

5:51

Wednesday, May 22, 1991

[Chairman: Mr. Horsman]

MR. CHAIRMAN: Perhaps we could get the meeting under way. The meeting I think can be fairly brief. On the agenda today we have Approval of May 10, 1991, Committee Meeting Minutes. Has everyone had an opportunity of reviewing them? Any concerns of errors or omissions on the part of anyone?

MRS. GAGNON: So moved.

MR. CHAIRMAN: Thank you. Moved, Mrs. Gagnon.

MR. CHUMIR: I have several questions. One relates to the reference on page 17.91 about the discussion of "how data of similar surveys by MLAs would be used within the Committee's process." I thought there was kind of a consensus that those surveys would not be used as a part of our process; those would be totally outside the process for the benefit of individual MLAs as they choose to use them. I don't know whether that's substantive enough to raise.

MR. CHAIRMAN: Well, this just makes note of the fact that there was a discussion. It did not indicate that there would be any utilization of the data in an official way.

MR. CHUMIR: Well, there's an implication of how . . .

MS CALAHASEN: I don't think it is. I think it's okay.

MR. CHUMIR: Are you saying that I'm sounding like a lawyer, Jim?

MS CALAHASEN: Yes, you are.

MR. CHAIRMAN: Okay. What concern did you have other than that?

MR. CHUMIR: Well, I'm just wondering about the reference at the beginning to request for agreement on a maximum of 20 minutes for each presenter and how that links in to some statements in some of the materials we've received that we're looking at 15 minutes. I thought later on we were looking at 15 minutes. I happen to like 20 minutes myself, but I notice an ambiguity in the package of materials and what the nature of the discussions were.

MR. CHAIRMAN: Well, I think the question of what is in the minutes as a true reflection of what took place is what we're considering here, not the outcome of the discussion. When we come to that in a few moments, I think that will be explained as to the number of submissions we have set out in the briefing material and the number of people that can be accommodated.

Are there other concerns? Is there a feeling that it's necessary to amend the minutes, or is there a feeling that the minutes reflect what took place? Now can we deal with Mrs. Gagnon's motion? All those in favour? Opposed? Thank you.

I think we can get to the issues in a moment or two.

MR. McINNIS: This is not an agenda item per se, but in these supper hour meetings, if there's not going to be food, can we bring a bag lunch? Would that be disorderly to the committee?

MR. CHAIRMAN: I was hoping that it would be possible on this particular occasion for us to adjourn within a reasonable period of time, permitting people to go on to their own dinner arrangements.

MR. McINNIS: Or the next meeting, as the case may be.

MR. CHAIRMAN: I think that for meetings in the future which involve meeting during meal hours, we will in fact have meals.

Could we go on to the next item on the agenda? That's the subject of Public Hearings. The briefing books which you have prepared for you now lay out the schedule of the presenters. I had a note here a minute ago. Perhaps I'll just get Garry to explain this working book to us in terms of the timetable and the presentations.

MR. POCOCK: We have received requests for 193 appearances before the committee. The briefing book provides the itinerary, the administrative arrangements, and then we've broken down for each location the presenters, the timetable that we've allotted, and a summary of the briefs that we have received. We have allotted for Edmonton and Calgary 15 minutes for each presenter, and both cities are fully booked in terms of the time that was originally allotted by the committee. In Calgary there's a waiting list of 10 people, and here in Edmonton there's a waiting list of approximately eight people. For those individuals we suggested that the committee is having time for presentations from the floor and they may wish to make a brief presentation at that time and also noted that the committee will be meeting the week following the public hearings to consider whether or not to hold additional hearings.

MRS. GAGNON: Mr. Chairman?

MR. CHAIRMAN: Perhaps I could get a point of clarification. With respect to the 15 minutes, have you discussed that time with the presenters? If so, what were the results of the conversations?

MR. POCOCK: Yes. We indicated to each presenter the 15 minutes and that approximately half the time should be for presentation and approximately half the time for questions from the committee. My understanding is that that was well received by virtually all calls that we received, that the 15 minutes would be sufficient.

MR. CHAIRMAN: Okay.

Sorry. Yes, Yolande.

MRS. GAGNON: Thank you. Looking at the schedule for group A, I note that Lloydminster and Camrose have only two each, and that's all day Monday and all day Tuesday, a total of four. I'm wondering two things: if you have indication that there may be others because they've called recently - today or whatever - and whether on those days we might not use our time by staying in Edmonton or Calgary, whatever the case may be, and inviting these people to the city so we could accommodate more of the people in Edmonton and Calgary who want to make presentations. I think it's a basic issue: the time is allotted in an area where there isn't that much interest, and yet we don't have enough time where there is great interest.

MR. CHAIRMAN: Well, that is a dilemma, the problem being, of course, that we've advertised the times. I've been informed by members of the Legislature that in the cases of both Lloydminster and Camrose, they anticipate there will be a fair number of people who intend on coming and making informal presentations. To change it now, I think, would be very difficult in view of the advertising which we have done. I think what we're going to have to do, quite frankly, to accommodate those who wish to present in Edmonton and/or Calgary is find a later date at which we can accommodate them, because administratively I think it would be very difficult to undo the work that has been done.

MRS. GAGNON: So the idea will be that we make ourselves available on those days regardless and see what happens.

MS CALAHASEN: We don't know how many will be walk-ins either, Mr. Chairman. I think, when we're looking at the idea of going out into the rural areas, some of the people are - we're saying even Lloydminster is a long way from one of the communities in the outlying areas. It's really a difficult one, and I think, personally, that what has been done has got to remain.

6:01

MR. CHAIRMAN: Okay. Logistically and administratively I don't think we can make the change now. Okay? Any other questions?

I just want to make a comment, if I can, about the efforts that have been made by the staff to summarize the briefs. If you look at Edmonton, for example. Let's just go to behind the white tab, where it says that Edmonton is tab 1. You will note that starting at 3 o'clock we commence with Nanno Manning, next with Larry McIlroy. They're asterisked, which indicates that the brief has been received and the summary is provided. Now, these summaries are for your use and advice, but I would hope that you would not consider these to be public, because they are an effort by the staff to summarize a document and it may or may not be exactly what the presenter wants to get across. So I think really we should be very careful that we not make these items public.

Yes, Stan.

MR. SCHUMACHER: I think all members of the committee may not be aware of the fact that until the committee has had a chance to hear and digest and report to the House, it's totally improper to release anything, besides being discourteous to the person who has prepared it. I would like to refer members to 877 of *Beauchesne*, which says:

No act done by any committee should be divulged before it has been reported to the House. Upon this principle the House of Commons of the United Kingdom, on April 21, 1937, resolved "That the evidence taken by any select committee of this House and the documents presented to such committee and which have not been reported to the House, ought not to be published by any member of such committee or by any other person".

So I would hope that all members would have a little sense of courtesy to the people who are going to be appearing before us and not be gabbing all over the place about what they've been receiving until it's been received and we've had a chance to deal with it and report properly.

MR. CHAIRMAN: I wanted to come to that point, Stan, because it's come to my attention that a member of the news media has copies of some of the presentations that have been received and that they have received them in part. The key is

simply this: until the presenter comes before a public hearing and makes a public presentation, the documents that we have received in advance should not be made public by any member of the committee. Once, of course, the individual has come into the public forum before our committee and made the presentation, then it is certainly proper for that information to be public because the individual has stated his or her views in a public manner. Until such time as that, I would ask that members observe the custom and the courtesy inherent by not releasing to the press or anyone else what we have received in advance from members of the public.

In any event, I just wanted to go through this. You see that we have a very tight timetable, and we're going to try and . . .

MR. ADY: Mr. Chairman, just back on that issue before you leave it. Do we have a consensus of the committee that that's going to be the practice?

MR. CHAIRMAN: Well, do we have any question about that being the standard which we will follow? If not, I took silence . . .

MR. McINNIS: Well, just in respect to what our deputy chairman said, I take it that nobody quarrels with the fact that this is a public process; it's when the briefs are available to the public. The word from the Chair is that it's the time and place at which the matter is heard.

MR. CHAIRMAN: Exactly.

MR. SCHUMACHER: If someone goes to a lot of effort to make a brief and then doesn't even get a chance to present it until somebody has spread it all over the place, to me - I don't know what would go through a member's mind in saying "Well, we're going to put this out even before the person who has gone to the effort of preparing the brief has had a chance to present it."

MS BARRETT: Has this happened?

MR. SCHUMACHER: Well, I gather. There's been a report that one or more submissions have already found their way to the media.

MR. CHAIRMAN: I think we've got agreement on it, an understanding by members of the committee, that as soon as the presenter has come before us, made his or her presentation, and answered questions, those are all in the public domain at that time but not until then. I don't think we need prolonged discussions beyond that.

Okay. Anything more on the public hearings? In any event, I'm just saying that you see what we have: a rough summary of what is in the individual's presentation.

MR. McINNIS: I have a question, Jim.

MR. CHAIRMAN: Yes.

MR. McINNIS: I take it that if all goes well, we have seven and a half minutes for a presentation, seven and a half minutes for questions. How do we divide up the seven and a half minutes for questions?

MR. CHAIRMAN: Well, I think we'll have to try and use those guidelines. They're not absolute. I mean, if somebody wants to take five minutes allowing 10 minutes for questions or go over a little bit on some and others are shorter, we'll try and keep within a reasonable range.

Now, in terms of who will be recognized to ask questions, we'll try and encourage as many members to participate as possible. If somebody comes forward with a particularly contentious item, there may be more questions, but I think the questions are going to have to probably be framed as briefly as possible, without lengthy preamble, so we can get to the individual's point of view, so it's not our point of view being reflected back in any way.

Dennis.

MR. ANDERSON: Mr. Chairman, my recollection, growing vague through the years, of what we did in the senate committee was that each member tried to keep their questions brief and only to two supplementaries at maximum so everybody could get in who wanted to, given a time period. I think we should have some rough guideline of that sort, whether it's a question and one supplementary or a question and two supplementaries, so that we can move from one member to the other in a reasonably expeditious way. My understanding is that those are the usual kinds of rules in these kinds of meetings.

MR. CHAIRMAN: Pam.

MS BARRETT: I see that what we've done is allocated, you know, the speakers in 15-minute blocks, but I wonder if we've dropped the idea of a couple of presentations being done, one followed by another followed by another, and then going into a series of questions. It is the way we did it on electoral boundaries, and we found that it was quite efficient when we were under a lot of time pressure.

MR. CHAIRMAN: These people have now been notified, I think, of their time availability and when to be at the meeting. Presumably they may not want to be there for the whole time, so I think we'll have to go by this procedure now.

MS BARRETT: No question that that's true, but what you might find also is that people are scheduled to appear between, say, 3 o'clock and 4 o'clock, and they're all going to be there generally at 3 o'clock. Well, maybe we can see how it goes after a day, but the Edmonton/Calgary hearings are really, really tight. Generally my experience was that if you had three people come up, they presented for five, seven, however many minutes, and then you did a group series of questions, it sped things up.

MR. CHAIRMAN: Well, that may be a possibility too. I think the chairman and the committee members are going to have to try and be as flexible as possible but still allow the people sufficient time so that if they know they've got 15 minutes, they get it.

Yea, Sheldon.

MR. CHUMIR: Just a comment. I guess I'm just very apprehensive of a fiasco with only 15 minutes for something that's this important. I mean, you probably couldn't get half the members of this committee to frame a question without any answers in seven and a half minutes of time. Be that as it may, we seem to be going on this pattern, but I think we've perhaps made a structural error by giving so little time to Calgary and

Edmonton, with the numbers of people that want to present there, and so much to other areas. We're on that course. I didn't quite understand what's been happening. I thought I'd heard that there was a waiting list of 20 people in Calgary. Was that correct? And eight in Edmonton? I'm wondering: what does that connote? I only have half of the schedule. I only have half of the Calgary hearings being in portion B, so I don't get the full picture. I don't think we've had that explained quite adequately as to what's happening. Is everybody being heard? What does a waiting list mean?

6:11

MR. CHAIRMAN: I think there are 10 on the waiting list in Calgary and eight on the waiting list in Edmonton at the present time. Now, we're going to find a method of accommodating their presentations. As I indicated at the outset, we will meet on June 6 and determine how and when to accommodate the additional people that we have not been able to accommodate by way of other hearings. A public participation process will be established. But I can't tell you now what we will decide on June 6.

MR. CHUMIR: Does this mean that these people who are on the waiting list will not likely be heard during this one-week period unless perhaps there's some drop-off or something and that they may very well be left in limbo until the time we have our June 6 meeting? Is it the intention that they not be heard at this stage unless something dramatic happens?

MR. CHAIRMAN: That's possible.

MR. POCOCK: When the individuals contacted us and we gave an indication at the later stages that the time allotted was fully booked, we asked these people if they would like to come in the one hour that was allotted at the end of each session for presentations from the floor. My understanding is that all of the people who have requested to appear since it's been fully booked have indicated that they will appear at the one-hour session that has been allotted at the end.

MS BARRETT: That's right. Good reminder.

MR. CHAIRMAN: But if we can't get to them, we will find another way of doing that. I think we've made it clear from the very outset that that would be attended to. Any other questions on the public hearings?

On the public opinion survey issue there's a letter to polling companies and a request for proposal. I think we had agreed on four polling organizations to approach with a request for proposal. Does anybody have any comment on the letter, which would go out under the signature of Garry Pockock, or the request for proposal?

MR. McINNIS: On the draft letter I have a couple of questions. One is that it suggests that we have a consultation process, without clarifying with whom. I take it that that probably means a draft questionnaire would come back to the committee before it goes out.

MR. CHAIRMAN: Yes.

MR. McINNIS: I would like to see built into the process a pretest of the instrument, because usually that's where you find out if there are problems in the questions in terms of bias or

questions not being understood properly. I think it's normal practice in most of the firms we're dealing with. It should be.

My copy of the attachment is not complete. It refers to the MLA questionnaires which are attached, and they're not attached to my copy, so I don't know which questions are there. Frankly, my position would be that if the questions turn out the same, so be it. We shouldn't particularly be looking at the MLA householders as a source of questions. There just may be a coincidence there or not, but we should leave it up to the pros to determine what questions to ask. We'd give them the subject matters we'd like a response to. I think that's a safer way to deal with it.

MR. CHAIRMAN: We could delete the reference to the questionnaires. If we were going to send out the questionnaire that I sent out, for example, then we could also send out the questionnaire the Liberal Party sent out, for example, which was interesting in its makeup, the questions it had put out. So I think perhaps we could just delete reference to that in the terms of reference. I'd be quite happy to do that.

MR. McINNIS: It would satisfy me.

MR. CHUMIR: When you say to delete the reference, there are two portions, two references. One in the second paragraph says "a questionnaire has been sent out by the MLAs."

MR. CHAIRMAN: Yes, well, wherever it refers.

MR. CHUMIR: There's a second one later on, that it "could incorporate questions sent out by a number of MLAs." You would suggest deleting both of those?

MR. CHAIRMAN: Yes.

MR. CHUMIR: Good. I think I would agree with that.

While I've got the floor, Jim, could I also question the first issue that was raised by John, the issue of consultation. There's further reference to that in the request for proposal in the second paragraph under Questions, which states, "The vendor will be expected to work with the client in developing and refining the questions to be asked." Now, does that mean that the polling company will be working in some way with somebody, a representative of this committee, in developing that, or will the only input be a collective input? In other words, will there be somebody, some representative of this committee, whether staff or otherwise?

MR. CHAIRMAN: The committee is the client, so it means this committee will have to agree.

MR. CHUMIR: So there will be no input. No individual from staff or otherwise will sit with the . . .

MR. CHAIRMAN: Well, they may do that, but in the end the final decision will have to come to this table before any question is finalized.

MR. CHUMIR: When you say "they may do that," what . . .

MR. CHAIRMAN: Well, I think Garry Pocock, the man who writes the letter, will have some discussions with them and then

will come to this table and report on those discussions. That is the way I would think it would take place.

MRS. GAGNON: If I could pursue that a little. In selecting which firm we would use, are we going to have a list of applicants and their proposals, and then we'd short list? Would we go through the whole thing as a complete committee?

MR. CHAIRMAN: Yes.

MS BARRETT: But the letter is only going to four.

MR. CHAIRMAN: We're only asking for four.

MS BARRETT: We don't have time to deal with millions.

MR. CHAIRMAN: We'll come back here, but obviously Garry would be the person, as the secretary, who would have discussions with them and clarify matters. I think we can rely on him to be scrupulously fair that everything that is of significance will be brought here, and the final decision will be made around this table as to the content and as to the successful vendor. That's a funny term in a way. Is that the usual one? I guess it's okay. Okay?

MR. HAWKESWORTH: Mr. Chairman, I may be asking a bit of a naive question, but I'd be surprised if the government hasn't already done some polling in this area. I'm wondering if you have. Have you? If so, would you share the results of that polling with this committee?

MR. CHAIRMAN: Well, let me surprise you. The answer to your first question is no. Certainly, individuals have done their own public opinion testing, as I did, information I've shared with you. But in terms of professional polling, the answer is no.

All right; with those changes, are we agreed on the letter and the terms of reference, the request for proposal?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Is there a motion to that effect?

MS BARRETT: So moved.

MR. CHAIRMAN: Pam Barrett.

All those in favour? I gather everybody is wildly enthusiastic and will support the motion. Agreed?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Under Other.

Yes, John.

MR. McINNIS: I've got a few letters already from organizations who sent their regrets that they can't participate in the process but that time lines didn't give them sufficient time to formulate a position and then make the necessary submission. I guess in a lot of organizations it's not the simple process of somebody sitting down and writing a submission; they have to come to their own process. So it's just something I'd like to note at this stage. When we come back on June 6, I'll bring some letters, and I think we might want to consider the position of those groups at that time.

6:21

MR. CHAIRMAN: Well, I would hope that when they get such correspondence, all members of the committee would share that with the secretary as soon as they receive that information. That way we can start building the information that'll be necessary for us to deal with on June 6. So if you would do that, noting the organizations and the people and their concerns, then we can deal with those at that time.

Is there anything else under Other that anyone wishes to bring up?

One thing. I've been receiving a few notes from members of the committee about their inability to be present on any given date and so on. This will inevitably happen with 16 busy people. If you would please let us know as soon as possible if there is anything which interferes with your attendance at any of the hearings, it really will help the administration staff in terms of their ability to make the adjustments.

MR. ADY: Mr. Chairman, I guess it's on that issue. In the event that we find it necessary to hold additional hearings – probably it would be a week or less – do you have anything in mind for the time frame we might do that in? It would have to be sometime in July. Or when?

MR. CHAIRMAN: A lot depends, of course, on the length of the sitting of the Assembly. From my perspective I can't see adjourning the sitting again for a period of time, so it would have to be after the conclusion of the sitting. We'll also know a little bit more on that after we move along to June 6, although that'll be a bit early to tell, I think. Okay?

Then the date for the next meeting is June 6, I would think, other than the panels and the work we're about to undertake. I think it's going to be an interesting time for all of us and a challenge, but I think we're set to go. June 6 will have to be a dinner meeting, I think.

MR. SCHUMACHER: The same time as today?

MR. CHAIRMAN: What day is that?

MR. SCHUMACHER: It's a Thursday.

MR. CHAIRMAN: Yes, 5:45, and we'll have dinner because there will be a night sitting of the Legislature that evening, I would expect.

MR. McINNIS: One other question. The letters and other documents that are official submissions: I see we have one binder of samples already. Do we get some synopsis of those on June 6 as well?

MR. POCOCK: Yes. What we've provided all of the committee members with to date are summaries of all the people who are scheduled to appear. Those have all been done. We are continuing to work to summarize all of the 500 letters and briefs. We'll be providing the committee with a synopsis and analysis of that as soon as we can.

MR. ANDERSON: Good work here.

MS BETKOWSKI: Yes. It's excellent.

MRS. GAGNON: The synopsis is a lot of work.

MS BARRETT: Incredible.

MR. CHAIRMAN: On the issue of the phone calls and so on, are they still coming in as a result of the advertising on the radio and television?

MS PARR: Yes. The response has continued, and I think the response is as good as can be expected. People have responded in a very favourable, open way to the advertising that has occurred.

MR. CHAIRMAN: I saw some of the ads in hockey games. I thought it was pretty good prime time. If Calgary and Edmonton had been in, everybody in Alberta would have seen them.

Okay. Well, thank you all very much then.

[The committee adjourned at 6:25 p.m.]

