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Standing Committee on The Alberta Heritage Savings Trust Fund Act

Tuesday, September 4, 1979

Chairman: Mr. Payne

10:00 a.m.

MR. CHAIRMAN: I'd like now to call to order this first meeting of the Standing Committee on The Alberta Heritage Savings Trust Fund Act. I'm certainly pleased with the representation here today and would like to excuse Mr. Musgreave, Dr. Buck, and Mr. R. Speaker, who will be joining us in future deliberations but are out of the city today.

I thought it might be appropriate to make just a prefatory or introductory comment as to the purpose of the meeting today, at least this forenoon's meeting. It's really an organizational meeting, primarily but not exclusively to review the meeting schedule that I have suggested, copies of which I understand have been circulated to you, and attempt to firm it up as much as possible today.

Before proceeding further, I'd like to make a couple of introductions to the committee. On my right is Donna Ballard, the recording secretary for this committee as we meet over the next two months, and on my left is our research assistant, Karen Walker, who will be assisting the committee in the preparation of its report to the Legislature.

Inasmuch as some of you are not well known to Donna, and for the benefit of those who will be editing the transcript made from the soundtrack of the recording, I will on every opportunity try to remember to identify you by name prior to your participation in the discussion, which I am sure you can appreciate will serve a two-fold purpose: one, to try to keep our debate and discussion neat and tidy and reasonably organized; and two, to assist those involved in the preparation of transcripts and minutes.

Just a comment on the transcripts and minutes. I reviewed last year's transcripts, and it appeared that last year there was some not well-defined limitation on the distribution of these transcripts. I have satisfied myself that there's really no point to such limitation, so it is our plan to make available to all members of this committee copies not only of the minutes but of the transcripts, as soon as is practical.

I of course am new to this committee, as are six or seven others, and for my benefit and theirs I thought it might be appropriate to summarize this committee's terms of reference. I'm unaware of any written terms of reference outside the legislation. If I'm ill-advised there, I'm happy to stand corrected. Our terms of reference, such as they are, are Section 13(3) of The Alberta Heritage Savings Trust Fund Act. As much for my benefit as for that of members of the committee and particularly new members, perhaps I could read subsection (3):

When a copy of an annual report is furnished to the Clerk of the Legislative Assembly pursuant to section 12, subsection (3) the annual report shall be deemed to be referred to the Select Standing Committee for review and a report concerning the investments of the

Trust Fund which may contain any recommendations of the Committee concerning those investments.

Now I recognize that any statutory provision that is a term of reference lends itself to differences of view, and I suspect that may be the case, but I think it's a useful starting point for those of us who will be involved over the next two months in the review of that annual report and the development of our recommendations for the Legislature.

On August 29 Mr. Hyndman, the Provincial Treasurer, prepared a report of the disposition of recommendations made by this committee in 1977 and 1978. I understand copies have been circulated to the members of this committee. Perhaps I could pause to confirm that that is so. Good. I'm also advised that some 30 additional copies of Mr. Hyndman's report are now available from the Clerk's office.

Before moving to the schedule and any other items of discussion that might be brought forward, I'd like to convey to you a request from Mr. Hyndman of a somewhat personal nature. A close friend of his passed away last week, and the funeral will be later this afternoon. Mr. Hyndman's office has asked me to ask you to consider several possible alternatives. I've reviewed those, and the one that appears the most satisfactory to me would be to reschedule earlier in the day; that is to say, instead of beginning with Mr. Hyndman at 2:30, if we could find a way to abbreviate our lunch hour and perhaps meet at 1 o'clock, that would perhaps enable him to discharge his obligation to this committee and at the same time to attend to this other matter. Any discussion on this?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Thank you. Now I have one final question of the members of this committee who have served in past years. Over the next weeks we will of course have as witnesses ministers of the government reporting on their respective departmental jurisdictions insofar as they relate to funds advanced from the Heritage Savings Trust Fund. I wasn't clear in my own mind which was the best way to handle that, but it occurred to me that perhaps the best way would be to suggest to each minister to perhaps make a five-, 10-, or even 15-minute presentation about the relevant areas of his departmental expenditures and then turn it over to the members of the committee for general questioning. Let's call that alternative one. Alternative two would be not to invite such a presentation and to allocate all the time available for questions that might previously have been developed by members of the committee. Would anyone care to speak to that and help me decide which is the more appropriate advice to give the cabinet ministers who will be appearing?

MR. APPLEBY: Mr. Chairman, I think in the past we've followed that format fairly regularly, and allowed the minister to make some opening remarks. That's the type of procedure we follow in the House on estimates and so on. My suggestion would be that we follow that. I'm sure the minister will consider the time element and be reasonable in the presentation. I think that would be the way to go, and then have it open to questioning by the members of the committee.

MR. NOTLEY: Mr. Chairman, I don't think there's any problem with that general format. The only caveat I would express is really on our timetable. I would hope that we didn't become so constrained by the timetable--I look back, for example, on several trust fund meetings on one subject where there were

sufficient interest and questions that we carried on. While working out a timetable here--and I appreciate that the chairman has to do that--I don't think we should be encircled by that timetable. As long as that's understood, it seems to me appropriate that there should be an opening speech or a few remarks by the minister, giving a summary, and then opening for questioning. But I don't think we want to circumscribe the questioning.

MR. CHAIRMAN: Thank you. Any other comment on that point? If not, perhaps I'd like to respond to it, Mr. Motley. I agree with what you say. I'm sure you can appreciate the position I was in last month as I tried to decide whether to try to develop a schedule for our initial deliberations and treat it as a flexible document, or alternatively not to have any schedule and start from square one. Obviously I opted for the former option. I hasten to add, however, that I'm sure you appreciate that working half a dozen cabinet ministers into a schedule was a very difficult task for me personally. There were just so many conflicts. Of course we have more flexibility with the latter part of our schedule; that is, the part that involves the committee in and of itself. But with that one qualification, I accept your premise or suggestion that we not be too utterly circumscribed by a predetermined schedule; that it inappropriately terminates useful debate. I accept that.

About two weeks ago I circulated to members of the committee this schedule of meetings, captioned at the top "Revision Number One" and dated August 22. I have additional copies of it here if by chance any of you has come without it.

I will ask you to make the obvious first amendment, the one we agreed to a moment ago; that is, to alter our afternoon session from 2:00-4:30 to 1:00-3:00. At that time we'll determine whether more time is needed on another occasion.

Working through the schedule, Wednesday September 5, which is tomorrow, we've allotted three hours for Mr. Chambers, the Minister of Housing and Public Works. I hasten to add here that if we find our two-hour amended schedule with Mr. Hyndman this afternoon is not sufficient, we'll of course have to consider taking some of that time tomorrow. But that's a judgment we can render later. Any problem with tomorrow's meeting with Mr. Chambers?

A week hence, then, Wednesday September 12, we've scheduled three ministers: Mr. Russell, the Minister of Hospitals and Medical Care, from 9 o'clock to 11 o'clock, then Mr. King for the final hour of that forenoon, and then in the afternoon Mr. Leitch, the Minister of Energy and Natural Resources.

MR. R. CLARK: Mr. Chairman, simply from the point of view of getting two done on that Wednesday morning, it may be helpful as far as the chairman is concerned if we check with Mr. King to see if it is possible to slide him in later on. From my own point of view, I would look at the time Wednesday morning as being one of the areas that would perhaps take longer than two hours.

MR. CHAIRMAN: Because of the Hospitals consideration, or Education?

MR. R. CLARK: The Hospitals consideration.

MR. CHAIRMAN: Okay. Any comments there, particularly from those who have been with the committee in the past? Do we have agreement on that?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Okay, then, subsequent to this meeting I will make contact with Mr. King's office and see if we can reschedule that. I take it, though, Mr. Clark, that there is no particular dissatisfaction with the one-hour allocation to Mr. King.

MR. R. CLARK: No, I'm simply saying that come 11 o'clock I wouldn't want us to get itchy and feel that we have to quit Hospitals.

MR. CHAIRMAN: Fair enough. Any other comment on Wednesday the 12th?

Moving then to Thursday the 13th, 9:00-11:00, Mr. Cookson, the Minister of Environment. The third hour, 11:00-12:00, is the Premier, and that one was quite difficult to schedule. His schedule in mid-September is really quite hectic. I would hope that that's agreeable to the committee. In the afternoon, of course, from 2:00 to 4:00, if that's adequate time, the Minister of Agriculture.

Moving on, then, to Monday September 17, two weeks from yesterday, just two ministers for the day.

MR. APPLEBY: Mr. Chairman, I was just wondering about the upper time limits on these various ministers. For instance, Thursday September 13, the Minister of Agriculture, 2:00-4:00. Would that mean the minister has another engagement at 4 o'clock, and we would have to stop then if necessary?

MR. CHAIRMAN: No, I'm sorry, it doesn't. That is my best guess at how much time would be taken. They're aware of my best guess, but they are also aware of the flexibility we need in our scheduling.

MR. APPLEBY: They would be available for a further length of time in that particular period?

MR. CHAIRMAN: Yes.

MR. APPLEBY: Thank you.

MR. CHAIRMAN: Any comment on Monday September 17 scheduling? The Minister of Transportation before noon, and Dr. Horner in the afternoon. Tuesday September 18, 10:30-12:00, the Minister of Public Lands and Wildlife. Tuesday September 25 begins the consideration of recommendations phase, and as I indicated earlier we perhaps have more flexibility here than when we are scheduling those to appear before us. I had indicated five occasions when this committee would meet for consideration of recommendations and/or a field trip, if it were deemed appropriate by the committee. Any comment on the time that has been allocated to that phase as well as the sequence I've indicated there, from Tuesday September 25 to October 9?

MR. PAEL: Mr. Chairman, would you anticipate scheduling Mr. King on Tuesday the 25th as a logical place? Or would you expand the time available within our other times for meeting ministers?

MR. CHAIRMAN: Of course I haven't had a chance to give it much consideration. I would try to dovetail it into an occasion when we were meeting, to alleviate the travel and scheduling problems that we have. But I think I would prefer to contact his office and determine his availability and then go from there.

If he does have an availability adjacent to one of our meetings, I think that's the way I would go.

MR. PAHL: Mr. Chairman, the only point is that it would seem appropriate to speak to all the ministers before we commence our deliberations, if you will.

MR. CHAIRMAN: The point is well taken, and I will make a note that perhaps that is a committee preference for Mr. King's rescheduling; that is, prior to the commencement of our meetings for considering recommendations.

Could I have some comment on the concept of a field trip? I incorporated that reference in my first schedule, from my review of the previous transcripts and meeting schedules of the committee. I must confess, though, that at the time I did it I was of two minds: on the one hand I could see some potential value, but on the other hand I was concerned that it represented quite a time investment, and was there a question mark for anyone in the committee on the return on that investment. I welcome committee comment on that this morning.

MR. R. CLARK: Mr. Chairman, just to start the discussion off, I would think we shouldn't at this stage talk about a possible field trip. I think we can all make note of the possibility of the time available, and then depending on what takes place in the course of the discussion--I doubt whether we'll need to go back to Airdrie this year, but I think it was a worth-while venture last year.

MR. CHAIRMAN: We have a suggestion from Mr. Clark that we simply defer the question of field trip specifics until we are well into our deliberations with the ministers, and then renew our discussion of that point.

MR. R. CLARK: Mr. Chairman, I wouldn't want that to preclude the possibility of any member, after hearing the minister's presentation and the discussion, moving that that might be the topic of a field trip. That would perhaps be the freest and easiest route to go.

MR. CHAIRMAN: Comment? We have agreement, then, to defer judgment on it.

I'd like to emphasize that the fall sitting does commence Wednesday October 10, and on your behalf I have undertaken to table our report in this House by October 15, early in the fall sitting. I want to raise something that appeared in the transcript. I haven't had a chance to discuss it with Dr. McCrimmon, but I noticed in one portion of a transcript that he raised his concern about recommendations coming from committee members past a predetermined deadline. That created some editorial difficulty. I can't knowledgeably comment other than that the remarks appeared in the transcript.

I'd like you to be thinking about that question. It's not one that we need to determine with finality now, but on a later occasion I think we should come to some agreement, number one, on when the deadline is for submission of recommendations--that is, when do we run out of time for newly submitted recommendations, leaving ourselves enough time for committee discussion and editorial preparation related to that recommendation. Number two, I noticed that last year there was some discussion by the committee related to the question: is there a limit on the number of recommendations submitted by an individual member of the committee? If my recall from the transcript is correct, it was agreed that there would be no such limit on the number of recommendations that could be submitted by an individual member; but by the same token, as I understand it, Dr. McCrimmon was empowered by the committee

to meet separately with submitters of similar recommendations so that ideally he could get two or three or four similar recommendations written into just one recommendation to cut down on that process of committee deliberation, discussion, debate, and final editorial drafting.

Could I have any comments on either of those two points, point number one being the question of a deadline for submission of recommendations, and number two empowering me as chairman to attempt to co-ordinate or bring together similar or parallel recommendations?

MR. NOTLEY: Mr. Chairman, I don't think there's any problem with the idea of co-ordinating, provided there is consultation with the members who submit recommendations. There can be distinctions in meaning that are quite significant in what one at first glance might think would be a resolution similar to another. But provided there is consultation by the chairman with members who submit similar resolutions, and that is agreeable to the members, it would seem to me that would expedite the committee. I would think we would try to have a minimum timetable of that week after our last hearings so that we could get the recommendations in, but I'm not sure we should rigidly enforce it, because there may be legitimate recommendations--as a matter of fact, there should be recommendations that flow out of our consideration of the proposals. We will amend, change, and modify the recommendations during the entire process of study of the recommendations. So provided there is some flexibility, it seems to me that the chairman could expedite things, with consultation.

MR. CHAIRMAN: Further comment? You notice I have scheduled a little more time than was the case last year, between the final consideration of recommendations and the tabling of the report. There are in fact six calendar days. I'm hopeful that with the competent assistance of Karen Walker those six days will enable us to do that. But by the same token, I'm sure you can appreciate my position. I'd be somewhat chagrined if on Tuesday October 9 in roared nine new recommendations. It would create a very difficult editorial problem. So there are two sides to that, and I think they have been sufficiently articulated today.

That's all I had on my personal agenda. I'd now like to open it for discussion or the raising of any other matters pertinent to this committee.

MR. NOTLEY: I'd like to raise an issue that really pertains to last year's committee. It wasn't dealt with. Members who were on the committee last year may recall that a resolution was passed to have hearings, meetings with several groups of people in the grain-handling industry. The committee considered it and decided that it wasn't possible to have the meeting before the report was submitted to the Legislature. The chairman was instructed to hold the meeting after the fall session of the Legislature. You'll note in our terms of reference that there is no real reason why we can't have meetings after the fall session. We could submit recommendations at any time; they could be supplementary recommendations.

So that was the decision of the committee. Members who recall last year's transcript will probably note that decision. It wasn't possible to hold the meeting, because the election came and took the time. But I think the importance of the issue is as vital today as it was then. I thought before coming to this meeting that this committee should give some consideration to it. It's a bit unfair to ask the committee to make a decision today, so I would raise it really as serving notice that later on this fall I want to

raise how we deal with last year's recommendation. It would probably also be impossible to organize the kinds of meetings we considered last year right now, because farmers who would be interested in the issue are busy anyway. But I think it might well be worth while, in November or December this year, considering last year's recommendation, because right now I don't suppose there is a bigger issue in rural Alberta than this whole business of grain-handling and what we can do with our heritage trust fund to facilitate the movement of grain.

So I raise that because this is the first opportunity. It was a recommendation passed last year, not acted upon, through nobody's fault, and I would notify the committee that I intend to raise it the first day we consider the recommendations.

MR. SINDLINGER: Mr. Chairman, I'm a little confused about the purpose of our committee. That confusion arises in the light of the comments just made by Mr. Notley. I'd like to refer to Section 13(3) of the Act, which you read at the beginning of our meeting. In my mind that section gives us our terms of reference, as you've pointed out. It refers to the annual report of the Alberta Heritage Savings Trust Fund. It seems to me that from those terms of reference our purpose here is in reviewing the annual report of the Heritage Savings Trust Fund, but when I listen to the comments just made I get the impression that we are to go on even beyond that and initiate recommendations for the trust fund. That appears to me to be *ultra vires* our terms of reference, apropos of Section 13(3).

MR. CHAIRMAN: I realize, Mr. Notley, that yours was not a notion but simply an indication of notice of such notion, but would you care to respond to the comments by Mr. Sindlinger?

MR. NOTLEY: Certainly. We could discuss this when we get into the motion itself. I think what one has to do, to look at that particular section, 13(4), one has to look at it in the context of the debate in the Legislature. I would recommend members read the Premier's speech, where considerable attention was given to the role of this committee. During the discussion in 1976 it was very definitely the view of the Legislature that this was not to be simply a narrow auditing committee but was in fact to be a watchdog committee in the largest sense, in a position to make recommendations that related to the trust fund.

Now, as to the particular recommendations on grain-handling, as we discussed last year, members will note that the Alberta government is considering making some funds available from the heritage trust fund for grain-handling. So technically the motion that I intend to give notice of would probably fall within the ambit of this committee even considering the technical questions raised. But I think it would be wrong for us to narrow the scope of this committee, especially when one reads the debate that took place in 1976. I think it's very clear that this committee is not just to review one report and restrict it to that. If there are things that flow out of that report where we should make recommendations, in my judgment we have to be prepared to do so.

MR. CHAIRMAN: Thank you. I might suggest that reference has now been made by Mr. Notley on two occasions to remarks made in the House in 1976 during the passage of this legislation. It would be very useful for me, and I suggest other members of the committee who have not done so perhaps review the *Hansard*

discussions, and come even better equipped at such time as Mr. Notley's notion is made. Is there any further discussion?

MR. SINDLINGER: Just a closing comment, Mr. Chairman. I would agree with the spirit and intent of Mr. Notley's comments. I don't believe this committee should be a narrow auditing committee either. However, for the newer members here, we could tend to lose the spirit of those comments made in the House and in the Premier's speech that Mr. Notley referred to. I'd much rather see our terms of reference incorporated into a document such as The Alberta Heritage Savings Trust Fund. Therefore I'd like to suggest that at some time throughout our proceedings we give consideration to suggesting an amendment to Section 13(3) whereby the true or broader intent of this committee is incorporated into the legislation. I'll bring that up at a suitable time.

MR. CHAIRMAN: As chairman I'm prepared to accept that as notice of motion and would presume that the motion would be made during the consideration of recommendations phase of our committee.

MR. PAHL: Mr. Chairman, in view of your suggestion that we review those comments in *Hansard*, I wonder if we could have our capable researcher get a copy of those out to all members.

MR. CHAIRMAN: Agreed by Karen Walker.

Any other new items of business before we adjourn and reconvene in this place at 1 o'clock?

CLERK OF THE COMMITTEE: Mr. Chairman, I want to confirm to you that your interpretation of the terms of reference of this committee is perfectly correct. There are no specific terms of reference for standing committees other than the motions of the Assembly which refer business to a standing committee. No standing committee can meet until business is referred to it, and it can only be referred to it by a motion of the Assembly. Therefore that motion constitutes the terms of reference on that particular occasion, other than in this instance of course the relevant sections of the Act which the chairman quoted to you. Thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you, Mr. Blain.

Until we reconvene at 1 o'clock, then, could I have an adjournment motion? Thank you, Mr. Appleby.

*The meeting adjourned at 10:33 a.m.*