



Legislative Assembly of Alberta

The 29th Legislature  
First Session

Special Standing Committee  
on  
Members' Services

Tuesday, February 9, 2016  
1:02 p.m.

Transcript No. 29-1-1

**Legislative Assembly of Alberta  
The 29th Legislature  
First Session**

**Special Standing Committee on Members' Services**

Wanner, Hon. Robert E., Medicine Hat (ND), Chair  
Schmidt, Marlin, Edmonton-Gold Bar (ND), Deputy Chair

Cooper, Nathan, Olds-Didsbury-Three Hills (W)  
Cortes-Vargas, Estefania, Strathcona-Sherwood Park (ND)\*  
Fildebrandt, Derek Gerhard, Strathmore-Brooks (W)  
Luff, Robyn, Calgary-East (ND)  
Malkinson, Brian, Calgary-Currie (ND)\*\*  
McIver, Ric, Calgary-Hays (PC)  
McLean, Stephanie V., Calgary-Varsity (ND)  
Nielsen, Christian E., Edmonton-Decore (ND)  
Nixon, Jason, Rimbey-Rocky Mountain House-Sundre (W)  
Piquette, Colin, Athabasca-Sturgeon-Redwater (ND)  
Schreiner, Kim, Red Deer-North (ND)

\* substitution for Marlin Schmidt

\*\* substitution for Stephanie McLean

**Also in Attendance**

Clark, Greg, Calgary-Elbow (AP)  
Jabbour, Deborah C., Peace River (ND)

**Support Staff**

W.J. David McNeil	Clerk
Allison Quast	Executive Assistant to the Clerk
Bev Alenius	Chief of Staff to the Speaker
Robert H. Reynolds, QC	Law Clerk/Director of Interparliamentary Relations
Shannon Dean	Senior Parliamentary Counsel/ Director of House Services
Brian G. Hodgson	Sergeant-at-Arms
Cheryl Scarlett	Director of Human Resources, Information Technology and Broadcast Services
Scott Ellis	Director and Senior Financial Officer, Financial Management and Administrative Services
Janet Schwegel	Managing Editor of <i>Alberta Hansard</i>

1:02 p.m.

Tuesday, February 9, 2016

[Mr. Wanner in the chair]

**The Chair:** I'd like to call the meeting to order. As I look at my peers around the room, you're all experienced committee – this is my first time in this room, so I'm going to be looking for collective guidance from you. We are going to do a little bit of an experiment with PowerPoint usage today. There are some items, though, housekeeping matters, that I would like to begin with.

I would like to welcome you to this first meeting of the Special Standing Committee on Members' Services for the 29th Legislature.

There is one item that needs to be decided upon before we can begin any of our business. Section 6 of the Legislative Assembly Act permits participation in a committee "by means of telephone or other communications facilities that permit all Members participating in the [event] to hear each other if all the members of the committee consent." For members' information, the committee rooms are equipped to facilitate meeting participation via teleconference. Any members participating today via teleconference may not move a motion or vote on any motion put forward in this respect until a motion is passed to agree for their participation via teleconference. Of course, for the members to participate in this meeting, the committee must pass a motion unanimously to allow for teleconferencing today, or members may instead pass a motion to approve meeting attendance by telephone for the duration of the Legislature. This, of course, would not preclude the committee from determining that members' attendance in person at a specific meeting is required.

I am wondering if there is a member who would like to move that

for the duration of the 29th Legislature the Special Standing Committee on Members' Services permit members to participate in meetings via teleconference.

**Mr. Nixon.** A motion, then, to allow teleconferencing for the Legislature. All in favour? Opposed? Thank you. Motion is carried.

We also have to deal with respect to the substitutions that we have. Substituting for the hon. Mr. Schmidt is Member Cortes-Vargas, and for the hon. Ms McLean is Mr. Brian Malkinson.

Committee membership and support staff. I think we could move that slide along there. There are the members of our committee meeting today.

We are now going to go around the table if we could, and I would ask that each of the members and those joining the committee at the table introduce themselves for the record, including those who are participating by telephone.

**Cortes-Vargas:** I'm Estefania Cortes-Vargas, and I'm the MLA for Strathcona-Sherwood Park, substituting for the hon. Marlin Schmidt.

**Mr. Nielsen:** Chris Nielsen, MLA for Edmonton-Decore.

**Ms Luff:** Robyn Luff, Calgary-East.

**Mr. Piquette:** Colin Piquette, Athabasca-Sturgeon-Redwater.

**Mrs. Schreiner:** Kim Schreiner, MLA for Red Deer-North.

**Mr. Malkinson:** Brian Malkinson, Calgary-Currie, substituting for the hon. Stephanie McLean.

**Mr. Cooper:** Nathan Cooper, MLA for the outstanding constituency of Olds-Didsbury-Three Hills.

**Mr. Nixon:** Jason Nixon, MLA for Rimbey-Rocky Mountain House-Sundre.

**Mr. McIver:** Ric McIver, MLA, Calgary-Hays.

**Mr. Fildebrandt:** Derek Fildebrandt, Strathmore-Brooks.

**Mr. Ellis:** Scott Ellis, Legislative Assembly Office.

**Mrs. Alenius:** Bev Alenius, Speaker's office.

**Mr. Clark:** Greg Clark, MLA, Calgary-Elbow.

**Mr. Reynolds:** Rob Reynolds, Law Clerk and director of interparliamentary relations.

**Mrs. Scarlett:** Cheryl Scarlett, Acting Clerk, administration; and director of HR, IT, and broadcast services.

**Ms Dean:** Shannon Dean, Acting Clerk, procedure; director of House services; and Senior Parliamentary Counsel.

**The Chair:** Are there any other members participating by teleconference? I understand that Ms Jabbour may be participating. We're having difficulty hearing you.

**Ms Jabbour:** Let me try again. Hi. Can you hear me now?

**The Chair:** We can hear you now.

**Ms Jabbour:** Okay. Debbie Jabbour, Peace River, calling from the north.

**The Chair:** Yes. You're a long way from Edmonton, almost as far as Medicine Hat is from Edmonton.

For members, a quorum is four members including the chair. The microphone consoles are operated by the *Alberta Hansard* staff, and thank you for that. I would ask that you keep all of your phones and PDAs off the table as these can interfere, I'm told, with the audiofeed. The audio of the committee proceedings is streamed live on the Internet and recorded by *Alberta Hansard*. Audio access and meeting transcripts are obtained via the Legislative Assembly website.

Members of the Legislative Assembly who are not committee members or official substitutes may attend and participate in the meetings, but they may not vote, move motions or amendments. That's in respect to Mr. Clark and to Ms Jabbour, who are with us. Even though any member can attend and discuss matters on the floor, the chair will give first consideration to those members who are appointed to the committee. Are there any questions?

To the substitution issue. SO section 56(2.1) outlines the process for substitution of committee members, which I think all of you are familiar with, but for the record:

A temporary substitution in the membership of a standing or special committee may be made upon written notification signed by the original Member and filed with the Clerk and Committee Chair, provided such notice is given not less than 24 hours prior to the meeting.

When substitutions occur, it's the responsibility of the original committee member to ensure that the substitute has been provided with all the necessary meeting material, and all of those obligations were achieved in my office on time.

1:10

Now, just moving to the mandate. Under the various sections that apply to this committee under the Legislative Assembly Act, this committee has the responsibility to set the pay and benefits for

members. The committee approves the parameters for the annual estimates for the Legislative Assembly Office. That's one of the major points why we're here today, those parameters. It will include allocations for members' pay and constituency offices and may modify regulations, orders, or directives under the Public Service Act and the Financial Administration Act. The committee also sets members' allowances, constituency office allowances, and members' benefits, and establishes human resource, information technology, and financial policy for the Legislative Assembly Office.

As you will have noted in our introductions, the acting clerks are here with us today, and thank you to both of you for the help and assistance you have provided. Mr. Reynolds serves as the Law Clerk and counsel assigned to this committee, and Allison Quast, as we all know, is the committee clerk. We may also call on any managers of the Legislative Assembly Office to provide support and information if and when required.

Now, I believe all members are aware that the Clerk, Dr. McNeil, has retired after 28 years of service to this Legislative Assembly. Since his resignation was submitted to me, I have consulted with the leaders of each of the caucuses; directors, managers, and staff of the LAO; and representatives of caucuses who sit on this committee as to what they believe are the role and the core competencies that we would hope to have for the Clerk into the future and to give them, the Legislative Assembly, a means to have input. I would take this opportunity to thank all of you who provided input and in particular those members of this committee who are assisting in this process, which continues to be ongoing. It was my hope that I would have been further ahead with respect to this matter, but I hope to make a final decision on this matter sooner than later. So I appreciate your patience on that matter.

Now to the agenda. There have been two pieces of information – Member Cortes-Vargas and Mr. Cooper submitted both items – that they would like added to the agenda. The agenda that is before you and that was posted does not include these new items. I would propose the following: that we consider the Cortes-Vargas motion on the agenda as the first item under new business. My suggestion as to why to do that is that it has a direct bearing on the parameters, which is the next item on the agenda. The item from Mr. Cooper is the last item under new business because I know Mr. Clark has been waiting a long time for this matter to come forward.

A mover for the agenda of the special standing committee being adopted as amended: I'd be prepared to accept a motion on that. Mr. McIver. Are there any comments or questions? All in favour, say aye. Opposed? Thank you.

Oh. Also, my apologies, Mr. Fildebrandt. I think I heard you say aye as well. Is that correct?

**Mr. Fildebrandt:** Correct. Just assume that I'm voting with my caucus unless I say otherwise.

**The Chair:** I'm sorry. We're having difficulty hearing you.

**Mr. Fildebrandt:** Please just assume that I'm voting with my caucus colleagues unless I'm saying otherwise for the record.

**The Chair:** I think that was a joke, but I didn't hear it. But it sounds good. Thank you very much. I know you have almost as far as Medicine Hat to go as well, so the lines get fuzzy out there.

If you look at your amended agenda – it's not on the screen – there are two matters that were, at dissolution of the 28th Legislature, remaining items. The first one is a request to extend the former benefits past age 85 . . .

**An Hon. Member:** Seventy-five.

**The Chair:** Seventy-five. I was planning ahead.

If we could just go to the next slide there, Roger. Previous Members' Services Committee members were provided with a document entitled Extended Benefit Options for Former Members, and Mrs. Scarlett provided an overview of the existing benefit plans for former members. As outlined to the committee, the administration is looking at additional options to be available. The report from Mrs. Scarlett is in your packet and posted as appendix 4, attached to the 29th Legislature. Mrs. Scarlett agreed to provide the committee with the summary of the options for review in addition to the jurisdictional survey of former member benefit programs at a later date.

I would also wish to advise the committee members that I have had a visit by the executive of the former members' association on this matter. I had that meeting with them in 2015, and they requested that this matter be considered on this agenda again. As the committee was unable to deal with this matter by the end of the 28th, I would now welcome your guidance and direction for myself and for the LAO with respect to this particular matter.

Is there a member who is prepared to pass a motion to continue to pursue the former member benefits issue? Mr. Nielsen.

**Mr. Nielsen:** Well, thank you, Mr. Chair. I would like to get just a little bit more time to review the info, maybe a cost analysis if possible. So I would like to move, just to get updated numbers, for a cost analysis for our next meeting to look at this. We could defer until then.

**The Chair:** So we get two parts to your motion, Mr. Nielsen? One is to get a cost analysis and to defer to a future meeting?

**Mr. Nielsen:** Yes, if not the next.

**The Chair:** Are there any comments on the motion?

**Mr. McIver:** I respect the motion that is put forward, but the question that I was going to ask – and I'll ask it now because it's not only pertinent to the motion but also pertinent to what was moved. What's in the document suggests but doesn't explicitly state that this won't cost the taxpayers any money. Do we know if that's true or not true?

**Mrs. Scarlett:** For a clarification, the item that was on the agenda previously was the outstanding question asked in terms of: is there a possibility through our providers – and what would be the impacts? – of taking and extending the current participation age from age 75 to something greater than that? What we're looking for is direction here, whether this committee wants us to pursue in terms of going back, finding out what would be the implications of that, and also bringing back to the table a crossjurisdictional survey so that you could see what other jurisdictions do so that then you could take and deal with this issue.

**Mr. McIver:** Okay. I very much appreciate the answer, Mr. Speaker, but a shorter way of saying that would be: we don't know yet whether it'll cost more until we do a little work.

**The Chair:** If I understand the motion, I think there's some concurrence on that matter.

**Mr. McIver:** That's a good clarification for me, and I'll be supporting the motion.

**The Chair:** Thank you.

Are there any other questions or comments to the motion, which essentially would be that we ask the staff to do a cost analysis and to bring back the matter at a future date?

**Mr. Nielsen:** Correct, Mr. Chair.

*1:20*

**The Chair:** All in favour, say aye. All opposed, say no. Thank you. The motion is carried.

Now, the second matter that was left over from the 28th Legislature is a matter concerning gender-neutral language in Members' Services Committee orders, and the background material for that item is also in your packet, which was posted.

At the December 9, 2014, meeting there was a request from MLA Dr. Sherman with reference to gender in consolidated Members' Services Committee orders. The chair referred the committee to Dr. Sherman's letter dated May 8 and the chair's response dated June 4, 2014. The chair at the time indicated that updating the consolidated Members' Services Committee orders is an ongoing project, including gender-neutral language, and that revised orders are routinely brought forward. I have been advised by the staff that Parliamentary Counsel is currently working on proposed changes to the orders that will incorporate gender-neutral language, and these will be brought forward for the committee's approval at a future date.

Is the committee prepared to make a motion? Do we need a motion on this one? Is there any desire for a date to have this matter come back, or are you prepared to leave it up to the staff's discretion in prioritization? Your wishes? Proceed? Nothing specific? So the notes would say that the LAO staff are working on it, and we'll be bringing it forward at a future date. Agreed? Thank you.

Now, if I might, I've been in meetings with the LAO staff for some time, and they have been at work looking at budget numbers and some parameters which we're dealing with today. This is probably the essential part of this committee meeting today.

In my notes I forgot about the amendment to the agenda. Member Cortes-Vargas.

**Cortes-Vargas:** Absolutely. Yeah, what I wanted to discuss during this meeting was to cement the wage freeze for MLAs to fulfill our October 2015 commitment.

**The Chair:** Mrs. Schreiner.

**Mrs. Schreiner:** Thank you, Mr. Chair. In the October 2015 Budget Address the Minister of Finance stated: "Our government will propose that members of this House agree to freeze the salaries of the members of cabinet, MLAs, and political staff positions for the entire term of this Legislature; in other words, until after the next election."

Mr. Chair, at this time I would like to fulfill this commitment by moving that

the following sections of the revised Members' Services Committee orders are amended by striking out "for the fiscal years commencing April 1, 2013 and ending March 31, 2017," and substituting "for the period commencing April 1, 2013 until two months after the first day of the 30th Legislature": the Executive Council salaries order, section 1.1(2); the members' allowances order, section 4.1(2); and the members' committee allowances order, section 2(2).

Thank you.

**The Chair:** Thank you.

Are there any members who would like to speak to the motion? Mr. Cooper.

**Mr. Cooper:** Thank you, Mr. Speaker. It's great to see you this afternoon.

I had the opportunity on one particular occasion to rise in the House and speak to this particular issue, and at that time I was in support of the idea of freezing MLA salaries. I was a little concerned at the way the announcement came out at that time. I think you might recall some of my concerns, so I'm glad that those can be addressed today here at Members' Services by the committee going through the necessary and appropriate steps to see this freeze come into action.

While I fully support a freeze, I do get a little concerned about members' salaries becoming political footballs. I think that if we look outside of elected officials, there are very few people who set their own salary, and I think we run some significant risks if we continue to make it such a political issue. So while I'll be supporting the freeze today and the motion for it to be taking place for the entire period of the Legislature – I think it's important that we show leadership on these issues when it comes to restraining costs – I do think that on a go-forward basis perhaps the committee should consider some other ways in which the salaries of MLAs can be set so that it doesn't wind up being quite as political and so that we aren't voting for ourselves cuts or wage increases or whatever the case may be. I think we can find other jurisdictions that find ways to set MLA salaries in a significantly less political manner, and I think we would be well advised to consider that in the future.

As for today I will be pleased to support the freeze, and I'm glad that we've actually got to a point where the appropriate committee is doing the work that it needs to do to make that freeze happen.

**The Chair:** Thank you, Mr. Cooper.

Are there any other members who would like to speak? Mr. McIver.

**Mr. McIver:** Thanks, Mr. Speaker. I agree for the most part with the comments made by my colleague from the Wildrose, and I will say, because I think it bears saying based on those comments, that there was a process, with an independent committee set up that delivered a report recommending wages, that intended to depoliticize, if you will, which is the intent of the previous speaker. So, certainly, the intent I'm in favour of. To be clear, that report came forward shortly after or very close to the 2012 election, after which time the government of the day and the Members of the Legislative Assembly of the day chose not to honour that report. Those taxpayers listening will be happy to know that those in the Legislative Assembly actually chose at the time to take less than what was recommended by the independent committee.

This in no way is taking back my support for what the other member said about wanting a nonpolitical method of setting wages. We tried that. I don't think it would be fair to say that it didn't work. It's just notable that the Legislative Assembly of the day and the government of the day chose to take less money than what was recommended by an independent process.

Yes, I will be supporting the motion to freeze the wages and the salaries, Mr. Speaker.

**The Chair:** Are there any other members who would like to speak to the motion?

I think you all have copies of the motion, that are being distributed.

*1:30*

**Mr. Malkinson:** Just to follow-up on this, I'm in support of this motion because I believe that, you know, with a lot of the work that the government is doing in regard to these challenging times, fiscally, it's important that we lead, that the actions that we have

asked others in the government to do, we ask the same of ourselves. For that reason, I am supportive of this motion for a freeze for the duration of this Legislature, until next election.

**The Chair:** Thank you.

Any other members who would like to speak to the motion? Having heard and seen the motion, all those in favour, please say aye and raise your hands. Opposed? A unanimous vote on that. The motion is carried.

Now, in effect, that actually wouldn't have had a bearing because there was a freeze in place till 2017. This one simply extends it. It does not have any direct bearing, but it does provide guidance to the staff and to the Speaker's office with respect to the longer term future.

If we could, then, I would like to quickly refer to the slides that are here. You're going to have an overview of the Legislative Assembly Office and the budget process, and certainly some of the staff who are present will assist and advise if required.

The role of the Legislative Assembly Office. The origin of the establishment of the Legislative Assembly and its office can be traced to 14th century England, when Parliament elected the first Speaker and appointed the first Clerk. Because the Speaker has administrative authority over the office, it is sometimes called the Speaker's department; however, it is not a government department, as was referenced in our dialogue in the last several minutes. Its current title was made official when the Alberta Legislative Assembly Act was passed in 1983.

Next slide. Now, the various branches of the Legislative Assembly Office are the office of the Clerk and management services; financial management and administrative services, FMAS, as it seems to be known; human resource services; information technology services; legal services and interparliamentary relations; House, research, and committee services; Legislature Library services; corporate communications and broadcast services, the room that we are actually in now; and visitor, ceremonial, and security services. We'll just move through these sections at a very high level. You have in your packet, which was posted, some more detail with respect to this matter, but my hope is that we can, at a very high level, give direction to my office and to the LAO about the parameters that are being proposed.

The MLA administration budget. The parameters and assumptions for 2016-17: that's what you're dealing with today, and it's only for the period ending March 31, 2017.

Next slide, branch budgets. It's proposed for all branch budgets that no general inflationary factor be budgeted for operational costs. So the various branches and services that support all members of the Assembly will have no general inflationary factor included, which may be a slight exception from the past, but a similar practice was most probably approved in past years as well. There are no market or in-range – that means both ranges – increases or merit increases for LAO management and nonmanagement staff. Staff benefits will be budgeted based on the actual premiums or anticipated changes in premiums. These are rather small items, but they're based on what the actual costs are. Essentially, unless there are significant premium changes, those would be the only things that would be included.

Now, the driver for many of the services is the time that we spend in the Assembly. Based on the letter for the planned session provided by the Government House Leader in January, we have 70 sessional days, based on that sessional calendar that was provided to us. There are eight additional sitting hours per week, based upon our experience thus far, that will be incorporated into that and 81 committee meetings estimated at three hours per meeting.

Next slide. As the motion seemed to solidify now, there is no increase in MLA remuneration, and there are no anticipated or planned benefit plan increases for MLAs.

Next, members' allowances. These would be reimbursable expenses and costs of services. There are no increases in that area. Mr. Clark's matter, which is before us later on in the agenda, may provide us with greater clarity, but that will be covered again.

Also, constituency office staff benefits. Those are health and pension plan premiums. We are budgeting based upon the actual premiums and experience. That will be based on what actually happened in the past year.

Within the Members' Services constituency budget, there are sort of four elements that exist. The first is the constituency offices' staff, the people that work in our offices back in each of our communities. There's no increase for market, nor is there an increase for in-range or merit adjustments for any constituency staff. For the operation of our offices, what we all spend in our offices for paper and all of those things: no general inflation increase will be applied. It will require each of us to manage judiciously.

Communications items. These are the expenses for communication with our constituents. That's based on the current postage amount of 90 cents and a return of 90 cents, for a total of \$1.80, and based on the most recent list of electors. This is provided, I believe, by the Chief Electoral Officer. It would be the most recent data that we have. There may be some changes, based upon the distribution of numbers, from one constituency to another.

There's also the promotional element. This is the area where we are sharing information with our electorate about decisions of the Assembly. We are proposing that no general inflation amount be added to the base and that the most recent provincial population figures be used. That will address and bring us up to speed on any population changes that took place in each one of our constituencies.

The final item is the matrix element. I think all of us have discussed that matrix application in the past. It's proposed that the matrix score remain at existing levels and that there be no increase in funding for this element.

Next, caucus staff. Those are in your various caucuses, where they do exist. No market or in-range merit increases, no general inflation factor applied. Now, there will be a slight increase from 2015-16 as a result in the increase of private members. Now, in the last couple of months, as we all know, there have been some shifts of numbers. We now have 34 private member seats in the Legislature . . .

**1:40**

**Ms Dean:** Mr. Speaker, no. That's just for the NDP caucus.

**The Chair:** Oh, I'm sorry. I had only part of the number here.

Scott, do you have that exact, up-to-date number? My apologies.

**Mr. Ellis:** Yes. For the Legislature going forward into 2016-17 there are going to be 67 private members in total, spread amongst the caucuses. The comparable number for '15-16 was 66, so there's a slight increase there.

**The Chair:** My apologies. This was only one part of the information that I had here.

Next slide. There have been a number of major initiatives, not the least of which is rooms such as this, which assist all of us in our decision-making role as representatives of our constituents. There will be no increases in this budget amount over the funding level for 2016-17. They will be the same amounts as have existed in the past. There is some additional work with respect to rooms like this

that needs to be completed, but there's no increase in the amount other than what was approved last year.

Next slide. There, at a very high level, are the parameters that we would propose, that the staff would propose on a go-forward basis.

Any discussion? Mr. Malkinson.

**Mr. Malkinson:** Thank you very much, Mr. Speaker. I like the direction of that budget. I wanted to ask a couple of questions just for clarity, to make sure I understood the presentation correctly. You know, one of the things, as alluded to in our previous discussion, is that we are in tough economic times, and we want to make sure that Albertans are heard on where they would like us to go with these budgets. I just want to check on the compensation for LAO management and nonmanagement staff. That is getting frozen for all staff, management, and nonmanagement, and it's going to be held at the March 31, 2016, levels, correct?

**The Chair:** I believe that's the proposal.

**Mr. Malkinson:** Okay. Just further to that, for our constituency management and nonmanagement staff, so our full-time and part-time CAs, the same thing applies. It's going to be frozen at the March 31, 2016, levels, with no market or in-range or merit increases.

**The Chair:** That's what's being proposed, but that can be changed. Any of these items can be changed just so long as we have agreement on what the direction of the committee is.

**Mr. Malkinson:** Okay. Well, if that's the case, I mean, I'm definitely supportive of those two measures. Like I said, we have difficult circumstances, so I think this would be the type of moves that Albertans would like to see us make.

Lastly, just on the slides about our caucus management and nonmanagement staff: same thing. That's being frozen for all levels, management and nonmanagement, with no in-range increases.

**The Chair:** That's correct.

**Mr. Malkinson:** Okay. Thank you, Mr. Speaker. I just wanted to make sure that we were clear that that was indeed the intention.

**The Chair:** Thank you.

**Mr. McIver:** Mr. Speaker, looking at the agenda today, with the item coming up talking about benefits for pregnant Members of the Legislative Assembly, my question for you is: if indeed we pass what's before us now, will it make the other motion coming up out of order? I guess what I'm asking specifically is: should we table this until we deal with the other items and then come back to this? If we pass the other items, will we be required to come back to this and then make an adjustment within the hour of when we first passed it, potentially?

**The Chair:** Staff could clarify if need be, but I think that with the size of this budget, even on a policy decision like that, we would still stick with the parameters and adjust accordingly so that it will have a slight effect.

**Mr. McIver:** So the further items considered today would be absorbed within what we're talking about right now and not require an increase in a few hours?

**The Chair:** Correct.

**Mr. McIver:** That is a very good clarification. Thank you.

**The Chair:** Mr. Cooper.

**Mr. Cooper:** Thank you, Mr. Speaker. First of all, I'd just like to take a brief moment to thank the LAO staff, who year in and year out – I've had the pleasure of being in the precincts here for the last number of years, and I know that they do an incredible job with the resources that they are allotted and also often work day and night so that we can accomplish the tasks that Albertans have sent us here to do. Certainly, from the Wildrose caucus we'd just like to express our thank you to the LAO. Particularly, in this case I recall seeing the meeting notes for the proposed December 9 meeting, which had included at that time a number of proposed increases, and since that time we've seen the LAO take a real leadership role in recognizing some of the challenges that the province faces, so they've proposed for us zeros all across the board, and I think that they should be commended for showing such leadership.

Certainly, it's our hope that the government takes the lead of the LAO and sees some of the good work that they're doing as they move into their budget preparations. We need to ensure that the government is doing everything that they can as well during these tough economic times as we see the LAO branch preparing for us. Particularly, zeros across the board will mean that they need to find efficiencies, which I believe that they can do, as well as our caucus staff. I know that the Wildrose is committed to finding those efficiencies, and I trust that everyone else will be.

Just the one quick note that I did want to make in addition to those comments is that they've proposed 70 sessional days, and I just might make comment that the proposed dates from the Government House Leader include only 53 sessional days. I'm not sure how that might affect the projections, and I understand that we will see a bit more detailed numbers as we move closer to the estimates project. If I could just get a little bit of clarification around the 53 compared to the 70 days and how we do that.

**The Chair:** I'd ask Ms Dean to answer that question.

**Ms Dean:** Thank you, Mr. Chair. If you take into account the first three months of the next calendar year, that would be included in our 70 sessional day count. I'm not sure where you're counting the 53 days, if that's from the 2016 calendar, because we'd also be sitting the months of February and March for this forthcoming fiscal year.

**Mr. Cooper:** Okay. So on the sessional calendar produced there are 53 days, but this takes into account a projected spring sitting in the following year.

**The Chair:** That's correct. It is 70, and it is based on experience as well as what was provided on the projected plan.

**Mr. Cooper:** But traditionally the House does sit closer to 50 days than 70 days annually.

**The Chair:** I'm not sure about that. Staff who've been here – I don't think anything is traditional around here these days.

**Ms Dean:** If I can comment, Mr. Speaker. That number has been used for many years, and it's based on the calendar as proposed in the standing orders. Certainly, sometimes we deviate from that calendar. Sometimes we start a little later in the spring. Sometimes we start a little earlier in the fall. But we've used that 70 sessional days as a parameter for many years since those changes have been made.

**Mr. Cooper:** Excellent. Thank you.

Certainly, I and, I would expect, my colleagues also will be very pleased to support this document in terms of the spending freezes.

**The Chair:** If I could just add a comment on what Ms Dean said, we will get into this discussion when we come back after these parameters are approved. I think I would urge all of the members from all of the caucuses to begin to focus on the number of hours rather than days that we're in. That's really the driver. When we're in a session, there's a series of support staff, *Hansard*, pages, security guards, you know, et cetera, et cetera. I'm urging that we as a group begin to talk about the concept of the number of hours that we're there.

Mr. Piquette.

1:50

**Mr. Piquette:** Well, thank you, Mr. Speaker. Point well taken.

I also want to speak in favour and appreciation of the direction that the LAO has taken on the budget parameters. I just wanted to, you know, speak also to just make sure that the LAO staff does understand that if anybody deserved to have merit increases over the past year, with this unprecedented change in government and just the countless hours and effort that have gone into making this place continue to run as it has – our support for this freeze does not in any way reflect on the excellence of the work that you've been doing and our appreciation for it and is simply a reflection of the difficult times that we all face.

**The Chair:** Thank you to all of the committee for your appreciation. It's my privilege to work with these people. Every time I and/or you collectively make a change in decision, it usually requires a whole lot of work by a lot of other people.

Mr. McIver.

**Mr. McIver:** Well, thanks, Mr. Speaker. What percentage of the approved budget does the LAO expect to use during the current fiscal year?

**The Chair:** I'm sorry. Can you try that again?

**Mr. McIver:** Do you intend to use the whole budget this year, or will we have some left over, or will you overspend it? What percentage will you use, estimated, obviously? We're talking about estimates. I get that.

**The Chair:** I'm cautious about making guesses about those sorts of things. We have done some work on projections based upon quarterly – I would only say this, and staff could correct me if I'm wrong. It would be my sense that it will come in below what we had approved in here. It will not exceed that number. The degree to which that happens: I'm not sure if we have an accurate – but maybe if we could address that question when we come back, we'll have a little bit more track record behind us, and we will have more detailed evidence to support the answer to that question.

**Mr. McIver:** Yeah. Well, thanks, Mr. Speaker. I think it speaks to perspective. Obviously, if the LAO is going to underspend their budget by 20 per cent this year, then having a zero per cent increase next year is a very small sacrifice. If, indeed, the LAO is going to overspend their budget by 20 per cent yet live within that, that's a very big sacrifice. My expectation is that the truth is somewhere in between those two admittedly wide-ranging examples that I just gave. I think perspective is important as we consider what's before us today.

**The Chair:** Point well taken.

**Mr. McIver:** Nonetheless, I think that as far as setting the tone for some of the budgetary challenges that we may be facing as we go forward, starting with a zero, I think most Albertans would say, is

a responsible decision to make, perhaps with some sacrifice. The amount of sacrifice would be known when I get my question answered.

**The Chair:** Thank you. I will.

**Mr. McIver:** Thank you.

**The Chair:** Any other comments?

I'm therefore looking for someone that might move a motion that the 2016-17 Legislative Assembly budget parameters be approved as circulated.

Mr. Malkinson. Are there any questions or comments about the motion?

Hearing none, I would ask that those in favour raise their hands and say aye. Those opposed, say no. Thank you. I appreciate your support, members, and I know that staff will take your points, the various questions, to heart. I declare the motion carried. Thank you.

We have a very patient member of our Legislature with us today. I would welcome Mr. Clark. You have a copy of a letter which he sent to myself several months ago. I have asked administration to provide the committee with a briefing note that would hopefully add some clarity to the issue. This is also included in your briefing materials, I understand.

Welcome, Mr. Clark. Before I turn it over to you, sir, for some comments, I would like to remind the committee that Mr. Clark is not a member of this committee and therefore cannot make a motion nor vote on any of the motions, but members are welcome to attend on a go-forward basis and address issues such as Mr. Clark.

Mr. Clark.

**Mr. Clark:** Thank you very much, Mr. Speaker, and thank you for the opportunity to present before this committee. I guess I want to talk a bit about where this idea came from. I know I've had conversations with many of you about this issue over the past few months. From my perspective, I think it's one of the real benefits of electing a new slate of MLAs and ultimately electing a new government every now and then, because we bring a fresh perspective. I for one don't like answers that start with: well, that's just the way we do things around here.

Having said that, I want to acknowledge Mr. Ellis in particular and LAO staff, who have done some excellent work in helping me understand how things actually work. But in spite of those patient explanations on the part of LAO staff, including this thorough briefing note, I find it challenging to draw any parallel with any other prior experience I have had in the private or public sector in the way that MLA living expenses are reimbursed.

So maybe I'll just take you briefly through my experience as I first sought to find a place to live in Edmonton. I went and talked with a former member who actually reached out to me and said: "I've got this apartment that you can take off my hands. It's a rental, and I haven't purchased the place." He said that it was very close to the Legislature. I won't name names, but he said: "It's very close to the Legislature, and the great news is that it's only \$1,050 a month, which means you get to pocket \$700 a month extra, tax free. Isn't that a great deal?" I said: "Well, it doesn't feel right. It kind of feels like the sort of thing that would come back to bite all of us down the road."

Now, I want to acknowledge that \$1,930 a month for accommodation and expenses in and around the Legislative Assembly is not too much money. In fact, for many members, those with families or even just those who rent or acquire a place, that's not an outrageous amount of money. My concern is that I have to tie myself in knots – it's difficult to claim less. I know that we can claim for the rate for the number of days that we're in town, but I'm

not actually in town six days a month. When the Legislature is sitting, I'm in town a lot more days than that, and when it's not sitting, I'm not in town for that many days. So what it feels like is that we have to work around the rules. Really, what I'm proposing here, based on the note I sent to all committee members yesterday, is that we add two words to section 6(1) of the members' allowances order allowing us to claim an allowance up to the amount of \$193 a day, or \$1,930 a month.

There's been some concern that perhaps this adds administrative burden and overhead to the LAO. I would submit that should it be required, we would provide receipts. That's a process that already exists within the LAO for all sorts of other different expenses, and I would imagine that it's not going to add a tremendous burden administratively.

I would also argue that it sets an expectation for us as members that we're not to claim extra over and above what it actually costs us to live in Edmonton. That, I think, should be broadly interpreted. There are all sorts of examples where perhaps something like snow-clearing service – that's a legitimate, I think, expense. If you're not in your place for weeks at a time, someone needs to shovel the walk. I think that no Albertan would expect that that's not a legitimate expense. I also think that this is the sort of thing that Albertans expect of us. They would expect, especially in difficult times but even in great times, that we are following best practice and common practice, that this is not a roundabout way to find a few extra dollars to put in your pocket at the end of the day.

2:00

What I would suggest, perhaps, is that by passing this, putting the words "up to," it allows for us to claim a specific number. The mechanism I can see is that we have a lease in our own name, that specific amount would be reimbursed, and perhaps the LAO could provide for us a guideline of allowable expenditures. So something like heat and electricity and Internet access is allowable, but you know, perhaps not the fanciest TV cable package in the world, something like that. But even in that, if we're concerned about administrative burden, I think we could even do it on an honour system, where we say: "You know what? It costs me about this much every month, and this is what I'm going to submit."

I think what we'd find is that we reduce overall costs and what we've done is, I think, what Albertans would expect of us. I suspect that if each of us were to ask our constituents, they would want us to do exactly this. It is an opportunity for us to show some leadership, and it's certainly much more in keeping with practice I've seen everywhere else. Frankly, I've never seen anything quite like this, where you receive a flat amount for a living allowance and you're not reimbursed simply what it actually cost you. I don't think any of us here should be getting ahead.

With that, I will turn it over to committee members to discuss. I'm happy to add anything else. I also just want to thank you all for the opportunity to present this.

**The Chair:** Thank you, Mr. Clark.

The Chair recognizes Ms Luff.

**Ms Luff:** Yeah. I want to thank Mr. Clark for bringing this motion forward, and I just want to say that we really appreciate the effort to increase transparency and to be more fiscally responsible, and we absolutely agree with the intent of the motion as put forward.

We did have some discussion amongst members regarding the particular intent of the motion. We understand – and I've had some conversations with Mr. Clark – that we should be able to claim what we're actually spending. The point is not to claim a flat allowance but to claim what we're actually spending. Members on this side

feel that in order for that to really work, we should actually be claiming our expenses, so receipts probably need to be provided to show our actual expenses because month to month your expenses might be different. They might be more in the winter than they are in the spring; your utilities change, things like that. Instead of, you know, estimating generally what you think you're spending a month and averaging it out, you actually claim what you're spending.

We've had some discussion with the LAO about this to ensure that, you know, we're going in the right direction and that we are not having an extra burden. As you specified, we're looking for a guideline for what acceptable allowances would be.

At this time I would like to propose the following motion. We propose that the committee direct officials of the Legislative Assembly Office to provide the committee with a draft amendment to the members' allowances order at its next meeting that would require members to claim expenses for temporary residence accommodation instead of receiving an allowance. I have copies of the motion here.

**The Chair:** Could we have that document circulated to committee members? Thank you.

Are there any questions or comments with respect to the proposed motion? Mr. Cooper and Mr. McIver after that.

**Mr. Cooper:** I'm just hoping to have a couple of seconds to see the actual motion prior to moving forward.

**The Chair:** Sure. Go ahead. Let's take a minute to read it. I'll just read it for the sake of – do we have a listening audience?

To move that

officials of the Legislative Assembly Office provide the committee with a draft amendment to the members' allowances order at its next meeting that would require members to claim expenses for temporary residence instead of receiving an accommodation allowance.

**Ms Luff:** Yeah. Basically, we're just moving that we get refunded for what we actually pay, and we're asking for some direction from the LAO about how best to do this going forward.

**Mr. McIver:** Mr. Speaker, this is interesting. This changes things completely. I think the Member for Calgary-Elbow was concerned with saving the taxpayer some money. I can only speak for myself on this, Mr. Speaker, but I'm sure there are a variety of examples in the room and outside of the room. This particular motion, should it pass, would actually put hundreds of dollars more in my pocket every month because I paid more than what's allotted for my residence and expenses here in Edmonton, so I couldn't possibly support this. In fact, I just need to ask. I'm not in any conflict for debating or talking on this, am I? I suppose we all could be because it potentially could put more or less money in our pockets. So I guess we should all clarify that we're not in a conflict here. Maybe I should do that first – I'm pretty sure that we're not – just to confirm that we're not in any conflict here talking about this.

**The Chair:** No, I don't believe so. No. Can I just – Ms Luff, do you have a remark in response to Mr. McIver's point?

**Ms Luff:** Yeah. This wouldn't change the upper limit. The upper limit would still be in place, so you still claim only up to \$1,930 a month. You know, that would be that you submit your receipt for your lease and then your utilities, condo fees, snow removal, things that would be considered reasonable allowances but only up to – "up to \$1,930" would still be included.

**Mr. McIver:** With all due respect, Mr. Speaker, that's not what this says.

**The Chair:** I wonder, to the mover of the motion, whether or not it ought to include the concept of a maximum amount.

**Ms Luff:** Yeah. It absolutely can. I mean, this motion, honestly, is just to get the LAO to draft something for us, so when that draft comes out, it could have the inclusion of the \$1,930.

**The Chair:** As I understand it, to all of the members, the motion proposes to retain the maximum, but rather than an allowance of up to an amount it would be receipts-substantiated actual. Is that correct?

**Ms Luff:** That's correct.

**Mr. McIver:** I hope I don't sound disrespectful to you. That's not how I intend to sound. But you just said something: that's what I understand. Again, with no disrespect intended, sir, what you understand seems less relevant than what's in black and white that we're voting on. If you disagree with me, I'm happy to hear your disagreement.

**The Chair:** I want to make sure I understand. It is that . . .

**Mr. McIver:** Well, you said that you understand that this is to a maximum, but that's not what it says in front of us here in black and white.

**The Chair:** You're correct. I think it ought to be clarified.

**Mr. McIver:** With absolutely no disrespect intended and I hope none taken, sir, that's not what it says.

**The Chair:** You're right.

**Cortes-Vargas:** I would be happy to move an amendment that clarifies that it is to a maximum of the current number. I don't want to get that number wrong on the record. So, then, can someone provide me with the exact number that is currently on: \$1,930? So to a maximum of \$1,930. If we can amend that with the current wording otherwise, then we can continue this discussion.

**The Chair:** Thank you.

That was my intention in asking the question, Mr. McIver, that it precipitate the amendment to give greater clarity.

Mr. Piquette.

**Mr. Piquette:** Yeah. I just wanted to add on, you know, extra clarity: per month, \$1,930 per month.

**Cortes-Vargas:** Maximum.

**Mr. Piquette:** Not just \$1,930 maximum.

**The Chair:** You have got to get clarity. Let us get the wording of the motion and then to Mr. McIver's point. Then we'll raise it again and ask for the vote.

Was there someone else? Mr. Nixon.

2:10

**Mr. Nixon:** Thanks, Mr. Speaker. Getting clarity on the motion from Parliamentary Counsel is obviously the first step we need to do. But in addition to that, as Mr. Clark has already pointed out, he has heard in his research and the process that he's undergone to put forward his ideas on this issue that this could cost more money of

the taxpayer. It could cost more administrative burden to the LAO. I will point out that we've just recommended freezes on their staff.

I kind of feel that this motion is premature and that the right move for this committee to do would be to ask for a cost analysis on what is being proposed here, what the implications will be for the staff, and what the history of the whole process has been around accommodation allowances. I think we could be trying to do something with good intentions and end up costing more money. I was a CFO of a mid-sized pipeline company for many years, and I know that per diems saved us a lot of money over those years. I would be very interested in getting some feedback from the LAO on that.

**Cortes-Vargas:** What I believe we have here is an opportunity to create a policy that doesn't create a burden on the LAO and, by them providing us an example of guidelines, provide one that doesn't need to create that burden but also allows us to provide a way to create fairness with what is actually being used, using the original parameters. We can definitely continue this discussion, and I think it will be continuing when that information is brought forward again to this committee.

**The Chair:** Mr. Nixon.

**Mr. Nixon:** Mr. Speaker, with due respect, again, that's not what this amendment says. What I'm hearing is what I'm thinking but not this document that's in front of me, that I'm being asked to vote on.

**The Chair:** You're correct.

Ms Luff, would you be prepared to withdraw your initial motion and then amend it, or do you wish to amend it to answer some of the concerns?

**Ms Dean:** She's already moved an amendment, Cortes-Vargas.

**The Chair:** She has moved an amendment?

Cortes-Vargas, your amendment is, again, what?

**Cortes-Vargas:** Do we have it in writing?

**The Chair:** Do we have wording that would assist? Mr. Reynolds.

**Mr. Reynolds:** Thank you, Mr. Chair. Would it capture your intention to put at the end of the motion as written, "up to the current maximum of \$193 per day" or "\$1,930 per month"?

**The Chair:** Mr. Ellis.

**Mr. Ellis:** The actual maximum is a dollar amount per year currently.

**Mr. Reynolds:** Right. Yeah.

**Mr. Fildebrandt:** Mr. Speaker, could I ask a question to clarify?

**The Chair:** Yes, Mr. Fildebrandt.

**Mr. Fildebrandt:** I think it important to note in the language here: is the allowance to be annualized on a monthly basis or to be claimed strictly within a monthly basis? It would certainly complicate factors with regard to, you know, if a member bought a bed for their apartment. That expense would occur in a single month and not on an equal basis over a month. My question would be: is the proposal on an annualized monthly basis or on a strictly month-to-month basis?

**Mr. Reynolds:** No. It's on an annualized basis. We could put a lot of numbers in here, or perhaps the amendment could read: up to the current allowable maximum.

**Cortes-Vargas:** That's agreeable.

**Mr. Reynolds:** Is that acceptable? Is that the intent?

**The Chair:** Is that the intent of the amendment?

**Cortes-Vargas:** That was my intention, to just keep the current allowable expense.

**Mr. Nixon:** I hear you on the allowable expense. I think we've established that that's the number. But to my point, I think that before we vote on this or ask the LAO to do something that's changing something quite drastically, we'd need to get their opinion on what is the best way for the management of this issue. I suspect there are reasons why it's been put this way. I would like to hear from Mr. Ellis, and I will also then put forward to the committee: as we start to do this, are we then saying that we move away from per diems when it comes to food and we want to start doing receipts for that? I just think that the intention of what Mr. Clark is bringing forward is good, but often we need to know the details for the people that actually have to police and enforce this. This could end up costing the taxpayers more money.

**Mr. Fildebrandt:** Mr. Speaker, if I can add to that.

**The Chair:** Yes. Mr. Fildebrandt.

**Mr. Fildebrandt:** Thank you. To add to what my colleague Mr. Nixon has said, I certainly support the intention of what Mr. Clark is trying to achieve here. However, I know that at the Public Accounts Committee we just reviewed the Auditor General's report of August 2014. The Auditor General did, if I'm not misinterpreting, express a clear belief that per diems are significantly more straightforward than expenses in many cases, and the administrative burden is significantly less.

I think Mr. Nixon's point is that it would make sense for us for see the business case for this. I could be convinced either way, but I would like to see the case prepared by the LAO about what would be the administrative cost and administrative burden versus savings so we can actually get the business case in front of us. I'll reserve my own judgment about which side I would come down on largely based on the evidence that's provided to us.

As well, we would also be well-advised, I believe, to take into account the effects of disclosure. Receded expenses are subject to public disclosure, as they should be. However, I'm not sure if there's terribly much public interest in what cable package members are subscribing to being disclosed or what the choice of furniture is.

**The Chair:** Thank you.

**Mr. McIver:** Mr. Speaker, it occurs to me that what we have created here is a kettle of fish. You know, for example, we have per diems for meals. We didn't have per diems for meals. Of course, we know that alcohol is not allowed, but food is, so now we're into a longer discussion about what are allowable expenses and what are not.

Is the bed mentioned by the Member for Strathmore-Brooks an allowable expense? Are the property taxes an allowable expense? With the condo that I bought, my wife and I put \$100,000 of our own money down as a down payment. Is the potential interest or potential return on the investment on that \$100,000 an allowable

expense? Is the cable package an allowable expense? Is the electricity an allowable expense? Is the alarm system an allowable expense? Is the fill in the blanks here, 10 sets of extra clothes – I don't imagine that would be, but it's just another example that could be considered to be or outlawed as an allowable expense. The intention here is good, I'm sure, but it occurs to me that members are attempting to do something without near enough information.

**The Chair:** For the sake of me if no one else, before we move on, could I have the exact wording of the amendment so the members know what they're voting on? Member Cortes-Vargas, do you have that?

**Cortes-Vargas:** Yes. MLA Luff to move that the officials of the Legislative Assembly Office provide the committee with draft amendments to the members' allowances order at its next meeting that would require members to claim expenses for temporary residence up to the current allowable maximum.

**The Chair:** Where's the amendment that you're moving?

**Cortes-Vargas:** Up to the current allowable maximum allowance.

**The Chair:** So is that the amended motion that we're dealing with now, the original motion?

**Cortes-Vargas:** Instead of receiving an accommodation allowance.

**The Chair:** Could you read it in its entirety now, then.

**Cortes-Vargas:** Okay. MLA Luff to move that the officials of the Legislative Assembly Office provide the committee with a draft amendment to the members' allowances order at its next meeting that would require the members to claim expenses for temporary residence up to the current allowable maximum instead of receiving an accommodation allowance.

**Ms Dean:** Mr. Chair, just to be clear, it's an amendment that you're moving to Ms Luff's motion that would add the words "up to the current allowable maximum" after the words "temporary residence" and before the words "instead of receiving an accommodation allowance"?

**Cortes-Vargas:** Yes.

**The Chair:** Okay. For the sake of us all again, the amendment to the motion: what is it in its entirety? Read it again for me. If we need some time for you to counsel with our legal counsel, proceed. I would like to know what it is.

**Cortes-Vargas:** Would you like me to read it again?

**The Chair:** I would like it read for my clarity.

**Cortes-Vargas:** Okay. The amendment I am making is to add in "up to the current allowable maximum" after "temporary residence" and before "instead of receiving an accommodation allowance" Therefore, the amendment currently reads: MLA Luff to move that the officials of the Legislative Assembly Office provide the committee with a draft amendment to the members' allowances order at its next meeting that would require members to claim expenses for temporary residence up to the current allowable maximum instead of receiving an accommodation allowance.

**2:20**

**The Chair:** Thank you.

**Mr. Cooper:** I feel as though we seem to be trying to create policy on the back of a napkin, and there are a number of moving parts. I

thought that the intention of the initial motion was to try and get some feedback from the LAO on some potential proposals. Typically speaking, public policy is best made when you have the proposals in front of you; you can make the best available decision on either/or type of scenarios.

One thing we haven't heard is whether or not the LAO, who are experts in expenses, think this is a good or a bad idea. Again, I think the intention of Mr. Clark's letter is a noble one. My personal wish is that we would all vote against whatever is before us and provide some direction to the LAO to bring back information so that we can make the best available decision. I don't think that we have all of the appropriate information to essentially change course on how we have been claiming our temporary capital residence. While, again, I want to make sure that we're doing it in the most transparent way possible, I'm just not sure that making a whole bunch of changes on the fly is the best way to do that.

**The Chair:** Mr. Nielsen.

**Mr. Nielsen:** Thank you, Mr. Chair. I'm wondering if possibly we've started to overthink what we're trying to accomplish here. I'm certainly not speaking for anybody else here. My sense is that everybody likes where Mr. Clark's proposal is going; now we're just looking for some details on how to possibly pull that off. So if I could get some clarification. I think with the original motion we were simply asking for the LAO to show us how that could be done, and I assume that would come with a cost proposal as to what it would take to accomplish that. Could I get some clarification on that?

**The Chair:** I would presume that that would be information that the staff would provide. If there are significant related costs, that would be as background to the matter that is brought back to the committee.

**Mr. Nielsen:** Okay. So then the original motion would encompass all of that, with the assumption that all of the rules that are currently as presented wouldn't change and that the current cap would still exist. It's: how would you attain what Mr. Clark is suggesting within that framework?

**Mr. Nixon:** With due respect, again, Mr. Speaker, that's not what it says, and we're being asked to vote on it, so I'd like to hear from Parliamentary Counsel what this motion, that we're about to vote on, will actually do. If it does what the member is saying, then certainly it's something that I could probably support, but I don't believe that that's what this does, so I would appreciate some feedback about that.

**The Chair:** Mr. Reynolds, would you like to take a stab at that?

**Mr. Reynolds:** Thank you, Mr. Chair. Well, fortunately, for the clarity of drafting it says what it would do. There'd be a draft amendment that would be provided at the next Members' Services meeting relating to the accommodation allowance, which would make it so that a member would claim expenses rather than receive an accommodation allowance using the current maximums. Now, if you're asking whether that might entail staff bringing forward more information concerning that, that's absolutely a possibility that, I'm sure, the chair may consider. I see Ms Dean would like to jump in here if the chair agrees.

**Ms Dean:** This decision item is really just directing the staff to come back to the committee so you can decide on this matter at the next meeting with a properly drafted order and, from what I'm

hearing from committee members, any implications with respect to administrative costs.

**Mr. Reynolds:** But it's clear that we would come back with an order of the nature stipulated there, which is what you're asking for, and whatever other information may be relevant.

**The Chair:** I think the key word in the motion is that it will be a draft. Its implication is that you can change, amend, add to it, and I can tell you with certainty that there will be related administrative costs or savings that might exist.

Mr. Nixon.

**Mr. Nixon:** Thanks for that, Mr. Speaker, and thanks for that clarification. Could we, then, I would propose, add exactly that at the end of the amendment that we're trying to make to this motion, some sort of line that in addition to the draft amendment there be some sort of cost analysis or business case or advice that would come from the LAO on that draft amendment and from the Auditor General, if possible, but at least from the LAO?

**The Chair:** I'm being advised that, as with my comments earlier, we would intend to provide that information. Are you saying, Mr. Nixon, that you want to actually have that actioned into the report?

**Mr. Nixon:** Mr. Speaker, I think the mover has indicated, or at least I'm reading it, that she has no concerns. I think that was the intent of what she's putting forward, and she would take it as a friendly amendment, is the impression I'm getting.

**The Chair:** That's where I was going. That's what I wanted to know. Are you prepared to take it that we would intend to bring that back, or do you want it as a friendly amendment to the amendment before you?

**Mr. Nixon:** I think we're trying to do a friendly amendment to clean up this motion, and if the mover is comfortable with adding some line like that at the end, then we can move on.

**The Chair:** So what's the wording you would propose to have included in the motion that Mr. Reynolds just read?

**Mr. Nixon:** How about we'll go at the end, where it says, "receiving accommodation allowance," and respecify that it can't go above it and also that the LAO to provide cost analysis and advice on whether to adopt that draft amendment.

**The Chair:** Let's take a minute. I see Mr. Reynolds taking those notes.

**Mr. Reynolds:** Well, it sounds good. I mean, procedurally you've got an amendment to the motion already on the floor right now, which in the normal course of events would have to be dealt with first, and then another amendment would be considered.

**The Chair:** It's been my experience on a friendly amendment, though, that you could add the addition on the amendment.

**Mr. Reynolds:** Yes, Mr. Speaker, that's true. It could be interpreted as friendly, but it would still have to be voted on, and there's already an amendment on the floor, as I understand. With respect to the wording it may take a moment because it sounds like what you're asking for is just, you know, for the LAO to provide related relevant information concerning the draft order. Is that correct?

**Mr. Nixon:** I'll refer to your expertise on how to word it. In addition to the draft motion I would like an analysis of the situation so that I know how to vote on whatever motion is brought forward.

**Cortes-Vargas:** Just to clarify, I'm going to ask one question and then continue on. The motion as currently read with the amendment does include a cost analysis when we come back to our next meeting. Is that correct?

**Mr. Reynolds:** No, not necessarily.

**Cortes-Vargas:** Okay.

**Ms Dean:** Mr. Chair, if I may, I would suggest that the committee vote on Cortes-Vargas' amendment and then entertain a subsequent amendment from Mr. Nixon to deal with the cost analysis that he's requesting.

**The Chair:** My experience is that in a friendly amendment you can amend the original, particularly in this context, but if that's the wish of the committee, we can deal with it in that fashion.

**Mr. McIver:** Do we get at some point to see it in writing so we know exactly what we're voting for or against? You know what? I'm just asking. Is that the procedure, Mr. Speaker?

2:30

**The Chair:** With the agreement of the committee, if you'd like that in handwriting, we can make a copy of it so that it is circulated and so that there is clarity on that matter.

**Mr. McIver:** Mr. Speaker, I think it's important, as we discharge our duties, to know what it is that we are doing or not doing, and that's the only reason I ask. There's been quite a bit of talk, not all of it consistent. I'm not casting aspersions or blame or anything. I'm just saying that there's been quite a bit of talk, not all of it consistent. I think it would serve the committee well to actually know what they're voting for or against.

**The Chair:** Agreed.

Would you prefer to take a short recess, or would you like to, in the interests of time, proceed with the next item and come back to this? Okay. There's been a suggestion that we take a 10-minute break if that's agreeable. We'll do that for the purposes of clarity. Ten minutes, folks.

[The committee adjourned from 2:31 p.m. to 2:46 p.m.]

**The Chair:** Let me begin the discussion again, adjusting to the difference between some experiences like municipal government and this one. It's different. As I understand it, we will be first of all dealing with Member Cortes-Vargas's amendment. Then there seems to be an agreement there would be a second amendment, made by Mr. Nixon. Assuming the results of that, then we would vote on any amended motion. Clear in terms of process?

Maybe I'd just ask Ms Quast to read the now wording of Member Cortes-Vargas's amended motion.

**Ms Quast:** The amended motion, if her amendment is carried, would read: MLA Luff to move that

officials of the Legislative Assembly Office provide the committee with a draft amendment to the members' allowances order at its next meeting that would require members to claim expenses for temporary residence up to the current allowable maximum instead of receiving an accommodation allowance.

**Mr. McIver:** Well, Mr. Speaker, I may have to support this, but it still falls short because it doesn't talk about the policy that will have to be built around this, that I alluded to before the break, about what things will be allowed and what won't. I'm going to lay this at the feet of the Member for Calgary-Elbow, who brought this forward without any of that detail. I will even give him credit for having a good idea. He just didn't think it through well enough before he brought it before this committee. But I will say that that doesn't change the fact that it's a legitimately good idea.

Can I ask: will the staff take this conversation as an indication rather than a demand, because a demand can only be done in the form of passing a motion, a polite indication that the committee would like to see some policy around this when they come back with the legislative change? And I mean that with all the politeness that I can muster, Mr. Speaker.

**The Chair:** I think that I can give you assurances that there will be various related background matters, such as have been addressed by the committee, that would come back.

Mr. Reynolds, do you have any comment?

**Mr. Reynolds:** Thank you, Mr. Chair. The only comment I had is that I think that perhaps what Mr. McIver is alluding to might be covered in what I anticipate to be Mr. Nixon's amendment.

**The Chair:** Yeah. That has yet to be dealt with.

Mr. Clark.

**Mr. Clark:** Thank you, Mr. Chair. Well, this is going better than I thought. I certainly didn't do this to be the most popular MLA amongst my colleagues, necessarily. I guess, to Mr. McIver's point, what I want to be very clear about is that the reason I originally proposed in the correspondence I sent around to all committee members yesterday to just add those two simple words "up to" – my intent was to allow the LAO to craft a framework around that.

Now, perhaps the motion that the committee will consider will do exactly that once the amendments are passed and the LAO will come back with some guidelines. But we've devolved into a discussion here about receipts and what's allowable and what's not in this tremendously complex option. What I agree is elegant about the way it works now is that we don't worry about those sorts of things. We simply get an allowance. My concern is that the allowance that I could legitimately claim within the bounds of the rules far exceeds what it actually costs me, and I think all Albertans would agree that that just doesn't feel right; it's not right.

But there is perhaps some middle ground there, which I would ask Mr. Ellis or staff in the LAO to consider when they take this away. Is there a way that we can maintain the simplicity of the current system? Again, I would just simply add the words "up to." You may claim up to \$1,930 a month or whatever the annual maximum would be for this list of allowable things, which we don't necessarily have to produce receipts for. The way it is now, we need to have a signed lease – that makes sense – but for all of those other things that are in broad categories that would be considered legitimate living expenses, we would agree that that's allowed. So it would allow those members who in good conscience would choose to claim less to do just exactly that. What I feel now, reading the letter of the law, the way the rules are written now, is that it's very, very difficult for any of us to claim less than the full amount or some imperfect number.

Really, all I'm asking for is just a little bit of flexibility in the rules, not necessarily a rigid – to borrow a phrase from our Auditor General: we don't need a corset of rules; we need a backbone of principle on this. That's really what we're looking for here, an ability within the rules to just simply claim what it actually costs

us, not necessarily enumerating to the absolute, exact penny, because I agree that that could create undue burden although I think that the cost savings would far outweigh any administrative burden given that processes already exist for expense claims.

I certainly didn't intend to complicate, but I do intend to allow/require members to claim, really, what it actually costs. I don't want to see us taking more home than we should. I don't think that's what Albertans want or expect of any of us.

Thank you very much.

**The Chair:** Thank you, Mr. Clark.

I think also there's another principle, a precedent, if you will, that applies. Those kinds of matters will, I think, be addressed when it comes back, but this committee has just directed that the LAO look at a parameter that says: zero-growth budget. By implication, it seems to me that that would be an issue that we would point out to the committee in terms of the choices that we have.

I'm going to ask for a vote on the amendment proposed by Member Cortes-Vargas. All in favour, say aye. Opposed, say no. Mr. Fildebrandt?

**Mr. Fildebrandt:** Aye.

**The Chair:** Thank you. Mr. Fildebrandt, my apologies. I think I missed you when you raised a point earlier. I'll be more conscious of that.

Motion carried.

Mr. Nixon, I believe you have an amendment, which has been circulated.

**Mr. Nixon:** Yes, I do, Mr. Speaker. I would like to move that the following be added after "an accommodation allowance" in the motion to then say: "and an analysis of the implications of the implementation of the draft amendment." I would ask if the clerk could read the full amended motion.

**Ms Quast:** If the amendment is passed, the amended motion would read: MLA Luff to move that

officials of the Legislative Assembly Office provide the committee with a draft amendment to the members' allowances order at its next meeting that would require members to claim expenses for temporary residence up to the current allowable maximum instead of receiving an accommodation allowance and an analysis of the implications of the implementation of the draft amendment.

**Mr. McIver:** This helps because the fact is, Mr. Speaker, as I think we all ought to know, when we have expenses, they become public. The public does have a right to see them. Always our PC Party has said that and for a long time. The fact is that there need to be some rules around that. This actually makes the motion better because it, hopefully, will bring back to this committee what those rules might be, and hopefully it will also bring back to this committee whether it will actually save taxpayers money or cost taxpayers money. At least, I hope it will. That, indeed, will put this committee in a much better position to make a good decision when this comes back. That is why I will be supporting both this amendment and the amended motion.

2:55

**The Chair:** Thank you, Mr. McIver.

On the amendment proposed by Mr. Nixon, is there agreement? Say aye. Opposed, say no. Thank you. That amendment is carried.

Now, based on the motion that Ms Quast just read, on the original motion, now amended, proposed by Member Luff, all in favour, say aye. All opposed, say no. Thank you. Carried.

Now, there was another matter that was added to the agenda and which, I believe, was posted, the letter I received yesterday at 3:59 from Mr. Cooper. We had discussed it earlier in the day.

Mr. Cooper, I'd allow you the opportunity to speak to your intent here.

**Mr. Cooper:** Thank you, Mr. Chair. I really appreciate the opportunity to speak. I first of all will just apologize to you and to some who were required to stay a little late last night on account of my tardy delivery of the letter. I hope that you will accept my apologies.

I would just like to open with trying to provide some very clear direction as to what I hope the motion will accomplish, trying to avoid any sort of uncertainty. Then we can move forward with a little bit of discussion, I hope, and then, hopefully, to a positive resolution for all members of the Assembly.

The purpose of the motion would be to appoint a subcommittee of the Members' Services Committee to study a number of areas that were outlined in the letter. I also have copies of the motion. If they could be distributed while we chat, then we can hopefully expedite the process. As you'll see when you receive the motion, it is very similar to the contents of the letter.

You know, I, as a dad of three kids – and many around this table and in this room will have had the opportunity, hopefully, the pleasure of meeting my three children around the precincts. It's an exciting time to be a legislator in Alberta, and I think it's great that our Assembly reflects the face of Alberta. We have a wide range of members, that includes young families and otherwise, and I think it's important that we take steps as a committee and as an Assembly to try and find ways we can remove barriers to being active members of our province.

That is the reason why I submitted the letter to you, sir, and why I submit the motion to the committee today to try and establish a committee that will recommend changes to the Legislative Assembly Act and Members' Services Committee orders to ensure that pregnant MLAs or MLAs who are to be new parents are not unfairly penalized for their absence from the Assembly; to recommend any other changes to the standing orders, the Members' Services Committee orders, and the Legislative Assembly Act that would allow the Legislature to be more supportive of MLAs with young families, including but wouldn't be limited to installing change tables in public washrooms in the Legislature and the Federal building; establishing standards that result in a family-friendly precinct, including appropriate procedures and training for all members for having infants in the legislative Chamber; designing family rooms for quiet time or feedings; exploring the feasibility of opening a child care facility on the Legislature Grounds, with operating costs to be completely covered by users and services to be provided to all on a first-come, first-served basis.

While it is not prescriptive in the motion, the committee would make a recommendation back to the Members' Services Committee, at which point the larger committee would be able to make decisions as to whether or not it would be appropriate to make recommendations to the Assembly.

With that, I'm happy to join in the conversation and discussion, and I thank the committee for hearing the item today.

**The Chair:** Before I recognize Member Cortes-Vargas, I just wish the committee to be aware that in its continued desire to serve the members of the Legislature proactively, staff have already put some processes in place for infant change rooms. I'm advised that there's a tender that's been out, and the contract is to be awarded on Friday, and we would have these improvements made by the time the

House sits on March 8. I think that's been circulated as an information item.

Member Cortes-Vargas.

**Cortes-Vargas:** Thank you, and thank you for clarifying that point as well. Given that our government is committed to working towards a more family-friendly Legislature, we're pleased to support the intention of this motion in principle. I support what I understand to be the intent of the motion, which is to work together across party lines to study the feasibility of the recommendations and to look at the best practices from across the country in creating a more family-friendly Legislature.

I would like to clarify a few issues named in the motion. In particular, I wanted to know the focus of the proposed training for all members for having an infant in the Legislature. I think members here would recognize that women know how to care for their infants, so I understand that this training would be directed to other members so that other members are able to respond effectively to this reality. I want to know: is that correct, my interpretation of the intention?

**Mr. Cooper:** Yes. Certainly, I do not, nor does anyone in the Wildrose caucus, think that we would be able to train moms on how best to parent or take care of the needs of their infant. The intention is more to be able to facilitate conversation with members about some of the nuances that may exist or special considerations that we as colleagues may be providing. I also don't envision this to be, like, baby-holding classes or anything of that capacity but more, really, having positive conversation and discussion around some of the changing realities of the Assembly.

**Cortes-Vargas:** Thank you.

I also want to make clear that if we vote in favour of this committee, it does not preclude what the chair has already outlined, that there are things already happening before the current session that are very relevant to making sure that we are welcoming as the new baby arrives, which could be at any point at this juncture.

**Mr. Cooper:** It could be right now.

**Cortes-Vargas:** It could be right now, for all we know.

So I do want to make sure that striking the subcommittee is to look at the long-term policies and that we're not precluding any other actions being taken at this point. We also need to recognize that the work does need to happen quickly. It's critical that this be completed before the upcoming legislative session.

As well, there are many points in this motion that we agree with, but we also have other issues that we want to make sure are included and reviewed by the all-party subcommittee. In terms of the composition of the subcommittee we believe that it should reflect the current membership ratio of the Special Standing Committee on Members' Services and should incorporate the principle of gender parity.

With this in mind, I would like to slightly amend the wording of the motion as follows: after "subcommittee to" add in "study the feasibility of and" before "recommend changes to." It's just adding that section.

**The Chair:** In the interests of all of us in this room, I'm not sure if I actually recognized that the motion was on the table. I'm assuming that it's not, so this might be the appropriate, proactive time to actually word it.

Did you make a motion originally, or is it just for discussion, Mr. Cooper? I'm thinking, from a logistics perspective, that if there's disagreement on some changes, then let's do that first and then

bring the motion in, if that's agreeable from a process perspective. Your call.

3:05

**Mr. Cooper:** You're asking if I want to put her words on . . .

**Cortes-Vargas:** He's asking if you have a motion.

**Mr. Cooper:** Pardon me. Sorry. That came across like I was annoyed at you, and I'm not at all.

You want me to put this motion on the table, or you want . . .

**The Chair:** Is there agreement around, informally, wording the motion and then introducing the motion rather than going through a series of amendments, which will take us a long time?

**Mr. Cooper:** I am fine. At the pleasure of the member, though. I don't mind if we do it that way. I'm also totally fine to put the motion on the table and then have it amended. Whatever the member would prefer.

**The Chair:** If there seems to be agreement, consensus on things, then we will introduce the motion, but we can go to the amendment.

**Mr. Cooper:** What would the member prefer?

**Cortes-Vargas:** If you introduce the motion, I'd be happy to just amend that small section to add the feasibility . . .

**Mr. Cooper:** Perfect. I'm happy to introduce the motion as distributed.

**The Chair:** Now an amendment.

**Cortes-Vargas:** Again, after "subcommittee to" add in "study the feasibility of and," and then continue on to recommend the changes, just as it was written before. It's in the very first sentence.

**The Chair:** Just give us a minute.

Ms Quast.

**Ms Quast:** Would you like me to read the amended motion or the amendment?

**The Chair:** First of all the amendment.

**Ms Quast:** MLA Cortes-Vargas amends Mr. Cooper's motion to add the words "study the feasibility of and" after the words "appoint a subcommittee to."

**The Chair:** Any questions? Are we satisfied with that amendment without circulating documents?

Mr. McIver, you had a question?

**Mr. McIver:** Some comments, yeah, if that's okay, Mr. Speaker.

**The Chair:** Yeah. We're on the amendment. Go ahead.

**Mr. McIver:** The amendment, in my mind, I don't think changes the intent of the motion. In my view, Mr. Speaker, it's a good motion. Our caucus thinks that we need to make it so that the Legislative Assembly of Alberta is open for full participation by all Albertans, including those who are pregnant and those who are new parents, and that they should not be restricted from not only becoming an MLA but from doing their best to discharge their duties through all stages of pregnancy and parenthood. So this is something that our caucus supports the spirit of.

It seems interesting because there are probably people listening or watching, although there might only be 12 of them, that would say: why haven't you done this before 2016? I think the most honest, direct, and easiest answer to that, Mr. Speaker, is that we haven't needed to. There hasn't been a case where we've had pregnant MLAs, as I understand it, in the history of Alberta. And while this policy might be overdue, it hasn't been needed in practice until now. So while this is last minute, it's a good idea that we're doing it. I support that.

I thank the member from the Official Opposition for bringing this forward. I look forward to seeing the report that the subcommittee comes up with. I think this is a good thing.

**The Chair:** Any other comments on the amendment? Mr. Fildebrandt?

**Mr. Fildebrandt:** No, Mr. Speaker.

**The Chair:** Thank you.

The wording on the amendment as proposed by Member Cortes-Vargas: all in favour, say aye. All opposed, say no. Thank you.

Now to the original motion. Could you read the original motion?

**Ms Quast:** Mr. Cooper moves that

the Special Standing Committee on Members' Services

- (1) appoint a subcommittee to study the feasibility of and recommend changes to the Legislative Assembly Act and Members' Services Committee orders to ensure pregnant MLAs and MLAs who are new parents are not unfairly penalized for absences from the Assembly;
- (2) recommend any other changes to the standing orders, the Members' Services Committee orders, or the Legislative Assembly Act that would allow the Legislature to be supportive of MLAs with young families, including
  - (a) installing change tables in public washrooms in the Legislature and Federal building;
  - (b) establishing standards that result in a family-friendly precinct, including appropriate procedures and training for all members for having an infant in the legislative Chamber;
  - (c) designating family rooms for quiet time or feedings;
- (3) explore the feasibility of opening a child care facility on the Legislature Grounds, with operating costs to be completely covered by users and services to be provided to all on a first-come, first-served basis.

**The Chair:** Having heard the motion, all in favour, please say aye. All opposed, say no. The amended motion is carried.

A process question to the committee. I'm not sure if one of our fellow members has a child yet or not, but there is some time here that is flying by. What's your wish with respect to the process for the appointment of subcommittee members?

**Mr. Cooper:** Well, I think I would be happy to have the discussion either here today or we can have an agreement in principle and move forward and have that agreement ratified at the next meeting. My guess is, you know, that quite likely three government members, two Official Opposition members, and the third party would be adequate or something of that context. But I'm willing to have that discussion, and I'm also willing to take the discussion outside of the committee and come to an agreement in principle if that's your desire, sir.

**The Chair:** Well, my sense, maybe given what you've said – Member Cortes-Vargas, a comment?

**Cortes-Vargas:** Yeah. I agree with MLA Cooper that perhaps we can have that conversation and decide outside of the committee and then come back to it.

**The Chair:** Right. Thank you to all of you. We have a meeting which will focus on the budget. We'll be dealing with that today. Let my office know if I can help facilitate that in any way. So maybe we'll just have the notes to say that there was an agreement that there be discussion amongst the members and that a proposal for a committee make-up would come back to the next meeting. That's agreeable?

Okay. We've talked with LAO staff, and with my schedule and other people's schedules we are proposing February 24 or 25 for your next meeting, 1 to 5 both days if required. That would be my request to the table.

Mr. Cooper.

**Mr. Cooper:** Yes. I would be fine with that. I know that the Wildrose caucus members are unable to attend on the 25th, and Leg. Offices goes till – it's okay. So if we could endeavour to have all of the business of the committee done on the 24th, that would be fine, but on the 25th, certainly, two of the Wildrose caucus members that typically are on the committee are travelling that day. Having said that, we could provide substitutes if necessary, but the 24th could work.

3:15

**Cortes-Vargas:** I'm open to both doing it through e-mail polls, as it's been done before, or just to say that Leg. Offices is meeting in the morning of the 24th, so to do an all-day event would be double-booking some of our members.

**The Chair:** Okay.

**Cortes-Vargas:** Other than that, I think it might be best to do it by e-mail poll, just to give time to discuss.

**The Chair:** Do I understand as it currently exists now, though, that the 24th in the afternoon works for everyone? And you're suggesting, then, if need be, that we would do a poll for a second time if required? Is that what you're suggesting?

**Cortes-Vargas:** Perhaps, if the other members were also experiencing some conflict for the 25th, then.

**The Chair:** Okay. Did I understand you to say that the 24th, the entire day, is not possible for many of your members? Is that correct?

**Cortes-Vargas:** Some.

**The Chair:** Some. Okay. If that's agreeable, we would propose – and, again, I'll test it with the committee – giving us an extra hour. I don't know. Does it work if we started at noon instead of 1 o'clock? It gives us another hour.

**Mr. McIver:** Well, it doesn't work for me, Mr. Speaker, and I realize that I'm not the only one here, but I did choose to stay silent about the fact that the first hour of the 1 to 5 is going to cause me a problem. I was just going to deal with that. But if it takes in the two hours, then you've inspired me to speak up. Again, I appreciate that it's a big committee. It's not about me; I'm not trying to suggest that. But you asked the question, and the answer is that it's a problem.

**The Chair:** How about at the end of the day, if we went till 6?

**Mr. McIver:** I'm kind of heavy on the traffic of both ends of that, Mr. Speaker, I don't mind telling you.

**The Chair:** I understand. Believe me; I do understand.

Well, let us, then, as I think was being suggested, move with the 1 to 5, and we will continue to consult, and it may well be that a time is arrived at where substitutes are required, et cetera, if that's agreeable.

Are there any other matters that need to be addressed at this meeting? Having heard none . . .

**Mr. Cooper:** Motion to adjourn.

**The Chair:** I would say that before you move the motion to adjourn, we will reconvene on February 24 at 1 o'clock in this room. Is that correct?

I want just to mention that I think that you had unanimous votes on each of the motions that you had today.

Mr. Cooper moved to adjourn. All in favour? All opposed, say no. The motion is passed.

[The committee adjourned at 3:18 p.m.]





