

**12:08 p.m.****Monday, January 7, 2008**

[Mr. Lougheed in the chair]

**The Chair:** Good afternoon. I'd like to call the meeting to order. To those many people that are listening in on the Internet, we apologize for not starting exactly on time, but it's close. We do have a quorum. It's nice to see you all here today. Let's go around and introduce ourselves, starting with Jody.

**Ms Rempel:** Jody Rempel, committee clerk, Legislative Assembly Office.

**Mr. Herard:** Denis Herard, Calgary-Egmont.

**Rev. Abbott:** Hi, there. I'm Tony Abbott, the MLA for Drayton Valley-Calmar.

**Dr. Pannu:** Raj Pannu, MLA for Edmonton-Strathcona.

**Mr. Flaherty:** Jack Flaherty, MLA for St. Albert.

**Dr. McNeil:** David McNeil, Clerk of the Legislative Assembly.

**Mr. Reynolds:** Rob Reynolds, Senior Parliamentary Counsel, Legislative Assembly.

**Dr. Massolin:** Good afternoon. Philip Massolin, committee research co-ordinator, Legislative Assembly Office.

**Mrs. Kamuchik:** Louise Kamuchik, Clerk Assistant, director of House services, Legislative Assembly Office.

**Ms Gravel:** Micheline Gravel, Clerk of *Journals*/Table Research, Legislative Assembly.

**Ms Blakeman:** Laurie Blakeman. I'd like to welcome you all to another fabulous day that is paradise in my constituency of Edmonton-Centre.

**Mr. MacDonald:** It's always a pleasure to visit Edmonton-Centre. I'm Hugh MacDonald from Edmonton-Gold Bar.

**Mr. Amery:** Moe Amery, Calgary-East.

**Mr. Mitzel:** Len Mitzel, Cypress-Medicine Hat.

**Mr. Johnson:** LeRoy Johnson, Wetaskiwin-Camrose.

**The Chair:** I'm Rob Lougheed, the chair of the Standing Committee on Privileges and Elections, Standing Orders and Printing.

We have before us an agenda that was sent out. Let's go through that, and I seek your approval of it. Any comments with respect to it?

**Rev. Abbott:** I move adoption of the agenda, Mr. Chair.

**The Chair:** Of the agenda as presented. Okay with everybody?

**Hon. Members:** Agreed.

**The Chair:** Anybody opposed? Okay.

Let's move ahead, then. We have the minutes from the December

3 meeting, and they were also distributed. Any comments on that? Mr. MacDonald.

**Mr. MacDonald:** Yes, Mr. Chair. Item 5, Final Report Process. In the minutes it indicates, of course, that we're going to have the meeting on December 5, 2007, to "review its proposed final report prior to its being tabled in the Assembly that afternoon and distributed to all Members." Can you update me and other members of the committee on what happened with that proposed meeting on December 5, 2007, please?

**The Chair:** I think, as you may recall, the opposition carried on debate so long that we kept on going through a longer period of time than usual, and the House was sitting at that time. Did you not lose the committee that you chair as well that morning?

**Mr. MacDonald:** Yes, we did, unfortunately. At one point we were trying to make arrangements to have the standing order waived by the will of the Legislative Assembly to allow that meeting to progress at its usual time of 8:30 on the 5th of December, and I was wondering if the same attempt had been made by yourself as chair to have standing orders waived so that this committee that we're currently sitting on would have the opportunity to sit at the same time that the Legislative Assembly was sitting.

**The Chair:** You know, I really don't recall exactly what happened that day. It seems to me that there had been a discussion, I think, as I recall, with yourself in the Assembly that the meeting would not go ahead because the House was in session at the time. At any rate, we didn't meet.

**Mr. MacDonald:** For the record, Mr. Chairman, I don't recall this discussion.

**The Chair:** The discussion we had?

**Mr. MacDonald:** No.

**The Chair:** Well, it was quite a while ago.

**Rev. Abbott:** I recall, Mr. Chair, that we did discuss at a previous Standing Orders meeting about possibly meeting concurrently with session or with other committee meetings, and I believe we decided against that. We thought that it wouldn't be good for attendance or for members that wanted to be in two places at once. I know that as an MLA for almost seven years now I still haven't figured out how to be able to do that, so I wouldn't agree that we should have meetings at the same time that we're sitting in the Assembly.

**The Chair:** At any rate, we didn't meet, and that's partly why we're here today.

**Mr. MacDonald:** May I ask another question, Mr. Chairman?

**The Chair:** Go ahead, Mr. MacDonald.

**Mr. MacDonald:** In light of this final report, that we're eventually going to proceed to, what will the status of this final report be now that the Assembly has adjourned for the fall and all the other Members of the Legislative Assembly who are not members of this committee will not have an opportunity to publicly discuss in the Assembly the final report? What happens?

**The Chair:** If the report is approved, it will be tabled in the Assembly. Perhaps Parliamentary Counsel could comment on the process that would follow.

**Mr. Reynolds:** Thank you, Mr. Chair. I'll defer to my colleague Louise Kamuchik in a moment, but if the committee decided to recommend a final report and agreed to it, that, of course, as you indicated, would be presented in the Assembly at the appropriate time during the daily Routine. There could be a motion of concurrence in the report, which would allow for debate on the report, and Louise can comment on that. In any event, if the committee recommended that there be amendments to or some continuation of the standing orders, of course that motion would have to be debated before it would be effective. If the committee recommended that there be amendments to the standing orders, they would have to be amended by motion, which could be debated.

Perhaps Louise may wish to comment.

**The Chair:** Any further comment, Louise?

**Mrs. Kamuchik:** No. It's exactly as Mr. Reynolds has outlined. The committee has before it now a draft report which is based on the committee meetings up to the last meeting in early December. If the committee were to recommend additional changes today and add the possible two tentative meetings that are scheduled for the end of this month, the report, of course, would have to be amended to reflect those recommendations. However, as the report stands now, if there are no changes made, as Mr. Reynolds outlined, it'll be tabled in the Assembly once session resumes or starts again in February, I should say, because it'll be a new session. Of course, the motions to concur will follow.

That's all I have to add, Mr. Chairman.

12:15

**The Chair:** Okay. Thank you. Thanks for that clarification.

Mr. MacDonald, did that answer your questions?

**Mr. MacDonald:** No. Specifically I'm referring to Government Motion 15 from April 17, 2007, which indicates that there were three sections to the motion in section C – (a), (b), and (c) – and, specifically, we were to deal with all the matters in clause (c) “no later than the conclusion of the 2007 Fall Sitting.” So my question to you, Mr. Chairman, is: where does that leave the status of this committee now that the fall session has concluded? What does that mean?

**The Chair:** The intent of the committee to table the report, as you know, didn't occur because we didn't get together to approve the report and table it, so I'm acting under the assumption that the Legislative Assembly would appreciate that the committee decide on the report that we talked about, whether to table it or not to table it, and have it available to the members to debate when the time comes. If there is other intent from the committee here or from the Assembly, it hasn't been communicated to me. Do you have other proposals in mind other than to go ahead and consider what we put together and expected to table if it was approved?

**Mr. MacDonald:** Well, I don't know how the committee is going to proceed, but certainly it's clear to me. This is, again, a government motion that was approved by the Legislative Assembly, which gave this committee significant and very important direction. Again, on the matters under (a) and (b) we can certainly report to the Assembly with recommendations no later than February of 2008 – that's in the government motion – but with respect to matters in clause (c) we had to be done.

You know, in light of the fact that this committee has met so seldom, I'm requesting direction from you as chair as to what we do in light of the fact that we did not meet and we did not meet the requirements of Government Motion 15.

**The Chair:** Laurie, you had a question earlier.

**Ms Blakeman:** It's not on this. It's on a different subject.

**The Chair:** Anybody on this? Tony.

**Rev. Abbott:** Yes. Thanks, Mr. Chair. I guess my view on this: certainly, there has been a deadline that has been missed, and we need to do whatever it takes to correct that. I think it may require another government motion, or it may require some kind of a motion by us. I'm not sure. We should look to counsel for that. However, I would remind the member that although session has been recessed, it hasn't been ended.

**The Chair:** Prorogued.

**Rev. Abbott:** It hasn't been prorogued – exactly – so it could be recalled at any time. It could be recalled tomorrow, and then we could carry on with business as usual. Until this legislative session has been officially ended, I think we're still very much on track to get our work done and to report that work back to the House when appropriate.

**The Chair:** Thank you.

Denis, you had a comment on this?

**Mr. Herard:** Yeah. I don't have in front of me the motion that was passed in the Legislature, and I didn't hear what day in February it had to be done by. Certainly, we are going back into session in February, so I don't understand if we really have missed the deadline, as my colleague previously stated, or not. I'd like clarification as to whether or not we really have missed the deadline here.

**Mr. Johnson:** Mr. Chairman, I think that Mr. MacDonald has a very good point here, but we can't undo what has been done. It seems to me that we should proceed with (c) – of course, we will with (a) and (b) – and make a recommendation to the House. If the House decides not to accept it, then that's their business. I don't think we can make that decision for them. The reason they would not is if we didn't follow proper procedure, but they may wish to waive that.

**Mr. Flaherty:** Mr. Chair, just from a point of information, would it be possible to get a copy of that?

**The Chair:** A copy of what?

**Mr. Flaherty:** Mr. MacDonald's memo that he's referring to. It's hard to hear the debate without knowing exactly what the statement is or the information is. I'd appreciate it if we could look at it before we go ahead here because it's hard to follow the debate without having the material in front of you.

**The Chair:** Tony, do you have a comment?

**Rev. Abbott:** Yeah, I do, actually. We also have an act on the books, Mr. Chair, called the Interpretation Act, which in these

circumstances would direct common sense to prevail in the interests of an adjourned Assembly. I think we can exercise that and carry on.

**The Chair:** I hope so.

Jack, you have those before you now?

**Mr. Flaherty:** Yes. Thank you, Mr. Chair.

**The Chair:** Anybody else?

**Rev. Abbott:** I didn't have it.

**The Chair:** It's in your draft.

**Rev. Abbott:** The draft report?

**The Chair:** Yeah, I think it's in that draft.

**Mr. Herard:** Nobody answered my question: are we in breach or not?

**The Chair:** I'll let you re-form that question in a second.

**Mr. Herard:** Okay.

**The Chair:** Do you have that now, Denis?

**Mr. Herard:** Yeah, I do.

**The Chair:** Louise, you had a comment?

**Mrs. Kamuchik:** I was just going to comment that the government motion is contained on page 2 of the committee's draft report. It contains the section C of the Memorandum of Agreement that was agreed to on April 17.

**The Chair:** I think everybody has filtered through their papers and has that in front of them now.

Now, Denis, you had a question a moment ago as well. Do you want to rephrase that?

**Mr. Herard:** Well, probably because I hadn't read it closely enough. It does consider with regard to the matters in clause (c): "no later than the conclusion of the 2007 Fall Sitting." So I think that the Interpretation Act probably would be the only recourse we would have other than the will of the Assembly. I think that that's probably a good way to resolve it.

**The Chair:** Mr. MacDonald, you'd questioned earlier how we would proceed with this. I would propose that we review the recommendations we made that we were going to consider and table in early December, look at them and see if the committee concurs with that report, and then plan to table it at the earliest opportunity in the Legislature. If there's any problem with that, then the members of the committee can state their piece. If there's any error in that with respect to proceeding that way, then perhaps Leg. Counsel or somebody can inform us where we may have erred. If not, then that would be my plan.

Is there any comment from the committee members?

12:25

**Mr. MacDonald:** Well, I would like to hear from Leg. Counsel, please.

**The Chair:** Mr. Reynolds, would you comment?

**Mr. Reynolds:** Yes. Just a note on terminology. I'm sorry to bring it up. Peter Pagano may be having shocks if he's listening to this because he's really Leg. Counsel. We're Parliamentary Counsel. I just didn't want to cause Peter any grief in case he was running over here to provide an opinion.

With respect to the question that you've raised, certainly Dr. McNeil, the Clerk, is here, and I'm sure that he'll have a few comments. The view is that it's impossible to comply with what the order says with respect to reporting. In the Assembly, of course, the House and its committees are the masters of their own procedure. In this case the House has given a direction to the committee to report by the end of the fall sitting, and clearly that wasn't done. If the committee chooses to report now on that matter, if the committee believes that to be in order, then the committee could go ahead. If the Assembly believes that that's not proper, then the Assembly will decide when the report is submitted.

Practically speaking, if you don't report with respect to that temporary standing order, I'm not entirely sure what it would mean if you adopted the rest of the draft report in the sense that if the committee was to decide that the rest of the temporary standing orders be extended, presumably it would include the provisions of the supply process. So it would be encompassed anyway.

The short answer is: yes, the deadline has been missed. There are no penalties for missing this deadline. If the committee chooses to include that in its report, I believe that decision is up to the committee and up to the Assembly as to whether it would accept that.

**The Chair:** Any other comment from staff? Dr. McNeil.

**Dr. McNeil:** I'd just add that it was a decision of the House that caused the deadline not to be met, not a decision of this committee. It was a decision of the House that led to the fact that that deadline was missed. It's now up to the committee to decide how they wish to proceed.

**Mr. Reynolds:** In terms of the all-night sitting.

**Dr. McNeil:** Yeah.

**The Chair:** Any comments from committee members?

**Rev. Abbott:** I just have a question also for Parliamentary Counsel. In light of the fact that we did miss this deadline, if the House is prorogued and we come back under a new session, a new Speech from the Throne, et cetera, would we not just revert to the old standing orders for at least one day until the temporary standing orders are re-engaged?

**Mr. Reynolds:** That's another point I was going to raise. With respect to the standing orders, they apply for the entire 26th Legislature, which would be until this Legislature is dissolved, which would only be on the calling of an election. In earlier drafts of the House leaders' agreement they were to apply to that session, but that was changed to apply to the whole Legislature. So the temporary standing orders are still in place when the House resumes, supposedly on February 4. That's what the standing orders indicate. The only time that they would cease to be in effect would be when the Assembly reconvened following an election.

**The Chair:** Okay. That's clarified.

Any other questions? Any other comments on proceeding the way we're going?

Are you on another topic?

**Ms Blakeman:** Yes. Please signal when we've finished this one.

**The Chair:** Okay.

Any further comments, then, with respect to the discussion that's under way right now? Mr. MacDonald.

**Mr. MacDonald:** Yes. Mr. Reynolds, could you clarify or provide more detail as to how this may or may not affect Committee of Supply in 2008?

**The Chair:** Go ahead, Mr. Reynolds.

**Mr. Reynolds:** With respect to if there was a budget before there were any changes to the standing orders? I'd once again have to look at that. I would have to look at that and get back to you. I mean, off the top of my head is always a dangerous place to go from. You mean if there was no recommendation from the committee?

**Mr. MacDonald:** If there was no recommendation or our recommendations would be invalid because we failed to meet the deadline, what happens next?

**Mr. Reynolds:** Well, once again, I'm not entirely sure that I would agree that they would necessarily be invalid if the committee made a recommendation and the House accepted it with respect to the supply process. If, of course, that happened in the House and if the House adopted that report and assuming that it was in the form that was outlined with respect to the continuation of the existing standing orders, then there wouldn't be a problem in the sense that the procedure that applied for 2007 would apply for 2008.

**Ms Blakeman:** It actually gives me more time.

**Mr. Reynolds:** Yes. With the procedure that would apply for 2008, assuming that the budget came down on the date that's indicated in the temporary standing orders, which says February 14, if the budget came down then, then there would be 75 hours, I believe, for discussion under the temporary standing orders.

**The Chair:** Okay.

Hugh, another comment on this?

**Mr. MacDonald:** I have another question, please.

**The Chair:** Is this on a different topic?

**Mr. MacDonald:** No. It's related to this, Mr. Chairman. Reverend Abbott talked about the Interpretation Act. He made reference earlier to the Interpretation Act. Mr. Reynolds, I don't want it to be like Saturday morning at law school, but I really appreciate your advice. What has priority: the Interpretation Act, as suggested by Reverend Abbott, or Government Motion 15 from the floor of the Legislative Assembly?

**Mr. Reynolds:** Well, the motion speaks for itself. The Interpretation Act goes to how you interpret words and how you interpret computation of time, et cetera, in enactments. I haven't looked at how the Interpretation Act would affect the interpretation of this

resolution, but as I indicated, I don't think that limits the committee's ability to make a recommendation on the point.

**The Chair:** Then with the committee's approval let's go on to some other topic here. Laurie, you had something you wanted to address?

**Ms Blakeman:** Yes. Thank you. If I could refer this to the director of House services. I'm just double-checking. This report, should this committee decide to put forward a report, can go forward with a motion for concurrence, which would then be debatable in the House. If that motion for concurrence is not included in the report, what is the process upon the report being tabled in the House? Is there then an automatic opportunity for debate in accepting this? In other words, do we need the motion for concurrence in the report in order to trigger a debate in the Assembly when the report is tabled, and without that motion is there, then, no opportunity for debate?

12:35

**Mrs. Kamuchik:** If I may. The report will be tabled by the chair of the committee, and then there will be a separate motion moved to concur in the report. Without that motion there will be no debate on this report. The tabling would take effect, and there would be notice given, whether it's oral or written, to concur in this report, which will be moved by the Government House Leader, I assume, and that will trigger the debate on the committee's report recommending that the temporary standing orders continue and so on.

**Ms Blakeman:** Okay. Then two follow-up questions. If the Government House Leader does not bring forward a motion for concurrence, then there is no opportunity for debate?

**Mrs. Kamuchik:** That's right.

**Ms Blakeman:** Can someone else bring forward the motion for concurrence? Must it come from the Government House Leader?

**Mrs. Kamuchik:** It would be a government motion. If it's provided by a private member, it would fall under Motions Other than Government Motions and would fall to the bottom of the list, so it has to be a government motion. We have had in the past reports that were tabled, and although there was no motion to concur in the report, a bill would subsequently come forward that contained the recommendations that were contained in the particular report. That's not to say that the House leaders could not meet and do exactly what the report says, but I don't see that this would take place. I'm sure it's going to be a motion to concur in the report, which would be debated and agreed to or not agreed to or amended, and we would proceed from that point on.

**Ms Blakeman:** Thank you.

**The Chair:** Committee members, I'm reminded that the launching point for this discussion was approval of the minutes from the meeting of December 3. Now, we've had a great deal of valuable discussion and information and enlightenment. Nonetheless, the minutes from the meeting of December 3 are yet to be approved. Are there any changes or errors there in the minutes, or can we approve them?

We have a motion to adopt the minutes as presented. Any discussion? Do we have approval to adopt the minutes? All those in favour, say aye.

**Hon. Members:** Aye.

**The Chair:** Anybody opposed? Okay. Thank you for that.

Now let's move along to item 4 on the agenda, and that's the approval of the draft final report, that we have been talking about in just the last few minutes here. That report is before all of us. Do we have a motion to approve that final report, or do we have questions before that? LeRoy has a comment first of all, I believe.

**Mr. Johnson:** Well, Mr. Chairman, it seems to me that we really didn't resolve that reporting on clause (c). We talked a lot about it, but we really didn't decide what to do. I'm wondering if it would be in order to make a motion that in view of the problems of meeting the deadline for reporting on clause (c), this committee include recommendations on clause (c) in our report to the Legislature. It seems to me we have to make that decision. Either we're going to deal with (c) or not. Then if we do make that decision to deal with (c) in addition to (a) and (b), then we do it.

**The Chair:** So your proposal is to clump (c) together with (a) and (b)?

**Mr. Johnson:** Well, yeah. I think we should make that decision as to whether we're going to deal with (c) or not, and the motion that I would make is that we deal with (c) as well as (a) and (b) with a recommendation.

**The Chair:** So you're talking about tabling them all at once. Well, we have a motion, then, to put that together, to put (c) together with (a) and (b) in a single presentation. Is there some discussion on that, that being a way to proceed with tabling of this report that was to be tabled earlier in the fall?

**Ms Blakeman:** Well, that's been done. That's part of this report – is it not? – under section 3.0, Recommendations. The recommendations that were debated and discussed and Hansarded are contained in what I'm reading on page 3 under section 3.0, Recommendations, that the standing orders “have effect until the end of the 2008 calendar year and that the process . . . as it currently exists . . . also be extended.” Then there's the recommendation on the one that if the budget was presented later than expected, the budget time would be foreshortened. So the recommendations that are anticipated or made possible through (c) exist inside of this report. If we accept this report, those recommendations are there, are they not? Correct me if I'm wrong. Leap into the fray.

**The Chair:** Okay. Any thoughts, LeRoy, on how that goes along with your motion? Or, staff, did you have some comment on that?

**Mr. Johnson:** That would be fine with me. I just felt that we didn't come to a conclusion on our previous discussion as to whether we were going to include (c) or not because it is in a different category than (a) and (b). If it's the understanding from the motion that it be included, then I would be prepared . . .

**The Chair:** Do you want to just withdraw your motion, then?

**Mr. Johnson:** Yeah. Okay.

**The Chair:** Okay. The mover will withdraw that motion, then. Laurie, on another topic?

**Ms Blakeman:** Yes. Thank you. Could the chairperson clarify? The way these are in my book, I'm wondering if there are two reports here. What actually does the report contain? Mine just goes

on and gets into something called Research Arising from Issues Raised at the November 26, 2007, and December 3, 2007, Committee Meetings and then goes on. Am I correct in assuming that the draft report we are considering at this time goes to the bottom of page 3? In other words, the last section is section 3.0, Recommendations. That's on page 3, and the report goes to the bottom of page 3. Am I correct in that? That is the report we're considering?

**The Chair:** I believe that that is correct. It's 1, 2, 3, 4 at the bottom of page 3.

**Ms Blakeman:** Yes.

**The Chair:** Preceding that, page 2, Introduction, 1.0, and so on.

**Ms Blakeman:** That's fine. I just wanted to make sure that the cross-jurisdictional comparison was not included in the report.

**The Chair:** Those are the items for discussion today, as I understand it.

**Ms Blakeman:** Okay. Good.

**The Chair:** Okay. Everybody has before them the report on temporary amendments to Standing Order 59.01 to 59.05. Everybody has that. I would entertain a motion to accept that for tabling in the Legislature at the earliest opportunity. Would somebody like to make that motion? Mr. Amery. How does your motion read, then?

**Mr. Amery:** That's a good question. I move that this report be presented to the Legislature at the earliest possible opportunity upon its approval by this committee.

**Mr. Reynolds:** Mr. Chair, just a question here. The report as it was revised when it was sent out, the draft report that I believe members have, relates to all the temporary standing orders, not just 59.01 to 59.05. Perhaps that's what you meant, but I thought your motion referred to the report on Standing Order 59.01 to 59.05. If I'm making myself clear here.

**The Chair:** I'm reading from the front page of that report.

**Mr. Reynolds:** I think we're just going from different versions.

**The Chair:** I'm not sure that we are. Louise, did you have a clarification there?

**Mrs. Kamuchik:** The draft report that the members should have in front of them is the one that was put on the website late last week, and it's dated January 2008. The one you might have would have been the one that would have been considered by the committee had it met on December 5. So the cover page of their confidential report should say: January 2008, 26th Legislature, Third Session, Report on Temporary Amendments to the Standing Orders.

12:45

**The Chair:** Okay. There's no recommendation to 59?

**Mrs. Kamuchik:** Yes, on page 3, Mr. Chair, under 3.0, Recommendations, as pointed out by Ms Blakeman, the first slash, if you will: “that the Temporary Amendments to the Standing Orders of the . . . Assembly have effect until the end of the 2008 calendar year.” The

second one refers to Standing Order 59, which is the Committee of Supply procedure.

**The Chair:** Okay.

**Ms Blakeman:** We have motions that passed reflecting that in minutes. If you go back and check the minutes, we passed these.

**Mrs. Kamuchik:** Yes, the December 3 minutes reflect these two recommendations.

**Ms Blakeman:** Yes.

**The Chair:** Right. Thank you for those clarifications.

**Ms Blakeman:** But the other thing, if I'm correct in following Parliamentary Counsel, is that we were charged to do three things here, and we've only done one if we accept this report, in that we were to look at the rest of the standing orders and see if we wanted to make recommendations on them. If we accept this report and get up and leave here in five minutes, we will not have done the rest of the job we were charged to do. Correct?

**The Chair:** That would follow under the rest of our agenda.

**Ms Blakeman:** Okay. Well, then, you can't accept this report, because it's not complete.

**Mr. Reynolds:** Mr. Chair, if may I be bold enough, if someone wants to propose a five-minute recess while we make sure everyone has the correct version so that everyone is talking with respect to the same document.

**The Chair:** That may be a good idea. Let's adjourn here for a little five-minute recess and ensure that everybody has the same standing orders. Okay.

[The committee adjourned from 12:48 p.m. to 12:54 p.m.]

**The Chair:** Okay. I'd like to reconvene the meeting, then.

Now, in this little recess we have had, everybody has the same copies of the report that we are considering. During this recess we've had a little more discussion as well, and I believe that it's clear to members now.

Let's just review this a little bit, what we have before us, because in addition to the request under the motion, which was part C, that we review the standing orders with respect to Committee of Supply, 59, in this report are a couple of other recommendations as well that would address some of the concerns under parts A and B of that motion made back in April.

We have the recommendations of the committee, if this is approved, that the standing orders have effect till the end of the 2008 calendar year. That would help, to have the new session proceed under the standing orders that we were using during the past year. That would be of benefit if we were unable to meet again and come up with further recommendations. At least there would something tabled for the Assembly to consider as soon as it has opportunity.

That being said, we have before us this report to consider, to accept, and then to table at the earliest opportunity. I should at this time, then, entertain a motion to approve this report and table it at the earliest opportunity. If somebody would like to make that motion, then we can open it up for debate.

**Mr. Amery:** I move that

upon the approval of this report by this committee the report be presented to the Legislature at the earliest available opportunity.

**The Chair:** Okay. Thank you. We have a motion before us. Do we have some debate and discussion on this motion?

**Mr. Herard:** I take it that if we're currently debating acceptance of this report, subsequent discussion on ideas that may have come from cross-jurisdictional comparisons and all of the good work that our staff have done with respect to this are of no consequence. I'm wondering why we don't go through this part before we entertain a motion for approval of this report just because there could be something in here that the committee might want to add to the report. I don't know, but if we approve the report before we do this, then why do we even consider this? That's the question I would have.

**The Chair:** There certainly will be other committees. Whatever the formulation of this committee would be after it gets restructured, as it does at the time of the throne speech, I think, when all the different committees are put together, there is benefit, I believe, in us receiving this information. Staff certainly has much to do to review these other jurisdictions and figure out what they're doing and compare them to ours and give us that information so that it can be considered. If, in fact, we do have opportunity to meet over the next month, in February, as was requested by the motion, then we can deliberate more and receive more information, give staff more direction.

I think that your thinking about looking at this report is good because you may have questions to get staff to give us more information. We can in fact present another report dealing with different parts of the standing orders after further meetings if we can have those meetings in February. I would say: let's definitely make use of the work that the staff has done and be prepared to consider standing orders in the future.

Laurie, did you have a comment?

**Ms Blakeman:** Yes. I think one of the other things that's happened in the past and another way to make use of the information that has been provided by staff, although this committee doesn't meet very often, is for the committee to ask that in future Standing Order considerations the following things be considered.

I think at this point if we as a committee start to get into making recommendations about how standing orders would get changed or to make changes to standing orders, we're then designing those standing orders by committee, which is a difficult situation, I would argue. We traditionally have gone through a House leader negotiation to achieve a way through that. That's my understanding. There are people here with more history than me, but certainly, when the House leaders came to the table, we came with a shopping list of things that had been requested to be considered by the Speaker, for example, on a number of occasions, by government caucus, by opposition caucus, et cetera.

**The Chair:** Would that sort of be like a committee?

1:00

**Ms Blakeman:** You want to call the House leaders a committee?

**The Chair:** Do you have any other comments?

Hugh, you had a question.

**Mr. MacDonald:** Yeah. Well, Mr. Chairman, regarding this

motion, with all due respect I have to speak against it for many reasons, which have been discussed previous to this item on the agenda.

However, with these recommendations, when you consider, for instance, that in the first year of Mr. Stelmach's government we've seen government spending increase by 16 per cent, I'm looking at this, and if we are not to have our budget at the appropriate time in February and it is to be put off, there will be less time spent debating the budget in Committee of Supply. If my interpretation of this is correct, we will have 20 per cent less time to debate the budget in Committee of Supply if we proceed with these recommendations. I just don't think that's appropriate.

I have looked at the main estimates consideration, the debate time broken down by caucus that was provided to us by research, and there has been a steady decline not only in the amount of time that the Official Opposition has but certainly the New Democrats, and there is more and more time, it appears, occupied by the ministers. In light of the fact that we've seen this dramatic increase in government spending, I could never vote for a motion that's going to reduce the time the Official Opposition has to try to keep the government accountable through the budget process.

Thank you.

**The Chair:** Any other comments?

**Rev. Abbott:** Well, I think that these entire standing orders have done nothing but give the opposition more time, have given them more opportunity, have given the House more balance, I guess I would say. In fact, I would say that part of the reason that the debate time may be down on the budget is that we have fewer departments. It's just common knowledge that the more departments you have, the more time you spend debating. We do have fewer departments than we've had in previous years, fewer ministries, of course. But I think that these standing orders are extremely – what would you say? – liberal or generous or very accommodating to all of the opposition parties. I think it's been excellent in the last year that we've used these. I feel that the balance in the House is better than it has ever been.

**The Chair:** Thank you for that.

**Dr. Pannu:** Mr. Chairman, I have concerns about recommendations 2 and 3 as well. There's no rationale here as to why it is considered that 75 hours of debate is what is required to deal with the budget if the budget is presented before March 1 but that only 60 hours are required if the budget is presented after March 1. There's no sound argument for reducing dramatically the amount of time available to the House to deal with one of the key responsibilities of the House in the spring session, which is to put its stamp of approval over the billions and billions of dollars that we'll be authorizing the government to spend.

I can't vote for this reduction in the number of hours that are available as a result of the temporary amendments that have been in force up to now. If we are to make amendments to the temporary orders in order to reduce the time available, assuming that the budget is presented after March 1, I can't vote for it because there's really no rationale. It contradicts the very assumption that the House needs more time to debate this very important item of business.

**The Chair:** Okay. Thank you.

**Mr. Herard:** Well, I'd like to at least attempt to provide a little bit of rationale. I guess it's a flight to quality instead of quantity. I've

been around for almost 15 years, and there have been many times when the time of the House or the committee in debating budgets has really been nothing more than a platform for political venting and so on. Quite frankly, when there's less time available to do the job, then typically the quality goes up and the questions are better. The more time you put on, the more time there's going to be in hearing repeat arguments from every single member of the opposition. So I certainly don't agree that more is better in this case.

**The Chair:** Okay. Thank you. I think certainly *Hansard* is available, and people can review the comments made by different House leaders in previous meetings that we've had where discussion took place on that, and perhaps the rationale could be found embedded in there with a little bit of work in looking through that.

Any other comments?

**Rev. Abbott:** Mr. Chairman, I guess the only other comment would be that if we don't proceed with this, then we do again revert to the old standing orders upon dissolution of the House, which I believe would provide even less time in budget debate. So that's the alternative.

**The Chair:** Okay. Any further questions?

Certainly, let's conclude, then, this discussion. We've had debate, that can be uncovered in *Hansard*, where motions were moved and carried back in December, and this report includes those motions that were made and carried in the previous meetings, and that's why we have the report before us. It's been taken from those motions carried previously. So it has been discussed at some length previously. If you are ready for the question on the motion that Moe just made a few minutes ago.

**Some Hon. Members:** Question.

**The Chair:** The question has been called. All those in favour of this motion, would you indicate by raising your hand and saying aye?

**Hon. Members:** Aye.

**The Chair:** Those opposed, say nay. Okay. We have it carried. So Moe's motion, that this will be presented at the earliest opportunity, is carried. Thank you for that.

We have, following our agenda, some other things to consider, and that's where the committee is going and, even more important, some of the information coming forward from the research that's been done.

Overview of the Committee's Progress and Mandate. Any comments or thoughts here? Perhaps we have been through that already. Okay.

Seeing no discussion regarding that, then the issues on the temporary standing orders. We have some research in front of us. What's your pleasure? What's the pleasure of the committee? Would you like staff to go through some of that and alert us to some things that they've found? Would you prefer to spend time further in research and for a future meeting to direct staff to do some additional work? What is your pleasure?

1:10

**Mr. Herard:** Mr. Chairman, I think I would like to hear from staff with respect to some of the things that may stand out in their minds with respect to what the research points out. I don't know that it's necessary. Having read it, it's pretty self-explanatory, but there may be some things that they see that we don't see, and therefore I'd like to hear from them.

**The Chair:** Other committee members? I see some enthusiasm.

**Rev. Abbott:** Well, I'd really appreciate it. I think it was at our first meeting that we had some very frank and open discussion. I don't know that it was on the agenda, but it was certainly a great time for people, especially some MLAs who had been here for a number of years, to talk about what they liked and didn't like with regard to the way things run on the standing orders. I know we hadn't met for – I don't know – about 20 years when we met that day, so it may not hurt to have another one and talk about it a little more in an informal fashion to set the stage for the next 20 years.

**Mr. Johnson:** Well, I agree with what Mr. Herard has said. If there's something that we ought to hear from the staff, I would be really interested in receiving that at this point. A lot of work has been done, and it would be too bad to just gloss over this and not hear anything about it. I agree with Mr. Herard's comments, basically.

**The Chair:** Okay. I have seen some indications of concurrence. Let me direct some questions to staff, then, with respect to the work that you've done and have placed before us. Would you like to take us through parts of it or all of it or some of it and indicate to us some of the high points that you think are most important for us to consider? Who would like to do that?

**Ms Gravel:** A lot of this research that's been presented to the committee was prepared when House leaders were originally meeting. We do have further information on committees if the committee would like to see that: various mandates of committees in other jurisdictions, what committees they do have, whether standing or select special. If that's something that the committee would like further information on, we can provide that as well.

In terms of what we've got presented here right now, I wouldn't say that there's anything that particularly jumped out at me. Mostly, what was put together was to show the committee what they do in other Assemblies, what their schedule is like, how many sitting days they have, what they do during these sitting days. Do Legislative Assemblies have calendars? Do they have set calendars? That was something that we looked at, of course, when the House leaders were meeting, when they wanted to set a set parliamentary calendar: which jurisdictions had them, which didn't.

Oral Question Period. That was something that was raised at the first meeting by committee members. Is it too long? Is it not long enough? Should it be shortened? Should it stay the same? There's information there as well, as well as time spent on private members' business in Alberta. Now, you'll notice that there was a lot more time spent on private members' business in 2007. Of course, we sat longer in the spring than we normally do, and we sat longer in the fall than we normally do as well, and we also had the three-hour time requirement. That's one thing that stood out to me, that that brought longer time spent on private members' business, and this didn't include time spent on written questions and motions for returns.

**The Chair:** Okay. Thank you.

Any other comments from any other staff member? Comments from committee members?

**Mr. Herard:** Mr. Chairman, recognizing that a lot of this work was probably done over the Net, where you consulted documents available from other jurisdictions – because I noticed that some of the replies were, you know, that this part was not on the Net or not

accessible – that means to me that there probably wasn't a lot of interaction between research and other people in other jurisdictions. In other words, it's one thing to know what they do, but it's another thing to understand whether or not it works for them. One of the worst things in the world would be to pick up on something in here and apply it without knowing if it actually works for those who are doing it. Has there been any feedback or any comments made or that staff has heard with respect to some of these dos and don'ts with respect to what other jurisdictions have gotten themselves into?

**Ms Gravel:** Just to provide a bit of comment on that, a lot of this information was actually obtained through cross-jurisdictional surveys. So a lot of times what I did was get in touch with other Clerks in other Legislative Assemblies, and they were able to provide me with the information. I didn't really receive any comments from them as to whether it works or whether it doesn't work. One thing we could undertake is to see if there have been any recent similar meetings of their standing committees which review their rules. I mean, their rules do change quite often, as ours do. We do have amendments that are brought to the standing orders. That's something we can undertake if the committee is interested in that, just to see what their committees have met on, what issues they're faced with currently. But a lot of this information was obtained, actually, from Clerks in other jurisdictions.

**The Chair:** Okay. I don't see other questions. David, do you have something?

**Dr. McNeil:** Yeah. I might add that in terms of feedback from Clerks in other jurisdictions, one of the areas that the feedback is generally positive on is that those jurisdictions that have a parliamentary calendar are very appreciative of the fact that they know that year that they're going to be sitting these particular weeks and not sitting other weeks. They're very positive about the fact that they have adopted these calendars and that everybody has a much better idea as to what their time allocation is going to be over that year. I think one observation that I've had from Clerks across the country in terms of jurisdictions that have calendars is how positive that has been for them.

I guess the other thing is that in the jurisdictions that don't have night sittings, especially those that used to have night sittings and have gone away from them, there's a generally positive feedback about the elimination of night sittings being a positive element of their rules. Those, I guess, are two areas where I've received quite a bit of feedback in discussing these issues with my colleagues across the country.

**The Chair:** Interesting.

Okay. I don't see anybody wanting to carry on this discussion further, so let's go on to the next topic, Other Business, that is before us. Another business in part may be impacted by our next meeting. I'm recognizing the fact that there's going to be a great deal of difficulty getting together again before the House comes back in session on February 4. I know a lot of people have mentioned to me that they will have difficulty getting together for this committee meeting. So I'll await your decision on whether you do want to meet again to further discuss these standing orders or whether the tabling of this report will allow the House to carry on nicely until there's opportunity for further meetings.

If, in fact, we can't meet again, we will be unable to approve the minutes from this meeting. If we choose not to meet again, I would like to have a motion that

the chair be authorized to review, amend, and approve the minutes of January 7, today's meeting, on behalf of the standing committee.



1:20

**Rev. Abbott:** So moved.

**The Chair:** Tony would move that.

**Dr. Pannu:** Mr. Chairman, I think it would be perhaps more desirable to

circulate the minutes, and then the chair should approve them if there's no objection within a week or five days

or whatever time you give. I think that may be a better way to proceed.

**The Chair:** Tony, would you amend your motion?

**Rev. Abbott:** I would accept that as a friendly amendment to the motion.

**The Chair:** So if everybody would take a look at it and then get your comments back to me.

**Dr. Pannu:** Right.

**Rev. Abbott:** Good idea.

**The Chair:** Any further discussion on this motion?

**Dr. Pannu:** Mr. Chairman, the suggestion that I'm going to make I make with a great deal of reluctance, acknowledging that I won't be in the Legislature past the next election. Any recommendations that I make are made out of experience up to this point, which may or may not be relevant to what happens next. I think that a committee like this, which has the responsibility of reviewing and changing the standing orders of the House, should perhaps establish a convention of meeting at least once a year to review if there is anything to be reviewed with respect to how the matters that come before this committee work or don't work.

We all have with some degree of embarrassment acknowledged that this committee has not met for 20 years. If that is true, that shouldn't be the case. I think it's good to review the procedures

even when they work well, you know, to at least find out that they're working well, that there's a high level of satisfaction across the House with respect to this. I would certainly hope from this committee or the next committee that will emerge out of the next Legislature after the election for a recommendation that this committee meet at least once a year and review how things are going. That might help us deal with the problem that we have faced in this committee up to this point.

**The Chair:** Raj, I think your comments are well made. The subsequent members of the Legislature will be reading this in *Hansard*, and they will make the request of this committee to meet and consider that if that's their decision.

**Dr. Pannu:** Well, I hope that's the minimum that will happen. You know, I want my own views on record and hope that someone will pay attention to them.

**The Chair:** Any other discussion with respect to the motion that Tony made?

We have a motion as amended with the proviso that I would circulate that – Jody will circulate it – and you'll get your comments back to me in five days. Then I'll take those comments and review and amend and approve the minutes on your behalf. All those in favour of that motion as made by Tony, raise your hand or say aye.

**Hon. Members:** Aye.

**The Chair:** Those opposed? Seeing none, thank you for that.

Next meeting. I do know that there's difficulty with gathering. Do we have concurrence that we will leave it until after February 4 and make decisions then about when this committee would reconvene? Anybody opposed to that? The next meeting, then, we'll leave for whenever it is decided in February that we can get together.

I'd entertain a motion for adjournment.

**Mr. Herard:** So moved.

[The committee adjourned at 1:25 p.m.]

