

## Special Standing Committee on Members' Services

2:05 p.m.

[Chairman: Mr. Schumacher]

MR. CHAIRMAN: Hon. members, friends, it's nice to see you all. We do have a quorum. I guess the first matter after welcoming you all on this bright and sunny day is to ask for a motion for the approval of the agenda that has been circulated or, if not, any suggestions for changes.

MR. STELMACH: A motion to approve the agenda as presented.

MR. CHAIRMAN: All those in favour?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Opposed? Carried.

The next matter will be the approval of the minutes. We do have draft minutes under tab 3(a) for the meeting of Wednesday, January 26, 1994.

MR. WICKMAN: I'll move them, but I do have a question dealing with page 9.94. That's the motion of Mr. Woloshyn, the "\$1,250 per constituency office . . . for stationery supplies . . . for a total of \$103,750." Now, when that was done, at the same time the stationery budget within the caucus budgets was eliminated. There was some understanding, at least I made the assumption, that we would receive \$1,250 worth of stationery per MLA in our caucus, and that would be funneled through the caucus office; in other words, that the caucus office could share in that \$1,250 worth of stationery.

MR. CHAIRMAN: Now, is there any response?

MR. WOLOSHYN: That's coming up later on the agenda, Mr. Chairman. The Clerk can correct me if I'm wrong. The money for stationery was reduced, and that reduction of whatever was left was then going to be distributed to be used in this building but charged against the individual constituencies on an individual basis. For whatever reasons that extra \$1,250 was never added onto there, so what's been happening now is that the postage that's been coming out of this building is being tallied, if you will, waiting for this meeting, Percy. Later on you'll see that I'll be putting forward a motion under New Business to in fact put that money into the constituencies so postage that went through this building can be drawn up to that maximum.

MR. WICKMAN: Okay. What will happen with the stationery within the caucus?

MR. CHAIRMAN: Just a minute, please. Maybe the Clerk can add some.

DR. McNEIL: If you look just above at that motion there moved by Mr. Woloshyn

that the amount of \$178,595 for stationery . . . be reduced by \$88,595, leaving \$90,000 to divide evenly between the two caucuses, with the caucuses having the authority to allot stationery supplies to the constituency offices.

That motion was withdrawn. So the motion was passed that the amount of \$1,250 per constituency office be allocated for stationery supplies for use by MLAs and staff in constituency offices.

That allocation for stationery is strictly for constituency offices, not for caucus offices.

MR. WICKMAN: You see, David, that wasn't my understanding at the time. That's the thing that I would hope we could clear up. I'm not asking for any additional money; I'm just asking for flexibility. Constituency offices, quite frankly, don't use that much stationery. Caucus tends to use a great deal more. So I'd just like to see the flexibility that those dollars be allocated however a caucus sees fit in terms of stationery.

DR. McNEIL: Well, the decision of the committee, according to that motion, was that it be allocated, you know, per constituency office. That money is there, but right now the committee's decision is to allocate it strictly to constituency offices. If the committee chose to change their mind on that, that's entirely up to the committee, but that's the motion that was passed.

MR. WICKMAN: Well, Mr. Chairman, I'd like to have reconsideration on the wording of the motion.

MR. CHAIRMAN: Did the chair understand Mr. Woloshyn to say that there will be a proposal made later under another heading that will get at this? That's incorrect; is it?

DR. McNEIL: That's with respect to postage I believe. This issue is with respect to stationery.

MS HALEY: I don't think you can go back and change the wording of it at this point. It doesn't mean you can't have a discussion about it later. We're on the minutes now; right? Put it under New Business.

MR. CHAIRMAN: There doesn't appear to be an error in the minutes, but there could be business arising from the minutes later.

MR. WICKMAN: Exactly.

MR. CHAIRMAN: Yes.

MR. WICKMAN: Okay. That's where I'll do it, Business Arising from the Minutes.

MRS. MIROSH: Just on that point, though, "moved by Mr. Woloshyn that the amount of \$12,000 for miscellaneous services and supplies for constituency offices remain." Is that in reference to the postage?

MR. CHAIRMAN: What item are you referring to? What page?

MRS. MIROSH: Page 9.

DR. McNEIL: No, that was not for postage. I don't have that in the budget.

MRS. MIROSH: What was it? Just stationery?

DR. McNEIL: I believe it was for things like computer supplies and so on: office supplies, pencils, pens, staples.

MR. WICKMAN: Mr. Chairman, if I might, that all comes out of the \$1,250. You see, I still think that the original intent -- and Stan I think is right on this -- was to have this money used by caucuses for stationery, but for some reason we chose to charge it against each

individual constituency office. Then on top of that, each constituency office would participate in their portion of that \$12,000 in the next motion that would allow constituency offices to go out and buy their supplies. I still think there's something wrong here, because there's no way a constituency office is going to use that much money for stationery. For us to order the stationery through the constituency office and then haul it to the caucus office and say, "Here's stationery now we can use." It would not be the intent. So will you allow me to raise it under business arising?

MR. CHAIRMAN: Well, I think I'll allow you to raise it, and the committee can deal with that. Yes.

There is a motion. Mr. Wickman has moved that these minutes be approved as circulated. All those in favour, please indicate.

HON. MEMBERS: Aye.

MR. CHAIRMAN: Opposed? Carried.

Next are the minutes for Thursday, January 27, '94.

MRS. MIROSH: I move that we accept the minutes as circulated.

MR. CHAIRMAN: Any discussion? Is the committee ready for the question?

HON. MEMBERS: Question.

MR. CHAIRMAN: All those in favour, please indicate.

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Opposed? Carried.

Now there are minutes for Monday, January 31, 1994.

MS HALEY: So moved.

MR. CHAIRMAN: Ms Haley moves.

2:15

MR. CHAIRMAN: Is the committee ready for the question?

SOME HON. MEMBERS: Question.

MR. CHAIRMAN: All those in favour, please indicate.

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Opposed? Carried.

Now, we do have business arising from the minutes. We'll add an item (d) re Mr. Wickman's point, but there is (a), the Farm Century Awards, which is under the names of Mr. Wickman and Mr. Taylor. It has to do with the plaques that are prepared for presentation to families who have had an operation for a hundred years, in which the plaque is charged to the constituency office. It's under a government program, but the MLA is involved in the presentation of same.

MR. WICKMAN: Mr. Chairman, Nick tells me that in the last while, no charges have occurred against his constituency budget for the plaques. His concern was that in the past without his knowledge it would just show up as a charge against his budget. He says that that doesn't appear to be happening anymore. If that's the case, then he's willing to let the matter drop. Was there a change in policy?

MR. CHAIRMAN: I'm not sure. I had one last January, and I was advised of the thing happening. I went to and was involved in the

presentation. I think I was charged for it, but I didn't mind. Well, I almost hurt myself carrying it; it was so big and heavy. I'm sure it was expensive, but it was a very nice thing to do. I don't know whether there was a change in policy.

MR. WICKMAN: Well, could we maybe have a report come forward on this?

MR. KOWALSKI: Mr. Chairman, perhaps the Clerk can help. When was a motion passed by this committee that constituency office allocations would pay for these plaques? When was that ever done here at a Members' Services Committee?

DR. McNEIL: I'm not familiar with any motion to that effect.

MR. KOWALSKI: Well, then, how can someone charge a bill against a member's constituency office allocation if this committee has not approved it? Where would be the basis for that?

DR. McNEIL: Unless it would come under the general promotional items in the budget. I can't answer that question. Unless the member approved it.

MR. CHAIRMAN: I'm not absolutely a hundred percent sure, but if memory serves, my secretary said that something came in from Alberta agriculture that required payment. I signed it, but I didn't know why.

MR. KOWALSKI: Mr. Chairman, the only reason I'm raising it is that this could become a rather interesting new cost factor for a select number of MLAs. In 1993 Alberta experienced the 100th anniversary of the first Ukrainian settler in Alberta. In 1994 Alberta will experience the 100th anniversary of the first Polish settler in Alberta. For each year for the next dozen or 15 years it'll become the 100th anniversary for somebody. Now, wherever the railroad went, those MLAs are going to get inundated. I'm not going to have any in Barrhead because nobody arrived until -- I'll be long gone. It'll be 25 years before I have to deal with this, and I'll probably be gone in 15. But whoever comes later, for some -- I think the Member for Vegreville-Viking, I think you, sir, in your part of Alberta, the Member for Three Hills-Airdrie, members along the Lethbridge-Medicine Hat corridor -- if they get 25 of these show up all of a sudden, they don't have a constituency office allocation. Where did Members' Services ever approve the expenditure of these as a required expenditure? If it's a voluntary one, that's different, but as a mandatory one this committee has never, ever mandated that.

MR. CHAIRMAN: As I recall my experience, it was a voluntary one, because something came in from Alberta agriculture.

MR. STELMACH: Mr. Chairman, what happens is that people are invited to nominate individuals who qualify under the criterion, and that is that you must live on that same property, retain the homestead quarter in the same family name for a hundred years or more. That in itself at this particular time is a difficult criterion to meet, but as time progresses, there's no doubt that we'll realize more and more of these events.

The other thing is that you are put into a difficult position as an MLA because if others receive these plaques and you decide, "Well, you know, I'm not going to participate, and I won't pay for it," the people don't receive the plaque, because Alberta agriculture does not pay for it or deliver that plaque or present it on our behalf. So it's a difficult situation and will get worse.

MR. WICKMAN: Well, Mr. Chairman, I'm going to move that this matter be referred to the administration for a report outlining some of the previous history as to how the program started, as to whether there are ways of reducing the cost per plaque, and to bring back a recommendation as to whether it should be incorporated in the individual constituency budgets and to speak to that.

At the same time, Mr. Chairman, it'll allow the member who initially raised it to be here at the next meeting.

MR. CHAIRMAN: Thank you. Any discussion on Mr. Wickman's motion?

Is the committee agreed?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Opposed? Carried.

Next is 4(b), Question Period Broadcast. I'll ask the Clerk to report on that.

DR. McNEIL: At this stage it's an information item that we have gone out to the marketplace with a request for a proposal as to the future broadcast of question period. That request for a proposal phase concludes at the end of this week. Then we'll have a better idea as to what our alternatives are with respect to providing TV coverage of question period along with either sign language interpretation or closed captioning of question period. We'll be in a better position to discuss this in relation to the '95-96 budget next month.

MR. CHAIRMAN: Any discussion on this report?

Now we have a notice of motion that the Committee recommend to the Legislative Assembly the establishment of an independent commission to review pay, benefits, and allowances of Members of the Legislative Assembly.

MR. WICKMAN: Mr. Chairman, let me move it to get it onto the table and then speak to it very briefly at this particular point. My understanding is -- and possibly Mr. Woloshyn can correct me if I'm wrong -- that there is a study going on at the present time, that that study is looking at the issues of pay, benefits, allowances, and so on and so forth, and that that report, being done by Peat Marwick, is expected to be tabled fairly shortly, an extension of the original report that was done some time ago. I'd like to hear from Mr. Woloshyn as to where that particular report sits and when we can expect to see it.

MR. WOLOSHYN: Okay. You're correct. The Premier's office commissioned that report, so it's not Members' Services. My understanding is that hopefully it will be done by the end of the year, and the Premier would then forward it to this committee.

MR. WICKMAN: Mr. Chairman, in view of that report coming down, possibly the most appropriate action at this time may be to table this, pending that report, to see what that report contains. Then we can make the decision as to whether we want to refer it to an independent commission.

MR. CHAIRMAN: Do we table the notice of motion? The suggestion is that this notice of motion be tabled until our next meeting. Those in favour?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Opposed? Carried.

Now we have Mr. Wickman's item from the minutes for January 26.

MR. WICKMAN: Mr. Chairman, I've drafted a motion here, and the motion reads

that the budget per constituency office of \$1,250 for stationery be allocated for use by both the constituency offices and the respective caucuses.

The intent of the motion is to allow the flexibility within the budget for joint use by the caucuses and the constituency offices.

2:25

MR. CHAIRMAN: Just before Mr. Kowalski, I noticed that *Hansard* for January 26 was quite clear. The discussion revolved around the constituency offices. I guess we need some type of opinion as to whether we can amend the budget at this stage, after it's been voted.

Clerk.

DR. McNEIL: This was an allocation within the MLA administration budget, so that money exists in the MLA administration budget. You're not amending the amount; you're just amending the purpose of where those dollars can be allocated by the motion that Mr. Wickman made.

MR. CHAIRMAN: Mr. Kowalski, did you wish . . .

MR. KOWALSKI: Well, Mr. Chairman, it seems like a pedantic point, but it seems to me that if you have a budget that's already approved by the Legislative Assembly, that's sacrosanct, and I'm not sure there's much flexibility in the committee being able to modify that or ameliorate it during a fiscal year. Now, it's quite a different thing to initiate a new budget proposal for the next budget. The Legislature has already voted on that, point one, and the Law Clerk and others will have to just determine or make a suggestion whether or not this committee should even look at it.

Secondly and more importantly though, I hope that there's no intent in what the Member for Edmonton-Rutherford is saying here, that he would take away from the independence of MLAs under constituency office allocations and move it into a caucus monolith. What has to be sacrosanct here and never forgotten is the purpose of this committee: to protect the independence and the integrity of MLAs, not to come here to be spokesmen for caucuses. Any change in a motion that's already been duly ratified by this committee which says there should be X amount of dollars per constituency allocation should not be, then, easily changed, because we're here to protect the independence of the Members of the Legislative Assembly, and we're not doing that by transferring dollars away from constituency offices to caucus budgets. That's a separate item.

So two points are made. Number one is whether or not this committee can deal with it now that the Legislature has already approved the budget for this fiscal year, and secondly, why this committee would want to do something that could take away from the freedom and independence of sitting members.

MR. CHAIRMAN: Ms Haley.

MS HALEY: It's already been covered.

MR. WICKMAN: Well, Mr. Chairman, to respond to it. When we stop and think about the constituency offices, the amount of correspondence and such that you have there and the limitation on the postage, which is a real limitation now because the postage is charged directly to the constituency budget, there is no way --

absolutely no way -- that a constituency office is going to use \$1,250 per year for stationery. What I'm saying is not to take it away from the constituency office, but if I determine my constituency office is only going to use \$300 for stationery in the current fiscal period and if caucus is short of dollars for mail-outs, whatever, that I be allowed to transfer unused portions of that to caucus. I would still retain the initial control of it. I'm talking about unused dollars, unneeded dollars.

MS HALEY: Well, just a question for clarification: is there anything stopping him from doing that at this point?

MR. WICKMAN: Is there? If there isn't, then there's no problem. I just assumed that there was.

DR. McNEIL: This money is allocated to the MLA administration budget, and it was voted by the committee for the purpose of funding constituency stationery. So at this point in time there's no authority, unless this committee provided that authority, to use it for caucus stationery. This money is not within the constituency budget proper.

MS HALEY: No. Exactly.

DR. McNEIL: It's within the MLA administration budget.

MS HALEY: Well, just some clarification. I would really like to understand what it is we're even talking about, because my understanding is that if I require stationery, I get the stationery. I mean, there isn't anybody out there telling me that you can't order your stationery.

DR. McNEIL: What would happen is that if you went above this \$1,250 limit in terms of the stationery you ordered for your constituency, anything above that would be charged to your constituency budget.

MS HALEY: Exactly.

MR. WICKMAN: But, Mr. Chairman, the point that Carol is missing is that in your caucus here, when you want stationery, that's not covered for you. That's what I'm talking about. There is no budget for stationery for the caucuses.

DR. McNEIL: The reason for that is that the committee voted last year to make that decision.

MS HALEY: That's right, after a full discussion.

MR. KOWALSKI: And you voted in favour of it, Percy.

MR. WICKMAN: Yeah, but it was my understanding that the flexibility was there, Ken.

MR. KOWALSKI: There are no line items within caucus budgets. There's just one bottom-line item. There's all kinds of flexibility within a caucus to buy stationery. There are no 400 lines. There's just one number for a caucus budget. Why can't you buy stationery if you need to?

MS HALEY: I haven't heard of anybody that didn't have any. I mean, that's reality. It's in the budget, and it's being paid for.

MR. WICKMAN: We've got a very active caucus, Carol.

MS HALEY: Well, stop sending so many letters to my constituents, Percy, and we'll get along better.

MRS. MIROSH: Percy, are you wanting to move that money that is unused into your caucus because your caucus doesn't have enough money within its current budget?

MR. WICKMAN: Well, we just lost another 42 grand, to be quite honest with you.

MRS. MIROSH: Oh, right. They're all moving out.

MR. WICKMAN: You guys came into another 42 grand. You're not sweating.

DR. McNEIL: An alternative here is that members can use their members' services allowance out of their constituency services budget. They can transfer up to 25 percent of that amount to their caucus. So there's an indirect way by transferring money from an individual's constituency office budget to the caucus budget up to the limit that's allowed in the order.

MR. WICKMAN: Are you saying that we can transfer 25 percent of the \$1,250?

DR. McNEIL: No, no. Of your total constituency budget into the caucus budget.

MR. WICKMAN: Yeah, but this isn't included as part of your constituency budget.

MS HALEY: Because it's a line item in your MLA administration. It's already there.

MR. CHAIRMAN: Any further discussion on the motion? Is the committee ready for the question on the motion?

HON. MEMBERS: Question.

MR. CHAIRMAN: All those in favour of Mr. Wickman's motion, please indicate. Those opposed? The motion fails.

Was there any other business arising from the minutes? Hearing none, we'll move on to item 5, New Business. There is an item under 5: (a) Members' Expenses -- Accommodation. I'd ask the Clerk to introduce this matter.

DR. McNEIL: This item arose as a result of a concern expressed by Mr. Friedel, which is expressed in a memo that's at the back of section 5(a), where he's concerned about the five-day special temporary allowance. In other words, five trips within his constituency is not sufficient to cover the amount of travel that he has to do within his constituency which requires overnight stay.

In looking at this issue, we would suggest some alternatives to deal with that. The first alternative we looked at was to create more flexibility in the Members' Services order so that members may also submit expense claims for extraordinary temporary residence up to a total of \$500 per year. This means that rather than claiming \$100 a day, a member might make a trip within his or her constituency and claim \$50 for accommodation and meals with receipts. So it wouldn't have an impact on the budget, but it would allow a little more flexibility in terms of using that total \$500 allocation. Another alternative suggested was to create special conditions for the allowance so that it would be different for certain members as a

function of their constituency size. A third option would increase the number of \$100 days available to all members.

Our recommendation in terms of this issue is the first alternative so that the draft members' allowances order is in these words:

Where it is necessary for the purpose of carrying out his duties as a Member, a Member may claim, and

(a) upon provision of receipts, be reimbursed for lodging, meals and incidentals for overnight accommodation, or

(b) be paid an allowance of \$100 per day for overnight accommodation

anywhere in the Province.

Again, up to a limit of \$500.

[Mr. Woloshyn in the Chair]

MRS. MIROSH: Mr. Chairman, did the member express that he wanted this increased, then, from the total claims not exceeding \$500? Did he explain that he wanted more?

2:35

DR. McNEIL: In his memo, which is right after that piece there, the way I read it he was not looking for the \$100 fixed; he was looking for the ability to charge the actual cost. So all this does is provide that flexibility.

MRS. MIROSH: I would suggest, Mr. Chairman, that we just leave it the way it is. The \$500 is sufficient to cover his expenses. There shouldn't be a problem.

MS HALEY: I concur with Mrs. Mirosch.

MR. KOWALSKI: Well, what does the current order say? Does the current order say: anywhere in the province? This is a request for a Member of the Legislative Assembly to use it for overnight accommodation within his or her constituency.

DR. McNEIL: Exactly.

MR. KOWALSKI: Now, the standing order itself, does it provide for that within a constituency? Have we done that in the past?

DR. McNEIL: Well, we have allowed claims for traveling within the constituency or anywhere else in the province.

MR. KOWALSKI: That's my point. Okay. So that's clear.

MRS. MIROSH: So it covers it.

DR. McNEIL: Yes, but the only thing being is that it's a straight flat rate of \$100 per day. What this proposal suggests is that rather than making it straight, if it only costs you \$50, you can claim \$50 with receipts, and therefore you have another \$450 upon which to draw. That's all. It just gives the member more flexibility in terms of using that total \$500 allocation. So it has no impact on the budget.

MR. DEPUTY CHAIRMAN: Any other speakers?

MR. BRUSEKER: Mr. Chairman, if I might just speak to the proposed, I guess it is, Members' Services order amendment here. It seems rather odd the way it's written to have a choice of either to go with receipts or not go with receipts and go with a hundred dollars. To have both of them within one Members' Services order doesn't make a whole lot of sense to me. I understand that the intent is not to exceed \$500 in a fiscal year per MLA. It seems to me that we'd go with either one or the other, but to have both in the same

motion seems rather peculiar. So from that standpoint, I don't like the way it's written right now, but my personal bias is to lean towards 7(1)(a) to be the way to go, which is to provide the receipts and be reimbursed for the receipts to the amount that's shown on the receipts. It seems odd to have them both on one Members' Services order.

MR. DEPUTY CHAIRMAN: Any further speakers?

MR. KOWALSKI: Well, it certainly provides for more book-keeping.

MS HALEY: We need more paperwork.

MR. KOWALSKI: That's what it'll do, significant moving around of pieces of paper. The system is clean right now, very, very simple, easy to process. You do it, you claim it, and that's it.

MRS. MIROSH: As long as it's under a hundred bucks.

MR. STELMACH: The amount is still capped at \$500. So let's say if the member spends \$65 in a hotel room this particular evening, makes the \$100 claim, and has \$35 left over, can't he apply that against the next hotel room? The bottom line is just capped, period, rather than going through the system of keeping individual receipts. Not all constituencies, mind you, would do this. Many of them can travel within the 24-hour period back home. It just allows for another responsibility on your part.

MR. DEPUTY CHAIRMAN: Okay. So any more?

We have before us a recommendation that would change Members' Allowances Order 7 which would have the either/or. If you support that motion, then we will have the provision of more bookkeeping coming in. If you defeat the motion, then we maintain the status quo under Members' Services. Is that correct?

MRS. MIROSH: Who made the motion?

MR. DEPUTY CHAIRMAN: When a motion comes forward.

MS HALEY: There is no motion.

MR. DEPUTY CHAIRMAN: No. This is for discussion yet, but if that would be the understanding?

DR. McNEIL: Correct.

MR. DEPUTY CHAIRMAN: Would someone please make a motion?

MRS. MIROSH: I make a motion that we just leave it at status quo.

MR. DEPUTY CHAIRMAN: All in favour? Opposed? Carried. Thank you.

Item 5(b), MLA Residence Telephones. Mr. Clerk, please.

DR. McNEIL: This is a proposal just to clear up an inconsistency. Right now in the order it seems to preclude the provision of a residence telephone if the member's residence is not within his or her constituency. So what this does is clear that up.

It also clarifies that the payment for cellular telephones under the MLA administration budget is for the provision of toll charges and not for the purchase or rental of phones. So that's what this amendment, which is on the back, proposes.

MR. DEPUTY CHAIRMAN: Speakers?  
Ken.

MR. KOWALSKI: I move approval of.

MR. WICKMAN: Just one question. I think this probably addresses a concern I raised a number of years ago. I did have that special government line put into the house, but because my normal number is listed in any case, I found it useless. So I asked to have it removed. I asked if it was possible to have that extra line in my constituency office for the fax machine we were getting, and they said no. Under this change, because I don't have a government phone in my house, I would then be allowed to charge the extra line; no?

DR. McNEIL: No. There's a standard provision for the number of lines to each constituency office. If you go beyond the line allocation that's provided to each constituency office, then the member is required to pay for any additional lines beyond the norm.

MR. KOWALSKI: And the norm right now is?

DR. McNEIL: It's two.

MR. BRUSEKER: Two lines and the RITE line.

DR. McNEIL: Yeah.

MR. KOWALSKI: Do you get a fax line too?

MR. DEPUTY CHAIRMAN: Yeah.

MR. BRUSEKER: But the fax line is not covered.

DR. McNEIL: Well, my understanding is that you can put a fax switch on one of the phone lines.

MS HALEY: You can just switch it onto your phone line.

MR. WICKMAN: Yeah, well, Mr. Chairman, I'm not going to get hung up on this. I'm just asking a question. We tried that for awhile, and it just caused problems because the fax would be busy and it shut one line down. It got us down just to one line in there. You know, my constituency office is busy, and that wasn't sufficient, so we went out and got another line that we're paying for ourselves.

[Mr. Schumacher in the Chair]

MR. BRUSEKER: Well, shouldn't the fax line be included in this?

MR. KOWALSKI: Well, I thought it was.

MR. WICKMAN: It should, but it's not.

MR. STELMACH: It is to your house though; it is to your residence.

MR. KOWALSKI: Well, we'd better take care of that next year, next budget.

DR. McNEIL: If the membership on the committee wants to change that, then that'll have more implications, and that's something that would probably be best discussed in the context of the next budget.

If you would like us to investigate the cost of that so that we're prepared in terms of budget discussion . . .

MR. KOWALSKI: That's a fax line for constituency offices.

2:45

MR. BRUSEKER: Would it not be appropriate to discuss that at this point?

DR. McNEIL: I think we want to discuss it, but it would probably be best to come back with some numbers at some point so that you know what the financial impact of doing that would be.

MR. BRUSEKER: Well, I would certainly like to see that, because I would hazard a guess that the vast majority of constituency offices now have purchased a fax machine out of their budgets and have fax machines in there.

MR. WICKMAN: Mr. Chairman, I'll move that the discussion . . .

MR. CHAIRMAN: No. There is a motion on the floor that first has to be dealt with before another one. Mr. Kowalski has a motion. Is there further discussion on that motion? Those in favour? Opposed? Carried.

MR. WICKMAN: I'll move  
that the discussion on the extra line for the faxes in constituency offices  
be referred to the administration for a report in preparation for the '95-  
'96 budget.

MR. CHAIRMAN: Any discussion? Those in favour?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Opposed? Carried.  
Item (c), Transportation Order -- Charter Air Service.

DR. McNEIL: This is just a cleanup of the orders reflecting the electoral boundary changes where Fort McMurray becomes in effect an urban riding, and therefore the provision of charter air service within the constituency is not a requirement. This order does that.

MR. BRUSEKER: So moved.

MR. CHAIRMAN: Is there a motion to accept this? Is there a motion? Who was it?

MR. BRUSEKER: Yeah, I moved it.

MR. CHAIRMAN: Oh, Mr. Bruseker.  
All those in favour?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Opposed? Carried.  
Now, Mr. Woloshyn under item (d), MLA Postage Charges.

MR. WOLOSHYN: Mr. Chairman, we have in committee eliminated postage quite severely in the last go-round. Then in April, when it was implemented, there was a bit of a reaction to constituencies being charged directly for mail that came out of this building. The charges were put on hold by administration until this committee could meet to discuss it. The Clerk's office has recommended basically -- and this is a transfer within the budget --

that there are funds in the nonsessional allowance which could be transferred over to cover postage generated by individual MLAs from this building, with a cap of \$1,207 per MLA. If you use up that portion and exceed it, then the part by which you exceed it comes out of your constituency budget. If you do not use up that portion, it stays within the administration budget. Is that correct, Mr. Clerk?

DR. McNEIL: Correct.

MR. WOLOSHYN: I would like to put a motion on the floor that \$100,800 be transferred from nonsessional allowances to freight and postage in the MLA administration budget, to be allocated evenly amongst all the MLAs to cover postage from the Legislature, with excesses over that \$1,207 being charged to the constituency. Any amounts not used by individual MLAs would stay within the MLA administration budget.

MR. WICKMAN: Well, just if I understand this correctly, we have to avoid getting it confused with the caucus mail though. For example, if I'm sending out 300 calendars instead of greeting cards -- one could send out greeting cards, but if one were sending those out -- and if I were to send them out through this building, that would come out of that \$1,250.

MR. WOLOSHYN: That's right.

MR. WICKMAN: Okay. That's good.

MS HALEY: Just a question for clarification. This is a one-time-only thing; isn't it?

MR. WOLOSHYN: To fix up this year. That's a good point. This would only do it for this year. We have to revisit it if you want it in for the 1995-96 budget.

MR. BRUSEKER: Mr. Chairman, I'm still not quite sure where this money would be going. Would this money be going to the caucus or divided up to the constituencies?

MR. WOLOSHYN: No. It would be going to cover the postage generated by individual caucus members of both parties for mail coming out of this building up to the limit of some 1,200-odd dollars, \$1,207. If you exceed that, then you pay out of your constituency budget. If you don't use up that amount, then it stays within the MLA administration budget, but it's not for reallocation.

MR. BRUSEKER: Okay.

MR. CHAIRMAN: Any further discussion? All those in favour? Opposed? Carried.

The next item is under the chair's name: Members' Benefit Costs. Under that tab there is a copy of a letter of November 18 that was sent by myself to Mr. Dinning, the members of this committee, the Public Service Commissioner, the director of human resources, and Senior Parliamentary Counsel. This is information more than anything else. It's just for our budget planning for next year. It relates primarily to the costs of extended benefits for former members, which we kept in our budget last year on the basis that there would be full cost recovery from former members of any benefits they received under this program, so they could still have the benefit of the group but not have any budgetary impact on the serving members of the group. For our budget planning purposes, is the committee still more or less of that view so we can proceed on that again?

MR. WOLOSHYN: We had that discussion last year.

MR. CHAIRMAN: Yes. Okay. Well, we just wanted to make sure.

MR. KOWALSKI: Mr. Chairman, just on that point, have you received any feedback from former members with respect to the policy implications and limitation data?

MR. CHAIRMAN: No. We understand that our carriers are monitoring this, but where the problem came from was the Treasury Department.

MRS. MIROSH: It's not costing us anything.

MR. CHAIRMAN: No.

MR. WICKMAN: My understanding, Mr. Chairman, is that if an MLA leaves for whatever reason, the coverage is continued on the existing basis for five years after. Then after that period of time it's covered at total cost to the MLA . . .

MR. CHAIRMAN: The former MLA.

MR. WICKMAN: . . . the former MLA until that person dies.

MRS. SCARLETT: Till age 65.

MRS. MIROSH: Oh, till age 65 only?

MR. WICKMAN: Until 65? Is it 65 or death?

MR. BRUSEKER: Sixty-five.

MR. WOLOSHYN: Both, depending which happens first.

MR. WICKMAN: But at 65 it's zappo?

MR. BRUSEKER: That's what it says, yeah.

MR. CHAIRMAN: All right. Clerk.

DR. McNEIL: There was some suggestion that members were not paying their fair share. The intent of this letter was just to provide the facts to the Treasurer as to just what the situation was and what the history was of these various benefit programs for members . . .

MR. CHAIRMAN: In addition to former members.

DR. McNEIL: . . . and former members . . .

MR. CHAIRMAN: I think there'd been a suggestion that even members weren't paying their share.

DR. McNEIL: . . . and to put members' compensation in the context of the total compensation picture, to not just look at the benefits but the total compensation aspect.

MRS. MIROSH: I want to get back to this age. You've got here "Age Considerations in Benefit Plans," to expand it up to the age of 70. Was that considered last time, or is that something to consider?

DR. McNEIL: That would be something to consider.

MRS. MIROSH: Because after you're 65 -- there's no magic number -- you still don't have an income and there's no coverage out there in the real world. So why do we stop at 65? Was there any reason?

MR. CHAIRMAN: Being over 60, the chair doesn't see any reason.

DR. McNEIL: The primary reason is that most of these plans have those provisions. If that were changed, in some of them there would be cost considerations. I can't remember exactly when they changed the participation age in the dental plan, but I believe it's within the past year. This is for the management group.

2:55

MRS. MIROSH: Can you get some information from McPherson & L'Hirondelle -- is that whom we still deal with? -- on whether or not that age can be extended?

DR. McNEIL: We haven't dealt with them.

MRS. MIROSH: Or other group insurance.

DR. McNEIL: Again I suspect there'd be cost implications.

MRS. MIROSH: Yeah, but if it's no cost to the government, as long as people are willing to pay.

DR. McNEIL: We'll check into that.

MRS. MIROSH: Okay.

MR. CHAIRMAN: Thank you.

MR. WOLOSCHYN: I would just like to compliment you on the thoroughness with which you responded to that concern, and I certainly appreciated getting a copy of your letter when you responded. I do want to compliment you on a job well done on this particular issue.

MR. CHAIRMAN: Thank you. We try to keep all members' interests protected.

MR. KOWALSKI: Well, I think, Mr. Chairman, that has to be repeated again, because there's got to be some vigilance coming out of the Speaker's office. The purpose and the reason is to protect the independence and the integrity of the MLAs, the Members of the Legislative Assembly, and not to be kowtowed by any internal group of headhunters.

MR. CHAIRMAN: The next item is (f), Legislative Assembly Salaries and Benefits Disclosure. The Clerk will carry this item.

DR. McNEIL: In the spring we received a Treasury Board directive requiring that information on salary and benefits be provided for publication in the public accounts for all Crown-controlled organizations. Our legal advice was that this Treasury Board directive did not encompass the Legislative Assembly, and we felt that any authority to provide this information through the public accounts should come on the direction of the Members' Services Committee. I for one did not feel comfortable about making that decision on my own, that we should provide information on Legislative Assembly salaries for that purpose. The question is: if it were provided, what information should we provide? The salary and benefits information for members is already provided in the public accounts, but I thought in terms of salaries of staff, whether

it be in the Legislative Assembly Office or in caucuses or constituency offices, that should be something that this committee should consider and make a decision on.

Our recommendation, in the spirit of disclosure, was that the Legislative Assembly Office salary information be provided but that the information with respect to salaries for caucuses and constituency offices not be put forward. That's our advice. We did not provide any information to Treasury under this directive. We didn't feel comfortable about doing so without the approval of the committee. So that's why this item is here: to seek the committee's advice on this issue and decision.

MRS. MIROSH: Is it Treasury Board or Treasury, the department?

DR. McNEIL: Well, it was a Treasury Board directive, but again this comes back to the issue of the independence of the Assembly and what we should do with regards to this kind of request, if you will.

MR. KOWALSKI: I think, Mr. Chairman, it's summed up very well by the Clerk in the background. That Treasury Board directive applied to Crown-controlled organizations. The Legislative Assembly is not a Crown-controlled organization. The whole history of British parliamentary democracy, the democratic model, is that the Legislature is totally independent. So you started off with the right premise: this is not a Crown-controlled organization so it doesn't apply. It doesn't apply to it at all.

What you've summed up in the last paragraph is very, very valid. We've had a long-standing policy around this table that the caucus budget would be one bottom-line number and nobody would go inside those caucus budgets to see whether or not the Liberals are buying 14 widgets or 13 sockets or whatever the heck it is. We've always said that was nobody's business, and that has to be the principle that has to be applied. It's applied very, very well in your recommendation. I find support for it.

MR. CHAIRMAN: Does the committee agree with the Clerk's recommendation that's contained in this report?

MR. WOLOSCHYN: What about paragraph one?

MRS. MIROSH: I don't agree even that our Leg. Assembly Office secretary's salary be published. As long as we're within our allocated budget, it's really nobody's business what I pay my secretary. I'm not going over my budget. The public knows exactly what it costs based on the number of voters. I think, again with the idea of independence, I don't even want my secretary's salary published. It's nobody's business.

MR. KOWALSKI: Doesn't that apply, then, to the caucus?

MR. CHAIRMAN: That's not being proposed.

MRS. MIROSH: I thought you mentioned that the salaries of the secretaries would be . . .

MR. CHAIRMAN: No, no. Maybe the Clerk will explain.

DR. McNEIL: It would be just the permanent staff of the Legislative Assembly Office: myself and my staff. My salary would appear individually, but then the managers and the other staff would appear in a grouping. That's my understanding of how this is done.



MR. KOWALSKI: Yours is made public anyway because we go through it when we go through the budget. Your salary is put before the committee anyway.

DR. McNEIL: Well, not specifically but as part of a grouping of salaries it is.

MR. KOWALSKI: I thought we looked at it individually. No? Okay.

MR. CHAIRMAN: Ms Haley.

MS HALEY: Well, is it appropriate or inappropriate to make a motion at this time? I'd like to keep things the way they are now, and I see no reason to do this.

MR. CHAIRMAN: Then your motion would be that the recommendation not be accepted and that the status quo prevail.

MS HALEY: Correct.

MR. CHAIRMAN: That would be your motion.

MS HALEY: That's the one.

MR. KOWALSKI: It's the Clerk's recommendation we accept?

MR. CHAIRMAN: No. She does not want to . . .

MS HALEY: No, because they want to disclose salaries.

MR. CHAIRMAN: Ms Haley does not want to disclose salaries.

MS HALEY: Correct.

MR. CHAIRMAN: The chair understands Ms Haley's motion is that the Clerk's recommendation be not accepted and that the status quo prevail.

MS HALEY: Correct.

MR. CHAIRMAN: Any discussion on this motion?

SOME HON. MEMBERS: Question.

MR. CHAIRMAN: Is the committee ready for the question on the motion? All those in favour of the motion?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Opposed? Carried.

MRS. MIROSH: We're in a Christmas mood.

MS HALEY: Wait till we come back in the new year.

MR. CHAIRMAN: Next is (g), Disposition of the Commonwealth Parliamentary Association Conference Revenue. Mr. Clerk.

DR. McNEIL: One of the things that we did which I guess was a new venture for the Legislative Assembly Office anyway was to recruit corporate sponsorship for the Commonwealth Parliamentary Association Conference. We obtained approximately \$25,000 in

cash donations and probably another \$15,000 to \$20,000 in goods and services. Now, because we in our '94-95 budget did not provide any estimate of what our revenues might be in terms of this fund-raising, the Financial Administration Act requires that these moneys we did obtain, this \$25,000, be deposited in the general revenue fund as opposed to being deposited to the Legislative Assembly, the CPA budget specifically, to offset the costs of the conference, without Treasury Board approval. I guess I'm reluctant generally to ask for Treasury Board approval for anything the Legislative Assembly does because I think that's inappropriate. In the long run, I don't think the Act should read that way, but in these circumstances our request is to obtain approval to deposit those funds in the Legislative Assembly budget.

MR. WOLOSHYN: Where are those funds now?

DR. McNEIL: They're in our budget right now.

MR. WOLOSHYN: If you identify those funds and continue without seeking approval, then what is the problem?

DR. McNEIL: Bill or Jacquie?

MS BREault: We don't know exactly, but more than likely it would be a comment perhaps by the Auditor General. I'm not sure whether Treasury has the ability or the authority to go in and actually change our ledger records. Those are the only two possibilities I can think of.

MR. WOLOSHYN: The reason I pose the question is that if you have the money and you are using it for a fund for offsetting charges, then I don't think this request is relevant or should even be considered. You have it in there, and I think that's your bailiwick. Proceed with it, and if an Auditor General in his wisdom should want to criticize that practice, then we'll cross that bridge when we come to it.

3:05

MR. CHAIRMAN: Parliamentary Counsel.

DR. McNEIL: Do you want to come up to the mike here, Frank, so *Hansard* can get you on record, please?

MR. WORK: It's a bit of a two-edged sword, as Ms Breault said. This is a net budgeting issue. I mean, we could net budget it if, as the Clerk said, the entry had been carried in our estimates. So in order to net budget you've got to have the entry in your estimates. You've got to anticipate you're going to have this source of revenue.

Then the second thing that happens is that you get the source of revenue and then you get more with Treasury Board approval. You can use the more in addition to what you've initially got in your estimates. In terms of the financial control of the Assembly over spending, the only way that happens is because of section 29(1.1) of the FAA, which allows it to happen on Treasury Board approval. The implications of just keeping the money without the authorization: I suppose the worst that happens, as Ms Breault said, is that you get singled out by the Auditor General for not obeying the law. I don't know if it would precipitate a brush war with Treasury over who owns what money or not.

I mean, I'm a lawyer, and my disposition is to jump through the hoops. I think if you consider the general issue of net budgeting and whatever the government of the province's commitment to it is, in a way this is sort of a good opportunity for the Assembly and the Leg. officers to maybe springboard into the concept of net budgeting,

which in my view they don't have right now. Net budgeting is a government opportunity at the moment, not a Legislative Assembly opportunity.

I just wanted to make the point that you may see this as an opportunity to get the Assembly some net budgeting prerogatives.

MR. WOLOSHYN: What would happen if the Clerk or the Speaker wrote a letter to Treasury informing them that this money existed and where you had placed it and that it will become a supplement at the end, as an adjustment? Budgets are adjusted during the year. You add a line to your budget, and this committee approves the addition of that line. I find it strange that if you would have had it written in the submission, you wouldn't need all this, and now you do. Nothing has changed.

DR. McNEIL: Yeah. In discussing this, one of the things that I believed was that this doesn't encourage flexibility in adapting to situations as the year goes along. What happened is that in February or March we said: well, let's try this to see if we can generate some revenue for this conference. And we did that. Because we didn't include it in the budget, then we're penalized, and I think that's unfair. My preference is to not request Treasury Board approval and proceed and see what happens.

MR. WOLOSHYN: Why didn't you say that?

MR. KOWALSKI: First of all, I want to commend you for having run a very successful Commonwealth Parliamentary Association Conference that netted up with a positive side to the balance line. That's very commendable. Congratulations.

MR. CHAIRMAN: Yes. It's the biggest one we've ever had in Canada.

MR. KOWALSKI: It's just excellent.

So the second point then. What's the issue here? You've got \$25,000. Is that correct?

DR. McNEIL: Yes.

MR. KOWALSKI: It's sitting there in an account. Now, the dollars that come into the Legislative Assembly from the gift shop: are they payable to the Provincial Treasurer? Or do you have a revolving fund? There's no revolving account within the Legislative Assembly.

DR. McNEIL: We anticipated that revenue, so that's okay.

MR. KOWALSKI: Okay. But it's now December 13, 1994. You've got 25 grand. If you don't spend it by March 31, 1995, you're going to lose it anyway.

DR. McNEIL: That's correct.

MR. KOWALSKI: So my question to you is: what do you want to spend the money on? I mean, it's one thing to hold \$25,000 and, say, not go through the process of getting approval to keep it from under the Financial Administration Act, but what are you going to do with the \$25,000? It has to be approved by this committee.

DR. McNEIL: Well, it offset the cost of the conference, plus it appears that within the same House services budget there's going to be an overexpenditure in the security budget because of the early start to the session last year and another month and a half, or

whatever it will be, in February and March to cover. So those funds could be allocated to cover that overage because it's all within that same budget. Any funds that aren't expended go back into the general revenue fund as of March 31, 1995, anyway.

MR. KOWALSKI: So you're just dealing with a process here.

DR. McNEIL: Exactly.

MR. KOWALSKI: That's all we're doing. Well, I think the process has to be dealt with. It seems to me that the longer term thing is to make sure there's some provision for a revolving account that can go on, because there's one thing to take these dollars as a profit side and not have to expend them, but with a revolving account they can be retained to another fiscal year.

MR. WOLOSHYN: I gather you don't have \$25,000. You've got some obligations against this money.

DR. McNEIL: Yes, exactly.

MR. WOLOSHYN: Well, I would have to suggest to you that you just go do your thing. If you want to write a letter, write it; if not, forget it.

MR. CHAIRMAN: Okay. No motion required on this then? All right. Thank you.

Item (h). We have an item under Freedom of Information.

DR. McNEIL: I thought it would be useful just to provide a very short briefing to members so that they are aware of what some of the impacts will be of the Freedom of Information and Protection of Privacy Act with respect to the members themselves. You'll see there that under the Act many of the records that are now held by the Legislative Assembly Office will be or may be subject to disclosure under the Act.

MR. CHAIRMAN: It should have been exempt.

MS HALEY: Yeah. This is crazy.

DR. McNEIL: For information, for example, the Legislative Assembly of Ontario: this kind of information is exempt from disclosure under their Act.

MR. WOLOSHYN: Do you mean to tell me that the telephone bills that we're running up in this building somebody, whomever, could access under the law?

DR. McNEIL: That's correct.

MR. WORK: What freedom of information does is make everything that's a public record subject to the Act and everything that a public body has custody of. The issue isn't ownership or control; the issue is custody. The Legislative Assembly Office is defined in the Act as a public body. So everything that the Leg. Assembly Office has custody of, never mind whether it's theirs or not or never mind what conditions it was given to them under, is producible under the Act unless there's an exemption for it. Now, the Speaker is the head of that public body. Under the Act, the Speaker is the head of the Legislative Assembly Office public body. Anything that's a record in the custody of a public body: a request can be made to produce it, and then what the head of the body has to do is determine whether or not there's an exemption for it. I forget the section, but there is an

exemption for any kind of legal privilege, and parliamentary privilege is probably a part of legal privilege. I mean, the Supreme Court said so anyway. So there are some things.

You know, it's hard to do an exhaustive list; right? I mean, with every record we've got, some things the Speaker may well be able to claim, "This is a matter of parliamentary privilege; we're not going to produce it." But then the Speaker's decision is reviewable by the commissioner. So the commissioner can come and say: "Well, Mr. Speaker, I don't really think those telephone bills are subject to privilege. I don't think the exemption would apply to them." So what the Clerk has done is give some examples of the things that we're looking at at least having to entertain requests to produce. Now, whether or not there's an exemption in each case, we haven't had the time to go through.

3:15

MR. KOWALSKI: Well, Mr. Chairman, the commissioner, whoever he will be, will be a servant of the Legislative Offices Committee. The commissioner is the servant of the Legislative Assembly. The Speaker is not the servant of the commissioner. The Legislative Assembly has got to be protected. Otherwise, you'd go at the fundamental question: what is a democracy? I'm going to keep coming back to that. You're going to hear this constantly from me, because there are a lot of things happening which are eroding the independence of this Legislative Assembly.

When it comes to the privileges of elected people, they are sacrosanct. If there is any potential in here of long-distance telephone bills being released to any requester -- we had a point of privilege raised in the Assembly against me this last session, and I'll fight to the death to make sure that there will be protection for any phone call made by any person in that Assembly. That is nobody's business. Any person in this democracy of Alberta has the right to see any elected person in total privacy and must know that there's privacy associated with that. When we start getting away from that, we've got real problems.

So it seems to me it's fundamental in here, Mr. Law Clerk, that there's got to be a mandated exemption for the Legislative Assembly, and the Speaker should not even be in a position of having to judge what will be made available or will not be made available. That will become very subjective and very, very dangerous. A Speaker who wants to deviate from his sworn office of duty to the Legislative Assembly could very well decide in a moment of meanness or mean-spiritedness or political opportunism to release information from a member of a particular caucus for whatever reason at the time. He should not even be put in a position of having to make a subjective decision with respect to that. He is a servant of the Legislative Assembly, and he must be there unbridled, unbiased, nonpartisan to protect the interests of everybody in that Assembly.

MR. CHAIRMAN: Mr. Work on that point before going to Mr. Stelmach.

MR. WORK: Yeah. You might want to be aware, Mr. Kowalski, that MLAs' constituency offices do not fall within the Act, so that which is under the custody and control of an MLA's office you can't even request. While the Act was being read in the House, we were able to get an amendment, you might recall, exempting the Speaker's office from the Act as well. We would have liked to have gone further at the time.

MR. KOWALSKI: Are caucuses exempted then?

MR. WORK: No, sir.

MR. KOWALSKI: Caucuses are not exempted?

MR. WORK: Caucuses are legally nonentities.

MS HALEY: They're just made up of individuals.

MR. WORK: Yeah, that's correct. They don't really have a presence. As MLAs your offices are exempt, so your communications with your constituents, stuff you do on their behalf with WCB or whatever, social services, that couldn't even be requested. The issue here is that which comes into the possession of the Legislative Assembly Office.

I'm going beyond this issue. I shouldn't . . .

MR. WOLOSHYN: No. You're right on the issue. Keep going.

MS HALEY: It says right in here: "includes the detailed monthly constituency allowance statements."

MR. WORK: Okay. So if a legislative committee -- Leg. Offices, this committee, whatever -- puts documents or information into the hands of the Legislative Assembly Office, on the face of it it's producible unless we find an exemption for it. Now, caucus isn't really an entity that's attachable under the Act, but anything that a caucus does that comes into the custody of the LAO -- phone bills, expense accounts, and so on -- I would say on the face of it will be subject to the Act unless there's a specific exemption for it.

MR. STELMACH: Mr. Chairman, I wonder if we could get some clarification. In the Vegreville-Viking constituency you can hardly phone anywhere without using long distance because we have probably eight different area codes. That means that the long-distance bills are . . .

MRS. MIROSH: It's 403.

MR. STELMACH: Well, whatever it is.

MR. CHAIRMAN: Exchanges.

MR. STELMACH: Exchanges, yes.

MR. CHAIRMAN: You don't have much extended flat rate service there.

MR. STELMACH: That's right, especially after the CRTC took it over.

Anyway, if somebody calls me with an issue related to WCB, social services, which is confidential, but the long-distance bills are released -- now, they're generated through my office, but they're released -- it's very easy for somebody to pick up and phone that number and say: why did you call Ed Stelmach on such and such a date?

MR. KOWALSKI: You're not suggesting that that is even going to be possible; are you?

DR. McNEIL: Yes.

MR. KOWALSKI: No. You will destroy the fundamental reason for this place to exist. All I have to do is ask for a disclosure of all Liberal telephone lists for the last three months? That I can do; right?

MRS. MIROSH: Then it becomes a political war.

MR. WICKMAN: Mr. Chairman, on a point of order. It was said earlier that the constituency office is exempt.

MR. CHAIRMAN: Well, except that your telephone bill for the constituency office comes into the LAO to get paid, and they have custody of it.

MR. WICKMAN: Right, right, right.

MR. CHAIRMAN: That's the problem.

MRS. MIROSH: Everything does, though. I mean, this is really stupid, because everything out of my constituency office is paid by the Leg. Assembly line by line. So how do I keep it exempt unless you give me the whole lump sum and I pay for it myself? This is ridiculous.

MR. CHAIRMAN: I know, but you still have to give something to get the money, and they'll have custody of it. There's no way around it.

MRS. MIROSH: So how do we become exempt from this then?

MR. CHAIRMAN: Well, there has to be an amendment to the Act. I suppose we're raising this now to make both sides of the House aware that perhaps there should be an amendment to this Act under a miscellaneous statutes amendment to look after this matter. If people on the government side can convince the Minister of Justice to do that and perhaps people on the opposition side could go along with that -- I don't know. People should be aware, though, of what the situation is.

MR. KOWALSKI: Mr. Chairman, do I understand correctly that if a member right now wanted to ask for the telephone lists of every Liberal MLA, all 32 of them . . .

MS HALEY: Only 31.

MR. KOWALSKI: Well, whatever it is.  
. . . for September, October, November, they would be released?

MR. BRUSEKER: No, because the Act hasn't been proclaimed.

MR. KOWALSKI: I know: subject to the proclamation of the Act. If the Act were proclaimed, they would be released?

MR. WORK: The Speaker as the head of the LAO would have to entertain the request. He could then look for an exemption. Now, there is the parliamentary privilege exemption. But you see the distinction here: it's one thing to be out of the Act, and it's another thing to be in the Act but exemptible. Like, one just means you're outside, and the other one means you're inside but you have to keep applying the exemptions, if they're available.

MR. WOLOSHYN: Could you craft something that makes sense that would take this all off the table if it were put through?

MR. WICKMAN: Well, we'll bring it back at the next meeting.

MR. KOWALSKI: You have to get your caucus and our caucus if you want to go over this later.

MR. WORK: Yes. As the Clerk said, there is precedent for it in that Ontario has exempted Legislative Assembly operations. I'm not sure to the exact extent that they have.

MR. GANO: They just don't include the Legislative Assembly Office as a public body.

MRS. MIROSH: Period. The whole thing: caucus and all.

MR. WORK: So there's precedent for it. It's easy enough, but given the sensitivity of the issue, it was important that this committee talk about it.

I guess the other question is: in terms of sponsoring an amendment or getting an amendment brought to the attention of government, the Legislative Assembly Office itself doesn't have an entrée.

3:25

MR. KOWALSKI: No. What you have to do is draft something that there would be agreement among the Members' Services Committee, agreeable to both caucuses. In other words, if there's agreement, it can go through miscellaneous statutes. If there's no agreement, then that's another subject. We get all their telephone bills.

MR. WOLOSHYN: And if both sides agree, it just goes through.  
For next meeting, Frank?

MR. WORK: Yes, sir.

MR. CHAIRMAN: The next item is (i), 1995-96 Budget Guidelines.

DR. McNEIL: This is really an information item to advise members that we are putting together a three-year budget estimate with those elements that the Legislative Assembly Office is in control of, achieving at least a 20 percent reduction overall from the 1992-93 actual budget expenditures. So the budget proposal we will place before you in January will reflect these guidelines, and we'll have some information for you as to what kind of output measures, what kind of services are being provided to the different groups -- the Speaker, the members, the caucuses, the constituency offices, the general public, and the public service -- to give you some sense of for what purpose these dollars are being allocated and which client groups, if you will, are being served.

MR. KOWALSKI: That '92-93 base here, that's the one we're talking about, Mr. Clerk?

DR. McNEIL: Correct.

MR. KOWALSKI: As we end this fiscal year on March 31, '95, what percentage will have been attained?

DR. McNEIL: I think it's around 10 percent. I think it's 9.65 percent.

MR. KOWALSKI: And the guideline was just a guideline?

DR. McNEIL: Correct.

MR. KOWALSKI: Mr. Chairman, I think you've scheduled a meeting here for the early part of January. Is this correct?

MR. CHAIRMAN: Yes, the 4th and 5th.

MR. KOWALSKI: I will not be here for those meetings, but I would like the committee members to know -- one more time I'm going to make this very determined argument -- that the Legislative Assembly is the final court in the province of Alberta, and anything that takes away from the independence and the freedom and the opportunity for MLAs to function on behalf of their constituents and the people I think would be very retrogressive. This budget and the Assembly have to be dealt with differently than any other. It's not a department of government. It's not an agency of government. It is the government in the sense that that's of the total, and it has to be dealt with in a very judicious manner. It should not be just something that you have to deal with, arriving at certain percentages if in fact that derogates or takes away from the independence of the member to serve his or her constituents and the people of Alberta.

MR. CHAIRMAN: Any further comments on budget guidelines? We will await that item with interest at the next meeting.

Is there any other business to be brought before this meeting?

MS HALEY: Motion to adjourn.

MR. CHAIRMAN: Well, the dates of the next meeting: is the committee agreed that the dates that have been suggested of January 4 and 5 at 9 a.m. each day are satisfactory?

MR. BRUSEKER: That's here again, Mr. Chairman?

MR. CHAIRMAN: Here, yes. Is there agreement to that?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Now the chair will entertain a motion for adjournment. Mr. Woloshyn. All those in favour? Opposed? Carried.

MR. WOLOSHYN: Merry Christmas, Mr. Chairman.

MR. CHAIRMAN: Merry Christmas to you.

[The committee adjourned at 3:29 p.m.]

