

2:20 p.m.

Wednesday, March 31, 1993

[Mr. Gogo in the Chair]

[Acting Deputy Chairman: Dr. Elliott]

MR. ACTING DEPUTY CHAIRMAN: All right. We will call the meeting to order. Does it bother anybody if I chair it right from here?

HON. MEMBERS: No.

MR. ACTING DEPUTY CHAIRMAN: All right. We'll call this thing to order. We're late; it's 19 after.

Approval of Agenda. Bettie Hewes made the motion. Do we second these things or just agree?

MRS. HEWES: Just agree.

MR. ACTING DEPUTY CHAIRMAN: Fine. Louise, you can holler and get us back on track if we jump the rails.

Okay. We declare the agenda approved.

Advertising. We have Mr. Thompson here with us. At this particular point are we ready to receive any report? Is that what we're going to do now?

MRS. KAMUCHIK: I believe Mr. Thompson will go over the ad with committee members and receive any input.

MR. ACTING DEPUTY CHAIRMAN: It seems like you're number 3 on our agenda here, Rich, so we'll turn it over to you.

MR. THOMPSON: Okay. Thank you. I've provided all of you with a copy of our recommended course of action for this advertisement. At the last meeting it was decided that an ad of this size would run once in all the daily and weekly newspapers in Alberta.

Several suggestions on this have been made already. Essentially the point this ad is making is to call for submissions from Albertans. They are to be submitted to the committee, and that is a correction to the advertisement. I had allowed for them to be submitted either to the committee or to an MLA. In fact, I will amend this to move that reference down to: for further information, please call the numbers or call your MLA.

MR. ACTING DEPUTY CHAIRMAN: Mr. Chairman, we have chosen to open. We've gone through item 1, called this meeting to order, and we have approved the agenda. We've introduced Rich Thompson to discuss his advertising ad, and he was just opening his comments on that. We did that since we didn't think it was too dangerous to walk out on that thin ice too far.

MR. FOX: We were contemplating a form of recall legislation that the committee members could use for . . .

MR. GOGO: I very much apologize, and I appreciate very much . . . I was up in 512 at a meeting. It adjourned at 20 to 2. I just had to run over and get my material and I got a very difficult phone call, so I apologize for being held up.

MR. ACTING DEPUTY CHAIRMAN: The apology is accepted.

MR. GOGO: We've got to the advertising, then, with Rich. You are now into that?

MR. ACTING DEPUTY CHAIRMAN: Yes. He's just starting to introduce it, so we'll let him carry on and turn the Chair back to you.

MR. THOMPSON: Okay. Has everybody had a chance to read this? The suggestions that have been made are that obviously we capitalize the "C" on committee in the second paragraph, capitalize "L" and "A" on Legislative Assembly as the fourth point. The fifth point is that "Presentation of the legislative process to Albertans" is not clear. We're suggesting an amendment of "involvement of Albertans in the legislative process" as alternative wording for that particular point. These points were included as we were given direction that they are sort of key issues that were being discussed. Finally, because of discussions you had at the last meeting, we've decided to delete the word "written" in the final paragraph so it will read "all submissions," and that will leave it open to written, oral, telephone, and so forth.

Are there any other questions or comments?

MR. CHAIRMAN: Two things, Rich. First of all, it should be John Gogo, MLA. Secondly, I would like the names of all the committee members in the ad. Could we do it like we do the letterhead? I would very much like the name of every member of this committee to be in the ad.

MRS. HEWES: Down the side?

MR. CHAIRMAN: I think it's very important.

MR. FOX: It's quite common on letterhead. That would be a good idea.

MR. CHAIRMAN: Would that be a problem, Rich?

MR. THOMPSON: No, it isn't. There are two places it could go: one suggestion being just down the left-hand column where it's obvious there's space; the other would be to move the coat of arms up and then list the members. That's probably a more appropriate way.

MR. CHAIRMAN: The coat of arms at the top followed by . . . Would members agree with that?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Now, would we want members' constituencies behind their names? When we list the name, do we want "Bob Hawkesworth, MLA" or "Bob Hawkesworth, MLA, Calgary-Mountain View"? We should give some direction.

Bob, before you speak, could we resolve how we'd show the name?

MR. HAWKESWORTH: Sure.

MR. FOX: Well, I think it's useful to have the constituency name there. It shows that the committee has a fairly broad geographic composition. There might be some merit in putting PC, ND, or L after the names too. That's probably useful just in terms of showing that it's nonpartisan.

MRS. HEWES: All-party, not nonpartisan.

MR. FOX: Yeah, all-party.

MR. THOMPSON: That's already referenced in the first sentence of the advertisement.

MR. CHAIRMAN: So if we had "Bettie Hewes, MLA, Edmonton-Gold Bar" – I don't know how you feel about Ms, Mr., Mrs. I think the general feeling is: "Kurt Gesell, MLA," with the constituency. Is that satisfactory?

HON. MEMBERS: Yes.

MRS. HEWES: No title necessary.

MR. CHAIRMAN: Any other questions? Could we have Bob and then Kurt, please.

MR. HAWKESWORTH: I just have a couple of thoughts. I haven't really got a proposal on how to fix them. These bullets in the middle of the ad highlight what we're about, and I don't know whether they make it more confusing or raise more questions than they answer. Does "Election of the Speaker by secret ballot" mean all Albertans will go to the polls and by secret ballot elect a Speaker? I think we mean that the members of the Legislature would elect a Speaker by secret ballot, but that becomes a much longer description even though it's more accurate.

What is "Whistleblowers' protection"? Again I'm trying to think of it from the point of view of someone who's not engaged in this process every day. I think I know what it means, but somebody reading it . . .

MR. CHAIRMAN: Well, I put it in because of you.

MR. HAWKESWORTH: So when I blow the whistle, I'm protected. Thank you, John.

I'm just wondering if there's another way of describing it.

With "Media Relations," does that mean the way we present ourselves to the public, sort of like public relations? I'm not sure what it means.

Just looking at these bullets, I know what you're trying to do and I think I understand what you're saying, but for somebody out there who's not engaged in the process in any way, it may just be confusing. Okay? I haven't thought of how you might . . .

MR. THOMPSON: Maybe I could deal with those. Would the first one work better for you if it simply said "Election of the Speaker"? In other words, we'd eliminate the rest of that.

MRS. HEWES: Uh huh. That's what I'd do.

MRS. KAMUCHIK: The election of the Speaker is now provided for in Standing Orders; it's just not done by secret ballot.

MR. CHAIRMAN: The Legislative Assembly Act is where the authority is.

MR. GESELL: That's right; it's not in Standing Orders.

MRS. B. LAING: It just says "Topics under examination," so I think that would be fine.

MR. CHAIRMAN: I think that's a very valid point. The inference of "secret ballot" is that the great unwashed would have a say.

Could we follow up on the other point? I think we should get to the whistle blower too. There might be a better term for that.

In fairness, you know, we gave Rich the resolution of the House. He and I had a meeting yesterday. I just wanted to make

sure we had half a dozen bullets in there; then I wanted us to resolve today the exact nature of those bullets.

Kurt and then Bettie.

2:30

MR. GESELL: I want to address two items, Mr. Chairman. The first one is at the top where we talk about "Make your voice heard." I think that's important, but is it possible to give that a bit more punch? I think I'd like to get suggestions from Albertans, but I'd like to maybe find the right words in order to indicate that that input will be not just heard and maybe put on the shelf but actually actively considered. I don't know. I don't have the right words. I want to get more impact out of that.

MR. THOMPSON: Okay. A couple of other suggestions we looked at were "Parliamentary Reform: We need your views" . . .

MR. GESELL: Okay. That's a little bit stronger.

MR. THOMPSON: . . . or "Parliamentary Reform: It's time to speak up," which was another alternative.

MR. GESELL: Well, I'm just throwing it out as a suggestion. To me, "Make your voice heard" is almost a political cliché, Mr. Chairman. It's out there all the time. I would prefer "It's time to speak up," but I'm not sure. The members of the committee might have different opinions. Let me just leave that.

Let me go on to the second one. In the second paragraph you say "The committee values and requires suggestions, ideas" and then you say "expressions of concern," and that's where I have some difficulty. We're obviously going to get views from people that are going to criticize and have some concerns. I would like to concentrate on the positive, where people make some suggestions and present ideas and make recommendations to us rather than pointing out concerns. They're going to say those things in any event. I'd like to maybe say, "ideas and recommendations from Albertans on this topic," so that we are not being negative.

Thank you, Mr. Chairman.

MR. CHAIRMAN: Well, let's hear from Bettie, and then we'll discuss each of the three. I hear that the whistle blower thing has got to be cleared up, the election of the Speaker – probably "in the Legislature" are the words we'll end up with – and then Kurt's points.

Bettie.

MRS. HEWES: Mr. Chairman, we've already really dealt with some of mine. I think "Election of the Speaker in the Legislature" is a more correct expression for it. You've changed 5. I don't have any problem with "whistleblowers." I think that's a common term. I know it's vernacular, but I think it's an okay term. Nor do I have concern with "concern." I don't think we want to suggest that only positive ideas are acceptable to us.

By and large, while I sympathize with Bob Hawkesworth, you just have to have some for instances. These aren't bad. I'd be happy if you got some that you think are perhaps closer to encouraging people, but I think we could spend the next three weeks trying to decide which are the most appropriate illustrations. I don't have any real difficulty with these now that we've adjusted them.

MR. CHAIRMAN: Bonnie, were you going to say something?

MRS. B. LAING: I agree with Bettie. I think these are fine as examples, because it just says you're going to include topics such as these and you're open to others. I don't have a problem with it at all. I think "whistleblowers" is acceptable.

MRS. HEWES: Sorry, Mr. Chairman. The only one I might prefer to substitute is the fixed schedule for the Legislature. I think people kind of relate a bit to that – maybe not.

MR. CHAIRMAN: Yeah. The objective here, member, is really to capture their attention. We had 37 ideas from committee members. I'm sure we're going to get many more.

Derek.

MR. FOX: I would agree with Kurt's concern about "Make your voice heard." I do think "It's time to speak up" is a little more attention grabbing and may encourage people to speak up. I mean, we do this for them and, to the extent they help us, with all due respect, I like that one better. But I think we should leave "expressions of concern" in there, because that's what motivates people to make suggestions. If they're not concerned, then why would they bother? And concern isn't always a negative thing; sometimes their concern is to make the system work better or be more accountable.

MR. CHAIRMAN: Before we go back to Bob and the whistle blowers, is there any concern that we don't have the Alberta acronym at the top? We're going to have a coat of arms, but you know the weird "Alberta." Without looking at detail, will people read this as federal reform? I'm just dealing now with "Parliamentary Reform" at the top. Is there anything sitting there? You know, on almost everything we have that weird letterhead with that weird A for Alberta.

MR. FOX: A stylized A.

MR. CHAIRMAN: Yeah. I'm just putting that out. I don't know whether . . .

MRS. HEWES: Say "Parliamentary Reform in Alberta."

MR. CHAIRMAN: Well, I'm not saying it needs change. It was just . . .

MR. FOX: No, that's a good point. I'm sorry, I didn't mean to speak out of turn, but we're a parliament in the broad sense that we're a Legislature. This may confuse people a little bit. Rich has already said he'll move the coat of arms north on this thing, and that will make it more prominent. But maybe the Alberta Select Special Committee on Parliamentary Reform should be in larger letters there, then followed by the names of members. The committee on that would make it more clear where it comes from.

MR. CHAIRMAN: You see, we're only going to have one shot at this, so . . .

MR. THOMPSON: Could I make a suggestion on that? I think the idea would be, as you say, to move the coat of arms north and list the names and then have the stylized Alberta logo in the bottom left-hand corner. That's what's recognizable in advertising circles for the province, so we'll give that some bold recognition.

MR. FOX: You mean by the phone number or whatever.

MR. THOMPSON: Down in the bottom left-hand corner.

MR. CHAIRMAN: Just before we do the whistle blower, did you deal with "For more information please call"?

MRS. DACYSHYN: Yes, we did.

MR. FOX: Yeah, we put your home phone number there.

MR. CHAIRMAN: I appreciate that.

Just dealing with the whistle blower thing, I think that's particularly important for perception. As you know, it got its birth really in America in the defence industry on the basis of – and I'm not going to lecture – anybody who would inform on Pentagon spending with defence suppliers would receive 25 percent of any of the savings realized, and now it's been dozens or hundreds or whatever millions of dollars. It has been fleshed out from that into whistle blower protection where there's now being protection offered. I think Bob Hawkesworth knows much more about this than I. There have been court decisions dealing with the whole question of employees of an organization informing and receiving protection. I don't know what we'll conclude on that; it's just that I like the term "Whistleblowers' protection."

I really think Bob is the author of this, so it's appropriate that he raises: what do we mean by it? Bob.

MR. HAWKESWORTH: Do I take from your comment that you think the term, what is meant, is widely known amongst the public? So maybe my concern isn't that important.

MR. CHAIRMAN: Well, I think it is. I think it's more meaningful than financial accountability.

2:40

MR. HAWKESWORTH: As I look at this, what troubles me a bit is that I don't want us to be seen by the public as being preoccupied with jargon or – how should I put this? – issues that are important to us. I mean, the election of a Speaker is something 83 people are involved in. Albeit it's crucial to what we do around here, maybe for the two and a half million people out there there's another way of getting at what we're trying to get at that's of more importance to them. Or "whistleblowers" is again the use of a jargon term that might be . . . For insiders here, we know what it means, but people in the public may not have quite the same recognition of what we're getting at.

I haven't thought this through. This was just presented this afternoon, and I'm trying to think if there are other ways we could express what we're getting at that people out there would understand and that would speak to them as opposed to, "Well, here's a group of parliamentarians who are concerned about things they're concerned about, but they're off on another planet dealing with issues that don't mean anything to me." Do you know what I'm saying? The importance of the ad is to communicate to people that we're concerned about what's of concern to them and that's the business of government. How can we be more effective at government and how do we open doors for them to come in as opposed to how do we resolve the rules of the club? That's all.

So from my viewpoint the involvement of Albertans in the legislative process should be bullet number 1. That should be the most important. That should be what catches people's eyes first. Maybe access to information should be second. I think people understand that. Then I'm not so sure. Maybe whistle blowers is a term most people understand; that could be third. Then some of these other questions: I'm not sure what "Media Relations"

means. I think most people are concerned about "How do I have an impact on the budget?" or "How do I tell my MLA to attend to my real needs?" I think "How do I get through the door?" is of most concern to Albertans. I don't know how you communicate that here.

MR. CHAIRMAN: I would guess that no matter what we put in, the first reaction of 80 percent of the respondents other than the professionals and academics will be MLA pay, pensions, and so on. I just have a hunch that's where the concern thing is. I don't question that at all.

I think you've got a very real point. If I recall the resolution passed, it was really in two parts: one dealing with the openness and awareness for Albertans and the other dealing in-house with its members, how to get a better, more efficient system. That's why we used the term, as I used Saturday night on that public affairs thing, to assist your MLA in being more effective. Now, I don't know how you address that kind of thing. But I would tend to agree with you. These bullets were put here not necessarily in order of priority but to generate . . . We wanted to have half a dozen bullets . . .

MR. HAWKESWORTH: And I think that's a good idea.

MR. CHAIRMAN: . . . that would attract attention. The key is: where will the focus be? I mean, as you know, Woodward's pay a 50 percent premium – or did; they're no longer in business – to get the back page of the *Edmonton Journal* because women read the back page . . .

AN HON. MEMBER: Really?

MR. CHAIRMAN: Believe me, they do. Four percent read editorials and 28 percent the sports page, but about 90 percent, generally women, read the back . . . That's why they pay a premium to buy a back page. Yet when they put politicians on the back page, we all get upset.

But Bob raises a very good point, and we'd like to nail it down in terms of a priority of those bullets. I tend to read all five at the same time when I look. So if we were to list them in some order of priority, if we could get some agreement on that. What do you think of his first suggestion of bullet 1? Forget the Speaker.

Bob.

DR. ELLIOTT: I think it is important to subtly put these in the order which we think is important. That doesn't mean numbering them, of course – that identifies them too much as a 1, 2, 3 thing – but just rearranging the order. I think the involvement of Albertans in the legislative process is an excellent one to start with. I go along with Bob. Access to information legislation and the whistle blowers can come in any time after that. While I'm on this, Mr. Chairman, the involvement of Albertans in the legislative process: is that a period, then, on that one? We scratched the balance of that short sentence; did we?

While we're nitpicking on some of the material in here, in Media Relations the capital R is out of place there in Relations, with everything else in lowercase. I know, Mr. Chairman, that you asked for a specific focus on this thing, but you've got me started now. Shall I stop now?

MR. CHAIRMAN: No, no. Let's take the time necessary, because we're only going to do it once, and Rich has got to know what to do when he leaves here.

DR. ELLIOTT: Media relations is fuzzy, but the media people will know what it means. I expect we would get submissions from media people, and that'll be enough to attract that and bring that in.

I don't know whether anybody except MLAs care whether we elect a Speaker. The people out on the main street there, as you already pointed out, do have other concerns about our government. To me it's pensions and budget; that's all I hear about wherever I go. So the involvement of Albertans, then, is the place to start.

I'd like to just carry on with one more thing. I think the second stage of the heading is the one that we're missing out on: "We need your views." "Make your voice heard" is not as strong. I agree with Kurt there. The other one that we've looked at is almost like a command or demand or a vote for me and I'll fix up everything type of thing. That's not it. We're inviting Albertans, asking them, almost encouraging them: we need you; we need your views. So I'm very strongly in favour of "We need your views." We really do need them. That's a very sincere invitation to come forward and talk to us.

Those are my comments for now.

MR. CHAIRMAN: Bob Elliott, on media relations, it just occurred to me while you were speaking. We've talked often in the past about accountability. We've also talked about responsibility. Media responsibility: does that sound . . . With media relations, I tend to agree; we know what we mean, and that's primarily access to the media in the place, et cetera, et cetera. But when you think about it, "media responsibility" is not such a bad term.

DR. ELLIOTT: Since we're doing the writing, but I think it's also inflammatory or something.

MRS. HEWES: Yeah; I think it would be seen as gratuitous.

DR. ELLIOTT: I would think this is more of an invitation. That's all it's going to take to flag it and it'll come in. The whole topic of media is massive in my view. I've been on seminars that lasted two days on this whole thing, and I'm deeply concerned about it. They tell me that in the United States, in Washington, there are – what? – five main areas of involvement between the administration and so on and so on, and the media and consultants are right in there at the same level as the elected members and the appointed members in the administration. We don't have much of an appreciation for media in Alberta.

MR. CHAIRMAN: Well, not unless they're saying good things about us; then we appreciate them.

Any other suggestions? The first one would then be . . . Derek.

MR. FOX: Well, do you want to take them in order? I'm trying to make sure we just, like, get some agreement on them.

MR. CHAIRMAN: Yeah; like involvement of Albertans in the legislative process. Bob, what was the term?

MR. HAWKESWORTH: Involvement of Albertans in the legislative process. Would "legislative reform" more properly reflect the Legislature as opposed to reflecting Parliament? The province rather than the federal? I'll just throw that out.

MR. FOX: And we're the parliamentary reform committee.

MR. CHAIRMAN: So that would be number 1. Is there agreement on that?

2:50

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Okay. Now, I think the suggestion and Bob Elliott's point was the pecking order. We'll come back to that, making your voice count or we'd like your views and so on, as the final topic.

Access to information legislation. Is that agreed? Rich, you're getting this?

MR. THOMPSON: Uh huh.

MR. HAWKESWORTH: Does this mean we won't get it now, in the spring session?

MR. CHAIRMAN: Order.

Now, where were we with regard to media, whistleblower, and free votes? We haven't even talked about free votes.

MR. GESELL: I think free votes need to be right up on top there. I think that's a major concern.

MR. FOX: People are interested in that.

MR. GESELL: When people talk about recall, they're talking about free votes, basically, because that's really what the root of the problem is.

MR. CHAIRMAN: Is that agreed, then, free votes?

HON. MEMBERS: Yes.

MR. FOX: I was going to suggest, John, without prejudging how the committee would respond to suggestions we receive, that if we want to include a sort of point here that would keep people's interest, we could put in recall referendum, citizen initiative, or direct democracy. You know, there are a lot of ideas out there.

MR. CHAIRMAN: So there are free votes, and then we're at either the media or whistleblower. Is that right, Bob? Is that in your pecking order? Free votes in the Assembly is number 3, so then we'd be dealing with . . . Do you have to go, Bettie?

MRS. HEWES: Yes. I'm sorry, Mr. Chairman. I have a 3 o'clock.

MR. CHAIRMAN: Well, that's my fault then.
Media relations, or what's more appropriate?

MRS. HEWES: I'd put whistleblowers, media relations last, in that order. I did develop an order.

MR. CHAIRMAN: Okay. Any other? Is that agreed then?

MRS. B. LAING: Is election of Speaker sixth then?

MR. CHAIRMAN: Well, I'm sensing that a lot of people are saying: who the hell cares? [interjections] Well, the Premier spoke out in favour of election of the Speaker. So whistleblower protection, and then how did we deal with election of the Speaker in the Legislative Assembly? Just in those words?

MRS. B. LAING: I think that's fine.

MR. CHAIRMAN: And we put that last? Okay.

Could we then come to "making your voice count" or "we'd like your views." Bob Elliott spoke to that. He thought the one was more a command, and one thing we don't need are commands.

Kurt.

MR. GESELL: I agree with Bob. "We need your views" I think is about the most appropriate one, and we really do.

MR. FOX: Agreed.

MR. CHAIRMAN: Anything else on the ad? Did Rich explain the publication time, Corinne?

MR. THOMPSON: The ads will be running in weeklies the week of April 12 and in either the Friday, Saturday, or Sunday papers, depending on which is the larger circulation, on the weekend of April 17.

MR. HAWKESWORTH: In the city dailies?

MR. THOMPSON: That's correct: in the city dailies. The ads in the tabloids in Calgary and Edmonton will be running on Sunday. In the *Calgary Herald*, *Edmonton Journal*, et cetera, it will be Saturday. There are two of the dailies that don't have Saturday or Sunday publications; it will be in the Friday paper in those areas.

MR. FOX: In terms of placing ads, I know we've got a list here of people to whom we're proposing to send letters informing them of the committee's existence and mandate. But it occurred to me that there is a government newspaper, like an internal bulletin, that goes out to employees; isn't there?

MRS. KAMUCHIK: It's called the *Bulletin*.

MR. FOX: Is this something that would be appropriate in the *Bulletin*? I'm thinking that one group we might want to notify in a fairly direct way are people who work for the government. There are thousands of people who are directly involved in the process that may have a special interest in parliamentary reform. I haven't seen that newspaper, and I don't know if that's the kind of thing that's included.

MRS. KAMUCHIK: The *Bulletin*, which normally is only about two pages long now, offers employment opportunities to public service employees. Corinne said that the plain language course was advertised in there, and I don't know if parliamentary reform might be a topic that they would accept. I'm not sure.

MR. CHAIRMAN: Well, if they would, then let's do it.

MR. FOX: That would be my suggestion.

MR. CHAIRMAN: It's on every notice board around Alberta.

MR. FOX: The communications vehicle: I mean, it may have to be an ad that's somewhat reduced. I'm not sure. Is there a cost associated with that?

MRS. DACYSHYN: I don't know. I can find out though.

MR. CHAIRMAN: You have the list. Now, this is the list that we've tossed around. The Alberta Real Estate Board: would that be a meaningful one? Are we going to get briefs on property rights, for example? What about the academic system? We've got here the postsecondary system, the 27 institutions of Jack Ady's. Yeah, we reduced one. What about the educational system? Bob.

MR. HAWKESWORTH: Fair enough. I'm just wondering if within those institutions the two deans of the law faculties in the province – and how many political science departments are there? Because in terms of academia those would be the people who most directly study the legislative process in an academic sense. The Law Society of Alberta might be another one.

MR. CHAIRMAN: We have them here; don't we?

MR. HAWKESWORTH: No; we have the Law Reform Institute. I don't know whether there are any particular institutes for public policy or any chairs that have been funded by institutions in the province that might have a particular concern for legislative process. We might want to search some of those out too.

MR. CHAIRMAN: Okay. We could do that, Louise and Corinne, out of our shop, I guess, because Rich wouldn't have that. We're dealing with Rich just on the advertising component.

You know, it might be an excellent exercise – many of us speak to grade 6 classes on government. We're invited to speak to them. Bonnie, would that be a good idea?

MRS. B. LAING: Sure, because they study government in grade 6.

MR. CHAIRMAN: All it would involve is mailing them a copy of the ad. I'm doing a letter to all the MLAs to encourage them to do things. Remember, we discussed that last meeting, and I'll amend the letter now that we've done this. Are there any other suggestions?

MR. FOX: I knew we'd get into this when we'd try and create a list. It becomes exclusive instead of inclusive. I wonder. The Rotary club is noted for its broad concern about issues. There are a number of other service clubs, most of which focus on trying to make their communities strong. Are there some in addition to the Rotary club that you can think of that perhaps would be interested in public policy?

MR. CHAIRMAN: Well, the Kiwanis club. We have 23 service clubs in Lethbridge, and I'm sure each community has a variety. The Lions are one of the largest in terms of members. There are 43 Rotary clubs in Alberta. The problem would be getting to them and identifying them. They all have directories. The Rotary service has a directory. As some of you well know, I went through this with Mr. Lougheed many times. Getting a particular Bill to my constituency two weeks before the government gave it second reading was always a challenge. Often by the time the people in my riding opened the mail and saw the Bill, we'd passed second reading of the Bill. So we don't want to get something to the Rotary club and then they'd read in the paper the next day that the report of the select committee is the following, if you hear what I'm saying. You create expectation but can't deliver. So we want to make sure that we could get them there in time for people to respond, because I don't know at what point we'll have the report. We're going to come to that business of the report.

3:00

MR. FOX: There are a couple of others. I don't know how we'd resolve this. There are a bunch of other service clubs. I don't know if they all have a direct interest in the legislative process. In terms of the Alberta Federation of Labour, for example, there are trade unionists that aren't part of that umbrella. The Building Trades Council is another. There are just so many groups that lobby government on a regular basis when you think of it, groups that advocate for seniors.

To make a distinction here, we're not dealing with amendments to legislation. Like, you mentioned the Real Estate Board, their interest in property rights. You know, that's not an issue before this committee, and I think we'd interpret that as being well outside our mandate. So I don't know. I just worry that when we start sending letters to some groups, we leave out far more than we . . .

MR. CHAIRMAN: You made that point before, Derek, and that is that you offend people when you miss them. It's like an audience, and you don't recognize some and you recognize others. I know exactly what you're saying.

Bonnie.

MRS. B. LAING: I was going to say that some of these groups, such as the Calgary Real Estate Board, have an intergovernmental or a governmental subcommittee, and they often do a range of things that don't just pertain to their particular interest. Again, there you'd have to think about that too, I think.

MR. FOX: I mean, to some extent maybe we should rely on our provincewide advertising to do it for us. Everybody that's on this list reads newspapers, and perhaps we're dealing with the people on this list who are most likely to be reading newspapers on a regular basis.

MR. CHAIRMAN: Well, Rich, do you have enough, then, to do what you're going to do?

MR. THOMPSON: Yes. I would have one other question which is: if you are going to be attaching copies of the ad to various letters you're sending out, it's very cheap for me to run a thousand instead of 200 for distribution in the papers. If someone would let me know on that, we can do that for you.

Did you want me to review what I've got here?

MR. CHAIRMAN: Yeah, please.

MR. THOMPSON: We've decided, then, that we're going to go with the subhead "We need your views." The first paragraph is going to stand as is. In the second paragraph we're going to have a cap C on committee, and we're going to leave in the term "expressions of concern."

The order. We're not going to number these, but we're going to reorder these. It will be: Involvement of Albertans in the legislative process; second, Access to information legislation; third, Free votes in the Legislative Assembly, with capitals on Legislative Assembly; fourth, Whistleblowers' protection; fifth, Media relations, with a small R; and then finally, Election of the Speaker in the Legislative Assembly.

The third paragraph will be amended to remove the word "written," so "All submissions will be considered." At the end it will conclude "before Friday, May 14, 1993" too. And then the final paragraph will read, "For information please call (403) 427-1348 or, if busy, (403) 427-1350 or call your MLA."

We'll move the coat of arms towards the top of the ad; list the members of the committee, including their name, MLA, and then their constituency; and have a bold logo for the province of Alberta in the lower left-hand corner. Okay?

MR. CHAIRMAN: Does Rich have the list of all the members?

MRS. DACYSHYN: Yes, he does.

MR. THOMPSON: Yes.

MR. CHAIRMAN: And Halvar Jonson still reads as deputy chairman?

MRS. DACYSHYN: Yes.

MR. HAWKESWORTH: Including the correct spelling. Others have got my name wrong.

MR. CHAIRMAN: Pardon me? You're kidding. Well, this chairman wouldn't do that.

Just one moment before Louise . . . If someone in Whiskey Gap is phoning 427-1348, are they paying for the call?

MRS. DACYSHYN: They can use the RITE operator if they want to.

MR. FOX: We have new information on that that just came out, a new Zenith number or something that MLAs have been informed of it. I just got it. That includes everybody.

MRS. DACYSHYN: Oh, really?

MR. FOX: Yes. I didn't have time to read it, but there's a new number that people can call that's toll free through the government switchboard.

MR. CHAIRMAN: Or even if we put "through the RITE operator" in that ad; that's all I'm saying.

MR. FOX: This is more up to date than that.

MR. CHAIRMAN: Yeah. In other words, if they call the Zenith number, they can be connected to whatever number, I take it.

MR. FOX: That's right. That's what I gather.

MR. CHAIRMAN: Can Rich have that before he goes?

MRS. DACYSHYN: I'll go and get it.

MR. CHAIRMAN: Would you? And we'll do that.

MRS. KAMUCHIK: I'll find out; either that or we'll get in touch with you.

MRS. DACYSHYN: I'll phone you with that.

MR. THOMPSON: Yeah, if you can get in touch with me.

MR. FOX: The memo just came out. It's on my desk. I could run and get it if that's useful.

MRS. DACYSHYN: No; that's fine. I'll find it.

MR. CHAIRMAN: You'll see to it.

MRS. KAMUCHIK: I was going to suggest that seeing as we're going to have the Alberta logo on the bottom left-hand corner and the Alberta crest would be moved up, do you want underneath to say the Alberta Select Special Committee on Parliamentary Reform? Because you're saying Alberta twice in the logo portion, do you just want to say the Select Special Committee on Parliamentary Reform?

MR. CHAIRMAN: Instead of an all-party?

MRS. KAMUCHIK: No. On the logo side. We have Alberta Select Special Committee on Parliamentary Reform underneath the Alberta coat of arms, and then down on the bottom left-hand side we'll have the Alberta news release type of logo as well. So we're repeating Alberta twice in the logo section.

MR. CHAIRMAN: Well, if we move the coat of arms to the top and have under the coat of arms the Alberta Select Special Committee of Parliamentary Reform members, then the names, that would answer that. Then we wouldn't remove that.

MR. FOX: Yeah, I'd leave it in. I mean, it's a long way away from the stylized Alberta.

MR. CHAIRMAN: Yeah. Okay.

Rich, could you have something back in my hands on Friday?

MR. THOMPSON: Yes. We can send it to you tomorrow.

MR. CHAIRMAN: I would very much appreciate that. I'm not so sure, Bob and Kurt, that this should not go in every kit of delegates at the convention on the weekend. That would generate a lot of interest.

MR. FOX: We've got a convention this weekend, don't we?

MR. CHAIRMAN: Yes, we have.

Now, it could be inserted. I think that's important because we'd generate interest very quickly, if he could provide sufficient copies.

MR. THOMPSON: Sure.

MR. CHAIRMAN: Okay. I very much appreciate that. Could we go, then, to the budget?

MRS. DACYSHYN: May I say something? You didn't quite decide what you were going to do, whether you were just going to skip the letters or whether you were going to go ahead with letters. Did you finish that discussion?

MR. CHAIRMAN: Oh, we're doing the letters. We just didn't have the shopping list all done as to who they're going to.

MRS. KAMUCHIK: We expanded the list.

MRS. DACYSHYN: Okay. I thought before we went back to Rich that Derek was making a suggestion that all people on this list read the newspaper and maybe we shouldn't go ahead with the letters, but I must have misunderstood.

MR. CHAIRMAN: Oh, I'm sorry. My intention was that we'd go with the letters. The sensitive issue he's raised and identified is

who you are going to offend if you don't. That does not mean every mayor and reeve, et cetera, should not receive one. I think that's what you meant; wasn't it?

MR. FOX: Well, I don't know. There are two ways of dealing with it. Either we mail to all of the people on the lists that we're able to assemble, recognizing that there's going to be a lot that are left out, or we just rely on this \$50,000 insertion in papers to cover that for us. Some of them are so easy to mail to because the lists are there. Is this what was prepared out of the Constitution committee mailing list?

MRS. DACYSHYN: No. I compiled it myself.

MR. FOX: Did you try and see if they have a mailing list?

MRS. DACYSHYN: I did, but it wasn't of much use to me for a few reasons. I did this myself.

MR. CHAIRMAN: Well, I have a concern about it because I'm going to have to sign every letter. I think we're agreed that they'd better be originals.

MR. HAWKESWORTH: Well, if you are going to pursue that, in addition to the suggestions I made earlier, I want to make sure we don't lose Derek's point that the Building Trades Council is separate from the Alberta Federation of Labour and not to be included. There are also district labour councils in the province. There are also groups like the Alberta Teachers' Association that I wouldn't want us to miss either.

3:10

MR. CHAIRMAN: You see, that's where we're going to get into this ever-expanding. Could members get a note to Corinne – it won't be in *Hansard* obviously – as to any groups they feel should receive the letter? That might be the best. We're not going to hold up the letter waiting for a deadline of getting lists, because that's going to be a fair amount of work. We can always add to it later.

Let's have a quick coffee or a five-minute break to the wash-room, if anybody needs it.

[The committee adjourned from 3:11 p.m. to 3:17 p.m.]

MR. CHAIRMAN: Can we come back and deal with the budget before Members' Services on the 8th?

MRS. KAMUCHIK: The 7th.

MR. CHAIRMAN: The 7th?

MRS. KAMUCHIK: Yes.

MR. CHAIRMAN: Please ensure I'm there. Now, Bob Elliott sits on the Members' Services Committee, so Bob will be appearing before your committee. You're not expected to defend this. You're on Members' Services – aren't you? – at last look anyway. Well, we're appearing in the Assembly on the 7th to present this proposed budget.

DR. ELLIOTT: That's a conflict of interest for me, so I can stay home that day?

MR. CHAIRMAN: Let's go through and make sure. As you recall, at the last meeting – Bob and Bob were not here. I

suggested at that time – I don't know the life of this committee because I don't know the life of the Legislature – that we should budget on the assumption that we're going to go through to a successful conclusion. It's easy to cancel; i.e., we budget and get approval. We don't have to spend it. There's no law that says we have to spend it. So I had asked Louise, based on some precedent, based on the number of members on the committee, based on some discussions we'd had which involved traveling and so on, to put together a draft budget. That's what we have in front of us broken down into several categories: Supplies and Services, Travel Expenses, Advertising, which we dealt with, the writing of the report or professional assistance, \$15 hosting per meeting, and I guess payments to MLAs.

Louise, do you want to begin by commenting on what you prepared? Then people can ask questions through me.

MRS. KAMUCHIK: Thank you, Mr. Chairman. Travel Expenses is based on economy fares, which is of course not as good as excursion. If the committee does have a chance to travel to meet with other MLAs in other jurisdictions, then we can try to get excursion rates when we get closer to those dates. This is the worst case scenario, if you want to call it that, of two members going to Victoria, for instance, and includes the hotels, meals, cabs, and per diems. The same applies to Ottawa-Toronto. The longer trip would be to Quebec City and the maritimes. That would take about seven days, so the member would have to stay over the weekend. Once they're in eastern Canada, that might be the most cost-effective way of dealing with this.

Alberta Presentors to meet with Committee Members is difficult to ascertain until we receive submissions from Albertans to see if there would be a general interest from people, Medicine Hat for instance. This would include the air fare and hotel for one overnight accommodation. If you had presentors coming from Medicine Hat and they're willing to drive, then it cuts down on the cost. You're looking at paying a kilometre rate for two people in one car and then their meals, of course, and the gasoline. Actually the per diem rate would cover the gasoline. These numbers are just guessing for the number of presentors and could be adjusted along the way. We do need to have some figures to present to Members' Services.

MR. CHAIRMAN: Now, I think Bettie Hewes had raised this issue last time: what about people who wish to come and make presentations? You recall that discussion. At the time we didn't know or hadn't decided whether or not we would pay for people to come. It seems to me something we should budget for even if we don't make the decision of accepting. We may go with criteria like a long-distance phone call about what their ideas are before we authorize them to come. What are your feelings on that? This is under travel, the presentors.

MR. HAWKESWORTH: I prepared a memo some time back, Mr. Chairman, about the possibility of sponsoring a symposium.

MR. CHAIRMAN: A symposium, yeah. We've discussed that. That's in the minutes. Partly my counterargument to Bettie was Bob Hawkesworth's suggestion of having a symposium and having these people come in. I think for budgetary purposes that would fall within this category, calling them presentors, if we had a symposium.

MR. HAWKESWORTH: I see. Okay.

MR. FOX: I think what the proposed budget for travel does is give us flexibility to decide what's best, and it may be, based on

the quality of the submissions received, that we don't need to spend any money on travel. But it may be that there are some people from other jurisdictions that would be of benefit to us; maybe either go there or bring them here. If we did bring some people here with some people from Alberta that seemed to express a strong interest and have some good ideas, then we've got pretty much in place a budget that would facilitate a symposium. These affairs, I would assume, go either way. People can either come here or we can go there or whatever. I think Louise has done a good job of giving us a ballpark figure that very likely won't get spent in its entirety and quite likely won't get spent at all, but at least it's there.

MR. CHAIRMAN: So the travel would be about \$30,000 based on your estimate?

MRS. KAMUCHIK: That's correct.

MR. CHAIRMAN: The advertising's been dealt with.

The writing of a report. We have two suggestions. Were either of you on the constitutional committee? Well, you hired Cathy Krysa to do the report.

MRS. KAMUCHIK: No, that was the Senate committee, Mr. Chairman. That was back in '83-84. The constitutional committee report was written by Garry Pocock, who works for FIGA.

MR. CHAIRMAN: Oh, in-house.

MRS. KAMUCHIK: That's right. He was assigned to the committee full-time. John McDonough - I think I said Department of Health before, but actually he was social services, one of those two - was seconded full-time for many months to the committee to summarize all the submissions received. It was a big job.

When the committee was discussing the report last Friday, I was not free to let everyone know that at that time one of our Parliamentary Counsels would be finished. This was his last day today. So the Table officers are down to one Parliamentary Counsel and the Clerk and Clerk Assistant, and with session coming on, we're a little afraid about the commitments we would have. If the committee presented an interim report that is, for instance, just a series of recommendations, that we could handle, but the summarizing of the presentations might be rather time consuming, and I don't know if we can do it. We just don't have the staff anymore.

MR. FOX: Did you have a chance, Louise, to determine from other departments of government, Justice or FIGA, whether or not they had someone who we could second for a short period of time?

MRS. KAMUCHIK: I spoke to the EA to Mr. Jonson for the Department of Education. It was also a department that was mentioned. When session's in, all their people are on standby as well to deal with issues that may come up. The problem is that we can't say for the next two weeks or the next month; it's a short interim period. So they didn't have anyone. Dana from the Justice department didn't return my call, and I should have called her again today, but I didn't. I didn't call anyone at FIGA, but I can certainly carry on. The problem is that everyone is on a tight budget these days, and the staff is operating at full capacity, it seems, everywhere.

MR. FOX: Everybody's working hard; there's no doubt. I just would really prefer, if at all possible, to do this internally. We

have two quotes before us. Although they're fairly close in dollars at the end of the day, there are dramatic differences in the estimates that are used to assemble those in terms of how much work is required to do different things, to arrive at a report. I sympathize with anyone who's trying to prepare an estimate for this committee, because with respect, we're not exactly sure what we're doing or what we're going to get into or what we'll find. So it's hard to expect other people to have any clearer idea of that. I think we'd be ill advised to hire someone at a meeting today who isn't currently - like, if we could second somebody, that solves our problem, but if we have to hire somebody, then we have to advertise and make sure people have a chance to apply. Certainly Michael Ritter had a very good reputation with the Assembly and members of the Assembly, but there are other former Parliamentary Counsels that had stellar reputations, and how do you offer a job to one without making it available to another?

3:27

MRS. KAMUCHIK: That's right. The only problem, Mr. Fox, is that the committee is short of time, and these people should really be starting to meet when the committee meets, starting tomorrow even, so they can get the flavour of the discussions. If you advertise, then you'd need someone to screen the ads, the committee to meet with them. You don't know when the next election will be called, and just to read the transcripts may not be enough for these people to understand exactly what the committee is trying to achieve. It would certainly give them a good idea. It would certainly be beneficial to whomever to sit in on all the committee meetings between now and the time when it is reported, whether it's a final report or an interim report that's prepared. So as I mentioned last Friday at the meeting, if anyone else has any suggestions they could make . . . I also called the researchers in the government caucus, but it may not be appropriate for a government caucus researcher to be seconded to the committee, and they're also busy as well.

MR. FOX: Sure.

John McDonough is someone you talked about before. What does he do?

MRS. KAMUCHIK: I'm not sure what he does with either social services or Health, but he used to be head of the research section of the Library many years ago.

MR. FOX: Yes, I know.

MRS. KAMUCHIK: I'm sure he'd be quite capable. I don't know how busy he would be and whether we could second him, because as I said, it's a meeting two hours tomorrow, two hours on Friday, and other times. So that could be another venue we could explore.

MR. FOX: My suggestion would be - I'll just throw this out for people's consideration - that we include the amount Louise has recommended here for our budget proposal so the chairman has something to take to Members' Services on April 7th but that we delay a decision on hiring someone to do that for at least a few days. I mean, we haven't done a lot of work as a committee to this point. We've had a few meetings. Some of what we've done is technical and not germane to the contents of the report. I know that if I was being hired to write this report, I could go through what we've done very easily in short order and catch up, and tomorrow's meeting and the next meeting might not be very much

different. Would it be possible to ask you to try and find out what John's doing and get an answer one way or the other from FIGA or Justice? I don't know. My sense is that we're not talking about a great deal of time here to prepare a report. We've got a very limited research staff, limited in terms of numbers, and we're cranking out reports all the time, policy papers and position papers. There are people who do this stuff very quickly. I just wonder if we could include that amount and delay a decision on who we hire to do this or who we get to do this pending a little bit more information over the next few days from Louise.

MR. CHAIRMAN: I think that's a very good suggestion, Derek. In a perfect world we could have a researcher from each caucus, for example, compile things and then consolidate it into one. Well, we don't have a perfect world, plus they're scrambling getting ready for a spring sitting of the House or a new session and so on. I would tend to agree with Derek that if you would go through *Hansard* and follow through what we've done – although Louise has a very valid point: you should have your report writer in early in the game. There's more than words to a report. There's the spirit and the interchange and so on that has to be reflected as well.

I do think it's important, Derek, that we build in the guesstimated cost of writing the report, and we can deal at some time with who, and there may be other people. The sensitivity I would see is if we act too quickly in saying, "Well, we'll choose this person or this person." Who do we exclude? So if we can find out whether there's someone in-house – if we could have that for next week, for example, if we can do it.

Any other comments on the budget? Well, I'll take that forward, then, on the 7th. I forget the hour, but it doesn't matter.

MRS. KAMUCHIK: I have a question on the chairman's salary. I'm not sure, again, like everyone else, when the election's going to be called, so I projected a salary for the chairman for four months. Should I go the full year?

MR. CHAIRMAN: No, just leave it at that.

MRS. KAMUCHIK: Okay.

MR. CHAIRMAN: Well, let's deal with one of the items on our shopping list. A lot of work's been done on this: if we can go to this business of a secret ballot for election of Speaker of the House, Deputy Speaker, Chairman and Deputy Chairman of Committees. We've read the minutes. We saw where we've discussed some of the details of this already.

Under tab D in your book, ladies and gentlemen, you see what other jurisdictions have done. I suppose some of the most notable have been the House of Commons and the province of Ontario. Ontario did theirs most recently. I don't know whether you've had an opportunity to read what other jurisdictions have done or are doing.

I just want to make this comment and then have a discussion. My understanding is that unlike Alberta, where we elected the Deputy Chairman of Committees, the election was conducted by the Speaker of the House. Obviously, that has to be looked at very shortly. There are two elements that are different here that were employed elsewhere. One is who ran the election. Speaker Carter, if you recall, interpreting Standing Orders as though he were putting the question, quoted Standing Orders in that no one could not vote. Every member of the Assembly had to vote, if you recall, in electing Doug Main as Deputy Chairman of Committees. I don't know if you recall that ruling, but the

Speaker ruled that everybody must vote, and I believe that's fundamentally wrong. The House of Commons does not record. In the House of Commons it's permissive. If you're going to follow Standing Orders, you can only enforce the Standing Order if you put the question to members. That, I sense, was the major difference. I just make that observation.

Let's have a discussion on this business of election of Speaker. It's something we've all agreed to, I'm sure, one way or another. The only thing is which method.

Kurt, you'd better speak to this because you've been involved.

MR. GESELL: Sure, Mr. Chairman. I would tend to lean toward the House of Commons' procedure for election of the Speaker, but let me make a comment about some of the matters you have raised.

My understanding is that in our present Standing Orders we actually do have a rule that requires members to vote, but that only refers to a division, where each person that's in the House has to cast a vote. It allows members that have a conflict of interest to leave the Chamber and declare what their conflict may be.

Let's get back to the Speaker. We've had an election of the Deputy Chair of Committees, as you've mentioned, and there were certain rules that were followed at that point in time. I'm not quite in agreement with those. I believe that all MLAs should be eligible to be nominated for Speaker or should be automatically nominated for Speaker unless they declare that for some reason they do not want to let their name stand for nomination, and they should do that prior to the actual vote. I'm assuming here, of course, that the ministers that have been selected and certain other members, leaders of opposition parties and House leaders, are not eligible. They're automatically excluded. I would prefer that in the process we follow the House of Commons situation. I'm not quite sure what they do at the beginning of the session, who is actually in the Chair when the Speaker has not yet been elected. I believe it's the member that has served the longest in the House, and that seems to be very appropriate. I would prefer that we tailor-make our recommendations along those lines.

3:37

Also, when we get to the point of discussing our Standing Orders, perhaps include that right at the very beginning of Standing Orders. I think that's sort of the first order of business. Right now we deal with the election of the Deputy Speaker and the Chair of Committees under section 55, if I remember correctly. I think that should all come at the very beginning.

I'll make some more comments about the Standing Orders when we get to that specific topic. Let me stop there on the election of the Speaker.

MR. FOX: I guess we're into a process now where we're deciding exactly what we want to recommend, because we're all in agreement that this is an important issue, one we would like to see implemented as soon as possible. So it's a matter of deciding what rules we're going to recommend. Maybe we should take it in order.

The first thing we have to do is decide who presides over the election of the Speaker. Kurt pointed to the House of Commons precedent. It makes perfect sense to me that the member with the longest record of unbroken service in that Chamber presides over the election of the Speaker for the Chamber. It wouldn't matter, I suppose, if that person is a member of cabinet or any other position you mentioned.

MR. GESELL: No.

MR. FOX: They can still preside over the election. If they weren't a disqualified member or a member who was interested in being Speaker, would that disqualify them, or would they be able to seek the position from the Chair? In the House of Commons everyone is eligible to run unless you make it clear that you're not interested. Presumably the people who aren't interested are members of Executive Council, leaders of parties, and others who for various reasons may not want to be Speaker. They have to make it known that they're not on the ballot, that their names aren't before the Assembly. Could a person have their hat in the ring while presiding over the election?

MR. GESELL: Could I just react to that? I don't have any difficulty if that person is not a member of cabinet or not ineligible because of some of the other parameters we have. I wouldn't want them to be excluded from being elected as the Speaker unless they had withdrawn previously. I don't see any difficulty there. It's a secret ballot.

MR. FOX: So that member would be allowed to vote in any case. I mean, all members have a vote. In this case the Chair would not be voting to break a tie. Because we don't envision a tie, the member would be voting on every ballot with other members.

MR. GESELL: Yes, I would see that.

MR. FOX: I'm just thinking out loud here, Mr. Chairman, envisioning a process. I think that's an important item to clarify with respect to that process.

MR. CHAIRMAN: As to eligibility, I think every member elected to the House is eligible to be elected Speaker of its House. Forget the cabinet, forget the leader of a political party, et cetera. I think in the initial stage every member elected to the House should be eligible to become its Speaker.

MR. FOX: Right.

MR. CHAIRMAN: Now, if we do it the House of Commons way, everybody is eligible. The House of Commons rule is that everybody in fact is self-nominated unless they withdraw, and I almost think it's a given that any member of Executive Council or a party leader, et cetera, would have their withdrawal in. As a matter of fact, if you look at what we pay the Speaker in this House, if the member were considering remuneration, he's higher paid than a minister of the Crown. Right? I mean, Public Accounts – just look at the payments. I don't believe anybody would seek office on that basis anyway. I just like the idea in concept: whoever is elected by the electorate to sit in this Assembly is eligible to be elected Speaker of the Assembly. So I don't like the idea of the exclusion side, "Well, you can't be Speaker because," because I can't ever envision . . .

MR. FOX: Yeah. I think that's what we were implying: these people would certainly exclude themselves. Okay, I agree with that. But how do you feel about the senior member of the House presiding over the election and participating in that election? I mean, do you get to vote or do you get to have your name on the ballot?

MR. CHAIRMAN: Good point.

MR. HAWKESWORTH: I'm coming back to your point. I mean, presumably one cannot be a member of the government – i.e., the Executive Council – and be the Speaker. You would have to choose one or the other.

MR. CHAIRMAN: But what if there's an election and the Premier, the leader of the party winning the most seats, has not named a cabinet? I guess that's where I'm going to be coming from now. What if he or she has not named a cabinet?

MR. FOX: It's pretty hard to go in the House without a . . .

MR. CHAIRMAN: Well, you may not go in the House; you may only call the House to elect its Speaker.

MR. FOX: Now, that's true, because the Speaker has responsibilities that extend beyond the House.

MR. CHAIRMAN: Yeah. I can't foresee a leader of a political party or a member of Executive Council ever being Speaker of the House.

Now, I want to come back to the other point though, the Stanley Knowles point, as I recall it here. I like the idea just in concept: any member elected to the House may be elected Speaker as a principle. Derek raised a very good point. It would have been easy for Ray Speaker, for example, to chair the committee, not in the Speaker's Chair – the Speaker's Chair must not be occupied until we see a Speaker chosen – but in the Clerk's Chair. In our system now we use the Clerk of the House to do things. This would be the member with the longest service; right? Derek's point is that that person is automatically a candidate unless he or she withdraws.

Now I'll get into the nitty-gritty, and that's the voting. If there's a tie, for who and how would that person vote?

MR. FOX: Maybe there's a way around this. You know, there's a difficult precedent established if the Chair of a committee votes to do anything other than break a tie. Maybe the best thing to do in our proposal would be to have the Clerk preside over the election. Why not? The Clerk is nonpartisan, someone who enjoys the respect of members in the Assembly and who presumably has experience in the House. It's not such a big deal to preside over an election. Why not have the Clerk of the Assembly do it?

MR. CHAIRMAN: That wouldn't alter the senior member being in charge as long as the Clerk ran it; right?

MR. FOX: Well, what would the senior member in charge be doing if they weren't – I mean, that person stands up and says: Hon. members, please come to order; we now will have an election, blah, blah, blah. If it's the senior member who said that . . .

MR. CHAIRMAN: Conduct it under the auspices of our Clerk.

MR. FOX: Okay; they could announce that it's going to happen and then take their seat and turn it over to the Clerk. That would free that member to be a candidate and to vote in every ballot.

MR. CHAIRMAN: Then at the conclusion of the votes they would announce the decision or whatever. That's all I'm thinking of. It's a good principle to have the senior member doing something.

MR. FOX: Although there may be several senior members. As in the case of the class of '75, a number of members were elected at that time. If there was no one who preceded them, I mean . . .

MR. CHAIRMAN: Well, today we have Adair and Trynchy, which raises the point: who's the senior member?

Bob.

MR. HAWKESWORTH: Good point. That's right. In a Legislature of close to 300 members the chance of there being one who served a very long period of time and remains there is much greater than in an Assembly of 83. I gather there is the same practice in the House of Commons in the United Kingdom, and there they have close to 600 members. So perhaps it's more problematic in a smaller Legislature.

3:47

The first item of business, then, when we come into a new Legislature is that we're all assembled – this is before the Speech from the Throne occurs, because we can't have that until the Speaker. What we would be doing is divorcing the election of a Speaker, which has tended to be a relative formality preceding the Speech from the Throne, and replacing it with something that's not a formality and therefore likely would be conducted on one day and the Speech from the Throne likely would follow the following day.

MRS. KAMUCHIK: I guess it all depends on how long the election by secret ballot would take.

MR. HAWKESWORTH: That's right.

MRS. KAMUCHIK: In the House of Commons the first time it took from 3 in the afternoon until 2 in the morning or some ridiculous amount of time like that.

MR. HAWKESWORTH: And you don't want all your invited guests crowded around the floor of the Assembly when trying to conduct the business of the Assembly, so you'd have to divorce the formality of a Speech from the Throne from the business of the Assembly, that being the election of the Speaker. Traditionally, though, under the current process is it not the Clerk that calls the Legislature to order?

MRS. KAMUCHIK: Well, he will announce that there is no Speaker. Then the election of the Speaker must be held, and the new Speaker is more or less by acclamation.

MR. HAWKESWORTH: So the Clerk of the Assembly already plays a key role in the formal proceedings of the Assembly.

MRS. KAMUCHIK: He makes the proclamation.

MR. HAWKESWORTH: Yeah, okay.

MR. CHAIRMAN: Before we hear from Kurt, ever since we started talking about the election of the Speaker, something I have felt strongly about is that we don't know the results of a free election of a Speaker. Historically the Premier phoned somebody and said, "Will you be Speaker?" and then went through that process, et cetera. At least there was advance notice. The Speaker was generally announced when the cabinet was announced, and there was a time frame of two, three, or four weeks even after the phone call of the Premier to his prospective

cabinet people and Speaker. So there's a degree of preparation. Here we're now talking – and this is what I want to consider. We gather in the House. The expectation is that the business of the House will be conducted the day following the throne speech, et cetera, et cetera, with this person in the Chair. I've always thought that what we could do as quickly as possible after an election – and I know there's a period for appealing results of an election. It would be nice if we could say that the election has been done, we'll call all the members together under the dome and choose from amongst them one to be the Speaker, and then that person, he or she, would have two, three, or four weeks to be trained by Louise. Do you see what I'm saying? I think it's grossly unfair to go into an Oral Question Period following the throne speech with someone who's had no experience. I'd like us to think about that a minute.

MRS. KAMUCHIK: Especially if that someone is a first-time elected member. That's a nightmare.

MR. CHAIRMAN: That's what I'm saying. I'd like us to toss that around. Having been in the Chair – but I wasn't in the Chair as Deputy Speaker, as you recall, until I had been through three elections; right? I just want us to think about that a minute before we finalize anything.

Kurt.

MR. GESELL: You raise an excellent point, Mr. Chairman.

Let me back up a little bit. I still would prefer that the senior member – by that I mean maybe a combination of length of service and age if there's a problem as far as service is concerned; I can see that a number of people might have the same length of service – preside over the initial part. The reason I say that is: what happens if we have the Clerk do it and we have a tie? We've got a dilemma. If we have the senior member there, at least that member could either cast a second vote, a deciding one, or the initial one. If we made a rule that that member doesn't vote initially but has a vote in case of a tie, that cleans it up. If we ever end up in a situation with the Clerk and a tie, we've got a dilemma; I don't know what we'd do there.

The other problem I identify – and I agree with your principle that everyone should be eligible – is what if we get into a situation where we elect a Speaker and that Speaker is also a member of cabinet? And what if that individual doesn't resign as a member of cabinet or as Speaker? What do we do? There's got to be some parameter, some guidance, or maybe some expectation we include in there that they would fill only one of those positions. In my mind I can't really see a Speaker who is also a member of cabinet. I don't think that would be acceptable to anyone.

MRS. B. LAING: On that point, Mr. Chairman.

MR. CHAIRMAN: Are you on the same point, Derek?

MR. FOX: Yeah.

MRS. B. LAING: Well, in the research we were given, where it says Election of a Speaker at the Beginning of a New Parliament, it says: a backbench member present for the longest term. They don't include cabinet in this that we've been given, so then you wouldn't have that conflict.

MR. GESELL: That's just for chairing the initial process.

MRS. B. LAING: Yeah, for chairing the meeting.

MR. FOX: I think the problem could be solved. I'm sure it's in our Standing Orders or the Legislative Assembly Act somewhere that the Speaker has no involvement with any caucus, at least in a nominal sense. So you couldn't have the leader of a party or a caucus Whip or a House leader or a member of Executive Council holding that position while being Speaker of the House, who's supposed to be removed from the partisan activities of members. If that's not clear in our legislation someplace else – and I guess I'm speaking to *Hansard* for whoever reads this and writes a report – if that's not clear in our Legislative Assembly Act or Standing Orders or whatever, then we need to make it clear in the Act we propose.

In terms of when this occurs, we'll be dealing with election of the Speaker in the first instance as soon as possible after an election. It's either linked with or separate from the beginning of the session. My sense is that it should be one of the first orders of business of Members of the Legislative Assembly. There would be a period of time after the election when appeals are heard and then you're sworn in. Shortly after that swearing in process, I think members should be convened for the purpose of electing a Speaker, not only so the Speaker can learn the roles and responsibilities of that position in the Assembly but because the Speaker in our situation has ministerial responsibility for employees. You know, there are administrative responsibilities that go along with that. So I would envision that occurring as soon as possible after the results of the election are finalized.

We could solve this problem we're debating: whether it be the Clerk of the Assembly or the senior member who presides over the election. Let it be the senior member of those who have disqualified themselves from running in the race. The first responsibility for members sitting in the Assembly is to declare their intentions. You stand up and withdraw your name if that's your desire. Then the senior member from those people who have withdrawn could preside over the election. You're dealing with someone who is not directly involved. They don't have to run, and they can break a tie if the need arises.

3:57

MR. CHAIRMAN: That would be very simple to add.
Louise.

MRS. KAMUCHIK: I was going to say that under the present system in Alberta, the Speaker continues to be Speaker until midnight of the day before the calling of the first session. If in this case, say, the election had been held in June and the first session starts August 10, Dr. Carter would be Speaker till August 9 at midnight. He does look after the effective running of the administration.

MR. HAWKESWORTH: Even though he may not have been a candidate and is not elected.

MRS. KAMUCHIK: That's right.

MR. CHAIRMAN: Theoretically Mr. Speaker remains the Speaker till the new one is chosen. The vulnerability of that, by the way, is that the Deputy Speaker, who according to our Standing Orders would be the Acting Speaker, and the Deputy Chairman of Committees in effect die when the writ is issued, not when their successors are chosen. So we're very vulnerable; i.e., the \$35 million operation which is under the jurisdiction of the Speaker continues until his successor, which makes it more

important than ever that a Speaker be elected as soon as possible after an election regardless of the House sitting, if you follow me.

MR. GESELL: Under that narrow point, could it be incorporated with the swearing in, almost at the same time?

MR. CHAIRMAN: Yeah.

MR. GESELL: That would leave some time frame between that process and election of the Speaker and actual start of session.

MR. CHAIRMAN: I think it's a very important item. I feel strongly that there should be some period for the Speaker to receive some training, because that person could have never darkened the House before, as Amerongen hadn't before '71.

Well, we're going to have a good discussion tomorrow. It looks like the witching hour is here. Corinne, is this room secured?

MRS. DACYSHYN: I actually don't know whether there's anybody here in the morning. I can run out and find out or ask you to take your binders with you.

MR. CHAIRMAN: There's nothing confidential in the material, and it would save people taking it away, unless they want to study it tonight. Whatever your wish is. What's *Hansard* going to do?

MRS. KAMUCHIK: Are you going to leave your equipment here, Paula?

MRS. DACYSHYN: Are you leaving the equipment set up?

MS HURSEY: Actually, I was going to take it back.

MRS. KAMUCHIK: I'm worried about whether the room is booked for tomorrow morning, or even the cleaning people, seeing the books left, might . . .

MR. CHAIRMAN: Okay. We'll take our material with us.

MRS. B. LAING: A request from the last meeting: if we could give some consideration to maybe doubling up two meetings in one day for the next week. I know this week is set and there isn't much we can do about it.

MR. CHAIRMAN: Could we do that for next week then?

MRS. B. LAING: I'm going to be coming up and down three times this week. I did that last week. You know, there's so much that needs to be done.

MR. CHAIRMAN: I'd like to have Monday off. You know, I'm here for the week because I had some business to do yesterday.
Bob.

DR. ELLIOTT: I'm sorry; did I interrupt before she had her answer?

MR. CHAIRMAN: Well, we'll look at that for next week. This week is pretty well set.

MRS. B. LAING: Yes, it's set. We can't change it. All right. Thank you.

MR. FOX: I can't be here Friday. I may be a little late tomorrow. Bob and I have caucus tomorrow.

MR. CHAIRMAN: I thought you had caucus in the morning.

MR. FOX: All day Thursday. We'll likely be finished by 2:00, but I have to be in the constituency for a presentation at noon. I can't be here on Friday and perhaps on next Tuesday. I'm going to Nanaimo for a funeral. Do we want to look at changing schedules or booking meetings next week?

DR. ELLIOTT: Mr. Chairman, that's why I had my hand up too. I have a funeral I have to attend on Friday, unless there's some change in that plan.

MR. CHAIRMAN: We've already made arrangements for the ministers to be here. Could we deal with next week's schedule tomorrow? Well, you'll be here tomorrow.

MR. FOX: I'll try and be here tomorrow, but I can't be here Friday and other people can't.

MR. CHAIRMAN: But I'm thinking of next week, if we can work out next week's schedule tomorrow. Is that possible?

MRS. B. LAING: That'll be fine.

MR. FOX: Would that include looking at Friday's meeting?

MR. CHAIRMAN: I know the minister is confirmed for Friday. Bob, can you be here Friday?

MR. HAWKESWORTH: My plan is to be here Friday, April 2.

MR. CHAIRMAN: Kurt.

MR. GESELL: Yes, sir.

DR. ELLIOTT: My Friday is out, sir. I've got a funeral.

MR. CHAIRMAN: Your Friday is out.
Bonnie.

MRS. B. LAING: I can be here.

MR. CHAIRMAN: Okay. Then we'll have it Friday. We may reserve decisions on our decisions.

MR. FOX: Just in terms of process, John, you know we're having these discussions, talking to *Hansard*. We clarify the points we want to clarify, but out of respect for the public input we're soliciting, I think we should hold off making any firm decisions on any of these things.

MR. CHAIRMAN: I'm only talking about decisions on meetings.

MR. FOX: Okay. I just wanted to make that known, because it occurred to me when we were talking about the election of Speaker Act that we can come up with what we think is good and then adapt that if public input persuades us otherwise.

MR. CHAIRMAN: Well, it's going to go to our caucuses anyway – right? – because our report is going to be recommendations.

MR. FOX: Oh, right, not in the form of a Bill. We won't be doing that.

MR. CHAIRMAN: No.
Motion to adjourn?

HON. MEMBERS: Agreed.

[The committee adjourned at 4:03 p.m.]