

[Chairman: Mr. Bogle]

[5:40 p.m.]

MR. CHAIRMAN: Why don't we go through the notes Bob has typed up for us and then deal with the recommendations at the end? Are you comfortable with that process?

So we'll go to the report first. Bob, do you want to lead us through this?

MR. PRITCHARD: Sure. We can just read through it and skip the odd part. Basically I guess the first question I want to ask is that I put a date of March 22, 1990, on it. Do you want to just leave that as March 1990, not dated? I don't know.

MS BARRETT: Wait until the end of the meeting.

MR. CHAIRMAN: Yeah, let's wait until the end of the meeting because if we're able to, we may want to table it tomorrow or Wednesday.

MR. PRITCHARD: So then we'll put that actual date on?

MR. CHAIRMAN: Yeah.

MR. PRITCHARD: Okay.

To the Honourable Dr. David J. Carter, Speaker of the Legislative Assembly of the province of Alberta.

The Select Special Committee on Electoral Boundaries hereby submits an interim report and recommendations for the consideration of the first sitting of the Second Session of the 22nd Legislature of Alberta.

Signed, Bob Bogle, MLA, Taber-Warner, chairman.

Next, title page: Report and Recommendations, Select Special Committee on Electoral Boundaries, first sitting of the Second Session of the 22nd Legislature of Alberta.

The report portion of it. First, it names the committee members. Second, it outlines what the committee is to do.

Towards this mandate committee members have traveled to Manitoba, Saskatchewan, and British Columbia to meet with officials and learn of their experiences in the area of electoral boundaries legislation. In addition, 12 meetings have been held wherein a number of Albertans have been called upon as consultants including lawyers, political scientists, former Electoral Boundaries Commission chairmen and members, plus other relevant resources. With the concurrence of the three party leaders, the Chief Electoral Officer for Alberta was invited to join with the committee in an advisory capacity.

The committee has held 29 public hearings in 20 locations; namely, Barrhead, Calgary, Cardston, Donnelly, Edmonton, Edson, Fort McMurray, Grande Prairie, Hanna, High Level, Lethbridge, Medicine Hat, Peace River, Pincher Creek, Red Deer, Slave Lake, St. Paul, Viking, Vulcan, and Waskatenau. There have been five public hearings in Calgary, four in Edmonton, two in both Red Deer and Hanna, and one in all other locations. Six hundred and seventy-four people have attended the hearings, with 284 giving presentations to the committee. In addition, 115 written submissions have been received by mail as of March 14, 1990.

There are requests for further hearings by Albertans as outlined following: the constituencies of Bow Valley, Dunvegan, Drumheller, Rocky Mountain House, St. Albert, Stettler, Westlock-Sturgeon, Wetaskiwin-Leduc, and Whitecourt, with the numbers of requests being 10, nine, eight, 18, nine, 20, seven, five, and 10, for a total of 96 as of March 14, 1990.

With an asterisk:

Constituencies with less than five requests are not included.

A scheduled hearing in Wainwright was postponed due to weather conditions. The committee has a commitment to reschedule this hearing. Due to these factors plus the opening of

the Second Session, a motion was passed by the select special committee on March 12, 1990:

Be it resolved that as additional public hearings are necessary in the constituencies of . . .

I won't read them again.

. . . where an earlier postponement occurred, and as House responsibilities of the committee members cannot be set aside until the spring sitting is completed, the chairman will table a report and request an extension of time to deliver the final report in conjunction with this committee's request for a fall sitting of the Second Session of the 22nd Legislature.

The committee established and is committed to the principle that no deliberations or conclusions will be discussed or developed by the committee prior to the completion of the public hearing process. Given this principle, which has been articulated to Albertans, and given that there are requests for additional hearings, the following recommendations are respectfully submitted.

MR. CHAIRMAN: Okay, let's stop. Are we comfortable with the preamble and the report up to the recommendations? Frank?

MR. BRUSEKER: Just before the resolution, the "be it resolved," I'm wondering - perhaps Mike Ritter might be the best person to answer this - if it should say "due to these factors plus the opening of the Second Session, a motion was passed by a majority of the select special committee"?

MR. RITTER: The "majority of" is redundant simply because any motion that is passed by the committee, whether it's a majority or unanimous, is a motion of the committee. So . . .

MR. BRUSEKER: I understand it's implicit that it's by a majority, but it clears up that it wasn't unanimous.

MR. CHAIRMAN: That'll be cleared in the public arena very quickly, I'm sure. Plus once the report is tabled and the recommendations given and the minutes released - we did have a recorded vote, as I recall. It's all there on the record.

MR. BRUSEKER: All right. Fair enough.

MR. CHAIRMAN: Okay. Anything else on the report?

MR. DAY: I don't know if this is a small point. I'm wondering: as people are wont to do, they quickly look over a report. Someone who quickly flips to where it says "further hearings" might quickly count one, two, three, four, five, six, seven, eight - what are there, nine? - and not read further where it says "a scheduled hearing in Wainwright was postponed." Could Wainwright just be inserted between Stettler and Westlock with a double asterisk, because you've already got one asterisk there, and the sentence just left where it is with the double asterisk explaining what happened there? Then that would change the total from 96 to - I think there were eight or nine people in Wainwright who were going to . . . I'm just thinking that somebody looking at it quickly, maybe someone even from Wainwright, is going to say, "Well, how come Wainwright isn't in there?"

MR. PRITCHARD: There were nine people, I believe, who we thought were going to present in Wainwright. The only thing is that I don't know if that would jeopardize your list of requests for additional hearings.

MR. CHAIRMAN: Well, would it be more appropriate, then, to take the whole sentence:

A scheduled hearing in Wainwright was postponed due to weather conditions. The committee has a commitment to reschedule this hearing.

Would you be happier if we moved that in immediately following the paragraph where we list the 29 public hearings that were held? Because it is a carryover from a previous commitment. Would that highlight it better, Stock?

MR. DAY: I just think it might get buried.

MRS. BLACK: Or even after that paragraph, Mr. Chairman.

MR. CHAIRMAN: I meant after that.

MR. PRITCHARD: After the 29 hearings.

MR. CHAIRMAN: After the paragraph of . . .

MRS. BLACK: Just before "there are requests for further hearings . . . as outlined."

MR. CHAIRMAN: That's what I intended. Maybe I didn't say it very well.

MR. DAY: Yeah. If there's a problem with putting it on the list, I guess that would help. I just think it is a request for a hearing and is on the list.

MR. CHAIRMAN: Any further thoughts?

MR. BRUSEKER: I don't see any problem with including it on the list as Stockwell requested. I think it's a reasonable enough sort of request.

MR. CHAIRMAN: Okay. How about if we put on the list, Bob, however many requests we had, and there'll be a new list, then, as of March 14, 1990.

MR. BRUSEKER: It's a reasonable point, because people will look at a list right away rather than even . . .

MR. CHAIRMAN: All right. Everyone comfortable with that?

MR. DAY: Okay. Thanks.

MR. CHAIRMAN: Are we ready to go to the recommendations? All right.

Now, when we last met, we had three recommendations, and Pam added one to the list. There have since been discussions between members of the committee, and I think, Pam, you've come back with a proposal for three recommendations. Why don't I turn it over to you, and you lead us through those three, and we'll talk about it.

MS BARRETT: Sure. What I'll do is change the word "requests" to "recommends" where you and I talked about it. So what you've got in front of you will be slightly amended by what I say, only by substituting "recommends."

MR. PRITCHARD: "Requests" to "recommends" in 1, 2, and 3?

MS BARRETT: Yes. So it would be:

1. The committee recommends authorization to continue its public hearings and deliberations beyond the first sitting of the Second Session of the 22nd Legislature, as directed in the resolution dated 15 August 1989, and be authorized to report to the Assembly this fall,
2. The committee recommends the Assembly now commit to sit in the fall of 1990 to receive the final report of the committee, and
3. The committee recommends that the Assembly now receive and concur in this report.

MR. CHAIRMAN: Were we also going to adjust "fall sitting" to "second sitting"?

MS BARRETT: Oh. Yes. Let me just work through that.

Well, let's put it this way: in principle that's fine as long as one states that it's in 1990 as opposed to 1991. So you could replace "fall of 1990" . . .

MR. CHAIRMAN: With "second sitting."

MS BARRETT: ". . . commit to a second sitting in 1990 of the Second Session of the 22nd Legislature."

MR. CHAIRMAN: Again, in number 1 after "Assembly this fall," we'd say, "report to the Assembly in a second sitting."

MS BARRETT: Yeah, as long as it's got 1990 beside it, it doesn't matter.

MR. BRUSEKER: Pam, would you just read through point 2 again as you have it reworked?

MS BARRETT: Yeah.

2. The committee recommends the Assembly now commit to a second sitting of the Second Session of the 22nd Legislature in 1990 to receive the final report of the committee.

MR. CHAIRMAN: Now, I had questioned in the discussions Pam and I had this afternoon why we needed number 3. I said it seems to me that that's redundant with 1 and 2.

MS BARRETT: I'll tell you why.

MR. CHAIRMAN: Okay, I'm going to let you do that.

Then I approached Michael and asked him to review it so that he could give us a report as well. Go ahead.

MS BARRETT: You can do this in one of two ways. If the intent of this committee and those who voted in favour of Mike's resolution last week is to make sure the House sits in the fall to receive the final report of this committee, there are two ways of doing it. One is to make the specific recommendation right in the report and then have the report concurred in by a specific request of the report. Or it can be accompanied by a motion. But if neither of those two procedures is observed, there is nothing to guarantee that the House has to sit in the autumn of 1990. It is my goal to make certain that it does. So we have one of two options only, in terms of strict parliamentary language.

MR. CHAIRMAN: Anyone else on that point before I turn to Michael?

Okay. Mike.

MR. RITTER: The report, whether it's an interim or a final report, will only be considered by the House on a motion, probably from the government, that the Assembly do now receive and concur in a report. So it's a second, separate resolution. In that sense number 3 might be construed to be redundant because if the House is considering it on the motion that it do now receive and concur in the report, then the recommendation that it do now receive and concur in the report might be redundant.

MS BARRETT: Might.

MR. RITTER: Might. Yes.

One thing the House is obliged to do under the rules of *Beauchesne* – they're a little different from the Standing Orders of the House of Commons – is that once a report is presented to the House, the government is then obliged to consider the recommendations, and that is done on a motion to receive and concur. Now, the House can receive and concur in some of the recommendations and not the others. In the House of Commons a committee can invoke a Standing Order which we don't have in Alberta which obliges the government within 150 days to receive and concur in a report. But that is not a Standing Order that's in existence in Alberta. So basically number 3, as I say, will only be considered by the House once there is a motion already in the House that it do receive and concur in the report.

MR. CHAIRMAN: And that's a motion which would be initiated by the Government House Leader.

MR. RITTER: Most likely, although any member, even if he's not a member of the committee, can initiate that motion. That's the only time the report will even be considered, on that motion anyway. So having that in the recommendations . . .

MR. CHAIRMAN: There are two steps. We are reporting and giving our recommendation, and there has to be a response from the House.

MR. RITTER: Correct.

MS BARRETT: So what you're saying is that number 2, with the recommendation for the House to commit to a second sitting of the Second Session of the 22nd Legislature, provided it's in 1990, to receive the final report of the committee, is good enough provided that our recommendations are accompanied by a motion and provided that motion is approved.

MR. CHAIRMAN: Not "accompanied by." How can it be accompanied by?

MS BARRETT: Well, I mean you can do them both on the same day.

MR. CHAIRMAN: Well, with respect, we are reporting as a committee.

MS BARRETT: You have every right to recommend, including . . .

MR. CHAIRMAN: Our colleagues in the Assembly haven't seen what we're recommending yet. That was the thrust of

Frank's point last week. If the Assembly doesn't concur in our report and recommendations, then we have to get back and finish our work this spring. That was Frank's point, as I recall. Frank?

MR. BRUSEKER: Absolutely.

MR. CHAIRMAN: And I concur with what you're saying.

MS BARRETT: Well, then I have a question for the Chair.

MR. CHAIRMAN: All right.

MS BARRETT: Are you prepared within two weeks of tabling the interim report to sponsor a motion to the effect that the Assembly now receive and concur in this report to bind us to a fall sitting in the event that concurrence assures that? A fall sitting?

MR. CHAIRMAN: No. No, I'm not prepared to sponsor such a motion. I think it would not be my place. What I am prepared to do – and I hope every other member of the committee will do the same – is go to their respective caucuses and say that we would appreciate a response as quickly as possible. If it's one that the three House leaders concur in, all the better, but we need it and we need it soon. Otherwise, we're back to Frank's point.

MR. RITTER: If I may clarify too, Mr. Chairman. If you sponsored a motion, it would only be a private member's motion.

MR. CHAIRMAN: No, I think that's presumptuous on my part. That's why I said earlier that, as I see it, Pam, there are two steps. The first step is our request, and we're clearly making it in the form of three recommendations, or two recommendations, whatever we decide on in the end. Then the Government House Leader, in consultation with yourself as House leader of the Official Opposition and with Bettie Hewes as the House leader for the Liberals, will have to try to come to a conclusion. Hopefully, it's a unanimous view that a resolution would then be put forward by Jim Horsman, and it would be accepted by the Assembly, and we know what our terms of reference are.

Go ahead.

MS BARRETT: Okay. In the event that that doesn't happen, do we assume at a certain point that concurrence cannot be achieved? At what point do we decide that, and then what do we do?

MR. CHAIRMAN: I think we're back to Frank's point . . .

MS BARRETT: Well, precisely.

MR. CHAIRMAN: . . . that if we don't get a response – I think we can get ahead of ourselves if we start setting deadlines, but clearly if we don't get a signal back soon that the House is ready to accept our recommendations, we have to find a way to complete our work.

MS BARRETT: Is it not the convention that when a Chair of a standing committee makes a report to the Assembly, the Chair, on behalf of the committee, also recommends concurrence? It's

my understanding that that is the convention with the tabling of reports.

MR. CHAIRMAN: Recommends concurrence in what?

MS BARRETT: In the report.

MR. CHAIRMAN: By whom?

MS BARRETT: For the House. Recommends to the House concurrence in the report.

MR. CHAIRMAN: Oh, recommends acceptance. But the House doesn't respond . . . I present a report on behalf of this committee. We are not going to get a response on the spot from the House leader.

MS BARRETT: You don't have to. It is the convention. I can assure you that the concluding remarks in almost every report of any standing committee are that the House is recommended to concur in the report. So I don't understand why it can't be done. I checked this issue elsewhere as well. I mean you're the ones who are saying, "Trust me, trust me."

MR. DAY: I think we're very active, tabling a report with recommendations. That's what you're actually going to do. You're not tabling it and then saying, "Here's what we recommend, but we really don't recommend it."

MS BARRETT: It's a convention.

MR. CHAIRMAN: I think I see Stock signaling for a short coffee break. Let's have a coffee break. You and Tom can discuss the matter. The government members will discuss it. Frank, you can think about it.

[The committee recessed from 5:58 p.m. to 6:03 p.m.]

MR. CHAIRMAN: Okay, can we reconvene please. Stock's got his Coke, and we can . . .

MR. DAY: Thank you. I feel refreshed now.

MR. CHAIRMAN: All right. So the recommendation is that with the amendments we've made to 1, 2, and 3, we stay with them. The word "request" comes out, and the word "recommend" goes in in each spot. Wherever we make reference to "this fall," we replace that with "second sitting," and then make reference to 1990.

MS BARRETT: Yeah, it would be "second sitting of the Second Session of the 22nd Legislature in 1990."

MR. CHAIRMAN: Okay. All right.

MS BARRETT: A little cumbersome, but it spells it out in a way that Bob and I talked about, and I don't mind going with that.

MR. CHAIRMAN: We're comfortable that . . . Well, let's see. Bob, we have another meeting coming up when, as a committee? We've agreed to meet with Tomislav.

MR. PRITCHARD: Well, yes, that was April 2. It's all confirmed.

MR. CHAIRMAN: Oh, that's April. All right. Assume we table the report tomorrow or Wednesday . . .

MR. PRITCHARD: You're on March: 20, 21, 22, 23.

MR. CHAIRMAN: We have a scheduled meeting on the 29th, don't we? Let's hold that so if we have any progress . . . We may not need a meeting. Action may have been taken by one or more of the parties, but hold that date as a possible meeting.

MR. PRITCHARD: March 29, 5:45 to 7:30 as a possible.

MS BARRETT: And you have permission to change my British spelling to the American spelling with words like "authorisation." I told my computer to reject American spellings, in fact, and it does.

MR. CHAIRMAN: Are we ready for a motion, then? Pam, why don't you make it in the form of a motion so that we accept the amended version?

MS BARRETT: Yep, I certainly will. In fact, to do it properly, I'll read the whole thing out again, and that way we've got the language clear. I move

That the recommendations to be included in the interim report read as follows:

1. The committee recommends authorization to continue its public hearings and deliberations beyond the first sitting of the Second Session of the 22nd Legislature, as directed in the resolution dated 15 August 1989, and be authorized to report to the Assembly this fall.

Or do you want "this fall" to be . . .

MR. CHAIRMAN: I think we'll change that to "the second sitting."

MS BARRETT: Okay. I'll retreat.

. . . and be authorized to report to the Assembly during the second sitting of the Second Session of the 22nd Legislature, in 1990,

2. The committee recommends the Assembly now commit to a second sitting of the Second Session of the 22nd Legislature in 1990 to receive the final report of the committee, and

3. The committee recommends that the Assembly now receive and concur in this report.

So moved.

MR. CHAIRMAN: Further question on the motion?

MS BARRETT: Don't you have to have a seconder? No, you don't in committees.

MR. CHAIRMAN: No. Are you ready for the question?

MS BARRETT: Sure. Question.

MR. CHAIRMAN: The question is called. All in favour? Opposed? Okay. Do you want that recorded, Frank?

MR. BRUSEKER: Yes.

MR. CHAIRMAN: All right. Let the record show 5 to 1.

Any other business on the report or the recommendations?

MS BARRETT: No. When do you want to table it? Tomorrow?

MR. CHAIRMAN: Well, I'd like to if you've got the paperwork done, and we can do it. But let's leave it that it'll be tomorrow or the next day. If it's not tomorrow, Bob or I will call so that everyone knows what we're doing.

MS BARRETT: Okay. All right.

MR. CHAIRMAN: We need a motion regarding the minutes of tonight's meeting and the minutes of last Monday's and last Thursday's meetings.

MS BARRETT: Are you talking about the transcripts?

MR. CHAIRMAN: The transcripts. So they may be made public. Could I have a motion?

MR. SIGURDSON: So moved.

MR. CHAIRMAN: Tom. Are you ready for the question?

MS BARRETT: That's for the release of them?

MR. CHAIRMAN: For the release.

MR. PRITCHARD: Following the actual tabling.

MR. CHAIRMAN: Yeah, to take place when the report and the recommendations are tabled.

Are you ready for the question? All in favour? Opposed? Let the record show that it was unanimous.

MS BARRETT: Now we go to our community living.

MR. DAY: I move we adjourn.

MR. CHAIRMAN: Motion to adjourn by Stock. All in favour?

[The committee adjourned at 6:08 p.m.]

