

8:31 a.m.

Wednesday, February 3, 1993

[Chairman: Mr. Pashak]

MR. CHAIRMAN: I'd like to call today's meeting to order. I'd like to especially welcome today our new members on the committee. They are Roy Brassard; John Gogo, who I think has been before the committee as a minister; Mr. Norm Weiss, who I believe sat on the committee some time previously, but welcome back to the committee; a new member to the committee from the Liberal Party, Mr. Don MacDonald, who's a new member to the House as well; and both Bob Hawkesworth and Alex McEachern are new to this particular committee, but they've served on the committee before.

Just a brief word of explanation for the new members. Traditionally how we've operated: we've met during session. Usually on Wednesday mornings we've met for an hour and a half. The powers of the committee are spelled out in the Standing Orders of the Legislative Assembly of Alberta, but there's not a very large mention in the Standing Orders of what the committee does. It just says that the public accounts of the province of Alberta shall be "referred to the Public Accounts Committee." Then beyond that, the members themselves determine what their business is going to be and how they are going to conduct their business. Generally speaking, the tradition has been to bring cabinet ministers before the committee to explain decisions that were made relative to the period of time that's covered in the public accounts. Each member is usually allowed three questions, and then we move on to another member.

Today a unique situation has occurred in that the Legislative Assembly has given an unusual direction to the committee by motion of the Assembly itself. It has resolved that the report of the Auditor General on NovAtel Communications Ltd. be referred to the Public Accounts Committee; further, that the Legislative Assembly direct the committee at its next scheduled meeting to consider recommendation 4 in the report. That will be the subject of our business this morning. For the benefit of new members, is that clear enough?

Now, I think we should proceed to a discussion of recommendation 4 in the report of the Auditor General on NovAtel Communications Ltd. I note that Mr. Hawkesworth had his hand up.

MR. HAWKESWORTH: Mr. Chairman, I appreciate your opening overview for the committee. I guess the question is whether we'll just have one session today or whether the committee itself is going to have a serious review of probably the most expensive loss to Alberta taxpayers of any venture ever in the history of the province. So I think in terms of the committee's review, we have today and we might have next Wednesday if the Legislature is still sitting, but after that it's not at all clear whether there would be any chance to meet further and really get into an examination of this matter properly. So for the purposes of, I guess, discussion and direction for the committee, I'd just like to propose a motion that deals with an overview of the procedure. I'd like some decision of the committee about that, on whether the committee wants to get into this or not. I think it's important. I think the people of Alberta are looking to us to provide some leadership and examine further the report the Auditor General has prepared.

I've asked our committee assistant to circulate a resolution. It's a resolution with five clauses or parts, I guess. I gave this to you and the deputy chairman yesterday and tried to get it to each of the members at their desks yesterday. I don't know whether they

received it or not, but I'd like to move that this committee after the session adjourns . . .

MR. WEISS: Point of order.

MR. CHAIRMAN: Mr. Weiss.

MR. WEISS: Actually, that's why I raised the question. I was waiting for him to finish, in fairness.

Mr. Chairman, perhaps I've not been on the committee for some time and am not as familiar with the rules and procedures as some, but I wanted the opportunity to discuss Mr. Hawkesworth's motion as well. I didn't know we established at this time that that would be the discussion item, or will we follow an agenda? I wasn't sure whether we had actually adopted an agenda and what procedural structure we were going to take at this time. So I want to make sure I get my name on the list, but at the same time I wasn't sure whether this was the appropriate time. I didn't notice if we had actually adopted an agenda to take this as an item for discussion at this time, because I would feel that if it were, we should be dealing with it and having that opportunity.

MR. CHAIRMAN: I think that was an omission on my part. I should have asked for an adoption of the agenda as circulated.

Mr. Clegg.

MR. CLEGG: Well, thank you, Mr. Chairman. I'm glad that the hon. Member for Fort McMurray brought this to your attention. I would like to make a motion that we do adopt the agenda. The hon. member did bring in a motion or a resolution and certainly I agree that it should be thoroughly discussed, but I think it should come under Other Business.

MR. CHAIRMAN: I actually have two motions on the floor at the moment. Could I ask Mr. Hawkesworth to withdraw his motion temporarily while we deal with the question of adopting the agenda as circulated?

MR. HAWKESWORTH: Is this the one that indicates we're meeting with the Hon. Don Sparrow?

MR. CHAIRMAN: No.

AN HON. MEMBER: What agenda?

MR. CHAIRMAN: An agenda of today's meeting was circulated to every member of the committee.

MR. MOORE: Point of order, Mr. Chairman.

MR. CHAIRMAN: Point of order. Mr. Moore.

MR. MOORE: On a point of order, Mr. Chairman. Your office or the office of the Clerk provided us with an agenda, and it's usually normal to accept that agenda as presented or make some change in it. I would think that is the first order of business that we've always handled under normal rules of this committee, and we should approve that agenda first.

MR. CHAIRMAN: Well, I just agreed to that. Mr. Clegg has just moved the adoption of the agenda, but we also had another motion on the floor, and I've asked Mr. Hawkesworth if he'd take his motion back for a moment at least.

MR. HAWKESWORTH: Sure.

MR. CHAIRMAN: Okay.

Now, there's been a motion by Mr. Clegg to adopt the agenda as distributed. Is there any discussion on that motion?

Mr. Hawkesworth.

MR. HAWKESWORTH: I'd like to move an amendment, Mr. Chairman, to the motion on the floor. That item 2, Discussion of Recommendation 4 in the Report of the Auditor General on NovAtel Communications Ltd., be amended by adding the following:

Be it resolved that the Public Accounts Committee

- (1) after this legislative session adjourns, meet from 10 a.m. to 12 noon and 2 p.m. to 4 p.m. Tuesdays, Wednesdays, and Thursdays for as long as it takes to complete its examination of the NovAtel matter;
- (2) in conducting its examination of NovAtel Communications Ltd., allow committee members to ask all the questions they have of any witness appearing before the committee;
- (3) send for such papers, documents, and records as the committee requires to conduct its examination of NovAtel Communications Ltd.;
- (4) summon as its first witness the Auditor General to discuss his report on NovAtel Communications Ltd; and
- (5) by resolution summon any other witnesses that may be required to fully examine the reasons for the financial losses suffered by NovAtel Communications Ltd.

That way, Mr. Chairman, I think we can have a discussion about the procedure the committee wants to pursue in terms of the task referred to it by the Legislature. I've put forward some proposals here that would allow us to do it in depth, more in depth than has been the practice of the committee in the past, and given the nature of the item before us, I think it's called for and the people of Alberta are expecting us to do a thorough examination. This amendment to the conduct of the committee would in my view allow or facilitate that more thorough review.

MR. CHAIRMAN: Hon. member, I have a little difficulty with your amendment. I just engaged in some conversation with our legal counsel as you were presenting it. An agenda basically sets out what you're going to do, not how you're going to do it, and I think your motion is premature. You could easily present your motion under — and I'll just check this with legal counsel. I assume it would be an appropriate motion under recommendation 4, but it's not an appropriate agenda item. The agenda basically just covers today. That would be my ruling. I'm ruling in effect that your amendment is out of order.

8:41

MR. HAWKESWORTH: Okay. So this can only come at the end of the meeting?

MR. CHAIRMAN: No. I think you could present it under item 2. Once we approve the agenda, you could bring your motion forward.

MR. HAWKESWORTH: That was my intent. I was amending item 2 in terms of setting up the agenda.

MR. CHAIRMAN: Well, I think it would come . . .

MR. HAWKESWORTH: If it will facilitate our discussion, Mr. Chairman, I'll defer to your ruling.

MR. CHAIRMAN: Okay. I've ruled that out of order. We're back to the agenda as distributed; that's what we're voting on. The question has been called. Those in favour of the agenda as distributed? Those opposed? Motion carried.

All right. Discussion of Recommendation 4 in the Report of the Auditor General on NovAtel Communications Ltd. I'll just read recommendation 4 in the Auditor General's report. It says:

The Public Accounts Committee should consider the reasons for actual results being significantly worse than budgeted results as identified in the Public Accounts of Alberta.

MR. HAWKESWORTH: Is this the appropriate time for me to make my motion, Mr. Chairman?

MR. GOGO: The Chairman should be allowed to finish speaking first.

MR. CHAIRMAN: I am finished, hon. member. I've read out the motion in the Auditor General's report. I'm of the view that we were asked by the Legislative Assembly, as part of the referral of motion 4, to consider the Auditor General's report itself.

Mr. Lund.

MR. LUND: Thank you, Mr. Chairman. I'm not sure. Are we now getting into the discussion of the Auditor General's report, or are you still trying to determine whether in fact the motion moved by the hon. member Mr. Hawkesworth is on the table?

MR. CHAIRMAN: Hon. member, I thought you were rising on a point of order.

MR. LUND: Oh, I'm sorry. No.

MR. CHAIRMAN: My sense is that I have to give Mr. Hawkesworth the floor. He was recognized. He withdrew his motion so we could deal with the business in its proper order, which was to consider the agenda as distributed. I would say that Mr. Hawkesworth has the floor now.

MR. LUND: Well, thank you, Mr. Chairman. I wanted to share that in the discussion.

MR. CHAIRMAN: Well, I think Mr. Hawkesworth has already made his points with respect to his motion. Perhaps he would like to restate his motion.

MR. HAWKESWORTH: Mr. Chairman, I've read it into the record, and I've circulated it. I think before we get into actual discussion of detail, we need to have some idea of where we're going in terms of procedure. I'm proposing a course of action for the committee, and I think I've made my points. If it's now the appropriate time to make the motion, I will do so.

MR. CHAIRMAN: Okay. So Mr. Hawkesworth has moved his motion as distributed.

Mr. Weiss.

MR. WEISS: Thank you very much, Mr. Chairman. First of all, I'd to thank the hon. member for providing advance notice. It was certainly appreciated by me and, I'm sure, all hon. members. It gave us an opportunity to review, and perhaps why we're so fast, not on the draw but in wanting the opportunity to respond, is because we've had that chance to review it.

Mr. Chairman, I have serious concerns about the timing of the motion. It's certainly not that I question the intent of the hon. member, because I do believe parts of it are most appropriate. I would refer to the Standing Order 40 and once again read into the record where it says,

Be it resolved that the Legislative Assembly refer the Report of the Auditor General on NovAtel Communications Ltd. to the Public Accounts Committee and further that the Legislative Assembly direct the committee at its next scheduled meeting to consider recommendation 4 in the report.

Now, it's obviously very clear in recommendation 4 in the report – the direction is clear – that, and I quote,

The Public Accounts Committee should consider the reasons for actual results being significantly worse than budgeted results as identified in the Public Accounts of Alberta.

But if you refer to the recommendations on the previous page of section 3, Mr. Chairman, the preamble says "to help prevent future loss of public funds, I have the following recommendations," and recommendation 4 was as I've just read. I'd ask all hon. members to refer to the Alberta Legislature report of the Auditor General on NovAtel Communications. On page 20, section 3, Recommendations, it does say "to help prevent future loss," and I emphasize that. I'd ask you to consider that when you deliver your ruling on this matter.

I believe then that in this case it's premature to go off on a fishing trip at this time without first reviewing the concerns and findings of the Auditor General. It's like going on the fishing trip without taking the fishing rod and reel and gear and essential ingredients. I believe, Mr. Chairman, that we have those essential ingredients here today in the Assembly, and that's why I too want to question, as I'm sure many hon. members wish to do, the Auditor General and his staff and find out some of the concerns and questions they may have been asked by their constituents and others. So I want that opportunity as well, and I say what better opportunity than to deal directly with it now rather than go off on the fishing trip that I outlined with regard to the future loss of public funds.

So many of the items outlined in the hon. member's motion as he's indicated and read are clear but I think would be unnecessary and premature. That we should deal with item 4 specifically in his request where he says, "summon as its first witness the Auditor General to discuss his report on NovAtel Communications" – that's what we're doing, and that's the purpose of the meeting, Mr. Chairman. So I would suggest that I don't disagree entirely, but I disagree in the procedure and would request that we go on.

MR. CHAIRMAN: May I interpret what you've said and see if it is an accurate reflection of your comments? Are you proposing, then, that we might table discussion on 1, 2, 3, and 5 in the motion until such time as we've heard from the Auditor General?

MR. WEISS: I'm not saying we necessarily table. I say we defer . . .

MR. CHAIRMAN: Well, "defer" or "table."

MR. WEISS: I can't rule on what hon. members might do, whether they table it or not. I'm just suggesting we don't deal with it at all.

MR. CHAIRMAN: I think it really amounts to the same thing, and the more technical term is to "table" the motion. If that's acceptable to you – and by the way, a tabling motion is not debatable, except the instructions are.

MR. McEACHERN: Sometimes whether it's tabled or not is a very important question. So to say it's not debatable just precludes any discussion about whether we should or shouldn't. I mean, that's incredible.

MR. CHAIRMAN: I didn't recognize you, hon. member.

MR. WEISS: I would accept that, Mr. Chairman, but I can't speak for other members of your committee. They would have to rule on accepting it as tabling it or not.

MR. CHAIRMAN: I'll consult with Legislative Counsel here and get some guidance on this matter.

MR. GOGO: Point of order.

MR. CHAIRMAN: Point of order from Mr. Gogo.

MR. GOGO: Mr. Chairman, I just want to be clear that the Member for Fort McMurray is not agreed that it's a tabling motion. I'm very interested in hearing a debate on the motion proposed by the Member for Calgary-Mountain View, so I hope there's not a ruling by the table that in effect Mr. Weiss . . .

MR. CHAIRMAN: Okay. No, there's not a ruling. I was just seeking clarification.

Would it be acceptable to members of the committee in that event that we divide the motion by Mr. Hawkesworth into five component parts and deal with each of the parts in turn? [interjections] Let's just have a debate, then, on the motion as proposed.

MR. McEACHERN: The Member for Fort McMurray suggested we get on with number 4. I have a very simple suggestion as to how we go about that. If he finds something wrong with the other four motions on the floor, he should have said so. Since he did not, then I suggest all we do is have a vote on this very quickly and pass these five recommendations. Then we can get straight on to number 4 very quickly today. These are excellent motions. If we are going to deal with a document as thick as this, we need perhaps more than one day to deal with the Auditor General. If we are going to have other witnesses, obviously we'll need to have more than one day. It may stretch for some days ahead. So it's very simple to get on to number 4 within a few minutes by merely adopting these quite quickly and getting down to business.

8:51

MR. CHAIRMAN: Okay. I have the following speakers in order: Mr. McFarland, Mr. Paszkowski, Mr. Lund.

Mr. McFarland.

MR. McFARLAND: Thank you, Mr. Chairman. I, too, had wanted some clarification on this process. We've now wasted about 21 minutes. With a little bit of respect here, we've had people in the front row able to sit there and chat back and forth with you, and I really don't know where we're at in terms of dealing with the agenda items. I came here prepared to deal with the agenda as I saw it, and in all fairness, when we're proposing motions through the Assembly, I would have thought a more appropriate time would be to bring it here and discuss it; not necessarily that you have to react to it right now, but deal with the agenda items as we had them and get on with the discussion. We're wasting the Auditor General's time, and I for one would like to ask a few questions and get at it.

MR. CHAIRMAN: Okay. Mr. Paszkowski.

MR. PASZKOWSKI: Thank you. My train of thought is very similar. I came here to try and obtain some information, not to get into a procedural debate. I think it's important under normal circumstances that we ask the questions and then make that type of determination. It seems ridiculous to me to usurp the process, and that's exactly what we're being asked to do simply because . . . Perhaps all the questions are going to be answered. We have no way of knowing that at this time. Indulging in this debate at this time I think is very unfortunate. We're wasting some very valuable people's time, and I think we should go through the processes as it has been predetermined. Should we have some other issues, then we will have to deal with them, but I think our procedure is a little out of order here.

MR. LUND: Mr. Chairman, I too came prepared to discuss the items that were on the agenda, and I'm very disappointed that we have now wasted 25 minutes in a procedural wrangle that is totally unnecessary. I thought we had adopted the agenda, and now we're being asked to change it. I do not accept that. I think if we're going to deal with this motion, that should have happened under Other Business and not with number 2. I want to get on with number 2.

MR. MOORE: I'm just like the rest. Twenty-five minutes has been wasted here in a procedural wrangle. I think everyone around this table, including those on the front benches there, is very interested in getting into asking the Auditor General questions on this, getting a handle on what's transpired and where we're at. This motion from Mr. Hawkesworth can all be covered in the discussion this afternoon. We're probably premature dealing with this one now. I've listened to "table," I've listened to "defeat," I've listened to "pass." Why don't we just defeat it and listen to the Auditor General? This may not need to come up again from the table or anywhere else. Let's defeat this and go on with the discussions. In the final analysis there probably will be no need for this because all these things can be covered in this morning's activities. So let's get on with it.

MR. TAYLOR: Well, Mr. Chairman, he says it's a procedural wrangle, but I think the government knows darn well what they're doing. What they're trying to do is make a procedural wrangle. The one thing they're trying to do is keep this committee from meeting any more than this meeting and a week from now, because as the present rules read, if we don't pass a motion that we can keep sitting — and that's the key part of number 1 there — the whole thing is dead. We can't call witnesses and we can't hope to do anything in two meetings. So when they say there's a procedural wrangle, the government knows damn well what they're doing. That's what they're trying to do: handcuff this committee so it will not sit any more than today and a week from today. This is why I challenge them.

SOME HON. MEMBERS: That's not so.

MR. TAYLOR: Well, I challenge you, then, to support just number 1. Amend that motion so we do only number 1. That way all the other notices can come up in time. As they come, we can argue them specifically. But right now what this committee needs is time. As long as you wrangle, as long as you keep wrangling procedurewise, the committee is dead by next week, if the House is sitting next week, because the present rules would say that the committee can meet only while the House is sitting.

That's the point. We all know the House is going to be finished sitting fairly soon; consequently they can keep that motion off that we can keep meeting. They can kill the whole investigation, because there's no way a worthwhile investigation can be done in two meetings. So I challenge them to let number 1 go through. In other words, I will believe them if they will accept it. I would like to amend the motion: that we delete all parts of the motion except number 1.

MR. McEACHERN: Not delete them; just delay.

MR. TAYLOR: Delay. Well, okay. We can do other motions down the road. Let's just do one motion at a time. I'd like to challenge the government members to see whether they have the courage to let this committee meet as often as it needs to do the investigation it needs to do.

MR. CHAIRMAN: Thank you.  
Mr. Gogo.

MR. GOGO: Mr. Chairman, I would very much appreciate your ruling, sir, whether the motion by Mr. Hawkesworth is now proposed to be amended.

MR. McEACHERN: Not amended.

MR. GOGO: I just want . . .

MR. McEACHERN: Just have one at a time.

MR. GOGO: I'm sorry, Mr. Chairman. I was addressing you, sir. Hearing Mr. Taylor, I heard him propose an amendment to the motion that's before us. I'd just like your ruling. Are we now talking about an amendment to the motion? I just want to be clear.

MR. CHAIRMAN: That's a question I have as well, Mr. Gogo.  
Mr. Taylor, we need some clarification. Are you proposing an amendment?

MR. McEACHERN: Not amended. One at a time.

MR. TAYLOR: All right. Okay. I will amend this motion: that we treat each paragraph, all five, one at a time.

MR. CHAIRMAN: That's not an amendment. That's a procedural order that you're requesting.

MR. WEISS: Point of order, Mr. Chairman.

MR. CHAIRMAN: Point of order for Mr. Weiss.

MR. WEISS: Mr. Chairman, I'm not questioning your rulings or prejudging what you may rule on, but if you have a motion before you, how can we separate it and say which part of that motion we may or may not accept? The motion has to stand on its entirety.

AN HON. MEMBER: No, it's a common practice.

MR. CHAIRMAN: Hon. member, I have consulted with Legislative Counsel. He's assured me that because there are clearly five parts to this motion, it is within parliamentary practice to vote on each part separately, which would imply to me that you could debate each part separately if that's the direction I'm given from

the committee. I can't determine that. It's fully parliamentary to do that, but you have to give me some direction. Mr. Taylor has given me some direction. I'd prefer to test the floor on that and see whether or not that's acceptable to all members of the committee.

Mr. Clegg does want to intervene.

MR. CLEGG: Thank you.

MR. WEISS: I'm not finished.

MR. CHAIRMAN: I'm sorry, Mr. Clegg. Mr. Weiss is not finished.

MR. WEISS: Mr. Chairman, the reason I question it is because the word "time" was used with expediency by Mr. Taylor. If we're to look at expedience in the time factor, let's just vote for the motion as it is and get on with it. Otherwise we might be here until the 10 o'clock or 10:30 time frame and not have dealt with anything if we deal with it in individual parts.

MR. CHAIRMAN: Okay. Mr. Clegg.

MR. CLEGG: Well, Mr. Chairman, I've got great respect for you, and I've said it on decisions in Public Accounts before, but we have passed a motion by myself to deal with the agenda as printed. Certainly we're talking about the motion that's presented by the hon. Mr. Hawkesworth, but we're out of order because we should be following the agenda we passed here. I never heard any "no" votes whatsoever. If we follow the agenda, I don't think we'd have an argument.

MR. CHAIRMAN: I've checked with legal counsel on this particular matter. A member is free to make a motion any time . . .

AN HON. MEMBER: That's normal procedure.

MR. CHAIRMAN: . . . he or she chooses to and the motion is not out of order. The committee can vote it down. The committee can do many things with the motion: it can amend it; it can delay it. At this point we're really debating the motion, and there is no amendment. We've only had a suggestion that we break it into parts.

MR. WEISS: Question.

MR. MOORE: Fair question. Let's vote on the motion.

MR. CHAIRMAN: Mr. McEachern.

MR. McEACHERN: It does seem to me it's important that we do take these one at a time as Mr. Taylor has suggested, because then we will find out who's in favour and who's against each of these specific motions. It's not acceptable for the government to say, "We've got to deal with them all at once," so they can talk a lot of fuzzy nonsense and then just turn them all down at once without being specific about what it is they are against. Are they against sitting a little longer, or are they against us summoning other witnesses? Exactly what point is it they're balking on? We want that very clear.

MR. CHAIRMAN: I think we're getting a little - if I may, hon. member, we're not talking to the motion itself. We're getting a

little bit far afield, and we're getting into the imputation of motives, and I think we should try to resist that.

9:01

MR. McEACHERN: I'm just saying let us vote on number 1.

MR. CHAIRMAN: Well, that's fine, but the committee itself will have to decide if that's what they want to do.

Mr. McFarland.

MR. McFARLAND: Mr. Chairman, could you just clarify for me: are we now discussing or have you in fact taken the Member for Westlock-Sturgeon's amendment to the motion?

MR. CHAIRMAN: He didn't make an amendment to the motion. He just made a suggestion that we deal with this motion in its component parts. There's no motion on the floor.

MR. McFARLAND: Okay. Mr. Chairman, I'm a little bit confused at this particular point. I have a problem with number 1.

MR. TAYLOR: That's why let's vote on it.

MR. CHAIRMAN: Hon. member, don't talk back and forth. Through the Chair, please.

MR. McFARLAND: With respect, Mr. Chairman. I have a problem with number 1 for this reason: there are other committees that I'm on, and they coincide with some of these times. Now, am I to say that Public Accounts takes precedence, and at this short notice am I now supposed to change other committee meeting dates if I accept Mr. Taylor's suggestion? I think it's valid, but I don't think at this particular point in time. It's awfully short notice. It's more than inconvenient when I've got commitments elsewhere, other than here.

MR. CHAIRMAN: I appreciate the difficulty the hon. member may have with this and that other members may have the same problem. I have a proposal to get us out of this log jam.

Mr. Severtson.

MR. SEVERTSON: I'd like to hear your proposal, and then I'll go on the list.

MR. CHAIRMAN: Well, I think what we've been doing is debating the motion.

MR. TAYLOR: On a point of order. *Beauchesne*, section 557, has a section called "Dividing Motions."

A motion which contains two or more distinct propositions may be divided so that the sense of the House may be taken on each separately. The Speaker has a discretionary power to decide whether a motion should be divided.

That's backed up by the *Journals* of June 15, 1964.

MR. CHAIRMAN: Essentially that's exactly what I was going to do. Thank you for that point of order.

For the benefit of new members to the committee, I have virtually all the powers of the Speaker as Chair of a committee. The Chairs do have the power, with the exception that I cannot name members. If you become too unruly, all I can do is cancel proceedings and report back to the Assembly itself.

Essentially what I was going to propose is that we divide this motion into its five component parts, deal with each one separately, and if anyone wants to table a part until after we have heard from the Auditor General, I think that would be my suggestion. It's not my duty to make suggestions to the members, but I think that would solve some of the concerns that have been expressed by members during the debate. It's up to the members to decide what they'd want to do on each component part.

Mr. Moore.

MR. MOORE: We'll soon make it 10 o'clock if we keep it up.

MR. CHAIRMAN: That's correct. We're having fun, aren't we?

MR. MOORE: Anyway I think your suggestion may have merit. I don't exactly agree with it. Just go back to what we did: we adopted the agenda. There's a place on the agenda for Other Business, and that's where it should drop in, and then we can decide section by section and other business. Maybe some of those sections won't even have to be reviewed because they may be answered in the discussions.

MR. CHAIRMAN: Hon. member, unless you wish to challenge the Chair, I've accepted the motion. The motion's on the floor. That's perfectly within parliamentary procedure for that to occur. We've debated it at great length. My inclination at this point would be to divide the motion and deal with each part separately. I have the power, as it's been explained, to do that, and that's what I suggest we do right now.

So we're going to consider, first of all, point 1 of the main motion, which reads:

after this legislative session adjourns, meet from 10 a.m. to 12 noon and 2 p.m. to 4 p.m. Tuesdays, Wednesdays, and Thursdays for as long as it takes to complete its examination of the NovAtel matter.

What is your pleasure with respect to that part of the amendment?

Mr. Doyle.

MR. DOYLE: Mr. Chairman, the motion is now on the floor, and all members have the opportunity to speak to the motion. Is that correct?

MR. CHAIRMAN: Yes.

MR. DOYLE: Yes. Okay, I would like to say that it is most important and urgent, that we have to address this in detail. My intent when I made the Standing Order 40 to the Legislative Assembly was that we get to the bottom of this matter, not try and sweep it under the carpet again.

MR. CHAIRMAN: Well, now wait a minute.

MR. DOYLE: We need meetings, Mr. Chairman, to examine all information that we can bring before us.

MR. CHAIRMAN: Let's stick to the motion and not make any imputations here.

Mr. Weiss.

MR. WEISS: Well, Mr. Chairman, speaking against the motion on sub 1 - I guess that is what would be the correct terminology - I feel that we're prejudging, and I used my in earlier words "premature." We have the Auditor General and his staff complement here ready to answer questions. How do we know that the first question that may be asked would resolve all the queries or

concerns an hon. member might have? Now, realistically I don't believe that will happen either, and I am a realist. I am saying that if we deal with it and ask the questions, we may as a committee, then, at another time decide at your request to meet and resolve other issues that may come up concurrently with the questions being raised today. But until such time as the questions are raised, how do I as a sitting member know that we need three weeks or three months or three days or three minutes? So I say that we're premature in having to raise it as it is, and it isn't necessary. I suggest once again to get on with the questions, find out where we are. If further time is required, then we would be able to take a vote on it at that time.

MR. CHAIRMAN: Are you making a specific proposal in what you've just said? You're just speaking against the motion completely?

MR. WEISS: I'm speaking against the motion and would ask the hon. members to defeat the motion.

MR. CHAIRMAN: You're just speaking against the motion completely. Fair enough.

Mr. Lund.

MR. LUND: Thank you, Mr. Chairman. I, too, must speak against this sub 1 of the motion and for much the same reasons as the hon. Member for Fort McMurray. I think it's premature at this point. We have a very, very extensive review by the Auditor General that we can zero in on. Another very unfortunate thing in my opinion that has happened is the very narrow scope that the Legislature has put us in. It says, "To help prevent future loss." Now, some people think we're going to be doing a postmortem. That's not what the resolution says. So I am speaking against passing this at this time. I think we have to get on with the questioning of the Auditor General and then determine.

MR. TAYLOR: Actually, I guess I should have made it as a point of order. Now, can I ask the question maybe through the council? Can the Chairman, as the Member for Fort McMurray suggested, call the meeting on his or her own outside the times the House is sitting? In other words, my understanding is that this committee can only meet when the House is sitting.

MR. CHAIRMAN: The committee is directed by the membership itself. The membership earlier in this session voted that we would only meet during session on Wednesday mornings.

MR. TAYLOR: Exactly. This is what I think the hon. member . . .

MR. CHAIRMAN: I'm just explaining that the committee, though, can change its course of conduct, and if the committee chooses to meet outside of session, it can do that. It may mean that we might have to get a supplementary requisition through the Legislature to pay for the costs of doing that, but the committee can make that recommendation.

MR. TAYLOR: In speaking to that motion, this is why I wanted to point out to the . . .

MR. SEVERTSON: A point of order, Mr. Chairman.

MR. CHAIRMAN: Point of order.

MR. SEVERTSON: I feel that the hon. member got on the speaking order on a point of order. Now he's speaking on the motion.

MR. CHAIRMAN: No, he didn't. He was on the list.

MR. SEVERTSON: Oh, okay.

MR. CHAIRMAN: Mr. Taylor, Mr. Payne, then Mr. McEachern are on the list.

MR. TAYLOR: If I had done it that way, he's correct, but he'd asked to me to speak, and I just wanted it clarified.

It's the hon. Member for Fort McMurray's first time on here, and I don't think he was aware that we had set a regulation or we had passed that this committee could only meet when the House was sitting. Therefore, I think this drives home to him, I hope, the reason why there was movement on this motion, because this could be, if we stick to the rules, the last meeting. You're saying postpone it. Well, this is as far as we can postpone it, because it's quite conceivable and possible that we will not meet again, and therefore we will not have a chance to put the motion. So indeed what you have asked for, that this be postponed to the last possible minute, has occurred. This is the last meeting.

9:11

MR. WEISS: May I respond, Mr. Chairman?

MR. CHAIRMAN: Well, no. I think we'll have to do this in order. I'll put you back on the list.

Mr. Payne.

MR. PAYNE: Mr. Chairman, I would like to speak to the motion briefly and then conclude with a question to the proponent. As a context, I would like to say at the outset that I think this is an excellent report. If a martian were to have arrived 45 minutes ago and listened to this debate, I think he or she or it would infer that this was a woefully inadequate report and that there are just tons and boxcars of information that are yet to be shoveled out by ferreting, zealous members of the Assembly. I don't think that's the case at all. I think it's an excellent report. I do have questions of a personal nature, and I welcome the opportunity to advance those. There are some questions, a few that have been raised by my constituents, and I welcome the opportunity to raise those also with the Auditor General. I do feel we have a very thorough, a very helpful report for the members of the Assembly.

The words of the submotion that I'm concerned about are: "for as long as it takes." I'm just very uneasy about any motion that comes perilously close to becoming a make-work resolution. It's the openendedness of that that is perhaps my greatest misgiving, and I would hope that at some point the Member for Calgary-Mountain View might indicate the time frame he contemplates. Is it a three-day exercise, or does it run us out to the year 2000?

MR. CHAIRMAN: Mr. McEachern.

MR. McEACHERN: Yes, Mr. Chairman. This is an incredible little exercise we're engaged in here.

This motion suggests that we might need to meet outside of the two days that we would obviously have, today and next Wednesday, and certainly anybody that has any intentions of supporting number 5, which says that we should be able to call witnesses other than the Auditor General, knows that we will need more than two days to go through this very detailed and quite good report.

I mean, I think we accept that there's a lot of information in the report, but there are a lot of things that are not in the report too, like any blame that might be placed on different people, that we need to get to. That's why our party called for a public enquiry.

As to the Member for Fort McMurray worrying about the length of time and also the Member for Calgary-Fish Creek, it says right in the motion, "as long as it takes to complete its examination." Now, this committee is controlled by the Tory caucus members, and if they wish to stop the proceedings, they can do so at any time. They just have to take the political flak of people saying, "Well, you didn't want to follow it through," unless they're prepared to let it go for a number of days to the point where we've covered it fairly adequately, and when that time comes, then we will all agree to stop.

As to sitting outside of the two days when the session is on, it might cost some more money. I heard somebody raise that point. It is my understanding that the members of the committee have not been putting in their chits asking for their pay for the committee, so therefore there is still some money in the kitty for those who might want it. On my part, and I'm sure I speak for a lot of the people here in this committee, most of us I think would be willing to sit free and come in every day for a long time to get to the bottom of this incredible fiasco. I do not understand why we're getting all this flak from the backbenchers. Why don't we pass this thing very quickly and get on to number 4, which is what they purport to want to do?

MR. CHAIRMAN: Mr. Weiss.

MR. WEISS: Well, only to clarify a point, Mr. Chairman. Through to the hon. Member for Westlock-Sturgeon, Mr. Taylor, who made reference to the fact that I may or may not have known the regulations that were imposed by voting of the members previously. I'm well aware of that, but I think if you refer to my remarks in *Hansard*, I had said: perhaps the Chairman may request that hon. members would at a later date vote on whether there should be adequate needs to meet again. What I'm saying is that it isn't necessary at this time to make that decision but it could be made at a later date.

MR. CHAIRMAN: I just would like what you're saying clarified, hon. member, because in that I hear a motion to defer this motion until after we've heard from the Auditor General. That's what I hear you saying.

MR. WEISS: Well, I don't really put it in a motion. I make it in a statement, and the statement, Mr. Chairman, through to you is that if hon. members . . .

MR. CHAIRMAN: You'd simplify the proceedings of this committee substantially if you would just table it till after we've heard from the Auditor General.

MR. WEISS: Well, I would gladly put it that way, sir, if that would resolve this so that we can get on with the discussions at hand.

MR. CHAIRMAN: Well, I think it would, because that would not be debatable.

MR. WEISS: Please accept it as per your recommendation and your advice.

MR. CHAIRMAN: I'll accept that as tabled.

MR. HAWKESWORTH: Till when?

MR. CHAIRMAN: Till after we've heard from the Auditor General.

MR. HAWKESWORTH: Does that mean before 10 o'clock?

MR. WEISS: Tabling is exactly that. It's tabled.

MR. HAWKESWORTH: But it's tabled sine die or to a specific time?

MR. CHAIRMAN: Until after we've completed our questioning of the Auditor General, as I understand it.

MR. McEACHERN: A point of order, Mr. Chairman. A tabling, as you said earlier, is not debatable. It does seem to me that that opens up to a bit of abuse. We could just table number 2 with no debate, table number 3 with no debate, table number 4 with no debate, and so on, and we would get absolutely no sense from anybody as to how they feel towards these points.

MR. CHAIRMAN: Hon. member, I think you're debating the motion.

MR. McEACHERN: I'm debating the procedures. It seems to me that at least there should be some debate on each of these points before you'd accept a tabling motion rather than accept it at the start.

MR. CHAIRMAN: Well, I think we've had considerable debate on motion 1.

SOME HON. MEMBERS: Question.

MR. CHAIRMAN: The question's been called on the tabling motion. Those in favour of tabling this till after we've heard from the Auditor General? Six. Those opposed? Five. The motion's tabled.

Okay, let's move on to the second one.

In conducting its examination of NovAtel Communications Ltd., allow committee members to ask all the questions they have of any witness appearing before the committee.

What this proposes, in essence, if I may clarify, is that this would change the limitation that's been placed on the committee members that they only be allowed three questions before we move on to another member, that a member would be allowed to ask a number of questions in sequence. Is this the intent of the motion?

MR. HAWKESWORTH: Mr. Chairman, what the practice has often been is that people have only limited opportunity to speak to witnesses. Often witnesses, at least the ministers that have come before the committee in the past, have taken a lot of time just in opening comments. So it's difficult to even probe anything that's said, and as a result, the committee is not effective and doesn't function very well at all. I think what's important here is to ensure that when people appear before the committee, they have to respond to the questions members have and that there not be a sort of clock ticking, you know, that you can talk out the clock and not have to deal with any of the hard questions. That's the intent of item 2.

MR. CHAIRMAN: Mr. Lund.

MR. LUND: Thanks, Mr. Chairman. I'm still a little confused. I thought your comments were on the procedure on the questioning, and now from the mover it sounds like it's a case of bringing back the same person as long as there are any questions. Could you tell me for sure which one it is? Is it the latter?

MR. CHAIRMAN: It's the latter.

MR. LUND: So the operation within the committee would remain the same; that is, each person would have a question and two supplementaries?

MR. CHAIRMAN: That's not my understanding.

MR. LUND: Then, Mr. Chairman, I have great difficulty with that, because what could very easily happen is that an individual gets on the speaking list first and we have to then endure that barrage of questioning and are unable to get in with our own questions. I think that's totally unfair and would be voting against that.

MR. GOGO: Mr. Chairman, I would appreciate your help, sir, with what I see in sub 2. I'm not concerned about what questions an individual member has. That's his right as a member of this committee. If this committee is to determine which ministers of the Crown they want to appear before them – and we each have our own thoughts as to which one – and we determine an agenda of 10 ministers, for example, is what I'm hearing from the proponent of this motion that we could use the entire time on one minister week after week after week and we would never get to the others? Is it in that context? Or is it in the context, as put by the hon. Member for Rocky Mountain House, that a member be able to ask questions ad nauseam at the expense of other members being able to ask a question? I'm confused.

9:21

MR. McEACHERN: It seems to me that what this is trying to get at, and we need a balance here of course, is that sometimes if you have just three questions and you know you're not going to get back in again for the day – you have three different questions or even if you have three in a row – it may not get at the point you're trying to get at. If we're going to do a thorough job of this, we have to be able to question the same person maybe six or eight or a dozen times in a row while you've got the person here because they may not be coming back again later if you have a series of witnesses before the committee.

Now, it is fair that you should not have one person dominate the committee totally. So it seems to me that the chairman would use his discretion to see when a line of questioning has run out of steam and doesn't really seem to be getting anywhere and that it may as well be cut off and when it's fair to switch to somebody else. That same person would not get to start a new line of questioning after having had more than three questions. Those would be the kinds of rules I would expect a fair chairperson to use, but it would still allow us to get at a series of questions on one topic to one person before we lose that person.

MR. CHAIRMAN: Perhaps a word of explanation is necessary here on the part of the Chair to explain the power of the Chair in this circumstance. The Chair has the power to maintain order and decorum during proceedings, and in the event that members did have the right to pursue a line of questioning to its conclusion, the Chair would have the power to cut the member off, to end his line of questioning if the member was dominating too much of the



committee's time or if the member was asking redundant questions or questions that in the view of the Chair did not contribute to the orderly proceedings of the committee. The Chair has that kind of power. Committee members have taken that power away from the chairman by introducing a motion that says, in effect, that a member can only ask one main question and two supplementaries, and it's the committee's right to do that. So that's just by way of interpretation. I hope I'm clear in terms of what I've said about this point.

I'm responding to Mr. McEachern, but I do have three other speakers on my list: Mr. Severtson, Mr. Paszkowski, and Mr. Doyle in that order.

MR. SEVERTSON: Thank you, Mr. Chairman. I oppose this number 2 just for the same principles that some other members have brought up. I've been in Public Accounts before under our present system of one question and two supplementaries and haven't got on the speaking list, and I've had my hand up at the first of the meeting. Now, if we accept this type of amendment, the chances of that happening would be really great.

Another one. When you look at number 2, it says, "all the questions they have." The chairman has ruled that we have to deal with the questions to the account of the year that we're discussing. The way this reads, any questioner can question, if we have a minister before us, his budget or estimates for two or three years. So I'm definitely against number 2 for that reason.

MR. CHAIRMAN: Okay.  
Mr. Paszkowski.

MR. PASZKOWSKI: Thank you, Mr. Chairman. I, too, have to oppose this primarily because it's too open-ended. I have to respond to a statement that was made earlier, and I think it's important that this be said, and that is that we can work for free here and come together. Let's just count the number of people that we have sitting around this table. Every time I have to come to Edmonton, it's \$400 for an airplane ride. Now, that is not an issue that pertains to the final outcome of this, but let's make it very clear that it costs someone. There are no freebies out there. Just because you live in Edmonton and don't recognize the needs of those who don't live in Edmonton is a very, very unfortunate situation.

However, I have concerns with number 2 simply because it is open-ended. It's a situation, as it is worded, that can go on. It's a make-work project, as mentioned before, and therefore I cannot support it the way it is worded.

MR. DOYLE: Mr. Chairman, I want to say that I trust the judgment of the chairman to have orderly questions asked and limit those questions if he feels that that member has finished. I, too, have sat on this committee for some time, and with the long-winded questions it's quite difficult to get in sometimes. It should be left up to the discretion of the Chair how long these questions can go on, but if you want to limit it too, that would be your responsibility.

I also have a problem with those complaining about a \$400 airplane. They could probably take the bus like I do. All members of this Assembly have a free bus pass, and it's a good opportunity to work rather than standing around smiling in an airport.

MR. TAYLOR: Normally I support the hon. Member for Calgary-Mountain View in the motions he's made, but I think this motion emasculates the chairman. I think the chairman has to have the

latitude of cutting and changing the areas as he sees fit. Consequently, I don't feel that I would like to vote for it.

MR. CHAIRMAN: Now, this concludes debate if I recognize Mr. Hawkesworth. Mr. Hawkesworth.

MR. HAWKESWORTH: Well, we're in committee, Mr. Chairman, so I'm sure that if others want to jump back in, the mover doesn't technically close debate.

The point I'd like to make here is that if the freedom that this item 2 would confer on the committee is abused, obviously the committee can then rescind it. That's always within the power of the committee. The question is whether there's going to be given to members of the committee some real opportunity to closely question either the Auditor General or others that come before the committee about their role, their findings, their experience, their recommendations for change for the future. If that's abused by one individual eating up all the time with questioning and not allowing other members of the committee in, that's not fair. I recognize that. If somebody ends up substituting long, drawn out speeches for actual questions, that's an abuse. I'm sure the committee would not allow that to continue, and this item could always be revisited. It's a litmus test, Mr. Chairman.

MR. CHAIRMAN: Thank you.  
Any further comment on this?

SOME HON. MEMBERS: Question.

MR. CHAIRMAN: The question's been asked for. Those in favour of recommendation number 2? Those opposed? The recommendation is defeated.

Send for such papers, documents, and records as the committee requires to conduct its examination of NovAtel Communications Ltd.  
Mr. Lund.

MR. LUND: Well, Mr. Chairman, I really have a great deal of difficulty with that one, and I must bring us back to what the Legislature ordered us to do. While I know that you read number 4, I think we have to read the whole direction. It starts off with, "To help prevent future loss of public funds," and the Auditor General says that he makes the following recommendations.

Quite clearly, taking number 4 in the context of the recommendations, we are going to be dealing with how we can prevent a disaster that we are very unhappy about from ever happening again. To talk about bringing documents and records and papers to this meeting, what has that got to do with making sure that the Public Accounts Committee has the ability to investigate and look at the budgets of all Crown corporations and subsidiaries of those Crown corporations and the actual results of their operations? I think this is totally out of order and will certainly be voting against it. I must add that I am very disturbed that we've now wasted a whole hour. There are some very important questions I wanted to ask the Auditor General, and here we are.

9:31

MR. CHAIRMAN: Well, with all due respect, hon. member, that's not relevant to the motion, and that adds to the time.

Mr. Severtson and Mr. Moore; then Mr. Taylor.

MR. SEVERTSON: Thank you, Mr. Chairman. If I look at resolutions 3, 4, and 5, I think it's power this committee already has. I think the motion's redundant, or all three of them. As this committee can decide number 3, we've got number 4 here that the

Auditor General was supposed to speak to an hour ago and, again, number 5. I think all these three motions are redundant. The committee can do any one of 3, 4, and 5 at the request of the committee. So I would suggest that we have the question on these three and get on to what we came here for.

MR. CHAIRMAN: Well, I would like to comment again from the Chair, if I may, and just say that the member is quite correct in his interpretation of these three motions. The committee does have that power, and I've been so informed by legislative counsel. But I still have people on my list, hon. member, and as long as they want to speak, they have every right in a parliamentary body to express themselves.

Mr. Moore.

MR. MOORE: Well, Mr. Chairman, with your permission, related to 3, could I ask the Auditor General one question?

MR. CHAIRMAN: No. Hon. member, we're debating number 3 and whether we're going to ratify this power of the committee or not.

MR. MOORE: I require it for clarification. Is that all right?

MR. CHAIRMAN: Yes. I'll permit that if it's a clarification question – through the Chair though, please, and then I'll refer the matter to the Auditor General.

MR. MOORE: Okay. I'll refer it to you, and hopefully you will pass it on to the Auditor General.

Number 3 says:

send for such papers, documents, and records as the committee requires to conduct its examination of NovAtel Communications Ltd.

I would like to know from the Auditor General if he had all the records and papers and documents that he felt he required when he wrote this up, if he had those papers to form his opinions and make this report on.

MR. CHAIRMAN: I think that's a question you can properly put to the Auditor General when we get to recommendation 4.

MR. MOORE: Well, it has a bearing on this. If we don't pass this . . .

MR. CHAIRMAN: All right. I'll see if the Auditor General would care to comment on that to expedite the proceedings of the committee.

MR. SALMON: Mr. Chairman, I don't want to take up time, hoping we'll get over with the debate soon, but if you refer to page 9 in the report, I said:

I received access to all the information I required and obtained full cooperation from every person that was interviewed.

MR. CHAIRMAN: Thank you very much, Auditor General.  
Mr. Moore.

MR. MOORE: Then I would say we should defeat number 3, because we already have it here at government expense, viewed by a very impartial, qualified individual who gave us a summary.

MR. CHAIRMAN: I had Mr. Taylor next on my list.

MR. TAYLOR: Mr. Chairman, I think the Member for Innisfail has a point, that they may be redundant, but I don't think it hurts

to emphasize that the powers of the committee as set out in section 848 in *Beauchesne* give them the right:

(1) Committees may send for any papers that are relevant to their Orders of Reference.

It goes on, of course, in sections 852, 853, 854, 855, and 856, and that's the right to call for witnesses. I would remind the committee – and I'm not one to pontificate – that the Auditor General did not have the right to summon. The House restricted the Auditor General's rights, so this committee has more rights than the Auditor General. To say that the Auditor General did everything within his power is absolutely correct, but the point is that we have more power than the Auditor General. This is what this committee is meeting for. If it's just to try to interpret the English of the Auditor General's report, it might as well convene. It has more power, it has more rights, and this is what we want to hammer through.

MR. CHAIRMAN: Thank you.

Mr. Doyle, followed by Mr. McFarland.

MR. DOYLE: Mr. Chairman, the Auditor General, if I understood him correctly, said that the information he had enabled him to do this very detailed report, which I found very informative and, in light of this report, has brought many other questions before the committee. Perhaps the Auditor General wants to correct that.

MR. CHAIRMAN: No. I don't want to get into a debate between the Auditor General and the members of the committee at this point, but I think the hon. member's interpretation of the Auditor General's comments earlier and the actual reading of his remarks in his report on NovAtel Communications Ltd. are at extreme variance. It means that he's not interpreting the Auditor General correctly.

MR. DOYLE: Mr. Chairman, I understood that based on the information he had was how he drew his report. Because I have other questions, other information we need, like John Burrows, NovAtel chairman: why did Mr. Burrows refuse to be interviewed by the Auditor General? There's lots of information we need further than what's in this report.

MR. CHAIRMAN: Well, that's a person you're talking about; it's not papers, documents, and records. We're talking about getting those, but the committee has the power to obtain those records.

I think Mr. McFarland was on the list next.

MR. McFARLAND: Thank you. Again, I'm having a tough time here, because it seems like the exercise is getting refocused from dealing with the recommendations under part 4 of the Auditor General's report and in fact is turning it around. What I'm hearing is the casting of doubt on the report of the Auditor General. I guess my question, Mr. Chairman, that I have to think out loud is: who else could have taken on a task that the Auditor General had? If the purpose was that the Member for . . .

MR. CHAIRMAN: I ruled this member out of order for making comments along those lines. You're responding to Mr. Doyle's comments, so your comments are out of order.

MR. McFARLAND: I'm sorry. I didn't mean to respond to it. I'm trying to express my feelings about subarticle 3, sending for such papers. I'm questioning whether or not we might be chasing an exercise here where we saw certain documents filed in the House that in fact were not relevant to NovAtel. I am afraid that

if we pursue this course of action, we're going to have people sending for fictitious documents.

MR. CHAIRMAN: Could I make a comment on this just to make sure we're clear on it? No individual member of the committee can send for documents unless he has the authorization of the committee itself. I just want to allay your fears with respect to that, hon. member.

MR. McFARLAND: Thank you.

MR. McEACHERN: If we turn down this motion, then would that be interpreted as limiting the powers that the chairman and this committee already have? Is that what I hear these people saying, that they want to back off from our normal powers? Why don't we just pass this and move on?

SOME HON. MEMBERS: Question.

MR. CHAIRMAN: Okay. The question's been called.  
Mr. Hawkesworth would like to make a comment.

MR. HAWKESWORTH: Two brief comments, Mr. Chairman. This motion, if passed, would confirm the power of the Public Accounts Committee and would indicate that this Public Accounts Committee wants to exercise its full power in the review of this matter sent to it by the Legislature.

MR. CHAIRMAN: All right. Are you ready for the question? Those in favour of recommendation 3? Those opposed? The recommendation is defeated.

Okay. Recommendation 4:  
summon as its first witness the Auditor General to discuss his report on NovAtel Communications Ltd.

SOME HON. MEMBERS: Agreed.

MR. CHAIRMAN: We have to vote on it. It's there as a recommendation. Any discussion? Ready for the question? Those in favour? Those opposed? Carried.

Finally:  
by resolution summon any other witnesses that may be required to fully examine the reasons for the financial losses suffered by NovAtel Communications Ltd.

Mr. McFarland? Any further debate?  
Mr. Hawkesworth.

MR. HAWKESWORTH: I just want to make one point. The Auditor General referred to the written statement on page 9 of his report.

I received access to all the information I required and obtained full cooperation from every person that was interviewed.

I understand that not everyone associated with NovAtel was interviewed, and in the mandate given the Auditor General by the Premier, the request of him by the Premier, he was not given the power to subpoena those who might not want to be interviewed, although I acknowledge that the large majority of people involved were.

9:41

I think it's important that again the committee confirm the power it already has. If the committee wants to summon a witness, a committee member brings a motion to the committee. The committee hears the arguments and then decides yes or no on whether that motion will be approved or not. So this motion would get an indication from this committee on whether it wants

to exercise the powers it has available to it to ensure that a full review of this issue by the Public Accounts Committee is given. If the committee doesn't want to exercise its powers, wants to neuter itself in terms of reviewing the NovAtel issue, that's up to the committee. The motion is on the floor for the committee to decide and to give a clear indication to the public and the Legislature how it wishes to proceed with this review.

MR. CHAIRMAN: I think some of the comments that were just made by the hon. gentleman would have been more properly expressed to the Auditor General by way of a question to him with respect to witnesses. There at least is some room for discussion of that issue. I don't think it's clear that that is the case, that not all proper witnesses . . . We'd like to hear from the Auditor General at some point on that.

I would like to say this: the committee cannot limit its own powers. Those powers are still there to do these things even if you vote this motion down. All right?

Mr. Paszkowski wished to be recognized, then Mr. Lund.

MR. PASZKOWSKI: Thank you, Mr. Chairman. I think the last statements indicate that indeed the request for the process, the way we wanted it to proceed, was the right way of doing it. We could have answered a lot of the questions. The Auditor General could have answered a lot of the questions that indeed are still unanswered and would have resolved the procedural process we've been debating. It's very unfortunate.

I have a bit of a concern with the last statements that were made, because they indicate some credibility as to the Auditor General. There's almost an indication that perhaps all the right people weren't interviewed. I don't know that that's right, because

I received access to all the information I required and obtained full cooperation from every person interviewed.

Now, NovAtel has thousands of employees. Are we suggesting that we're going to interview every employee of NovAtel?

MR. McEACHERN: No, just those we want to.

MR. CHAIRMAN: Through the Chair, please.  
Have you completed your remarks, hon. member?

MR. PASZKOWSKI: Yes, finally.

MR. CHAIRMAN: By the way, I would hope we have five minutes to hear from the Auditor General today, but I still have a list of speakers here.

Mr. Lund.

MR. LUND: Thanks, Mr. Chairman. I'll keep it very short.

I have trouble with part (5) of the resolution. The fact is that we have those powers. Why on earth are we now wasting this time? I must bring you back to the fact that the very narrow instructions we were given by the Legislative Assembly do not necessarily have us going into just the NovAtel issue. So I must vote against it, knowing full well that we are not diminishing our powers as a committee by voting against it.

MR. TAYLOR: In speaking for number (5), I just want to make the point that I suspect the reason for this motion is that there are witnesses we can summon that the Auditor General couldn't summon. The Auditor General was only allowed to interview those that wished to be interviewed or those he wished to interview and who agreed with him they should be interviewed. According to the laws here, we can summon people who do not

wish to be interviewed. Now, I may give as an example that Sandy Moore, a past president of NovAtel, is now a principal of CC Communications, a firm that received a commitment of \$81 million in loans from NovAtel. That was an individual, for instance, that the Auditor General couldn't interview. I'm just trying to get across . . .

MR. SEVERTSON: Point of order.

MR. CHAIRMAN: Mr. Severtson made a point of order.

MR. SEVERTSON: Mr. Chairman, with all due respect to the hon. member, I think we're starting into the details of why we wanted to come here in the first place, and I think we should focus on item 5 and have the question and get to the Auditor General.

MR. TAYLOR: I'm just pointing out that this is an example of an individual . . .

MR. CHAIRMAN: Okay. I think it's a reasonable point. Mr. Taylor has made his point, and I think your point of order is well taken. Are you finished with your remarks with respect to this, Mr. Taylor?

Mr. Moore and Mr. Doyle then.

MR. MOORE: Mr. Chairman, it's evident the mover of this motion hasn't read the report or he would have gone to pages 184, 185, 186, and 187. All the people that ever touched NovAtel are in there, and they were contacted and interviewed by the Auditor General.

MR. CHAIRMAN: Wait a minute. You're getting into the debate . . .

MR. MOORE: Well, I'm just saying it's not required because this has already been done.

MR. CHAIRMAN: There's some dispute over that particular issue, hon. member. It can be resolved by putting questions, I would suggest, to the Auditor General and hearing his response.

Mr. Doyle wished to be recognized, and then hopefully we'll still get a moment to speak to the Auditor General or have the Auditor General's response.

MR. DOYLE: Mr. Chairman, in expediency, I want to say that it was a great report put out by the Auditor General based on the amount of people he interviewed, but there are other people that should be interviewed also. This legislative committee has the power to bring those people in front of the committee to examine them. This is something that must be done.

MR. CHAIRMAN: All right.

Mr. Clegg.

MR. CLEGG: Mr. Chairman, again I'm certainly not challenging the Chair, but I did bring a motion forward, and we wouldn't have had all the wrangling we've had this morning if we would have followed the agenda. I've got questions, and every member here has questions to the Auditor General. I'm not questioning you, but this is what caused all the trouble. We would have just asked the questions . . .

MR. CHAIRMAN: Fair enough. We appreciate your direction to the Chair, but you really are out of order. This is not on resolu-

tion 5. I've heard people call for the question; we've had considerable debate. Are you ready for the question?

MR. McEACHERN: Just one last point.

MR. CHAIRMAN: Mr. McEachern, you have the floor.

MR. McEACHERN: It seems to me that if people vote this down, what they are doing is saying they are prepared to limit the powers this committee already has.

MR. CHAIRMAN: No. Thank you very much.

Mr. Gogo.

MR. GOGO: Thank you very much, Mr. Chairman. My understanding of your ruling, sir, was that regardless of what we do with sub (5), the powers of this committee are within its membership and they can summon whoever they want at any time. Was that not . . .

MR. CHAIRMAN: That's correct.

Are you ready for the question?

SOME HON. MEMBERS: Question.

MR. CHAIRMAN: Those in favour of recommendation 5? Those opposed? The motion is defeated.

MR. McEACHERN: We don't want to limit the powers of the committee.

MR. CHAIRMAN: Hon. member, would you please be recognized first before you make utterances.

Now, we have approximately five minutes of committee time left. We do have the Auditor General here with us. I asked him earlier if he'd be prepared to make a brief statement today. I know he's prepared to do that, but perhaps I should ask him to comment, if he would like to, on some of the points, remarks, or whatever, and then come back and perhaps be prepared to make a fuller statement one week hence. Auditor General, would you feel comfortable about making a few brief comments now?

9:51

MR. SALMON: Thank you, Mr. Chairman. I do not want to comment on what has gone on this morning other than to say for purpose of the record that we spent four months doing the a 200-page report. We interviewed 37 people. There were two people that would not be interviewed, Mr. Burrows and Mr. Moore, on the basis of their legal counsel advising otherwise. But even in view of that, we had available to us a report of Price Waterhouse, which I commented on on page 184, which deals with the fact that they had interview notes from both those individuals and many other individuals from which we were able to glean information we needed in order that we could say the information we have and have included in the report is complete. We didn't really feel, after having had access to that information, that the fact that we did not interview Mr. Burrows or Mr. Moore in any way limited us in the information we had available to us by documentation or by those interviews. We felt we had written a report that would be well understood by all who would take the time to read it. I emphasize the fact that it is long, but if one really sits back and thinks about what we have written, the story is very complete.

Just for the record, I would like to say that I have always believed that the Public Accounts Committee should be concerned

primarily with how the administration of government policy could be improved. In my NovAtel report I've set out what happened because of deficiencies in the accountability process of which NovAtel was a part. To help prevent future losses of public funds, I made the five recommendations, and the government has responded to those recommendations with its planned course of action. It seems to me that the committee, in considering the NovAtel report and the government responses, may want to satisfy themselves that the action planned by the government will result in an improved accountability structure, a structure likely to prevent another NovAtel.

My report was organized around the key events and decisions relating to NovAtel, and I've set out the facts and the conclusions I drew from all those facts. I believe I can answer many of the questions that may be in committee members' minds. As I said at the time of the release of the report, I've not ascribed blame to individuals. I believe responsibility for the losses was shared; no one individual was to blame. Albertans suffered the NovAtel loss because of the deficiency of a process to monitor the activities of those responsible. I also believe that Public Accounts in the course of their duties is an important component in the monitoring process. I can say with hindsight that certain decisions made by those responsible for NovAtel were poor. However, what is crucial to understand is that had a proper accountability structure been in place, the poor decisions undoubtedly would have been identified promptly. Early identification could have resulted in steps to minimize the loss and, if necessary, replace people lacking the needed skills. It's too late to change the course of NovAtel's history, but it is not too late to improve the processes that will help us manage public resources in the future. I believe there is a need for improved financial administration that the Public Accounts Committee will have to keep in mind.

Thank you.

MR. CHAIRMAN: Thank you. On behalf of the committee, I would like to thank the Auditor General for his comments. They were most informative. I'd like to also mention that with the Auditor General were Andrew Wingate, the senior assistant Auditor General, and Merwan Saher, the senior director, and I thank you for coming.

I'd like to say to Mr. Severtson that I apologize for not getting him on the list of questioners in one day and having missed him somehow, I guess. It was an oversight, and I'll probably try to restore the balance by recognizing you first at the next opportunity.

The next meeting of the committee will be one week hence at 8:30 in the morning. The Auditor General will be in attendance.

MR. TAYLOR: I'd like to move that we bring back motion 1 from tabling.

MR. CHAIRMAN: We haven't finished dealing with the Auditor General's report yet. That motion is tabled until after we conclude.

MR. TAYLOR: I thought you could bring back a motion from the table any time under *Beauchesne*. I believe you can.

MR. CHAIRMAN: Well, we can bring it back and begin the next meeting with that discussion.

MR. TAYLOR: Except there may not be a next meeting.

MR. CHAIRMAN: Well, we don't have time, hon. member. We've run out of time.

AN HON. MEMBER: We can vote on it.

MR. TAYLOR: We can count these people in five minutes quite easily.

MR. CHAIRMAN: According to *Beauchesne*, apparently you can bring that tabled motion back at any time.

MR. TAYLOR: I moved that we bring it back.

MR. CHAIRMAN: Then we can debate the movement to bring it back. Do you want to debate it?

Mr. McEachern.

MR. McEACHERN: I just want it brought back. Call the question.

MR. CHAIRMAN: Okay. Those in favour of bringing the tabled motion back? Those opposed to bringing the tabled motion back at this point? The motion is defeated.

MR. TAYLOR: Can that be recorded too, please?

[For the motion: Mr. Doyle, Mr. Hawkesworth, Mr. MacDonald, Mr. McEachern, Mr. Taylor]

[Against the motion: Mr. Clegg, Mr. Drobot, Mr. Gogo, Mr. Lund, Mr. McFarland, Mr. Moore, Mr. Paszkowski, Mr. Payne, Mr. Severtson, Mr. Weiss]

MR. MOORE: I move we adjourn.

MR. CHAIRMAN: Motion to adjourn. Those in favour? Those opposed? We're adjourned.

[The committee adjourned at 9:58 a.m.]

