

Special Standing Committee on Members' Services

1:43 p.m.

[Chairman: Dr. Carter]

MR. CHAIRMAN: Good afternoon. The sound system is for the Chamber only. Is that right, console operator? Thank you.

Happy New Year. The Member for Edmonton-Whitemud informed me on the way in that it was going to be a very long year; I don't know if he was going to add days to the year or what.

Okay. We have the agenda items listed before us. Are there any changes to be made?

MR. WICKMAN: Yes.

MR. CHAIRMAN: Thank you. Edmonton-Whitemud.

MR. WICKMAN: I'd like to add under Other Business, Mr. Chairman, an item 5(c), pension double-dipping.

MR. CHAIRMAN: Pension allocations, which are legal under the present legislation. Is that what we're referring to? Okay. Thank you.

With the agreement of the members there will be another item after that. I've asked the Parliamentary Counsel to comment with respect to a Supreme Court decision earlier today.

MS BARRETT: A good one too. I heard it this morning.

MR. CHAIRMAN: Thank you.

Okay. Item 2 on the agenda we have dealt with.

Item 3(a), Approval of Committee Meeting Minutes. October 27, '92: what is your pleasure? Moved acceptance by the Member for Cypress-Redcliff. Any discussion?

MR. HYLAND: Question.

MR. CHAIRMAN: A call for the question. Those in favour of the approval of the minutes of October 27, please signify. Opposed? Carried unanimously.

The minutes for November 17 of '92. The Member for Calgary-Glenmore, the Minister of Community Development, thank you: a motion to approve the minutes of the November 17 meeting. Comments or amendments or questions or a call for the question?

AN HON. MEMBER: Question.

MR. CHAIRMAN: All those in favour of the approval of the minutes, please signify. Opposed? Carried.

Thank you, hon. members. The Chair extends its congratulations and best wishes to the members of this committee who have taken on additional new challenges in their lives.

Business Arising from the Minutes: 4(a), Report on Historical Biographical Sketch of Members. I understand Cypress-Redcliff is going to report.

MR. HYLAND: Thank you, Mr. Chairman. I'll report, and if I miss anything, I'm sure the Member for Edmonton-Whitemud and the Member for Edmonton-Highlands would comment.

The subcommittee had a meeting under the chairmanship of the Member for Taber-Warner, and we decided that we had better either go with the proposal or drop it, quit marching time with it. It was decided to put out under contract to a person – I'm sorry I forgot the

name – to do the research work and get the project together. Our time frame is mid-March, right? Isn't that the time frame we hit on: finishing about mid-March, April 1, somewhere in there? That decision was made with the three of us interviewing the person . . .

MS BARRETT: Four.

MR. HYLAND: Four? No, three: you and I and Percy. Bob wasn't at that meeting. Blake assisted us with the interview and the outlining of details and to be the contact and liaison person as well.

I haven't talked to the gentleman since. I assume things are going; I've seen him around.

I think really that's as much as we can say on it now until we get the information in front of us in a month or so's time.

MR. CHAIRMAN: Thank you.

Edmonton-Highlands.

MS BARRETT: Mr. Chairman, I have a question of Blake McDougall. I notice in his report that he says 10 entries were completed between Monday, January 4, and Friday, January 15. I'm wondering: is that the sort of progress rate you expected or no it isn't?

MR. McDOUGALL: No.

MS BARRETT: Can you explain?

MR. McDOUGALL: We'll have to do a lot better than that. Six hundred and thirty entries, right? So based on three months from start time, you'd have to do I believe 10 a day. Mr. Hunter hopes to improve his rate because he's become more accustomed to the flow of the data, but it's not encouraging at this time that we would be able to complete that many entries in the three-month period.

MS BARRETT: Can I ask though: was our assumption realistic? Did we make a bad assumption thinking 10 entries a day, or is it that Mr. Hunter started on entries that would go back to 1905 and they're difficult to trace? Can you please elaborate a bit?

MR. McDOUGALL: It's my feeling, having done some test entries and so on, that it isn't a realistic assumption to try to complete 630 entries by, say, the middle or end of March this fiscal year. I could be wrong, but I don't see how we could move from the present level of production up to 10 a day. I suppose anything's possible, but I doubt it.

In terms of how it's contracted, it's contracted on the basis of per entry completed. Then also if we're not finished at the end of March – the way the contract for this project is, it's paid on how many entries were completed, all right? – if more funds became available the next fiscal year, it would be possible to continue. But presently it's in the contract that if that doesn't happen, it ends at the end of the fiscal year.

MS BARRETT: I have no idea in what way this \$50,000 was intended to be spent. Is there anybody on either the subcommittee or officers who could give us a general breakdown on what the assumptions were of that \$50,000?

MR. McDOUGALL: Would you like me to comment, Mr. Chairman? Mr. Hyland may. You remember when we were in the budget process, the last day we were discussing the budget, a motion was made by Mr. Hyland to add \$25,000 to the library's budget, and a term was used for up-front costs that may be encountered in

connection with the MLA book project. I wish to note first that it's \$25,000 not \$50,000 to work with, okay? At this point we've been doing a lot of work on the photographs because you wanted to have photographs of the members in the book. So we've used \$2,901.70 in photographic reproduction and so on, and then \$10,000 has been committed for a researcher. That presently leaves a balance of \$12,098.30. So that's background as to how the money got into the library budget, my understanding of what it was for, and how it's been spent or committed to this point.

MS BARRETT: Would that include money for the actual printing of the book as well?

MR. McDUGALL: Well, we couldn't print. In that kind of a time frame, we'd never get to the printing because we don't have the copy yet.

MS BARRETT: No, I understand. What I was asking is: of this \$25,000, was it assumed that would cover the costs of the printing as well, assuming we had something to print?

MR. McDUGALL: Well, Mr. Hyland may be able to comment. That wasn't my impression, Mr. Chairman.

MR. HYLAND: Now, Mr. Chairman, this is really testing my memory from budget time a year ago, but as I remember the discussion then – you know, without checking further – I don't think we thought it would do the printing, but I thought it was to get us to the stage where it would be ready for print.

MS BARRETT: Okay.

MR. HYLAND: I don't believe we thought we could research it, put it all together, and print it at that rate. I don't know what the printing costs will be. It obviously depends how many and that, but I think it was to take us to the stage of printing, as I remember. [interjection] That's what I can't remember. Maybe where the \$50,000 comes in: we were talking that way, and then put it in at \$25,000, if that's what the minutes say or what the budget amount says. Maybe we cut it back; I don't know. It was \$50,000 . . .

MR. CHAIRMAN: Clerk.

MR. HYLAND: Okay.

MR. CHAIRMAN: I'm sorry.
Clerk, do you remember?

DR. McNEIL: My recollection, somewhat vague, was that the \$25,000 for '92-93 was to get it almost to the point of printing, and the expectation was that there would be another amount of funds required in the next year, possibly up to \$25,000 for the printing and distribution of it. I think the total cost was estimated at \$50,000.

MR. CHAIRMAN: Okay. Does that answer the questions for the time being?
Edmonton-Whitemud.

1:53

MR. WICKMAN: Mr. Chairman, while we're on the topic, what projection are we anticipating in terms of sale of the publication to the constituency offices and so on and so forth to break even?

MR. CHAIRMAN: Well, having published a couple of books myself and having worked with the present Librarian about the publications that we have put out in the last six years, you'd best keep your expectations low in terms of the salability of such documents. For example, with the book on the whole Legislature that was published to commemorate the 75th anniversary of the opening of the building, there's still quite a considerable stock of those available. But that's fine; that means we don't have to go to reprinting. Part of that was done so that – we had the expectation that various MLAs would buy more of those copies to give out to the various schools and lodges and all the rest of it in their constituencies as well as for presentation gifts. That would be the best market as to where this particular document would go – not the only market, but that's where it would go – plus various universities and colleges throughout North America also like to pick up this type of information. I think it's a bit premature to give you more than that as an answer.

MR. WICKMAN: Mr. Chairman, at the appropriate time I think it becomes very important to inform the other MLAs and the constituency offices that it is available and suggest that they purchase X number of copies for distribution to schools, for example. In Edmonton-Whitemud every school, you know, would love this type of material for the grade 6 program in terms of a reference book.

MR. CHAIRMAN: A good point.
Cypress-Redcliff.

MR. HYLAND: Mr. Chairman, I think the one thing to remember in our proposal is that this book be put together in such a way that it isn't bound and sealed like the volume you spoke of, that it could be added to as elections came and went and as people came to and left this Assembly. If there was a cost, it would be your initial cost, and then your next cost would be minimal when you're looking at pages versus a whole book. I think putting it together that way, rather than putting it on shiny paper too, our costs may be a lot lower.

MR. CHAIRMAN: Any additional on this item? Thank you. It sounds like good progress, and the gentleman's name is Robin Hunter. Good. Thank you.

The next item is Report of Subcommittee on Minister and MLA Job Evaluation Study.

The first female Minister of Community Development.

MRS. MIROSH: And the best one yet, right?

Mr. Chairman, thank you very much. This is an extremely important part of our agenda. Just because there have been some memory lapses since Christmas and to now, in our minutes it does show how this course has developed with regard to hiring Peat Marwick as management consultants to review MLA salaries and benefits and so on. The minutes of those past subcommittee meetings outlining the proposal of Peat Marwick with regards to the criteria and job evaluation that they were going to proceed with were distributed. We had a subcommittee meeting yesterday to review the MLA job evaluation study, and because there are parts of this document that are extremely confidential because the consultant has it as their patent, I would like to go through it in detail. If anybody wants to interrupt me in between – I'd be happy to do that. Because I have a bad cold, I might ask some of the other members of the subcommittee to take over.

I have three sheets I'd like to distribute: sort of a graph of the job evaluation external comparatives to MLAs, the MLA assignment progress to date, and the converting of the evaluations and how the

grading of the job will be determined. So if we can just take a minute to pass these out. The members of the subcommittee are the MLAs for Edmonton-Whitemud, Edmonton-Highlands, Grande Prairie, Barrhead, and myself.

The agenda that we had yesterday brings us up to date on the consultants' progress and just basically how the consultants are planning this job evaluation and the external comparisons. To date they have completed 17 in-depth interviews, and there are three more to be scheduled. They have completed five daylong meetings with MLAs. One will be completed tomorrow, and there are four more remaining. They have completed five shorter MLA interviews, and there are no others.

Now, I've just circulated to you the job evaluation plan. It shows the graph of the external comparators to the MLAs' job value and compensation. There is a need for a method to compare jobs, and every job can be broken down into certain common factors. They went on to detail the factors. Complexity, judgment; education requirement or skills; and experience: whether or not any of these three would be needed for the job of an MLA. Then there are initiative; physical/mental demands; the results that occur with regards to responsibility, the results that would occur if there were errors; who they're in contact with; supervision: the character, the scope; and working conditions. They went on to describe how they will factor in a grading definition. That, too, I have circulated to you: Converting the Evaluations, grading the jobs basically from 1 to 9. The consultants wanted to discuss with us basically the factor of our work, the definition, and the guidelines that they plan on using in the grades.

Complexity-judgment.

Work is generally standardized.

Employee has some choice of action with limits defined by standard or accepted practice. Employee may make decisions on quality and accuracy.

That is graded as 3.

"Work is somewhat diversified" is graded as 4: just basically how employee works towards assigned objectives. Employee may make decisions on exceptions to accept standards or precedents.

The diversity and complexity of the work is graded as 5. This encompasses:

Employee works generally towards broad objectives, instructions and policies. Conditions dealt with change frequently. Employee develops solutions to problems from factual background and fundamental principles.

Grade 6 is:

Work requires analysis, planning or coordination of major interrelated activities.

Employee [would analyze] broad problems, plans and coordinates two or more related functions. Employee makes decisions in some cases where established policies are inadequate.

2:03

In grading to a 7:

Work involves operational decision-making with longer-term implications.

Employee works on the identification and solution of fundamental problems for major related functions . . . makes top level operating decisions between alternative courses of action which have effects lasting up to a year.

Given a level of 8:

Work involves operational and policy work with long-term implications.

Employee makes decisions involving a number of unrelated functions; effect can be felt over several years.

Grade 9:

Work is policy formulation.

Employee works on the formulation of broad policies and long-term programs. Employee makes decisions that serve as guides and directives to the organization as a whole.

This again just gives an outline of a factor in the complexity of judgment while you're employed in this job. The key point is that using a plan that captures the elements of the jobs is really crucial and that the same plan will be used for MLAs and the externals so that our job as MLAs will be compared to external job equivalencies.

Peat Marwick have gone on to explain that some of this is their own patent, so I won't go into what is patent. But I would like to go into how they have created decision-making, the complexity of the judgment in decision-making.

Again, just following that same grading system, grade 3:

Work is generally standardized.

Employee has some choice of action within limits defined by standard or accepted practice. Employee may make decisions on quality and accuracy.

Grade 4 is:

Work is somewhat diversified.

Employee works toward assigned objectives [and makes] decisions on exceptions to accepted standards or precedents.

"Work is diversified and complex" is graded at 5 in how the employee works generally towards broad objectives, instructions and policies. Conditions dealt with change frequently, [as we all know.] Employee develops solutions to problems from factual background and fundamental principles.

At grade 6:

Work requires analysis, planning or coordination of major interrelated activities.

Employee works on analysis of broad problems, plans and coordinates two or more related functions. Employee makes decisions in some cases where established policies are inadequate.

In grade 7:

Work involves operational decision-making with longer term implications.

Employee works on the identification and solution of fundamental problems for major related functions. Employee makes top level operating decisions between alternative courses of action which have [a long lasting effect.]

At grade 8 "Work involves operational and policy work with long-term implications": again, how these decisions' effect will be felt over several years.

Grade 9 is: "Work is policy formulation."

MR. McINNIS: I really hate to interrupt the member, but I'm just wondering if this couldn't be put on the record in another way rather than having it all read. Could it be appended to the minutes of the meeting?

MRS. MIROSH: No, I can't do that because some of this is confidential information.

MR. McINNIS: But you're reading it out loud.

MRS. MIROSH: I'm reading it out loud because there are pages here I can't read out loud, and I think it's really important that the public know exactly what we're being compared to, Mr. Chairman. I believe this is what the public wants. When you have hired a consultant to do this, I think that exactly what we're being compared to and how these comparative studies are being made should be recorded in *Hansard*.

MR. McINNIS: Okay. How about filing the pages that can be read?

MRS. MIROSH: Well, it's a call of the Chair.

MR. CHAIRMAN: How many pages are generally . . .

MRS. MIROSH: Thirty-five.

MR. CHAIRMAN: Oh, my goodness. Of that, a fair number are confidential?

MRS. MIROSH: I can summarize it. I don't have to go into the detail if you choose not to.

MR. CHAIRMAN: Well, the Chair is quite prepared to allow a little more latitude to allow it to go on a bit longer. Is it the will of the committee that the pages of the report that are indeed able to be made public be attached to the minutes, having been taken as being read? There is a difference. With some of the pages, I gathered, the subcommittee has also agreed that it's confidential. Then we just carry on with the summation here, use whatever time you need to be able to do that. Does the committee agree, first of all, to have the pages that are able to be added to the minutes done in that fashion? Agreed? All right.

Thank you.

MRS. BLACK: Mr. Chairman, I think it's important that the members of Members Services' that have not been a part of the subcommittee at least hear a summary of what was presented. I recognize that there are elements that we would not be privy to at this point, but I'd like to hear at least a summary. This is a very important issue.

MR. CHAIRMAN: Okay; that's agreed. All right.

MRS. MIROSH: It's shorter than what I have, but I think some of it's rather important. If other members of the subcommittee want to jump in, please feel free to do so.

We did discuss the education qualifications to quite a degree, again graded from 3 to 7. It was found that in some specific areas education should be taken into account but it was not necessarily a criteria for MLAs and that there was no job description that required any specific level of education. Since there was such a diversity amongst 83 members, we have asked the consultant to give some sort of a medium as to what education requirements amongst members have been at least with the last two elections.

Work experience did seem to be the most important criterion to this specific job as an MLA. Again, the consultant does give a grading from 6 to 11 with regards to past experience.

The initiative of the job with regards to "general direction and guidance," independent assignments, working independently on departmental/company administrative business, and working "independently on government-wide/cross-company co-ordination and policy-making" again varied anywhere from a grading of 4 to 7, and how plans are carried out with regards to the independency of this specific job.

We also went on to discuss the result of errors, grading it from 4 to 8.

Errors cause substantial identifiable losses to the organization/department.

. . . serious breakdowns in operational control of the organization/department.

. . . loss of public esteem to the . . . organization/government and the errors of top executives, so to speak, and some of the serious delays. What could happen in those types of errors:

May cause terminal losses with little opportunity of correcting . . .

May cause major loss of whole organization's prestige with regard again to errors.

Contacts. A grade definition from 4 to 7. "Contacts which are important: usually in presenting recommendations and gaining agreement . . ." In other words, consultation is required and co-ordination with the consultation and skill in personal relationships to avoid any kind of loss or errors. Contacts of major importance in the organization require

maintenance and development to avoid . . . losses or serious damage.

Contacts vital to the viability of the whole organization [which is the] government.

"Character of Supervision" and how much supervision is given to the specific role as an MLA – whether there is limited supervision, direct supervision, general supervision, co-ordinated and controlled supervision – and just the variance of policy direction in the supervision with regards to the position as an MLA: grading there as well. Some are supervised with no staff; some have staff, one to three; and some supervise units of organization of staff up to a thousand or more. So there's a variance of supervision of that person to a department.

2:13

The physical and mental demands of the job, graded again 1 to 5. Whether or not there's

no undue fatigue.

Considerable standing/moving but little or no heavy effort.

That's, I think, physical. Whether or not we have to lift things or climb ladders or what have you:

Constant moving, standing . . .

May require very high degree of visual attention or mental concentration . . . [or] walking over rough ground, climbing.

Extended strenuous work.

May require expenditure of major effort over extended time and fatigue in the workplace.

Then again we went on to discuss the working conditions, whether they're noticeable working conditions or not, specifically relating to travel and long hours on the road and just the general working environment.

I'm really pleased that I'm getting patience, everyone.

Now, I think, the most important part of this proposal. We had a fair amount of discussion – perhaps we can have discussion of the members – with regards to the proposed external comparators and who the consultants are going to compare MLAs to. The list of people and groups we are being compared to within the public service would be: deputy ministers, assistant deputy ministers, chief executive officers, chairmen, presidents, vice-chairmen, vice-presidents, and executive directors within our own departments of the public service and to a lesser degree the federal public service, a few level positions.

Elected representatives across Canada. It was decided that Ontario, Nova Scotia, and British Columbia MLAs would be compared. The consultants will not be traveling to those provinces; they already have people in those provinces and will be able to acquire updated statistics with regards to MLAs in other provinces.

MR. McINNIS: Would you give me the provinces again?

MRS. MIROSH: Ontario, Nova Scotia, and British Columbia.

It was decided that executives from the University of Alberta hospital, the Grande Prairie hospital, and the Lamont hospital would be interviewed, so we then have large urban, smaller urban, and rural.

In the academic executives, the Calgary board of education, the Edmonton public school board, a rural school board or college, and the University of Alberta.

To continue. We will be compared to municipal institutions: the city of Edmonton, the city of Calgary, Ed Tel, Edmonton Power, the MD of Brazeau, the town of Beaumont, and the ID of Yellowhead.

The reason these were chosen is because the consultant already has stats on these municipal institutions.

It was also decided that we would be compared to provincial judges in Alberta and to the Attorney General's office. It was decided also that we should be compared to community-based organizations such as the United Way in Calgary, the AAMDC, and the Healthcare Association.

For private-sector executives it was decided that there would be AGT, the Alberta Wheat Pool, Bow Valley Industries, Bovar, Canadian Occidental, Northwest Drugs, Novacor, Royal Bank, Royal Trust, Safeway. Again the consultant already has stats on these companies.

Labour executives: we would be compared to AUPE and AFL.

I have circulated the MLA assignment progress to date, and it lists basically what time frame the consultants will be working with. They plan on completing this portion I've just reviewed with you; it would take up to March 19.

That's the end.

MR. CHAIRMAN: Thank you very much.

Questions or comments from other members of the committee? Edmonton-Whitemud, and then Cypress-Redcliff.

MR. WICKMAN: Mr. Chairman, at the offset it was requested by the chairman of the committee that if any members wanted to supplement her comments – a couple of important points were made that I think should be expanded upon. First of all, we're into a review of that process. As to whether or not this type of thing should have been done before an independent commission was set up is an area where I had disagreement. Members' Services saw it to go this way first. Now that we have this, we have to ensure that it's done in the most effective, efficient way possible and the most fair.

The chairman mentioned some of the community-based organizations that we added. My recollection from the meeting was that it specifically was the AAMDC, which is the Alberta Association of Municipal Districts and Counties; the Alberta Hospital Association; the Calgary United Way. We also added the Society for the Retired and Semi-Retired. We also stressed to the consultants that when they do the comparisons, they don't only compare with the presidents and the CEOs but that there are different levels in these organizations like there are different levels of responsibility within this Assembly. So I think that should be made very, very clear: that the consultant is now expected to come forward with the reflection as to a variety of fields and a variety of levels within those particular fields.

MR. CHAIRMAN: Thank you.

Cypress-Redcliff, then Edmonton-Jasper Place.

MR. HYLAND: Thank you, Mr. Chairman. A couple of comments. Of the names the chairman suggested that they're comparing, the one that stuck out for me is hospitals. We've gone to Grande Prairie, I think she said, and Lamont and U of A. What about exchanging Lamont for something south? So we go north, south, and in the middle.

MS BARRETT: Sure.

MR. HYLAND: Lamont, I think, is about a 20-, 25-bed hospital. Ours in Bow Island is about a 15-bed hospital, five pediatrics, 20 long-term care, and 30 special-needs children. So it gives an example of different levels of responsibility.

The other comment would be related to the MDs and counties in that some of the listing was the MD of Brazeau but I didn't hear any counties. Counties are a bit unique in that their chief administrator really carries the responsibility of the school board and the municipal authority in reporting to the county. I wonder if we could look at a county or two as well in that mix and try and go north-south or north-middle and spread them around.

Other than that, it seemed like a good outline, and I think the committee should be commended for the work that they've put into it so far. It seems like you had a lot easier time with this report than I had with reporting the subcommittee last meeting we had.

MR. CHAIRMAN: It's a brand-new year.

MR. HYLAND: I'm being told to make that a motion.

MR. CHAIRMAN: Well, if you want to make that motion in this committee . . . I see the nods of agreement. Put up your hands, those of you who are in the subcommittee, if you are in agreement. I think that's the way to handle it. We therefore have seen it in the committee that the subcommittee agrees unanimously and can proceed that way, mainly because having given you the mandate to go out and function, we don't want this umbrella committee giving direction to the subcommittee.

Thank you.

Edmonton-Jasper Place, followed by Edmonton-Highlands.

MS BARRETT: Take me off.

2:23

MR. McINNIS: Thank you, Mr. Chairman. I just have a couple of questions. I want to make sure I understand the external benchmarks properly. It's not that we're assuming that these jobs are identical to the job of MLA or minister but rather that there will be detailed comparisons made between the scaling of their jobs versus the scaling of our jobs just to see what the relationship is in order to try to map something that's equivalent in some respect. Because we have this list doesn't mean that we're presuming that these are the same jobs as ours. Is that correct?

MRS. MIROSH: If I may just make a comment, Mr. Chairman, I know that you didn't like me reading off the complexity of decision-making and all the criteria that I was reading, but there was a reason for that. When MLAs are being compared to the list I have just given you, it is with those criteria I read – ad nauseam, obviously, to you – so they will follow the same criteria of decision-making: the complexity, the working conditions, the high mental and physical demands made on all of those positions.

MR. CHAIRMAN: It is the understanding of the Chair here that those definitions will be part of the attachments that are going to be supplied with our minutes.

MRS. MIROSH: Yes.

MR. CHAIRMAN: Okay. Thank you.
Additional, Edmonton-Jasper Place?

MR. McINNIS: The other question is about what happens after March 19.

MR. BOGLE: The 20th.

MR. McINNIS: Presumably we get a report.

MS BARRETT: He pulls the plug.
What was your answer?

MR. BOGLE: The 20th.

MR. McINNIS: The question is: what happens on the 20th and thereafter? There's been a presumption on the part of some members of this committee that the study is a prelude to an independent committee or commission that will develop recommendations on how these things are to be handled. I kind of think forewarned is forearmed. Whether this committee is giving thought to the process following the 19th or if that's really more the responsibility of our committee – the bigger committee, the Members' Services Committee – in which case maybe we should be discussing that today as well . . .

MS BARRETT: Good point.

MRS. MIROSH: It was decided by the subcommittee that we would go through the consultative process, and then at the end of that consultative process it will be decided by this committee whether or not we recommend that Peat Marwick report recommendations or we have another committee struck to make recommendations. That has yet to be decided.

MR. CHAIRMAN: Will the subcommittee make a recommendation to Members' Services on that?

MRS. MIROSH: At the direction of this committee, sure. To deal with the motion put forward, we've only been given the mandate to go as far as the completion of the Peat Marwick study.

MR. CHAIRMAN: It's the Chair's general understanding that when this report is completed, they will come back to the Members' Services Committee to be dealt with as soon as is conveniently possible given the pressures of the House or so forth.
Edmonton-Highlands.

MS BARRETT: Thank you, Mr. Chairman. Actually, John raises a good point. I sat in on a meeting, I think with members of the subcommittee, in which we basically came up to an agreement of the types of persons who should be asked to form an independent committee that would analyze the report. Do you remember that? We had agreement on the composition. I think we should schedule some time, if not today in the very near future, for this committee to actually get to work on that recommendation so that the organizations which we identified that would be able to nominate a person of their choice to this independent committee would have some notice and be able to do that. If we wait until March 19, that independent group wouldn't be able to get together till May probably, n'est ce pas?

MRS. MIROSH: It's at the wish of this committee, though.

MR. CHAIRMAN: Okay.
Additional comments, members?

MR. McINNIS: If members will look at the minutes of the meeting of October 27, 1992, page 88.92, I put forward a motion and it was basically tabled on the ruling of the Chair: "tabled until the job evaluation study by the independent external contractor was completed and presented to the Committee." So I guess I would just like our agenda to reflect that when that report comes back, then this motion comes to the floor.

MR. CHAIRMAN: Yes, Edmonton-Highlands.

MS BARRETT: Well, I'm a little concerned about this. John, the subcommittee adopted this and made some alterations. Might I suggest that after the House adjourns in February, the subcommittee find the list that we agreed to and send . . .

MR. McINNIS: This is the list.

MS BARRETT: This is the list that we agreed to in the subcommittee?

MR. McINNIS: Yes. The expanded list.

MS BARRETT: The expanded list. Okay. All right. So this is the list.

Well, then, if we're not prepared to deal with this today, I think we should do it long before March 19. Can I suggest that we meet after the House adjourns in February and deal with this issue and any others that might have arisen during the House?

MR. CHAIRMAN: The suggestion is duly noted. Thank you.
The Member for Taber-Warner.

MR. BOGLE: Could I request a coffee break?

MS BARRETT: Are we done with this report?

MR. CHAIRMAN: I think we have come to a conclusion at this stage, but since it's just a coffee break, I look forward to seeing whether we've concluded or not after the coffee break. A coffee break until 20 to the hour: is that sufficient for members?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Thank you.

[The committee adjourned from 2:28 p.m. to 2:41 p.m.]

MR. CHAIRMAN: Are we finished with item 4(b) for the purpose of today?

MS BARRETT: Yes, please.

MR. CHAIRMAN: Thank you.
All right, item 4(c). The Member for Edmonton-Highlands.

MS BARRETT: Mr. Chairman, I was never able to get a meeting together with these people. What happened was that I was on two other subcommittees and tried to organize at the last meeting here. I got two people to stick around; everybody else took off. I never did get it organized. If this committee would like to deal with the subject, perhaps we could look at it again. I understand that the Premier has been or I think will be talking to the president of the press gallery association. If someone could fill me in if that's true or not, then maybe we could decide the fate of this thing. Does anybody know? I had heard or read that the Premier was planning to meet with the president of the press gallery association to discuss the option of converting the Confederation Room into an interview room again for the media.

MR. KOWALSKI: Mr. Chairman, I don't know if the Premier has met with the chairman of the press gallery, if that's being planned.

I think we'll just have to wait to see what arrangements are being thought about.

MR. BOGLE: The arrangements for both the opposition members' and government members' meeting rooms adjacent to the Assembly flowed through the Members' Services Committee; therefore, any discussions between the press gallery and an elected official would in my view be with the Speaker as chairman of the Members' Services Committee.

MRS. BLACK: Mr. Chairman, I don't believe the subcommittee has met on this issue, so I'd like to move a motion to table until such time as they have an opportunity to meet.

MR. CHAIRMAN: A motion to table. Those in favour, please signify. Opposed? Carried. Thank you.

Might we move to item 4(d). Edmonton-Highlands, please.

MS BARRETT: Leave it tabled, please.

MR. CHAIRMAN: This be tabled as well?

MS BARRETT: Yes, please.

MR. CHAIRMAN: Motion to table. Those in favour, please signify. Opposed? Carried. Thank you.

Item 4(e), the electoral boundaries committee matter. The Member for Taber-Warner.

MR. BOGLE: Thanks, Mr. Chairman. I do have a motion, and while the motion is being distributed, I can give the background. Members will recall that at our November 17, 1992, meeting I indicated to the committee as the past chairman of the legislative committee on electoral boundaries that there was a remaining budget of about \$300,000 in the former Electoral Boundaries Commission code and that the boundaries committee might need up to \$250,000 of that to complete its work. The estimate I have today is in line with that earlier projection. There is approximately \$120,000 remaining in the budget, and to complete the work of the staff up to March 31 of 1993 will require up to but not more than \$70,000. So the \$50,000 that I indicated on November 17 would be surplus is still the target. Therefore, I would like to move

that the Special Standing Committee on Members' Services approve the expenditure of up to \$70,000 from the unspent budget allocation of the Select Special Committee on Electoral Boundaries to ensure the provision of the necessary services to members and the public during consideration of the committee's recommendations by the Assembly and to complete the appropriate disposition of the committee's records prior to March 31, 1993.

That's the end of the motion, sir.

There's one other matter I should have advised the House on, and that is that members will recall there were two staff officials, Bob Pritchard and Ted Edwards. Bob Pritchard has taken another position in that he's working with private government members, and Eileen Fedor, who did some work for the committee previously, has agreed to come in and fill Bob's remaining time until March 31 of this year.

MR. CHAIRMAN: Thank you.

Questions or comments? Grande Prairie.

DR. ELLIOTT: Mr. Chairman, maybe Mr. Bogle said it and I missed it. We're in the middle of the motion here, "to ensure the

provision of the necessary services." Did you give examples of some of those in your preamble, Bob?

MR. BOGLE: Actually, I didn't. The legislation to be tabled on Monday will reflect the report which was given to the Speaker and shared with all members in mid-November. Any questions regarding population counts in constituencies, within municipalities in constituencies, in communities within the two larger metropolitan centres, any proposed amendments, and the necessary background data to support amendments would come from the electoral boundaries office as well as the inquiries that are coming from members of the public. Those are all being channeled through to the nonpartisan committee. They are not being dealt with by government or by opposition per se. It's my understanding that the MLA for the area is automatically copied any correspondence that does come in and brought into the picture.

DR. ELLIOTT: A supplement. Then you have March 31, 1993. That means at that time that's the end of accepting any inquiries or questions or comments?

MR. BOGLE: Well, actually the legislation will be dealt with by the Assembly during our sitting beginning Monday, January 25. Assuming that we complete our sitting before March 31 of 1993, there will still be, I presume, some letters coming in, some questions as well as necessary tidying up so that the committee's work is absolutely complete, wrapped up, and put away so that when a new Electoral Boundaries Commission is struck somewhere down the road, they will have the benefit of what this committee has gone through.

MR. CHAIRMAN: Okay.

Edmonton-Jasper Place.

MR. McINNIS: I'm just trying to follow through the logic of the motion. Initially we had a budget allocation which was for the Electoral Boundaries Commission. The commission finished its work, so we transferred money for the select special committee I think in the amount of \$300,000. This refers to "expenditure of up to \$70,000 from the unspent budget . . . of the . . . committee." Do I take it that this \$70,000 is within the \$300,000 that we approved previously?

MR. BOGLE: Not only within the \$300,000, it's within the \$250,000. I may not have explained it very well, John.

MS BARRETT: That makes sense now that you put it that way.

MR. CHAIRMAN: In one sense you could say that the previous motion gave all the authority to carry on, but various consultations took place that it would be better to bring this motion before this umbrella committee so that everything was absolutely there in the open and there for the record.

Okay. Additional questions? Is there a call for the question on this motion?

HON. MEMBERS: Question.

MR. CHAIRMAN: All those in favour of the motion before you as proposed by Taber-Warner, please signify. Opposed? Carried unanimously. Thank you.

Item 5 is Other Business. I have the Clerk down here with respect to item 5(a), 1992-93 Legislative Assembly Budget. Then I understand Cypress-Redcliff is going to speak to it.

DR. McNEIL: If I can just preface it. What this represents is a request for approval of a supplementary estimate for the Legislative Assembly Office to cover the budget allocation to the government members' budget for nine additional private members who are now part of that group. We inquired as to whether or not these were funds we could transfer from a government department budget that had been put out of existence. Under the Financial Administration Act that could not legally be done. We also looked at the possibility of transferring this amount of funds from other sources within the Legislative Assembly Office budget and concluded, given other expenditures that are anticipated and especially in relation to the MLA job evaluation study, that we could not ensure sufficient funds within our existing budget to cover this expenditure.

2:51

MR. HYLAND: Mr. Chairman, I'd like to move that the government members' office budget be increased by \$118,990 to reflect the addition of nine private members to the government members' caucus.

In support of this motion, the amount that's requested is a prorated amount for the time of the year left, and it's also prorated from the amount that we set last budget year on a per capita basis for MLAs.

MR. CHAIRMAN: Okay. Do you have additional copies?

MR. HYLAND: No, I don't. Unfortunately, I just have the one.

MS BARRETT: It's right here. It's right in the booklet.

MR. CHAIRMAN: All right. The figure again, if you didn't get a chance to jot it down, was \$118,990.

Speaking last, Edmonton-Jasper Place, followed by Edmonton-Whitemud.

MR. McINNIS: Under the terms of the Spending Control Act the government can transfer funds between votes. Perhaps I understand what's being said is that that doesn't apply to the Legislative Assembly budget because of a constitutional reason or because of the Assembly Act or some other statute. Could I just get clarification on that?

MR. CHAIRMAN: Parliamentary Counsel.

MR. RITTER: Yes, Mr. Chairman. The Legislative Assembly has a different set of rules applicable to it because its budget is totally within the control of the Assembly and its committees.

MR. McINNIS: One of the things that is implied, if not stated, is that there is an equal or larger savings somewhere else in the budget, larger than the \$118,990. Otherwise the proposition is that it costs you more money to save money. I'm quite sure that's not what's being said here, but I would like somebody from the government to indicate that in fact there are savings effected by the downsizing of cabinet during this fiscal year which exceed the \$118,900.

MR. CHAIRMAN: Okay. On that point, the Deputy Premier.

MR. KOWALSKI: Perhaps to clarify, Mr. Chairman. In direct response to the question from Edmonton-Kingsway . . .

MR. McINNIS: Edmonton-Jasper Place.

MR. KOWALSKI: Sorry. Edmonton-Jasper Place. Please forgive me for that slip. I sincerely apologize to you, sir. No malice intended at all.

Having said that, Mr. Chairman, and we have given out this figure, in essence there's a saving in terms of the reduction in cabinet and the re-allocation of certain responsibilities and an increase in private members that realized nearly \$2,500,000 less expenditures. So you're absolutely correct. We're in fact working on a specific piece of paper that would very specifically show these savings, and it should be ready towards the end of this week or by Monday presumably at the latest and will be made available.

MR. McINNIS: Is it happening this year or annually?

MR. KOWALSKI: On a 12-month basis, as all these figures basically work in that way.

MR. CHAIRMAN: Okay.
Edmonton-Whitemud.

MR. WICKMAN: Just a few questions, I guess, Mr. Chairman, that have to go to David. In the determination of this \$118,000, in this situation with the new structure that has been laid out by the Premier, are private members all of those who are not part of cabinet?

DR. McNEIL: Yes. Private members are all those members who are not members of Executive Council and the Speaker.

MR. WICKMAN: But are the poor chairmen of the committees that get the extra dollars and all that kind of stuff now considered private members? Are they a given a portion of this allocation?

DR. McNEIL: They are private members, yes.

MR. CHAIRMAN: Taber-Warner, on that point.

MR. BOGLE: Well, just for clarification. There are 58 government members, one of whom is Speaker of the Assembly, 17 are members of Executive Council, and 40 are private members. In the news release issued by Premier Klein explaining the duties of the four special policy committees, there's reference made to the fact that each is chaired by a private member and the vice-chairman will be a minister. So the four chairmen of the special policy committees are all private members.

MR. WICKMAN: The question I'm getting at: do those four chairmen in particular – and then there are some of the, I guess, less important committees where there have been appointments made too – have a budget where they may have separate office expenses, mailing rights and that, things that would normally come or could be considered coming under the private members? Now they have this pool of money and yet this other pool of money. Or do they simply get their \$20,000 and a car, whatever the case is? Or do they have a budget that allows them to do things like postage and stuff that would normally be done by the caucus of the private members?

MR. BOGLE: It should be clear that the four members are private members and they are treated like private members. They have the same privileges that the Member for Edmonton-Whitemud has or the Member for Taber-Warner.

MR. WICKMAN: Okay, but my question is: do they also have privileges over here that I wouldn't have, for example, because

they're a chairman of a committee? Do they have access to secretarial assistance, to postage, to stationery, and so on and so forth because of their status as chairman of a particular committee? Or are there no additional resources provided for that committee? I don't want to see duplication, because duplication would make the whole system out of proportion in terms of the allocation provided to the private member.

MR. BOGLE: Well, if the hon. member wishes to reopen the entire issue of budgets here, we may do so, but it's important to recognize that the Leader of the Official Opposition and the leader of the third party are treated as individual members. So in addition to their allocations as leaders of their parties, they are part of the count on the per member count.

The member will recall that we do have a formula that we apply, and the formula applies to obtain the total budget for the government private members' caucus. So all 40 members are in that. The Liberal caucus – and I'll use the past budget that this committee dealt with, where there were eight members of the Liberal caucus – received eight times the formula rate plus a special allocation for the leader of the party. Okay?

So while the four members who are chairing the standing policy committees will receive some additional support through the minister of the department they're working for, they are private members in the true sense of the word, and nothing more should be read into it.

MR. WICKMAN: It's not being read in, Mr. Chairman. We will review fairly shortly the whole question of caucus budgets. Are these additional resources they require taken out of the caucus budget or are they taken out of some other budget? All I'm asking is: where are those additional dollars coming from?

MR. CHAIRMAN: Thank you.
The Deputy Premier.

MR. KOWALSKI: Mr. Chairman, there's no allocation of any budget to any of the four standing committee chairmen to function or duplicate anything they would receive as private members under the caucus budget. If the various chairmen have to arrange for meetings and have to have correspondence with groups, the cost for that would come out of the budget associated with the vice-chairman of the particular committee. They have no particular additional dollars allocated to them as private members.

MR. WICKMAN: That was my question. It's been answered.

MR. CHAIRMAN: On another particular point, the Clerk with respect to the additional member of the Liberal caucus, the new Member for Three Hills. All of that adjustment has taken place?

DR. McNEIL: Correct. Yeah, the appropriate amount of funds was transferred from one caucus budget to the other.

MR. CHAIRMAN: So that dollar transfer from the PC caucus private members over to your caucus already did occur. All right.
Edmonton-Highlands.

3:01

MS BARRETT: Well, thank you. You're reading my mind. I was going to ask that question. I'll drop that one from my list.

Can someone please remind me what the global formula per MLA is?

DR. McNEIL: It's always been calculated based on the total amount of the government members' budget divided by the number of members. At the time it was established, there were 32 government members and the allocation was \$45,100. So this amount here of \$118,990 is the prorated portion of \$45,100 for the balance of the year, from December 15 until March 31 of 1993.

MS BARRETT: Got you. Okay.

Finally, about the four committee Chairs. Now, it's possible that this will be in the supplementary estimates that we'll be getting next week, but from what budget do their resources call upon? Does the Deputy Premier know?

MR. KOWALSKI: The resources that would be required by one of the chairmen of the four standing committees?

MS BARRETT: Yes.

MR. KOWALSKI: The only resources that would be required would be the ones I just pointed out to the Member for Edmonton-Whitemud. In the event there were mailing costs and the like, the resources would come from the department of the vice-chairman of the committee.

MR. BOGLE: Just to supplement that response. Only insofar as special duties to the committee are concerned. There is secretarial help provided through the private members' budget, and there is research help, as is the case with the other 36 private members.

MS BARRETT: May I ask just one more question then? If one of these four chairpersons needs research done in their area, they call the government department to have that done?

MR. KOWALSKI: No. There are no additional researchers. It would all be done within the department or the Legislature Library or whatever. Nothing new added.

MS BARRETT: Oh, I see. Okay. All right.

MR. CHAIRMAN: Okay.

Edmonton-Jasper Place. Well, is the committee willing to allow us to stretch this as a point of information or something having spoken once to the motion?

MR. McINNIS: It's kind of like a supplementary question.

MR. CHAIRMAN: Well, then I will kind of conditionally decide later on whether I'll rule against it or not, but perhaps you could pipe dream here then.

MR. McINNIS: The Deputy Premier mentioned that there were savings estimated at \$2.5 million annually from the elimination of the Executive Council positions. I just wondered if there's a figure for this year as against the additional expenditure of \$118,900. Do you have that?

MR. CHAIRMAN: From the time of the appointments to the end of the fiscal year?

MS BARRETT: Uh huh.

MR. CHAIRMAN: I'll take that as a supplementary inquiry on Edmonton-Highland's.
Deputy Premier.

MR. KOWALSKI: I'm sorry. I got part of what the member said and part of what the Chairman said, and I missed the connection.

MR. McINNIS: What savings are realized in this fiscal year from dropping – was it nine? – members from Executive Council to compare against the additional expenditure of \$118,900?

MR. KOWALSKI: Well, the simplest way of doing it would be just prorating it over three months plus two weeks – is what? – twelve, fourteen weeks out of 52. That basically is the simple answer to it.

MR. McINNIS: If the world were a simple place, I guess we . . .

MR. CHAIRMAN: The world is not the simpler place, believe me, hon. member. I'm sure you have a calculator nearby. Thank you.
Cypress-Redcliff, in summation.

HON. MEMBERS: Question.

MR. CHAIRMAN: All right. There's the call for the question. All those in favour of the motion before us, please signify. Opposed? Did all members vote? Thank you. I interpret that as carried unanimously. Thank you.

Item 5(b), some revised forms for consideration, I understand. Clerk.

DR. McNEIL: This item is more one of information just to advise you that it's our wish to send out this memo with these revised forms so that members are aware of this. They're basically updating references to Members' Services Committee orders as well as including GST on the expense claim form that people who have been filling out your claim forms have had to add in the margins in the past.

MR. CHAIRMAN: Okay. So that revised section is in the binder. Thank you.

MR. KOWALSKI: Mr. Chairman, one of the difficulties one has sometimes with serving on this committee – and it's no different than any other committee – is that you're given paper without having a chance to see it or study it, and then when we make a decision. If there was any change we were unaware of, it's too late. Is there any way we can accept this for information today and deal with it at the next one or have someone point out specifically every change on it, which may take quite a while if there are changes? I'd prefer having perhaps just an opportunity to look at it.

MR. CHAIRMAN: Clerk, would you like to speak to that, please?

DR. McNEIL: They were presented as information and at the direction of the committee. Having the members review them – and you may want to review them with your staff who do these things before you approve them at the next meeting. I have no difficulty with that approach at all.

MR. KOWALSKI: It's not a question of not having trust; it's a question of having a chance to see what the changes are. That's all.

MR. CHAIRMAN: Are there any in particular you want to highlight, Dr. McNeil?

DR. McNEIL: Okay. The first one is the members' automobile allowances form. All we're doing there is updating references to the new Members' Services Committee orders, the consolidated orders

as opposed to the old system. The second form, the members' temporary residence allowance: again, just updating the reference to the appropriate order and also putting more specific processing instructions on the back of the form. The third one, the personal expense claim form: substantial modifications to include the GST calculation and certification that these expenses are based on Legislative Assembly business and inclusion of guidelines on the back of the form to assist whoever is completing the form in filling it out, which wasn't the case in the past. The postage request form: we've just put the request in a form format so that it's much easier to fill out and send off without having a new memo drafted every time the member, the member's constituency office, or caucus office wants to make a postage request.

MR. CHAIRMAN: Okay. Well, it's the understanding of the Chair that those highlights are then put before us – and I'm sure the Clerk will answer any other questions that may come to mind – but that certainly the matter be held over until the next meeting of the Members' Services Committee. Is that the feeling of the group?

MR. McINNIS: Mr. Chairman, do we actually have to approve these forms? We approved the orders. It seems to me the forms are coincidental to the administration of the orders. I mean, does it really matter if you send a memo or fill out a form as long as the information is there?

MR. CHAIRMAN: Well, I think part of the issue is to make certain that this committee is aware of the changes, because we as the Legislative Assembly Office have to rely upon you to explain it to your individual caucus members, and I guess we'd rather err on the side of too much information than the other way. But I believe legally you probably are indeed quite correct. So to the next meeting: is that agreeable?

HON. MEMBERS: Agreed.

MR. McINNIS: Does that mean nothing can be done until we meet again?

MS BARRETT: No; it just means the other forms.

MR. McINNIS: Oh, we use the old forms.

MR. CHAIRMAN: Yes, we'll still be on the old forms. Only too happy to sign for all reasonable and accurate statements. Thank you. Thank you, Mr. Clerk.

The next item I have here is 5(c), an item dealing with the matter of allowable pension receipting. Edmonton-Whitemud, we have some motions or information. Is that correct?

MR. WICKMAN: Just one short motion, Mr. Chairman, and I'll read it into the record and make a few comments on it.

Be it resolved that we recommend to the Assembly appropriate legislative changes to immediately halt the practice of what is commonly referred to as double-dipping.

3:11

Speaking to it, Mr. Chairman, I realize there was legislation brought forward to the Legislative Assembly earlier that would have seen the elimination of double-dipping as of the beginning of the next term. At that time, of course, there was discontent from some of us with that motion. But I think the situation becomes much more critical now in view of the fact that we have a new system where we have, I believe, about 14 members that will be sitting in the House

that are ex-cabinet ministers, that are no longer a part of cabinet. About 12 or 13 of them, from what I can gather, would technically be eligible for the double-dipping. The cost that has been provided to us is somewhere in the neighbourhood of \$200,000-plus per year.

If there's one concern that I hear out there repeatedly from Alberta taxpayers, it's that double-dipping is the most offensive form of what they see as MLA remuneration abuse. I've heard the statement of the Premier that his hands are tied. We can untie those hands. We have the opportunity here of making a recommendation to the Legislative Assembly. The session meets Monday. The Legislative Assembly could amend that legislation and immediately halt the practice, and I'm sure a lot of Albertans would be very, very relieved to see that happen. Plus it sends the symbolic message that government is serious about cutting, and cutting where cutting counts the most. So on that basis, I'll conclude my remarks for now and then close the debate.

MR. CHAIRMAN: Thank you, Edmonton-Whitemud.

MR. McINNIS: Mr. Chairman, the member's eloquence brings me close to tears. This issue is indeed an important issue which this committee has dealt with before, but I believe at the present time on the Order Paper there is an amendment proposed to the Members of the Legislative Assembly Pension Plan Act which would accomplish what I believe the member is trying to achieve through this motion. I'm wondering if today we could seek the co-operation of the Liberal caucus to try to bring the Member for West Yellowhead's Bill near the top of the agenda during the session forthcoming so that we can in fact deal with the matter in the appropriate forum, which is the Assembly.

MS BARRETT: And if I might . . .

MR. CHAIRMAN: Indeed, Edmonton-Highlands.

MS BARRETT: Mr. Chairman, the Member for West Yellowhead, Jerry Doyle, has sponsored this legislation several times. It's been a priority for him and the New Democrat caucus. So it does seem to me that if this is just a recommendation to the Assembly, it would be even better if we could get that Bill brought to the top of the Order Paper by co-operation in the House so that the actual changes could be implemented, not just talk about them.

MR. CHAIRMAN: Thank you.
Additional comments?

The Chair must advise the committee that the Chair has had this consultation going on the side here because of the concern. We had a motion that was dealt with that this matter would "halt . . ." Sorry; have we got the exact wording of that motion? Then I want to adjourn for five minutes so I can have the exact wording of the previous motion. We're adjourned for five minutes to 3:20, and we can find the wording of that motion.

[The committee adjourned from 3:15 p.m. to 3:24 p.m.]

MR. CHAIRMAN: All right, members. What you have before you are copies of the minutes of March 10, 1992, and for the sake of the record this particular item was dealt with and carried unanimously, as you will see, on the second page. Basically, for the sake of the record because of the fact that this gets distributed in transcript form probably as early as tomorrow and in minute form to all the members, the committee agreed unanimously that

the practice of paying pensions from the MLA pension plan to sitting MLAs and government employees in respect of their previous positions will cease subject to the following conditions:

- (1) that ex-MLAs now employed by the government would continue to receive the pensions only for the duration of their current job, and then they would cease;
- (2) that current MLAs receiving ministerial pensions will also cease receiving that benefit at the next election if they are elected; and
- (3) that current ministers who leave cabinet before the next election may draw the ministerial pension but only until the next election if re-elected.

Now, that was carried subject to the other comments from our minutes.

As Chair I have allowed this motion to continue for the moment because it includes the words "to immediately halt the practice," but I think the minutes make it crystal clear what the intent of the committee was.

On this motion at the moment we have had Edmonton-Jasper Place and Edmonton-Whitemud. Edmonton-Highlands has spoken on this issue?

MS BARRETT: Yes, I did.

MR. CHAIRMAN: Any additional comments? The Member for Barrhead.

MR. KOWALSKI: Mr. Chairman, I'm speaking, I guess, much in the position of Government House Leader. A minisession of the Legislature will commence on Monday, January 25. As has been correctly pointed out by the members from Edmonton-Jasper Place and Edmonton-Highlands, there is a private member's Bill, Bill 282. It's my understanding that despite the pleas of the Government House Leader on Monday to have private members' days waived, I'll probably go down in flames on Monday in terms of the response from both the Liberal Party and the NDP.

There is provision, as I understand, that if we go forward with private members' days on those two days per week, such a Bill, which is currently before the Legislature, might come to the fore. It would seem to me that with some degree of co-operation between the Liberals and the NDP, if they wanted to co-operate and rise to a higher position, I guess, the private member's Bill being advocated by Mr. Doyle could in fact be looked at as early as Thursday of next week. It would require, would necessitate the co-operation of the Liberal opposition party upon a request from the NDP, the Official Opposition, to give attention to Mr. Doyle's Bill, and within a matter of seven days from now it could be before the Assembly.

Mr. Chairman, it would seem to me that what we're doing here is quite redundant. There is a process in place, and it can be done. The whole business can be amply debated in the forum in which it's intended to be.

MR. CHAIRMAN: Additional comments, those who haven't spoken on it? You get to sum up, hon. member. The committee is prepared to have the member sponsoring the motion sum up debate?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Thank you.
Edmonton-Whitemud.

MR. WICKMAN: Thank you, Mr. Chairman. I appreciate your reading the previous motion into the record, and I just want to note for the record that in the minutes it also does make reference that "Mr. Wickman also commented that this motion was a step in the right direction, although he felt it did not go far enough." The

reason why I didn't feel it went far enough is the same reason I'm speaking on it today but, I believe, with a great deal more urgency because of the changing circumstances.

The reference to the Member for West-Yellowhead. We know what happens with these private members' Bills. We know they don't pass. But if you look at this particular motion in the minutes, it was brought forward by Stockwell Day as a recommendation by this committee. It passed because it came from us. If it came from Jerry, it would not pass. We know that.

So if this committee wants to do it, it can do it. We have a situation where we have a new Premier, where that Premier has said his hands are tied. We can untie those hands by making the recommendation. He deals with it next week, and let's see if these hands will be untied. We can provide him the opportunity he wants. All I'm asking for is that we get it to the Legislative Assembly as a recommendation from this committee. Then we'll debate it there, and I think we can resolve it in the House. But we're not going to resolve it by a private member's Bill.

MR. CHAIRMAN: Thank you.

All those in favour of the motion as sponsored by Edmonton-Whitemud, please signify. Opposed? The matter is defeated.

We have two more items with respect to . . .

MR. WICKMAN: Can I have the vote recorded, Mr. Chairman, please?

MR. CHAIRMAN: It will be recorded then. If it's to be a recorded vote, then I think we need to deal with a provision in Standing Orders where it relates to one particular member in this House. I would expect perhaps if the Member for Taber-Warner . . .

MR. BOGLE: I didn't vote, Mr. Chairman.

MR. CHAIRMAN: Yes, I noticed.

MR. BOGLE: You will note that when we last dealt with the matter, I did exempt myself. If you wish, I'll certainly do that now.

MR. CHAIRMAN: Well, I believe to conform to Standing Orders. I did notice that you did not vote, and because now it's to be a recorded vote, thank you.

Those in favour of the motion, please signify.

MR. KOWALSKI: Mr. Chairman, is it permissible to ask . . . Now this is a difficult question for me to ask. As I sit here in the position of Government House Leader, I've outlined a process that currently is available. It's on the point of the process that is available, not on the point of the motion, that I just abstain from voting. I would rather just leave the room and not participate than have what I'm saying be misconstrued. We haven't had the debate on the practice of double-dipping, and we can't pass legislation here, and we're not having a process for debate on the process of double-dipping, and it has been dealt with before, and until we have an opportunity for a debate, and on and on and on it goes. I think this is a strange way of doing things.

MR. CHAIRMAN: Well, with respect, Mr. Minister and hon. members, I'm being asked with respect to the voting. The Standing Orders deal very specifically with direct pecuniary interest, and you do not have direct personal pecuniary interest in this motion at this time. Therefore, I feel that you should stay in the House and have your vote recorded whichever way you choose to vote, but you cannot abstain.

MR. KOWALSKI: I can leave.

MR. CHAIRMAN: I'm not here to prevent you from leaving.

Now, the recorded vote. Those in favour, please signify. Edmonton-Whitemud, Edmonton-Jasper Place. Opposed to the motion, please signify. Edmonton-Highlands, Cypress-Redcliff, Grande Prairie, and the Minister of Energy, who also happens to be Calgary-Foothills. The motion is defeated. Thank you.

We would invite our colleagues back. Is that acceptable to Parliamentary Counsel? Thank you, hon. members.

The continuing concern of the Chair is that the general public's acceptance of the phrase "double-dipping" refers to things that people are not legally entitled to, and in this case these persons who are receiving the benefit, again I reiterate, are legally entitled to it. So I hope some of you are far more creative – I'm sure you are – as to another kind of phrase that might be used, rather than being so apparently casual about that phrase.

3:34

MR. McINNIS: Mr. Chairman, on a point of order. The Member for Edmonton-Whitemud said during debate words to the effect that Bill 282 could not pass because Jerry proposed it. I presume he meant the Member for West Yellowhead, and I presume he also meant that it could proceed if he, the Member for Edmonton-Whitemud, proposed it but not if the Member for West Yellowhead did. I believe that all members are equal in this Chamber and that we have an equal opportunity to put things forward. I don't see the logic whereby a member of the Liberal Party puts something forward and that's sound and wise and a member of another party does and that's a waste of time.

MR. CHAIRMAN: Thank you, and all members are indeed entitled to be referred to in committee as well as in the House by their constituency.

Parliamentary Counsel, would you update the committee with respect to the decision of the Supreme Court of Canada this morning?

MR. RITTER: Thank you, Mr. Chairman. Early this morning a decision was released by the Supreme Court of Canada in a case that Alberta was an intervenor in. On March 2 and 3 of this year a team representing the Legislative Assemblies of Alberta, Northwest Territories, and Yukon went to Ottawa to argue a case that was referred from the appeals division of the Supreme Court in Nova Scotia.

To briefly recap that case, the Nova Scotia House of Assembly at that time did not have rules that allowed access of TV cameras to their Chamber. A number of media outlets – eventually the case was carried by the CBC – sued the Speaker of the Nova Scotia House of Assembly for the right to bring in cameras. They wanted the court to review the Standing Orders of the House of Assembly of Nova Scotia to see if it was restrictive against the media and in fact was contrary to freedom of expression provisions in the Charter of Rights.

Alberta became interested. It's been reported in the media that this has been a case about access of media to the Chamber. In fact, to Alberta it represented much more. Whether the case was TV cameras in the Chamber or Speaker's rulings or the right of the Assembly to set its Standing Orders, Alberta became very concerned because it has always regarded the control, access of strangers, whether they be media or members of the general public, one of its privileges, its absolute right to determine what goes on its Chambers through the Speaker, but obviously the Standing Orders of this Assembly were created by the members. It has been a parliamentary-

ian's view that what goes on in this Chamber cannot be reviewed by outside agencies such as the government or the judiciary. So the question that Alberta was concerned with was the actual process of the CBC bringing the Speaker of the Assembly to court. If he couldn't control what went on in the Chamber, then exactly which of his actions were reviewable by a court of law? Who runs the Assembly? Is it the members or the courts? It was on this basis that Alberta became an intervenor.

The decision was handed down today. It was a full court, but then we had Mr. Justice Stevenson retire. Out of the eight judges that did take part in the decision, seven ruled in favour of the Assembly, thus overturning the trial in Nova Scotia and the appeal in Nova Scotia. It's a very, very significant decision, probably much more significant than most people will realize, because it generally affects the constitutional democracy, the parliamentary democracy that we've grown used to. In other words, the elected members of the people have the exclusive jurisdiction to determine how they do things to control their own procedure. The decision went further in saying that the privileges of every member of the Assembly in provincial Legislatures as well as federal ones are constitutionally entrenched in the Charter. It always was and always will be a part of the Constitution of Canada even though it's not specifically enumerated, and therefore with the procedure in this Chamber the Charter of Rights is not applicable to the privileges of the Members of the Legislative Assembly.

It's a very significant decision, Mr. Chairman. We still haven't read the full text of it. It's going to take a while to digest its 214 pages.

MS BARRETT: This is probably not of interest to very many people, but it is to me. I think members should know the size of the Nova Scotia Legislature and just what it was that the reporters wanted. The Leg. Chamber is about a third of the size of this room. It is 'eintsy-teintsy.' It might even be a quarter. Okay? It's really crowded.

What they wanted to do was actually roam the floor of the Assembly to do their filming, and that in fact is what caused the Speaker to say: uh uh, that's going too far; coming on the floor is fine; stay put. Just like our cameras do, but you can't roam. Now, in some jurisdictions they can roam, but they've got room, and it's not a problem.

I'm very intrigued by this decision. I'm going to read it because I can't believe that they would say that the Charter of Rights has no overriding effect on legislative chambers, under no circumstances. That seems to me an extreme decision.

MR. RITTER: If I could clarify one point, Mr. Chairman, the court has determined certainly not that it would apply in no case. Basically they said that the court still retained the jurisdiction to determine if something the House has done is within the ambit of a recognized privilege. In other words, privileges aren't unlimited. Privileges are not what the House says. Through hundreds of years there is a finite list of what constitutes a matter of privilege and what doesn't. Once the court decides that, yes, this is within the ambit of recognized privileges, the court says that it must step out. Privilege is within the exclusive domain of the Legislature. If the Legislature decided to create a new privilege such as white-skinned people with blue eyes not being allowed in the galleries or something, the courts would have every entitlement to say, "I'm sorry; that privilege hasn't existed," but it has always been a recognized privilege that the Speaker controls the media.

MR. CHAIRMAN: Thank you.
The Member for Barrhead.

MR. KOWALSKI: Mr. Chairman, I would love to receive a copy of this particular document when it is available, because I think it's rather important. When British parliamentary democracy and all of its traditions were being developed in centuries gone by, if the Speaker of the Legislature chose not to give in to the whims of the leader of the domain, the often used phrase was: off with his head. As centuries have gone by, the practice of the election of the Speaker has become part of a very fundamental process of the development of British parliamentary democracy.

In our case here in the province of Alberta we've always followed the tradition of an election of a Speaker. As I recall, Mr. Chairman, you yourself were elected as the result of a nomination put forward by the leader of the government, a nomination that was seconded by the Leader of the Opposition. I do not recall, when we were last here for the election of the Speaker, that there was another nomination put forward by any member of the Legislative Assembly. All members of the Legislative Assembly were then asked to vote ye or nay in support of the nomination, which, I repeat, was put forward by the leader of the government and seconded by the Leader of the Opposition.

With that came, though, a spirit of responsibility on all members of the Assembly that the rules of the Assembly would be determined by the men and women who sat in the Assembly, and Mr. Speaker's job then would be to invoke the rules created by the members of the Assembly, not the opposite way. There was never any seizing of responsibility by individual members to say that Mr. Speaker would become the new imperial majesty. He functions as a servant of the Assembly, and the rules are created by the men and women of the Assembly. It is his job, in fact, to responsibly enforce those rules.

If that's what this decision today reflects, then once again I think it's a wise statement in terms of the protection of democracy as we've grown accustomed to it, at least in those jurisdictions that follow the British parliamentary form of democracy. I guess it's probably only sad that in fact someone would have to go to court to get that reflected, because that means an outside force or an outside entity in fact might even be more supreme than the ultimate will of the people through its democratic process.

MR. CHAIRMAN: Thank you.

Just one brief comment with respect to some of your comments, Edmonton-Highlands. There is no jurisdiction where TV cameras can roam at will within the Chamber.

3:44

MS BARRETT: Oh, is that right? They used to in B.C.

MR. CHAIRMAN: They're too cramped. It's a space thing. I'm not aware of any jurisdiction in the British Commonwealth tradition of parliamentary democracy where it's allowed. In fact, most Chambers do not even have television coverage. It has only recently been introduced in Newfoundland, and as you know, it's only recently been introduced in the Mother of Parliaments at Westminster.

As for the decision, copies of it will be made available for all MLAs.

MS BARRETT: The whole thing or just the summation?

MR. CHAIRMAN: The summation. We have one or two copies. If any of you want to have copies of the summation right today, we can get them run off in my office. Certainly you might like to have one to take home. A press release is going to be made available sometime tomorrow to give summation of the material as well.

I would like to say a very special thank you in this regard to our Parliamentary Counsel, in particular Mr. Ritter. The research work

was done by his former associate, another Mr. Ritter – no relative, I gather – who worked very hard supplying our legal counsel, Sid Tarrabain. All of the table officers and staff and Robert were involved to a large degree. We were very much involved in getting some of the other jurisdictions across the country to wake up to the import of what was happening. That was one of the great values of being able to attend the meetings of presiding officers, to be able to give encouragement to some other jurisdictions that indeed what was at stake was a very fundamental right of parliament vis-à-vis the judiciary in this country.

So it's great, and I extend my thanks to everyone concerned. It's something that stands as a landmark in terms of parliamentary democracy in Canada. Thank you.

One other item to be revisited with the consent of the committee. Edmonton-Highlands.

MS BARRETT: Thank you, Mr. Chairman. Since Blake McDougall made his report, I talked to several people, himself and the Clerk included, about the speed with which this project can be completed. Having talked with at least the Member for Cypress-Redcliff – and I'm not sure who else I got to talk to from the members – what I would like to do is float an idea which I will do in the form of a motion. Of the \$25,000 allocated for drafting of this project, there's currently a little over \$12,000 remaining. When I talked to Blake, I said: would you be interested if the committee would free the money for you in using another \$10,000 to hire somebody else to work in tandem to speed up the project? Also, it turns out that the minister of public works has access through his department to some archived information which also may facilitate this.

So I would like to move, then, that we allocate \$10,000 more to the assistant deputy minister, Blake McDougall, to hire an additional person to work on the biographical project for the remainder of this fiscal year and also that Mr. McDougall be the person to hire such a researcher.

Finally – I'm sorry I don't have this in writing – that the remainder of that some \$2,000-odd dollars be made available to Mr. McDougall and the library for use at their discretion to help complete this book.

MR. CHAIRMAN: The Chair will accept the verbal motion knowing full well that all motions in future will be typed out.

MR. WICKMAN: Mr. Chairman, I have some very, very grave difficulties with the motion. What started off as a fairly simple process, I thought, a good concept where MLAs themselves were going to do the research and we were going to keep the costs down, more and more is heading towards a situation that could start running away. It was only two weeks ago, maybe three weeks ago – time goes by quickly – that we met with Mr. Hunter. We interviewed him, and we asked specifically: is this fee reasonable? Now, without us even having the opportunity of talking to him to see if there are problems, to hire another staff, throw in another \$10,000 – even if it's already there, why spend something that doesn't have to be spent? I'm just having real problems. If the member wants to refer it back to a committee or something and discuss it there, but I'm not prepared to support a request for \$10,000 for another researcher now, no.

MR. CHAIRMAN: Thank you.
Additional comments?

MS BARRETT: Before we wrap up, I'm totally amenable to doing that. I just want to put on the record that this is money that was

already allocated to the project; it just hasn't been specifically assigned. I'm perfectly happy to deal with the subcommittee on this.

MR. CHAIRMAN: All right. Then the substance of the motion in the opinion of the Chair is this: that \$10,000, the additional funds for the book project be available; that it be for the balance of this fiscal year, to March 31, 1993; that the individual would be hired by the assistant deputy minister, who is Blake McDougall; that the additional funds in the amount more or less of 2 and a half thousand dollars be used at the discretion of the assistant deputy minister working with respect to this project; and that this matter be referred to the subcommittee with power to act.

MS BARRETT: Right. So do you want me to withdraw that motion, Mr. Chairman? The record shows the dialogue.

MR. CHAIRMAN: Okay, with the unanimous consent of all members. Agreed to withdraw?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: The subcommittee will meet?

MS BARRETT: Yeah. On Monday I'll write notes to Alan and Bob and Percy.

MR. CHAIRMAN: In the opinion of the Chair we need a motion requesting the subcommittee to meet, and the subcommittee is empowered to take whatever steps it deems necessary.

MR. HYLAND: We have that.

MR. CHAIRMAN: You already have that power from a previous motion?

MS BARRETT: Yeah, we already do.

MR. BOGLE: As I expect we'll be back soon after the House rises to deal with budgetary matters through our regular Members' Services Committee, my suggestion would be that the subcommittee will be able to report and there will still be sufficient time.

MR. CHAIRMAN: On that understanding then. Thank you. The motion has been withdrawn.

The only other motion before us is a motion to adjourn.

MS BARRETT: So moved.

MR. CHAIRMAN: Thank you. Those in favour, please signify. Opposed? Carried unanimously.

[The committee adjourned at 3:52 p.m.]

