff. That would include security, that would include *Hansard*, and that would include the table officers. I can't speak for the facility's management staff because they're under the Department of Infrastructure, so they're not under the Legislative Assembly, but you could invite someone from Infrastructure to appear if you wanted to, if that answers your concerns.

The Chair: Thank you, Mr. Reynolds.

Loyola: I completely appreciate where you're coming from. That's a tough one. I wouldn't mind hearing directly from the security officers – I know I'm kind of pushing on this – and the maintenance staff, but I don't know. I'd like to open it up to other people's comments to see if they'd be in favour of that or not.

The Chair: Are there any other comments on the phone or here in the room with respect to suggested invitees?

Mr. Reynolds: Well, Mr. Loyola, it would be my intention to represent the views of the entire Legislative Assembly Office, including the security officers. Perhaps after I've made my submission, which will include input from all branches that report to me, you could be free to ask for further witnesses at that point.

The Chair: Thank you, Mr. Reynolds.

Mr. Cooper, and then Mr. Loyola.

Mr. Cooper: Thank you, Chair. You know, I think that I certainly appreciate Mr. Loyola's desire to get feedback from front-line employees, if you will. I also think that there are appropriate processes. Maybe chains of command are not the best line of discussion. But, you know, at the end of the day the LAO or we, if you will, through the Speaker, essentially have one employee, and that's the Clerk of the Assembly. I think that the most appropriate fashion would be to receive information through the appropriate chains.

1:20

You know, at other committees, when the department comes – for example, Service Alberta was just recently at PAC – we don't have someone from registries here to present; we have someone from the department. Now, I recognize that Infrastructure is slightly different, so perhaps we need to ask the Minister of Infrastructure to attend on behalf of the employees of Infrastructure. I think that would be reasonable. But I think we would be best suited to have the Clerk speak on behalf of those he represents.

I am in support of his last comments, that if there is additional information that's required or we don't feel as though there has been an equal and fair representation of those individuals, perhaps we could ask for it at that time. I certainly would much prefer that we use the normal paths and avenues to hear about the impacts than to have security personnel – you know, the other questions that would have to be asked: "Well, which one?" or "How many?" There are other things to consider, so I'm certainly not in support of it at this time. I would much prefer to see the Clerk represent those individuals here for now.

The Chair: Thank you very much, Mr. Cooper.

Loyola: Thank you for all of the comments. I'd just like to stress for the record that by no means would I be doubting Mr. Reynolds' capacity to represent all the people that work under him, as Mr. Cooper had made reference, in the chain of command. I mean, I think that you would do it very faithfully. I will retract my request. My hope was just to make sure that we would hear from all those impacted. If you feel that you can do that, I'm sure that you can do it faithfully, so I'll retract my request.

Mr. Reynolds: Well, thank you for the vote of confidence. I am rather in touch with the people in the different branches virtually daily. In fact, we just had a senior managers meeting today. If there are any questions in particular that you might have had, I'd be pleased to make sure that I can attempt to address them in my presentation. You don't have to do that right now. You can get in touch with me and just tell me what they might be, if that's acceptable.

Thank you.

Loyola: Thank you, Mr. Reynolds, for offering that. That is indeed acceptable. I'll be sure to be in touch.

Mr. Reynolds: Thank you.

Dr. Starke: Chair?

The Chair: Is that Dr. Starke?

Dr. Starke: Yes, Chair. Sorry. I don't mean to be persistent about this, but the background noise on the phone is continuing and ongoing and is extremely distracting. I'm not a sound technician or diagnostician in that direction, but it sure sounds like somebody typing, perhaps typing near an unmuted phone or typing near a live microphone. I'm just wondering if someone is and realizes it. If they could either mute the phone or if they are close to a live microphone – for example, Chair, if it's the committee clerk that is typing in close proximity to your own microphone, which remains live for much of the meeting, perhaps they could do it at a farther distance from the microphone because it is extremely distracting. I'm not sure if I'm the only one that's experiencing it, but it's really, really difficult to hear.

The Chair: Okay. Thank you, Dr. Starke.

We've just talked to the IT people, and we're going to take a five-minute recess. If everybody would hang up, then we will call back again in five minutes, please, and we'll re-establish the connections.

[The committee adjourned from 1:25 p.m. to 1:29 p.m.]

The Chair: Okay. I think we have everybody back on the phone again, and I hope that nobody is hearing any static at this point. Apparently, it was a line connection that was the problem.

Okay. Now we'll get back to the suggested invitees. Would a member be prepared to move a motion in this respect? Mr. Loyola.

Loyola: Yes. Thank you very much, Madam Chair. I'll move that the Standing Committee on Privileges and Elections, Standing Orders and Printing invite House leaders, independent members, the Clerk of the Assembly, and a representative of Infrastructure to make oral presentations providing an assessment of the operation of morning sittings of the Assembly at the next scheduled committee meeting.

The Chair: Any discussion on this motion? Anyone on the phone?

Hearing none, all those in favour, please say aye. On the phone? Okay. Anybody opposed? Seeing none, the motion is carried.

Research services' interjurisdictional report. Now we'll turn to Dr. Massolin. If he would provide an overview of the report.

Dr. Massolin: Thank you, Madam Chair. In advance of this meeting research services thought it might be useful for the committee pursuant to Government Motion 19, passed by the Assembly, to provide some crossjurisdictional information with respect to sitting times for the various Canadian jurisdictions. This interjurisdictional report was posted on the committee website, and you can see that the main part of it is a big table that is derived from the respective standing orders, standing rules, from each of the jurisdictions, that more or less lays out the sitting times on a weekly basis for each of those jurisdictions.

I don't have a lot more to say except to point out, you know, a few observations, the first being that regular morning sittings occur in all of the larger Canadian jurisdictions, including Alberta, of course. In terms of morning and evening sittings, it's really only Quebec and Saskatchewan that do so but on a limited basis. I should hasten to add that a lot more jurisdictions would be able to sit both morning and evening pursuant to a motion that was passed in the Assembly, and that's Alberta's situation as well. Then there's more information on overall sitting times. The main caveat there is that some jurisdictions actually have extended sitting hours. Again, if Assemblies are sitting during nights, that's not necessarily included in this compilation. In other words, take that total sitting hours column with a grain of salt.

I'm prepared to answer any questions if there are any. Thank you.

The Chair: Thank you, Dr. Massolin.

Any questions? Mr. Cooper.

Mr. Cooper: Thank you, Chair, and thank you, Dr. Massolin, for your work. Just a quick question. I know that we're, you know, getting close to talking about what other work committee services might provide the committee as they endeavour to make the best available decision. Now, I know that these are the hours that are currently scheduled by standing orders. I'd be curious to know the possibility of finding out a crossjurisdictional look at the total number of hours actually sat. You know, I think if we look at the last couple of sessions that we've had here in Alberta, there have certainly been a number of late nights that would significantly increase the total number of hours that are actually sat compared to scheduled. I think that that might be a useful tool for us to have when we are making future decisions or considerations around parameters we might like to set for sitting times.

1:35

The Chair: Thank you, Mr. Cooper.

Ms Woppard.

Ms Woppard: Dr. Massolin was first.

The Chair: Sorry.

Dr. Massolin: Sorry. I just wanted to respond. I think I've understood the task correctly. Scheduled versus actual I think is the task, and I just would like to ask for clarification on that. Is it the actual time that the Alberta Assembly has sat, or are you looking for all jurisdictions in Canada? The reason I ask that is that I think we've got stats for Alberta. Getting them for every last other jurisdiction might be a little bit of a challenge.

Mr. Cooper: That's reasonable, to not do it wholesale, although you never know. Other Assemblies may have kept their own

records, and it might be easier than we think, even if we could take a quick peek at, like, Ontario here – they clearly have a motion that allows them to sit into the evening but don't go past midnight – to see, you know, in the jurisdictions that do have evening sittings if there are additional times that they sit. Sometimes people like to compare days of sitting and other times hours of sitting, so in a couple of those major jurisdictions it might be handy to know the total number of hours compared to the total number scheduled, but certainly here would also be helpful.

The Chair: Thank you, Mr. Cooper.

Ms Woppard: I'd like to request through a motion that research services provide a cost analysis of having fewer evening sittings as a result of the morning sittings. Shall I make that motion now?

The Chair: Yes, you certainly may.

Ms Woppard: Okay. Moved by myself that

the Standing Committee on Privileges and Elections, Standing Orders and Printing request that research services provide a cost analysis of having fewer evening sittings as a result of morning sittings.

The Chair: Thank you.

Any comments or questions on that motion? Mr. Cooper.

Mr. Cooper: Yeah. Thank you, Chair. I look forward to hearing from perhaps one of the table officers around this particular issue. Part of the challenge is, of course, that we really only have two sessions to go by. It's my understanding from some previous discussions that we've had at Legislative Offices around the total number of line items and the way that those things are budgeted that it can be often prohibitive for staff to determine whether it's a cost savings or not, vice versa, for the morning and the evening, so it may not be possible, but I'd like to hear.

I do have some significant concerns that we'll make, you know, major decisions based upon what essentially is 30 sitting days in the last two sessions. Additionally, would that take into consideration the additional travel costs that are associated with sitting more days? There are a number of factors that may or may not be included in that motion but may present, certainly, some concerns that I have.

Now, listen. If we're saving money by sitting in the day and not at night, I'm happy to do that. You know, I was actively involved in the morning sittings. Of course, my concern was always sitting three sessions a day, not sitting in the morning. It was never a concern. But to determine whether or not we've actually saved money may be a challenge given the sample size.

The Chair: Any other comments on the motion? Yes.

Ms Dean: Madam Chair, I would echo the sentiments that Mr. Cooper just mentioned in the sense that we have limited experience with respect to the morning sittings and a limited amount of data to draw from where we've had morning, afternoon, and evening sittings. We can certainly put together cost information based on that limited experience, but I just want to emphasize that the information might not be as complete as you would like.

The Chair: Thank you very much, Ms Dean.

Any other comments? Anybody on the phone?

Ms McPherson: None here.

The Chair: Was that Ms McPherson?

Ms McPherson: Yes. I was just saying no comments here.

The Chair: All right. We have a motion before us. All those in favour, please say aye. Those opposed, please say nay. On the phone lines? Thank you. The motion is carried.

Are there any other items for discussion under this business? Mr. Cooper.

Mr. Cooper: Thank you, Chair. In light of the recent motion passing, I think it would be reasonable and prudent that I make a motion that would study the costs of having morning, afternoon, and evening sittings. Given that they've happened on numerous occasions, perhaps it's going to be difficult to determine how many nights we've saved by sitting in the morning. We've certainly sat into the evening on numerous occasions during the Bill 6 debate, during the carbon tax debate. I think those certainly increase the costs. If we're going to be studying cost savings – I am in full support of saving resources – then we ought to have a full understanding of the complete costs when the government chooses to sit in the evening as well in light of any potential savings that we would have had. I'd like to move a motion that

we study the costs and have a full understanding of the costs of morning, afternoon, and evening sittings.

The Chair: Thank you, Mr. Cooper.

Any discussion? On the phone?

Hearing none, we're ready for a vote. All those in favour of Mr. Cooper's motion, please say aye. Those opposed? On the phone? The motion is passed.

Is there any further discussion?

1:45

Mr. Reynolds: I just want to say that I appreciate what the committee has decided. Of course, we'll do our best to provide you with the information you want. It may not be what you perhaps expect in the sense that it may be somewhat difficult to ascertain the costs when there was a two-hour evening sitting versus a two-hour morning sitting. You understand that evening sittings vary in the sense that when we go back to them, they could be an hour or they could be five hours. There's a certain predictability problem that you don't have with the morning sittings, where there's a fixed time. We'll do our best, but I just thought I'd throw in that caveat there.

The Chair: Thank you very much, Mr. Reynolds.

Anything further? Yes, Dr. Massolin.

Dr. Massolin: Thank you, Madam Chair. I just wanted to confirm something that Mr. Cooper mentioned in terms of the research. I think I heard consensus, or nobody in dissent, anyway, on his research request. I just want to make sure that that's the case, and we can go away with that.

Thank you.

The Chair: Thank you.

Now on to dates for future meetings. The next meeting is expected to be scheduled for a date in September. Members will be polled once a date and time for the meeting is identified.

I'd like to invite a motion to adjourn. Mr. Malkinson. All those in favour? Anyone opposed? On the phone, any opposition? Okay.

Thank you, all.

[The committee adjourned at 1:47 p.m.]

