

10:40 a.m.

Thursday, April 8, 1993

[Chairman: Mr. Gogo]

MR. CHAIRMAN: Can we call the meeting to order and approve today's agenda, which is to deal with the budget estimates, '93-94; one of our topics, the rewriting of Standing Orders; and in Other Business, whatever that business might be. Could we adopt the agenda?

MR. GESELL: Yes, Mr. Chairman.

MR. CHAIRMAN: Okay.

We don't have the minutes from yesterday's meeting, but technically we should adopt the minutes. It's pretty hard to adopt them when you haven't got them, so we can deal with them at a later time, I'd assume.

Could we address ourselves, then, to the matter of the financial authority to conduct our business in the new fiscal year. I'd like to begin by reporting to the committee the budget discussions with the Members' Services Committee. I suppose if anybody should know, I should know what the role of the Members' Services Committee is, but I don't have a legal description. My understanding is that any committee of the Legislature must operate under a budget, and the Members' Services Committee, which has as chairman the Speaker of the Assembly, must make recommendations to the Assembly as to budgets for all committees authorized by the House. So I presented yesterday the budget we had agreed to, which as you recall included visits in pairs, even with this cut-down committee, to various jurisdictions; the advertising of \$50,000; and the ability to have presenters come here if this committee determined that the merits of the presentations warranted us inviting specific groups to come, although we didn't know who they might be at this time. That amount was \$15,000.

The committee yesterday objected in principle to MLAs traveling to other jurisdictions, and the Government House Leader, Mr. Kowalski, indicated that indeed the House could sit the week of April 19 and then on into July. As you know, our budget was submitted on the basis of four months in the new fiscal year, April, May, June, and July, with us reporting to the House perhaps by interim report and a final report. So after hearing the intent of not the Members' Services Committee but the Government House Leader, who's on the committee, that the House might sit that long, I brought it back to the committee, if you recall. We felt that indeed MLAs perhaps should not be traveling to other jurisdictions, but the ability to have presenters here was either just as important or more important than previously.

The Members' Services Committee asked me to come back this morning with a revised budget. I did so and presented that budget this morning. Included in that budget was the estimate of \$15,326 of travel expenses for presenters or potential presenters to travel to this committee. By motion of the Members' Services Committee they eliminated that, so they made that budget zero. Payment to members of the Assembly, which was scheduled at \$18,647, was altered to \$9,500 by motion of the Members' Services Committee. It just seems to me that we had planned on full attendance at our meetings and to have 10 meetings. One of the members of the committee asked about the attendance at our meetings, and I said, "Well, just yesterday we had five members, followed by four members, followed by three members." That prompted the motion by I think the Member for Lloydminster to reduce our budget for payment to members of the Assembly from \$18,647 to \$9,500. Anyway, that's been done, and now the total budget of this committee has been changed from \$123,000

originally to \$101,000 subsequently to \$92,373 finally. This is a recommendation, I understand, of the Members' Services Committee, not a final decision, because the House must approve the budget, the budget now being \$92,373.

Just to recap quickly: travel expenses are zero for the presenters; advertising is still fixed at \$50,000, freight and postage at \$500, telephone at \$200. That should raise some eyebrows, recognizing that we're not traveling and presenters aren't coming: how you can do your business for \$200 in terms of telephones. The writing of a report and the interpretation of the presenters and the cost of *Hansard* remains at \$16,750, hosting at \$450, as well as payment to MLAs of \$9,500. So our new budget recommended by the Members' Services Committee appears to be \$92,373.

I should stop there and see if there are any questions for the Members' Services Committee about the budgetary process. Kurt.

MR. GESELL: Well, Mr. Chairman, I understand what has happened here and that they will make a recommendation, but I'm just trying to relate that recommendation to this committee and how we might operate. We are now having discussions, which I find very useful, about some of the issues. However, we are not able to finalize or make decisions as a committee until we have had some input from Albertans. I'm glad to hear that that at least is not going to be recommended to be cut, because I feel strongly that we need to involve Albertans in this process.

I'm questioning you, Mr. Chairman, and the other members of this committee whether we should carry on with the meetings we have scheduled. Perhaps it might be wise, with the reduction in the budget that's allowed for this committee, to wait until we have the input from Albertans before we recommence. But that creates a problem for us, because how do we prepare an interim report without some discussion in this committee so that we can provide at least some indication, some guide of where we are looking? With these changes that are recommended, perhaps we should look at altering our meeting structure and maybe even altering an interim report situation. I'm just throwing that out for some debate amongst the members of this committee.

MR. CHAIRMAN: The Member for Vegreville, followed by Calgary-Mountain View.

MR. FOX: Thank you, Mr. Chairman. We're confronted with a couple of problems in living up to the mandate that was given us by the Legislature last spring to do our work. One of them is that we're trying to accomplish things just in that period of time before a session of the Legislature, and members of the committee, who I believe are all very interested in the work of the committee, have conflicting obligations. Dr. Elliott, for example, is on the Members' Services Committee and was obliged to be there yesterday and today. I was on the Legislative Offices Committee. We were doing important budget work for the officers we supervise, and I wasn't able to be at one of our meetings as a result. So everyone has scheduling conflicts, and it's difficult.

The other difficulty is that we haven't reformed our system to the point where we have something like fixed election dates. We're all operating under a fair degree of uncertainty here. We want to do the work. We're soliciting input from the public and we want to put that to good use, but it may all be pre-empted by an election call that could come as early as three or four weeks from now. None of us know those things. I think I agree with the Member for Clover Bar. What we should do here: we've scheduled a day, we're here, Mrs. Hewes will be joining us this afternoon, and we should do what we can today to accomplish our agenda with respect to reviewing Standing Orders but hold off

further meetings of the committee until we receive input from the public. Then we meet during session, although it's unusual for committees to meet during session. We make sure we make time in our agenda to do that, to map out the work of the committee in a reasonable sort of way so that we can do what we're expected to do well within the budget we're provided.

In terms of the interim report, I don't think we're obliged by motion of the Assembly to introduce a report by a specific date. It would be unrealistic of members of the Assembly to expect a committee that has only just begun its work, in real terms, to present an interim report early in that session.

So my suggestion would be that we finish our meeting today and do as much as we can with respect to the review of Standing Orders but hold off further deliberations of the committee until we receive the input we've solicited from people.

10:50

MR. CHAIRMAN: Thanks, Derek. Before we hear from Bob, I'd just refer you to the order of the Assembly instructing the committee:

The select special committee shall report back to the Legislative Assembly on its deliberations and may make recommendations for change in Alberta's parliamentary system.

So there's no definitive time, and there's no order that we must make recommendations. The word "may" is in there.

I want to add a comment in a moment about Bettie Hewes' emphasis on an interim report, but first we'll hear from Bob.

MR. GESELL: Well, Mr. Chairman, on a very narrow point that Derek has raised, if I may.

MR. CHAIRMAN: Okay.

MR. GESELL: The discussion, I think, was for this committee to sit while the Assembly is sitting. It's not precluded, but we'd need to get permission from the Assembly to do that. That's in our Standing Orders, so it can be accommodated if the Assembly gives us that latitude to have meetings during the session.

MR. CHAIRMAN: I'd like you to look up the reference to that in Standing Orders.

MR. GESELL: I will do that.

MR. CHAIRMAN: If you would, while Bob speaks.

MR. HAWKESWORTH: Just so it may be more clear here, the Members' Services Committee has approved or is recommending a budget of \$50,000 for us to have newspaper advertising, which was previously reviewed by this committee, asking the public for submissions, but there is no money now in the budget to have hearings with the public. Let me say that if we wanted to have hearings here in Edmonton, somebody from Edmonton could come at their own expense and it would be very minimal, but if someone from Lethbridge, Medicine Hat, or Grande Prairie wanted to come to make a submission to the committee, they would have to do it at their own expense.

MR. CHAIRMAN: That's the way I read the recommendation of Members' Services.

MR. HAWKESWORTH: Okay. So I would read from that, then, that the committee's ability to have public hearings is going to be

severely impaired. Not to understate it or overstate it, but it will be impaired significantly.

Okay. Then I think I would have to concur with the statements of the two members who've spoken prior to me that we're going to have to reorganize the operations of the committee to accommodate that.

MR. CHAIRMAN: Thanks, Bob. Before we hear from Bonnie, Standing Order 54, both (1) and (2), reads:

A committee may not meet during the hours the Assembly is sitting except by leave of the Assembly, and

A motion for leave . . . is not debatable but the mover of the motion shall explain why it is necessary for the committee to meet while the Assembly is sitting.

That causes me some concern, because if, to quote the Government House Leader, the House is to sit April 19 to 22, commencing then - and he made reference yesterday that it may last several months - our submitted budget was based on this committee lasting through April, May, June, and July. Comparing the two together, it theoretically could coincide. If the House is sitting and we can't meet, then if we don't have a meeting after today, it almost means we don't have another meeting. So I think we should seriously consider that, bearing in mind the emphasis we've had on two things: one, the so-called interim report and, two, the very important item that members wanted to talk about, and that was the Standing Orders in the House; i.e., an internal kind of thing to make members more effective and more efficient. I think we should seriously consider the whole question of whether or not we're going to have meetings next week before we make the final decision.

Could we hear from Bonnie and then Derek.

MRS. B. LAING: Thank you, Mr. Chairman. With meeting while we're sitting, would that preclude meeting, say, on Tuesday morning on a regular basis when there is no other committee such as Public Accounts or Private Bills?

MR. CHAIRMAN: I read that the Assembly sitting is the hours that the House sits and not the calendar dates.

MR. GESELL: Mr. Chairman, I'm not so sure.

MR. CHAIRMAN: Okay. Clover Bar.

MR. GESELL: If I may refer you back to Standing Order 3, there's a difference in the wording of the Standing Order between the meeting time of the Assembly when we are sitting and sitting days. So if I read the order correctly, sitting refers to the total day rather than just the meeting times of the Assembly.

MR. CHAIRMAN: That's Standing Order 3 you're quoting?

MR. GESELL: Yes. "The time for the meeting of the Assembly is at 2:30 p.m. of each sitting day." So the reference to sitting is for the whole day. Meeting time is for the particular hours, and Standing Order 54 refers to sitting. If I assume that the terms are consistent throughout the orders, then it refers to the total day, not just to the time.

MR. CHAIRMAN: Well, we'll get Parliamentary Counsel to give us a very quick ruling on that.

Go ahead, Bonnie.

MRS. B. LAING: Okay. There were a couple of items we had discussion on, such as election of the Speaker and free votes, where I think perhaps . . . I mean, we're still going to wait for public input as well, but if we did a sort of interim report on two or three items on which we feel we have had a good in-depth discussion, and if the understanding is that these are the committee's internal discussions and that we're waiting for public input as well before the final report is done, I still think we could do a preliminary interim report and try to do that, you know, early in the session or whenever we feel it's appropriate.

I think we should still sit next week, if we can maybe get one day where the majority of the members could be here, and try to go as far as we can and take it to whatever point we can. Would we also, Mr. Chairman, have money for a writer, or is that out?

MR. CHAIRMAN: No. We're authorized.

MRS. B. LAING: We can still do that?

MR. CHAIRMAN: Yes.

MRS. B. LAING: Okay. So a writer could very easily pull things together, I think, from the transcripts and sitting in with the committee on a couple of meetings. Also, on another committee I was on, we did rely very heavily on written submissions and had only a few interviews with particular groups that we felt had a sort of unbiased type of view. I think we could still do a lot of it with written submissions and perhaps work out a procedure where most of us could have access to read the actual submission ourselves instead of getting a watered-down version of it. I think we'd get a good sense of what Albertans are saying from those written submissions as well.

11:00

MR. CHAIRMAN: Thanks, Bonnie. I would agree with you. I'd make reference to the Assembly's resolution where it says, making it more responsive to the needs and values of the citizens of Alberta . . .

That's really the briefs.

. . . and elected Members within the context of our parliamentary system and traditions.

That is, matters that concern primarily members of the House in carrying out their duties. We have already submitted – you have that in your binder – the submission from Dr. McNeil, as Clerk of the House, with recommended changes. From the New Democrats we have Restoring Open and Fair Government: New Democrats Working for Reform, where they make some reference – more importantly, we have two of their members here. Then we have the Liberal Party's proposals for parliamentary reform regarding Standing Orders revisions. Because we have those documents – I don't know how far we'll get today, but I would tend to agree, if we could have at least one meeting next week to deal with the Standing Orders question following today. In our interim report, if indeed we do our interim report to the Assembly, we could then have three items in there from our point of view – i.e., election of Speaker, voting process, or free votes – which concern the public; I guess they concern everybody. Clearly we would have one on the workings of the Standing Orders, the operations of the House, that I think would be of great benefit to members in the spring sitting if the House were to adopt them.

So if we could have one meeting next week, I would agree with you that that would be important, if we can select one day. Now, just speaking to that, I know the New Democrats and the government caucus on the Thursday, at least the government does, and I know the executive committee of the ND caucus, of which we

have one or two members here now. There may be another day. We could maybe look at a day, hopefully other than Friday. We've got Tuesday and Wednesday. Thursday appears to be out. I think we could get enough members for that day to consider those items we now have, with our binders, on Standing Orders change.

MRS. B. LAING: Mr. Chairman, perhaps if we chose a Wednesday. We could check with the members. Then for Derek, for instance, he'd only have to travel the once. He'd be here Wednesday and Thursday. He'd be here for their caucus, and he'd be here for the meeting the day before. That would work for us as well. We'd then be only traveling the one time.

MR. FOX: In terms of my read of the Standing Orders, we can't meet as an all-party committee while the House is in session, and I take that to mean the actual sitting hours. I don't believe there's anything to preclude us, although we'll get another opinion, from meeting anytime we deem it necessary. It has just not been tradition for committees to meet during session, because there are so many other things going on, other than Private Bills and . . .

MR. CHAIRMAN: Public Accounts.

MR. FOX: . . . that are mandated to meet only at that time and don't meet outside of session times. I guess Parliamentary Counsel will resolve that.

MR. GESELL: I think there's some ambiguity there.

MR. FOX: Yeah. And if there is, you know, I've no doubt that the other members of the Assembly wouldn't be too concerned about us adding to our already very busy work schedule during session. I'm just concerned about the work we do. We all consider it important. We want to hear from Albertans. Other than perhaps Standing Orders, which are very narrow in their focus and of interest only to members of the Assembly, I don't want us to be making recommendations to them about things we've discussed without having a chance to assess the input of Albertans and see what they have to say on these important issues. You know, it's certainly not the fault of members of this committee that we weren't meeting during the fall and doing a lot of this ahead of time. There were political events beyond control of the members of this committee that overtook that agenda, so we're left with a very compressed schedule going into session.

We've got some things we can do today. If we decide at the end of the day that a meeting next week would be useful, I'll make sure that I've got time on my schedule for that meeting. But let's wait before planning too much of our work and trying to undertake it in a sort of vacuum until we hear from Albertans, until we get a chance to look at the input we've assessed. Realistically, in a political sense we will have a clear indication towards the end of May, whether an election's already been called or if one is imminent. We'd better make sure that if an election is called before the deadline for this input arrives, we have a way of keeping all the good information that people send us, because some of us are running again and some of us won't. We all might not be back here again. Who knows what the future holds? But we've gone out and solicited input from Albertans, and we need to make sure that's preserved and the work of this committee is preserved so it can be of use to people in the future.

MR. CHAIRMAN: Thanks very much. Before I recognize the Parliamentary Counsel, who has joined us on two issues, one

dealing with a matter referred to him – i.e., election of Speaker – and the other the matter just raised by the Member for Clover Bar, Standing Order 54, I just want to respond to what I think are very important comments made by the Member for Vegreville.

Orders of the Assembly last for the life of the Assembly in certain circumstances, so a special select committee until it reports remains alive. The anticipation of the House is obviously to have a report, if the government motion which was adopted is to be carried out. Derek makes the point “what if,” which is a very valid point. As I look around this table, the majority of you are running for re-election. However, should the committee die – i.e., if a writ is issued for election and the committee dies because the 22nd Legislature ceases to function – in the interim we still have alive the expectations of the public following our actions, so they’d be sending in briefs. I think Derek’s point is critically important: whether this committee experiences rebirth under the next government, all that material that’s sent in are views of Albertans that we seek and have to be responded to.

Now, a notice was given this morning that the ADM, who’s the librarian, Blake McDougall, is retiring as of June, so he won’t be here. Corinne, I don’t know what your future is, because you are really an important element of this committee. So my expectation would be that if the “if” occurs that Mr. Fox refers to – i.e., an election is called and the House is dissolved – and in response to the ad on April 12 we get 300 briefs, then certainly there’s got to be continuity for the new government to deal with that, just in the sense of fairness I think. Now, the Assembly is its own master, so what will happen, I don’t know. But I think Derek makes a very valid point, and because I’m confident the people I’m looking at are all going to be re-elected, I would rely on them making their views known to the new government.

Having said that, I want to recognize Mr. Frank Work, the Parliamentary Counsel of the House, on the two items I’ve already referred to, the election of the Speaker and whether or not amendments to the Legislative Assembly Act are required, the second one being Kurt Gesell’s point on Standing Orders – can the committee meet during sittings of the House without leave? – and a third point, which I just mentioned. My understanding of what I’ve just said about the function of this committee ceasing, et cetera, et cetera, I think is correct, Frank, but perhaps you as Parliamentary Counsel might want to comment on that. So if you’d comment on those three items.

MR. WORK: Okay. Yes, Mr. Chairman, going in reverse order, you’re quite right. If this Legislature is dissolved for an election, everything that it is in the process of doing also is dissolved. Consequently, you’re right again in that there’s really nothing this committee can do in a legal sense to ensure that the next Legislature carries on, appoints another committee with the same or similar mandate. I think what you were saying and perhaps what Mr. Fox was saying is that there’s a moral obligation there, and the best we can really do is hope that the powers that be or will be are cognizant of the moral obligation.

I suppose the furthest this committee can go is to possibly make the Assembly aware of their progress in the form of a progress report. I think the fact that you’re soliciting the views of Albertans on this – I think April 12 was the date mentioned. Perhaps it wouldn’t hurt to keep the House apprised of that fact in the sense that you’re then planting the seeds, I guess, for consideration by the successor Legislature. That’s really the best you can do, to make the Assembly aware that this commitment on the part of the committee has been made and that you would hope it is followed through on. Short of that, there’s not too much else.

As you say, hopefully the members present will be back if there is an election, and hopefully they’ll carry on in some form the work of this committee, which is near and dear to my heart as well.

On the issue of the election of the Speaker . . .

11:10

MR. FOX: Can I ask a question before we go on? The input that we receive and the work we’ve done to date: although the committee is dissolved and its mandate is dissolved, all of that can remain with Corinne and Louise and be accessed by those of us who are re-elected in our efforts to persuade the government of the day to re-empower a similar committee or to revisit those issues. I mean, just to make sure we’re clear about that on the record, is that your understanding?

MR. WORK: Yes. The Legislative Assembly Office in the sense of being the secretariat for this committee – I mean, there is that continuity there. The submissions will have a place to go anyway, but of course our ability to do anything more with them than receive them and keep track of them is pretty limited, you know.

MR. FOX: Yeah, but if the Legislature continues in its current form and the election is not called for some time, we as a committee will have ample opportunity to review and make use of that input and make recommendations to the Assembly. If it doesn’t, if the Legislature is dissolved because of an election, I think it’s important that people know that input is still essential. Whether or not the current government in its new form or a truly new government after the next election would follow through on that is something that would be, I think, influenced by all of us from the three caucuses that feel strongly about these issues. You know, we want people to know that that input is very important to the committee. I know you do. I just want to get that on the record because I think that expresses our view as a committee.

MR. CHAIRMAN: So to clarify this, Frank. The ad says: write to the chairman of the committee, which is the committee at a given address. If the Legislature is dissolved, the committee is dissolved. The material would continue to come. The Assembly, acting really as a secretariat of this, would have that information. I just want to make sure of that point: that if the Assembly has that information, number one, they would acknowledge receipt of matters that came in – that’s the courteous thing to do – and that it would be referred to whatever . . . I think I’d be prepared to even sort of draft a letter the committee would accept in that event: that because it’s property of the House and not the committee, any members who are re-elected would certainly have access to that information – I think that’s Derek’s point – and that if the new government, whoever that government may be, chooses to reinstate the committee, certainly members who are re-elected would have ample opportunity to make arguments to the new government to reinstitute the committee based on what they’ve received. I think it’s important to have that on the record.

MR. WORK: Yes. The matters you just raised: I think it would be quite appropriate to report that to the House in the sense of making them aware that the committee has put in motion a process that will in a sense be ongoing, although it may not have a formal committee structure to function in, to make them aware that this gathering of input from the population of the province will be an ongoing thing. It’s anticipated to be anyway. It wouldn’t hurt.

MR. CHAIRMAN: To have that included in the interim report.

MR. WORK: Yeah, I would say. In fact I thought you both expressed it very well, much better than I'm doing fumbling around here. I think making that kind of report to the Assembly would be quite appropriate.

MR. CHAIRMAN: On the other two items, you have the Speaker and the reference to Standing Order 54.

MR. WORK: In terms of that particular area of reform, we're actually in fairly good shape. It's our view that the Legislative Assembly Act contemplates the election of a Speaker and yet is silent on the exact form that election is to take, which is nice because it means that the Act itself does not have to be amended and yet there is opportunity to commit in another form the way in which a Speaker will be elected.

I refer you to the election of the Deputy Chairman of Committees earlier this year, which was, I guess, one end of the spectrum where the Legislative Assembly Office and the Clerk developed a sort of ad hoc procedure which was adopted by the House on a one time only kind of basis and put into effect for that particular election. That's the one extreme of the least formal kind of approach.

The other extreme would be to do what a number of other provinces have done and place the actual election procedure in the Standing Orders. I guess it would be up to the committee to recommend which way they think it should be done. I think there's an executive summary in the materials. There's quite a spectrum across Canada of systems for electing the Speaker. Actually, Dr. McNeil prepared that particular section, so I would prefer to defer to him on details of how it's done in different areas, but certainly the Commons has a very definite process which is a kind of voting down process: every Member of Parliament is a nominee, and you keep cutting away the ones who don't get votes until you get someone who's achieved a majority. I believe Saskatchewan has a somewhat different system, although again I'm not in a position to give you the details of that. For the point I'm making, the thing those two systems have in common is that they're committed to Standing Orders, and I think that's what this committee would be looking at.

To anticipate a question, I don't think I would say that the Act couldn't be amended to embody a specific procedure, but the Act we have is good enough, and typically it would be done by changing Standing Orders to embody the election procedure. So I think that's what you're looking at in that area, unless again the committee feels very strongly that it should be enshrined in the Act for some reason, but it's not necessary.

MR. CHAIRMAN: Frank, before we hear from Derek, who initiated this some time ago, in your view, if this committee submits an interim report to the Assembly and it contains recommendations as to process of election of Speaker and that report is received – I assume it would have to be accepted as an interim report – would that be sufficient authority, then, for the new government to follow that process in electing its Speaker? You already referenced the fact that we do not have to amend the Legislative Assembly Act.

11:20

MR. WORK: If you mean: would they be obliged to follow that . . .

MR. CHAIRMAN: If they accepted the interim report, yes. I think that's the point.

MR. WORK: Not just received . . .

MR. CHAIRMAN: Accepted.

MR. WORK: . . . but approved the recommendations contained in the report.

MR. CHAIRMAN: Yes. I said "received." I use the word "accept" on the basis of passing it. That's why I use that word "accept."

MR. HAWKESWORTH: So it would have the status of a resolution adopted by the Assembly.

MR. CHAIRMAN: That's what I'm . . . I shouldn't have interrupted, because I think Derek's on this point; he had raised it originally. Maybe before you answer the question – Derek, are you on the same thing?

MR. FOX: Pretty much.

MR. CHAIRMAN: Why don't you speak, then, before Frank responds?

MR. FOX: What we were dealing with was a procedural thing here. I raised a concern that if we didn't either through government or an opposition caucus introduce, debate, and pass a Bill outlining the procedure for election of Speaker, then we'd be a long way from being able to do that because the Legislature dissolves, a new government is elected, and the same old process is in place. Now, you've clarified that to some degree because the Legislative Assembly Act does not really require any amendments for us to change the procedure.

We're still wondering about how this could all come about because there is pretty much concurrence in the various caucuses about having a more extensive election process to choose a Speaker in the future. We just want to figure out some way of making sure that happens as soon as possible, which means for the new Legislature. I suppose if we included a resolution in our interim report and the committee voted in favour of either certain amendments to Standing Orders which would facilitate or just embrace the concept if amendments to Standing Orders weren't required, then I guess when the new Speaker is chosen they could be chosen by the process we describe.

If I can sort of add to the confusion, there's another problem with that that the chairman raised. The current Speaker is the Speaker until the new Speaker is chosen, so Speaker Carter, although he's not running for re-election, would remain the Speaker of the Legislative Assembly until the day before the new session, which may not be for some time after an election occurs. Who knows? A new person chosen to be Speaker would be in the awkward position of not knowing that she or he would be Speaker until the day before that person has to preside over question period and other proceedings of the House, which is very difficult to do. Somehow we want to envision a process that allows members of the Assembly to elect a Speaker from among themselves, through secret ballot, and yet give that person a reasonable amount of time to comprehend the responsibilities of the job and be able to do it with reasonable facility when the House is called to session. Those are the difficulties we're dealing with, plus I should ask you: is there somewhere described, either in Standing Orders or in the Legislative Assembly Act, the responsibilities of the Speaker, or is that just outlined in *Beauchesne*? In our setup the Speaker is a minister, for all intents and purposes, responsible for

the operations of the Legislative Assembly. The Liberals in their Act recommend annual election of Speakers. Basically, what they're saying is that each and every year we should have a new person responsible for the staffing and budgets and operation of the Legislative Assembly.

So these are some wrinkles we have to work out, and we're hoping you can help us in that regard.

MR. WORK: Okay. I'll do the easy one first, I guess. The Speaker's duties and responsibilities are all of the above: as you said, the Legislative Assembly Act, Standing Orders, and parliamentary tradition and custom as you'd find in *Beauchesne* or *Erskine May* and so on. In a sense the Speaker's responsibilities are a bit like the area of parliamentary privilege: you're not quite sure what it is until something happens and you have to apply it. I don't think the Speaker's actual job description is ever really capable of concise definition. Certainly his administrative responsibilities are in the Legislative Assembly Act, and I believe the Public Service Act and the Financial Administration Act both name the Speaker as the administrative head of the Legislative Assembly Office. The Legislative Assembly Act refers in division 2 to the usage of parliament in terms of matters of privilege, and certainly the Speaker has the responsibility of being, I guess, the first guardian of the area of parliamentary privilege. Certainly Standing Orders requires the Speaker to maintain order and requires him to call members to order in various circumstances and make certain decisions about issues of privilege and so on. So yes, his responsibilities are quite widespread in terms of the sources of them.

On the next point of what this committee can do to assist a successor Legislature in electing a Speaker, I suppose the answer is that in terms of actually binding them, there's not much you can do unless you can get Standing Orders changed prior to an election. I think Mr. Hawkesworth mentioned that a report of this committee even received and accepted by the House is really tantamount to a resolution of this Assembly, and that would not necessarily bind a successor Assembly. It's pretty well got to be law or Standing Orders in order to bind them in the legal sense. So you're sort of back into that gray area of moral persuasion.

It's a little bit out of my domain as counsel, but I would think that if this committee had presented the Assembly with a fairly clear process for electing a Speaker in a different manner, that would probably look pretty attractive to a new Assembly. Again, because of the matters you raise, that they're going to have a fairly short time to get someone into a pretty difficult job and if someone had done the groundwork and a package was available to do that, it might look pretty good, but I guess the bottom line is that you can't make them unless you can get Standing Orders amended before this Legislature dissolves.

MR. FOX: On that, if I may. So to change Standing Orders, what would be required? Just a government motion saying: be it resolved that the following changes be made to Standing Orders? We've not done that in the seven years I've been here. I'm not aware of any changes in the Standing Orders.

MR. WORK: No.

MR. FOX: How is that done? Because it's not an Act of the Legislature that's amended through introduction of a Bill. Was it something that House leaders negotiated between themselves? Do you know, Kurt? Do you have a sense of it?

11:30

MR. GESELL: No, I don't. I have some problems with your last statement, but that's . . . I'm sorry.

The rules say basically that we can set our own rules, but it also says that we do that unanimously. So I'm not quite sure. If there are some people that might think – you know, if a matter is introduced and it's not a unanimous vote, I'm not sure whether we can implement certain Standing Orders. It's a good question.

MR. WORK: I'm not going to speculate on the actual process for amending Standing Orders. You're of course aware that in the Assembly any standing order can be changed unanimously, as Mr. Gesell quite rightly said. So I'll have to take that one under advisement, as they say in the profession.

I'm sorry; where was I headed next?

MR. FOX: You perhaps were going to comment on the logistics of it all if we do. Let's assume we're able to get whatever consent is required to amend the Standing Orders to describe the process for the new election. The problem we're then left with is how to conduct that as members of the Assembly when you gather one day and through whatever process choose a Speaker and that person then has to assume the responsibilities ASAP. Is there any way of separating that action of the Legislature taken by members to choose from among themselves a Speaker from the inaugural session of a new government which involves the fanfare of a Speech from the Throne, introduction of the first Bill, question period, and debate the very next day? To elect a Speaker the morning of the Speech from the Throne or even the day before is pretty tough.

MR. WORK: Yeah, I agree. I suppose there are two possibilities. One would be to amend Standing Orders prior to the dissolution of this Assembly, and then the successor Assembly is bound by them. The other thing that could happen is that if the committee has put together a procedure and even has recommended it to the Assembly, it would be possible for someone in a new Legislature on their opening day to move that the procedure adopted by this committee, which of course would then be defunct, be adopted and the election be conducted accordingly. That could certainly be done. Again, that would be the same kind of procedure by which the Deputy Chairman of Committees was elected. I mean "procedure" in the sense that the House could on an ad hoc basis adopt a procedure for doing it. Now, that's short of standing order amendment. Certainly by having done that, it starts to gain the weight of precedent and a sense of convention. You know, that might be something to look at as well. Just the fact that if this committee does come up with a process for election that is well regarded, certainly that could be adopted on the first day of the next Assembly without amending Standing Orders; it would be adopted for that particular election.

I will let you know the exact procedure on actually amending Standing Orders. I want to be sure of what I tell you, so I won't say anything further about that.

I suppose the committee, as Mr. Fox said, may be in a position to at least voluntarily offer a fairly valuable service to the next Assembly in that if you have a good system that's available to them – because, as you say, it has to be a fairly quick process – there may be every reason in the world to adopt it rather than have to take four or five days to come up with a system. If there was one available, even if it wasn't legally binding, it could look pretty attractive.

MR. CHAIRMAN: I think the crux of the matter, Frank, and correct me if I'm wrong, is that if there is an interim report by this committee that is received and accepted by the Legislature and if within that report is a recommendation to amend a standing order and if a resolution of the House, which could be a government motion to amend the Standing Orders to that effect and which could take precedence because the government determines the order of business under government business on a government day, is carried by the House – I don't think unanimity is the issue here – the Standing Orders of the Assembly could be amended. If that were done, then it becomes, I guess, de facto for the new government: unless they again change the Standing Orders, they would follow that process, it seems to me. I think that would resolve in many ways this whole question.

What Mr. Fox has been after, as you know, and this committee has discussed at some length, is that under our present system, under the law the Speaker of the House is Speaker until midnight prior to the new government, and we had made reference earlier about some training session or ample opportunity. If every member elected is eligible to be Speaker, members of the House could well choose a Speaker who has no experience, and we had talked about a bit of a period of electing a Speaker when members are assembled prior to the official opening of the Legislature in terms of the throne speech and so on. I mean, it's a bit of a tangle there, but it almost seems to me – and I'd like you to look at that – that that could be done. In summary: an interim report making recommendations; the House receives and accepts the report, followed by a resolution of the House to amend the standing order, because in the final analysis Standing Orders, the Bible of the Assembly, is even given precedence, in my view, over *Beauchesne*, *Erskine May*, and other authorities. Standing Orders is the primary authority of a legislative body.

MR. WORK: You're absolutely correct.

MR. CHAIRMAN: Then unless there are more questions on that, perhaps you could deal with Mr. Gesell's point on Standing Order 54, meetings of this committee during the Assembly. The question is hours of the Assembly: what do they mean, or do they mean sitting of the Assembly?

MR. WORK: Yeah. That word "sitting" gives rise to a lot of confusion. People take "sitting" to mean everything from the period during which the House is in session to the actual time during the day when they're physically seated in there.

For the purposes of Standing Orders and the application of the standing order that a committee can't meet when the House is sitting, our interpretation has always been that "sitting" in that order refers to the time when the Assembly as a whole is seated in that Chamber. Therefore, the committee would be free to meet Monday, Tuesday, Wednesday, Thursday mornings, Friday afternoon . . .

MR. FOX: Weekends.

MR. WORK: Oh, yeah, weekends.

MR. FOX: Overnight.

MR. WORK: Overnight, evenings.

MR. FOX: Unless the House is in session.

MR. WORK: Let's see, counting back: Friday evening and so on. So in that sense, "sitting" has a very narrow interpretation.

I guess Standing Order 3 would be the reference. "Sitting" means when they're actually seated in there. The reason is, of course, that every member's first duty is to the Assembly as a whole. Committees are creatures of the Assembly; therefore, committees have to . . .

MR. CHAIRMAN: Request leave.

MR. WORK: . . . request leave if they want to take members away from their primary duty, which is to the Assembly as a whole. That you can meet in the hours of the Assembly isn't actually in there.

11:40

MR. CHAIRMAN: Louise.

MRS. KAMUCHIK: I was just going to add to what Frank has said. I support what he said, because if we check the minutes of other committees, they have had meetings after 5:30, before 8 in the evening quite often, in the morning during session, whenever members can be called if you can catch them all. Historically, it hasn't happened that often because it is difficult to get members to attend committee meetings during session. But yes, Frank is right; this committee can meet after 5:30 any time as long as it ends before 8, after 1 on Friday, of course, or in the morning Monday to Thursday.

MR. CHAIRMAN: So the committee can do that without seeking leave of the Assembly.

MRS. KAMUCHIK: That's right.

MR. WORK: That's correct.

MRS. KAMUCHIK: There's no problem there.

MR. CHAIRMAN: Okay.

Kurt, you had raised this initially. Are you satisfied with the explanation?

MR. GESELL: Yes, that's fine. I assumed that's what it was, but maybe when we make recommendations about the Standing Orders we'll clear that up.

MR. FOX: It's one of many ambiguities in there.

MR. WORK: The word "sitting" is used in a lot of different contexts, sometimes to describe the entire block of days and weeks the Assembly meets. So I appreciate the question. It was a good one.

MR. FOX: Someone described me as the sitting Member for Vegreville, and I understand that's sort of got parliamentary implications. I've always considered myself to be somewhat more active than that. But we're saddled with this terminology.

MR. GESELL: It just depends who you talk to.

MR. CHAIRMAN: Similarly, I think parliamentary authority says that a member must rise uncovered and be recognized by Mr. Speaker, et cetera, et cetera. "Uncovered" means what people interpret it to mean. If we had an elected member of a given religious faith, I don't believe uncovered means removing the hat to that particular thing. As you know, the Canada Constitution,

the authority we operate under, says there must be not only an election every five years; there must be a session of the House. A legislative session must be called annually. In our definition, a session is sometime during that year. You then get into sittings, and you can have one, two, and three sittings, I'm sure, during that session. So there are a lot of technical things. The important point is that this committee can meet while the Legislative Assembly is sitting.

The only caveat I throw in there is the following in terms of government caucus. In any committee of the House, government members are an extension of the government caucus. I assume that applies to other caucuses. It could well be that where this committee would say, "We choose to do a certain thing," the government caucus - in this case, the government members' side - could say: "Uh uh. We assign you to these responsibilities. Therefore you can't attend those meetings." Now, I assume any caucus has that authority with their own members. I don't anticipate that happening if this committee wanted to sit. In fairness, I look at the Member for Calgary-Bow, who is chairman of a standing committee of the House and has other duties, and it just may be that regardless of our desires to meet as a committee, the simple mechanics of responsibilities would prevent that even happening. The point is that we have the authority to do it. That's the important point.

MR. WORK: Yes.

MR. CHAIRMAN: Any other questions to Parliamentary Counsel?

MR. HAWKESWORTH: Not a question. To bring us back to where this discussion started, how do we ensure the life of the reform movement, so to speak, or the work of the committee? I just think it's worth noting and emphasizing that a lot of the origins of this committee began with public hearings on the Constitution. I was on the special select committee. We traveled the province talking about the future of Canada and the Constitution. Of course, as we traveled from town to town and community to community, there were themes that occurred in the presentations we had from the public. I think there was an overwhelming sense from the public that they wanted their structures of government to be more accessible, more open; they wanted to be able to have greater ability to influence the direction of government, greater control over the decisions of government and parliament. So if we look back to the report of the all-party committee and the recommendations, one of those recommendations was that the Alberta Legislature take a look at its own operations as to how we can make it more responsive to the public. I think that was a recognition of the hunger for greater control over what goes on in this place that seemed to be out there in the public and a recognition that this committee flowed naturally from the work of the previous committee on the Constitution.

I think it would be a mistake for this government or any government after an election to simply put the work of what we're doing on the shelf. I think clearly there's a public desire out there to really open up the structures.

MR. CHAIRMAN: Thanks, Bob.

MR. WORK: Mr. Chairman, when is your next meeting, sir?

MR. CHAIRMAN: We've not firmly determined it, but it would be our desire to meet next Wednesday, which I think is the 14th.

MR. WORK: I was going to make a commitment to the committee to give you something in writing on the process for changing Standing Orders by your next meeting, but I'll find out from your staff when that will be.

MR. FOX: Just one other thing, if I could ask you about the procedure. You said it might not require an amendment to Standing Orders but the new Legislature could look at the recommendations of an all-party committee and embrace the process for electing a Speaker, and that's certainly within the realm of possibility. One of the technical things we were grappling with: Kurt raised a number of excellent points about how the election of a Speaker actually should be conducted and who would preside. Such a thing would have to take place after all members had been duly sworn in as members of the Legislature. If we go and meet in the Chamber, then someone has to preside over the meeting. If it's merely to preside over an election, which is what we envisioned, somebody - either a senior member of the Assembly or the Clerk or perhaps the previous Speaker - can preside over the election. If it's just an election procedure that was agreed to, that's not a problem. But if it's going to involve a debate about what the procedure should be, then you need someone in the chair to preside over the debate, and who knows what else could ensue?

So those are the things we've been thinking about. As if you don't have enough to think about already, being two Parliamentary Counsels at once going into session, I'll just put that in your head too. When we next talk, you might have an opinion on that.

MR. WORK: It's a very good point. That's why I said that if on the first day of the new Legislature there is in hand a pretty well-thought-out, good-looking scheme for electing a Speaker, that has got to look very attractive to whoever is saddled with the job of doing it as opposed to getting into four days of debate without a new Speaker. I mean, if the package is there and available, it's got to look pretty good. The point I was making there is that that's a persuasive matter rather than being legally bound to use it or bound in any sense to use it.

MR. CHAIRMAN: Thanks very much, Mr. Work.

MR. WORK: My pleasure.

11:50

MR. CHAIRMAN: I think Kurt Gesell and others had made the point earlier when . . . I guess the point has been resolved through the budget discussion in Members' Services, but I'm strongly of the view that it's one thing to read how something is done and quite another matter to talk to people who have done it. Ontario, which has a new system for election of Speaker, has been through the practice; one can read all they want about it. But I felt very strongly it was important to talk to the actual people who conducted it, which I think is substantially different from reading about it. However, it seems we're not going to Queen's Park or anywhere else, and we'll have to deal with the written word or find some other way.

Well, thanks very much, Frank.

Lunch has arrived. I think we should adjourn the committee for a period of time. We're expecting Mrs. Hewes, the Member for Edmonton-Gold Bar, so how would it be that we entertain a motion to have an adjournment until we call it back to order? So moved, Kurt?

MR. GESELL: Yes.

MR. CHAIRMAN: Carried. Thank you.

[The committee adjourned from 11:51 a.m. to 1:08 p.m.]

MR. CHAIRMAN: Could we call the committee to order? Mrs. Hewes is going to join us at 2 p.m.

I think we should deal with this business of the Standing Orders. We have some documents with us. On the one hand, we have recommendations for change from the Clerk of the House, Dr. McNeil, which come, I think, with – I don't know whether you have that document, dated November 1, 1991, by Speaker Carter. He identifies the attached document, which is Standing Orders and recommended changes. We then have with us as well the recommendations of the Liberal caucus on parliamentary reform. I have a document from the New Democrats talking about open and fair government, working for reform. It doesn't deal directly with the Standing Orders, but I'm sure people will speak to it. In terms of process, would it not . . .

MR. FOX: That anticipates debate, Mr. Chairman.

MR. CHAIRMAN: It engenders debate.

Would it not be a good idea to go through Dr. McNeil's document? It starts virtually from the beginning of Standing Orders. What's your pleasure?

Kurt.

MR. GESELL: That's fine. I just didn't bring that document with me. I'll have to borrow someone's just to refer to it. You're talking about Dr. Carter's '91 submission or Dr. McNeil's?

MR. CHAIRMAN: It's referred to as attachment 2. It's in your binder under, I think, K or L.

MRS. B. LAING: Under K.

MR. CHAIRMAN: I just thought we'd have a general discussion without getting into any decision mode without Bettie Hewes.

MR. GESELL: I'm sorry. Where are we again?

MRS. B. LAING: At K.

MR. GESELL: Sorry. Got you.

MR. CHAIRMAN: Beginning with attachment 2, the only thing that caught my attention . . . The left-hand column refers to the present Standing Orders; the centre column, any revisions; and the right-hand column, comments. The immediate thing that caught my eye, if I can draw attention to it, is number 3, where they don't plan on any changes to the sitting of the House, yet I think Kurt Gesell had made some strong suggestions about 1 to 6 in the afternoon or something along that line.

MR. GESELL: Yes, 1:30 to 6:30.

MR. CHAIRMAN: Do you want to comment, Kurt? I'm very interested in how the New Democrats feel about this business of ours. Kurt, you go ahead.

MR. GESELL: Well, are we going to go through this sequentially?

MR. CHAIRMAN: I think we should, unless there's a better way.

MR. GESELL: Okay. Let me just make some comments before we get to section 3 that you were just referencing.

Under 1, our proceedings usually are guided by Standing Orders – perhaps we should call them rules – but also by *Beauchesne* and *Erskine May*. I'm just wondering if that should not be included right at number 1. In just throwing out some ideas, Mr. Chairman. I'll go fairly quickly here. Under 2, "In all contingencies unprovided for, the question . . ." – some of these are just terminology. "Question" is usually a term reserved for a motion, a question that's being put in the House. I think what we're talking about there is a matter that should be decided by the Speaker rather than a question, because questions are decided by all members of the Legislature by vote. Also, in that particular clause there, we have this preoccupation in our society – and I know where it comes from – about precedents. Those guide us in everything we do, particularly in the judicial system and also in the Assembly. I think they are important, but just as important are fairness and common sense. I think those are items that need to be incorporated. What tradition there may be and what precedents there may be in one particular instance in a situation at a given time may not necessarily apply to the same degree in another situation at another time. There may be similarities, but the same conditions may not necessarily be there when the decision needs to be made. I would see a little more latitude there rather than saying "shall base his decision on the usages and precedents." "May" would be better for me. "Fairness and common sense" in there would allow a little more latitude as well. Just for discussion.

We've talked about times. Briefly, my suggestion . . .

MR. CHAIRMAN: Before you go on, instead of doing the whole page, with regard to 2, did you say that "question" should be replaced with "matter"?

MR. GESELL: "Matter" would be better if it's a matter for the Speaker's decision. "Question," the way I define it, is usually reserved for a motion; the question is called on a motion. So if you use the term "question" – and throughout this document we don't use terms consistently – it means something in one particular rule and something else in another. Maybe I'm too hung up about that, Mr. Chairman, but I feel there needs to be consistency throughout this document. If we use "question" in one particular sense in one area, then we should use it in the same sense in all areas.

MR. CHAIRMAN: Well, just for my benefit, dealing with Standing Order 2. "In all contingencies unprovided for," Assembly matters shall be decided or may be decided by Mr. Speaker: isn't that better terminology? I need the guidance of some of the experts here.

MR. FOX: Well, I think Kurt's concern is valid. "Shall a question now be put?" has one meaning for people who ask questions; it has another meaning with respect to our proceedings in the Legislature. The word "matter" says what we mean to say, I think, in a better way than "question" does.

MR. CHAIRMAN: Okay. The balance of that is not a problem?

MR. GESELL: Well, the only thing is that it's very directive to the Speaker, who "shall base his decision on . . . precedents" and so on. I would like to leave it a little bit more open so that he may base his decision on precedents but also on some common sense and fairness.

MR. FOX: You're going to get a letter right away.

MR. GESELL: Well, that's fine.

I would want the Speaker to have certain latitude so that his or her hands are not bound that directly by precedent, and this binds the Speaker to precedent.

MR. CHAIRMAN: So your point is that it should be permissive and not mandatory.

Bob, do you have a view on Standing Order 2, the word "shall" in the third line?

MR. HAWKESWORTH: Well, yeah. Personally, I think Mr. Speaker should be bound.

MR. GESELL: I'm sorry. The way that came out . . .

MR. HAWKESWORTH: That's what the word "shall" does.

MR. GESELL: Let's use "limited."

MR. HAWKESWORTH: Okay; all right. What the word "shall" does is bind. That's what I meant.

MR. FOX: There's an accurate assumption here that the Speaker making rulings on issues exercises common sense and tries to balance that with precedent. I think the only word we should ponder changing is "question" to "matter" in that section. That would be my recommendation.

MR. CHAIRMAN: Standing Order 3, Kurt, if you wouldn't mind saying that again.

1:18

MR. GESELL: Certainly, Mr. Chairman. Just a caution here if we change 3. If there's a change contemplated there, that will have an effect on other sections throughout the Standing Orders that would then need to be altered as well. I'd just caution members that that would occur. Even in the routine there would be changes, and throughout the total document we would have to make certain adjustments.

Now we sit for 21 hours if we assume from 8 o'clock to 10 o'clock in the evening, and if it's 10:30, then there is some additional time. My recommendation was that we should look at perhaps altering the hours when the Assembly is meeting. My suggestion was to use 1:30 p.m. to 6:30 p.m., and that would provide for 23 hours of sitting time in a week. I believe that when you work out those hours cumulatively for the session, it actually would work out to be more time for debate and discussion with those hours I've outlined rather than what we are doing right now, because we do not always sit in the evenings. Now, the argument I also want to make is that when we are sitting in the evening from 8 to 10:30 and sometimes longer, I do not believe members are at their best in debate, particularly if we are going to move into free votes, which I hope we do, where members actually are going to be in a position where they want to convince their colleagues to vote one particular way. I think you need to be prepared. You need to be at your best when you do those things, because when we have those debates in the House they're very important. A session from 1:30 to 6:30 might accomplish that much better than sitting late in the evening.

I'm also concerned, Mr. Chairman - and you've raised this point in the past - that the galleries are empty to the greatest degree when we are debating some of these issues. I think that

may be because people are not aware that we are sitting in the evening, or even if they are aware, they're not quite sure if we are in fact sitting in the evening on that particular day because the Government House Leader can decide prior to 5:30 whether or not we are by a simple motion according to our Standing Orders. So if there's a set time for debate and discussion, I think that sends a very straight signal to our public when we are sitting, and they can adjust their schedules accordingly. It also simplifies what we call our daily routine, because right now we have a number of processes that are in place, and if the daily routine occurs Monday, Wednesday, and Friday . . . Well, there needs to be that rotation, but it simplifies the daily routine that we have. Sections 7 and further on would then need to be amended concurrently with it.

I don't know. I'm throwing it open for discussion. Monday would be five hours, Tuesday five hours, Wednesday three hours. Right now Tuesday is five hours and Friday is three hours. We would change over to a regular number of hours each day.

MRS. KAMUCHIK: What would you do Friday?

MR. FOX: He meant Thursday. He went Wednesday, Tuesday, Friday.

MR. GESELL: Oh, sorry. Thursday, Friday, yes.

We would have a regular number of hours each day, 1:30 to 6:30, except for Friday, which would remain from 10 till 1.

MR. CHAIRMAN: So the aggregate of the hours, then, would be 23. Is that what you're saying?

MR. GESELL: Twenty-three rather than 21 or 22, whatever it works out to be right now. The difference in hours is limited. There would actually be more hours for debate if evening sessions were not held. It's a question that's open.

MR. CHAIRMAN: Before we go on, then, on number 3, Bob.

MR. HAWKESWORTH: At the moment we sit in the afternoon for three hours, from 2:30 to 5:30.

MR. GESELL: Yes.

MR. HAWKESWORTH: That's three hours. If we reconvene at 8 and go till 11, there's another three hours.

MR. CHAIRMAN: Yes.

MR. HAWKESWORTH: Okay. You're suggesting that if we started at 1:30 and went to 6:30, that would be five hours. Okay. Overall, on the assumption we're sitting every night, we'd be dropping by an hour a day.

MR. GESELL: That's the assumption. Now, if I may respond to that, I like the idea of having a set time frame rather than the open time frame that we have right now. We can discuss that a little bit, because there are pros and cons to that. If more time is required in the session, I personally would rather have the session in operation from 1:30 to 6:30 and sit a week longer if the business of the House is not completed rather than go as late in the evening as we do in order to bring some measures through the House.

MR. CHAIRMAN: In fairness to members, Kurt, our Standing Orders provide for what we call Votes and Proceedings, which by any other name is an agenda.

MRS. KAMUCHIK: No, Mr. Chairman. The Order Paper is the agenda.

MR. CHAIRMAN: Pardon me; Notices of Motions. Votes and Proceedings . . .

MRS. KAMUCHIK: . . . is a recording of what transpired.

MR. CHAIRMAN: . . . is notice of business to come before the House and a record of what's been done by the House; right?

MRS. KAMUCHIK: Well, it has a notice section at the end; right? It has a notice section that will give motions that are to be considered at some time. They're on notice, yes. Otherwise, the Votes and Proceedings . . .

MR. CHAIRMAN: . . . are minutes of the previous meeting.

MRS. KAMUCHIK: Right.

MR. CHAIRMAN: I thought they also were notices of business to be discussed in future.

Addressing your point here, under 4 an evening sitting is not mandatory. It may or may not occur. So for certainty of the members, if you sat daily 1:30 to 6:30, the member would know that business of the House will be discussed during those hours. The Monday, Tuesday, Thursday evenings, which are optional, may not occur. If they do occur, there'd be business discussed that the member, frankly, is not aware is going to be discussed, if you follow me.

MR. GESELL: Unless the House maybe gives some notice to the members that are there.

MR. CHAIRMAN: Well, I'm talking about members who are not there.

MR. GESELL: Yes. All right.

MR. CHAIRMAN: So to me, by having meetings 1:30 to 6:30 daily, it's a certainty that any business of the House is going to be discussed during those hours, because they're not optional.

MR. GESELL: No, they're not.

MR. CHAIRMAN: I'm not saying you can't adjourn the House or other things, but for the sake of argument there's a certainty there. There's a certain comfort in that to me.

MR. HAWKESWORTH: Mr. Chairman, in terms of your experience shepherding legislation through the House on behalf of the government, is it your recollection that you planned on about three hours on the evenings of Monday, Tuesday, and Thursday, or was it usually more like 8 to 10 p.m.? Then if for some reason the debate was carried on - for planning purposes did you consider it to be a two-hour time period or a three-hour time period?

MR. CHAIRMAN: Two.

MR. HAWKESWORTH: About two.

MR. CHAIRMAN: Well, Derek will know. When I was a Deputy Government House Leader I would insist and generally

was successful in caucus by saying, "We'll sit from 8 till 10." Now, that's a guide, because you don't adjourn when a member is speaking. I generally based it on two hours. Fred Stewart generally based it on two and a half hours.

MR. HAWKESWORTH: Well, the hours we're talking about are almost identical. If a group calls their MLA and says, "We'd like to meet with you on a Tuesday night," you can look at the flight schedule; at least a Calgary MLA could. I don't know; it's probably more problematic for Lethbridge or Grande Prairie. For the Calgary MLAs whatever the flights are after 6:30, you could be back in Calgary for an evening meeting, and you could book that meeting three weeks in advance knowing that you're not going to be called to sit. At the present time you're not ever sure whether you're going to be sitting on a Tuesday night or not. You just have to assume you are and therefore book to be in the House here, and the Legislature might not even be called on the Tuesday night. So it would certainly make certainty of planning your schedule easier.

1:28

I suppose the other option when we're getting into some of these controversial pieces of legislation: we have sat on rare occasions as late as 1 o'clock in the morning here in the Legislature. That's very rare, but it has happened once or twice since I've been here in the last seven years. I guess that opportunity would not be available to the Legislature if you automatically adjourned at 6:30. There wouldn't be the provision that there is now. When an evening session is called at 8 o'clock, you can sometimes go beyond 11 to midnight and, on very, very rare occasions, 1 o'clock on controversial legislation.

MR. FOX: Or past 2. We've adjourned after 2 a.m. on occasion.

MR. HAWKESWORTH: Yeah.

MR. GESELL: Well, I don't think anything is precluded. Let me deal with two points. You were looking at the total number of hours to begin with, and the difficulty I'm having with that is that under our present system although you count five hours, that is not necessarily there. Five or 5 and a half hours: it depends on the evening session, and that's not a given. So one needs to recognize that.

Secondly, on the question that you raised with respect to some critical legislation that you might want to carry debate on with, the House always, with unanimous consent - and I think most members when it's a critical situation would provide it. We could go past 6:30 if we wanted to do it. If everyone sitting in the House wanted to do it, it's possible to do it. It can be done.

MR. CHAIRMAN: Well, I want to hear from Louise, but the motion would be to stop the clock. You could carry on indefinitely, but that would need to be unanimous.

Could we hear from Louise and then Derek. I think it's a technical point you were going to make.

MRS. KAMUCHIK: I was going to mention that with the proposed longer hours for the sitting, Tuesdays and Thursdays are private members' days, and we give two extra hours each day for the . . .

MR. HAWKESWORTH: This kind of a change would have significant . . .

MRS. KAMUCHIK: Right. When government business used to be considered, Tuesday evening and Thursday evening, it would no longer be done.

MR. CHAIRMAN: There are other elements, like members' statements. You know, there are a lot of ramifications in here.

MR. HAWKESWORTH: Oh, yes. Absolutely.

MR. CHAIRMAN: Then the closure procedure: closure's invoked; we have a procedure now which takes us to midnight. I mean, there are a lot of ramifications in changing this.

MR. FOX: Yeah, this is not simple stuff. A lot of things have to be considered.

There are things about our agenda that don't facilitate our work either in the Assembly or as people who represent constituencies. We heard complaints from the media when they met with us in the fall. One of the things they said to us was that they would appreciate sessions starting a little earlier in the day because question period's that part of the agenda that they, let's in fairness say, pay closest attention to, and sometimes they're up against it in terms of waiting till question period finishes, doing the requisite interviews with people outside the Assembly after question period, and then getting their stories filed on time, especially if there's a hockey game that bumps the news from 6 to 5 p.m. or whatever. In fact, *CBC Alberta News* is now at 5:30 instead of 6. So they're operating with deadlines, and I think they would be happy if the Legislature amended its sitting hours to begin at 1:30 p.m. or some other time.

However, there are some problems with that. One is the amount of time required for members who are particularly far away from the Legislature to get here on a Monday. I suppose that would be a problem for a handful. Sitting till 6:30 moves it past the normal hours that other people keep, and sometimes our schedule has to conform with theirs in terms of being asked to attend a meeting, speak at a function, go to a briefing, or to have some sort of interaction with people who live on schedules that are different from ours. That might be a problem.

It might be a problem as well. I know I always appreciated not having obligations here after 5:30 on a Wednesday because that gave me, and I suspect anybody who's within half an hour of an airport, depending on scheduling times, the chance to go back to the constituency and have public meetings or attend functions in the constituency on Wednesday nights. Sitting till 6:30 makes that pretty much unrealistic unless within a caucus scheduling can be arranged to accommodate that sort of thing.

You envision Friday staying at from 10 a.m. till 1 p.m. That's probably the best way to leave that.

There was some discussion earlier among House leaders – I don't know if it came to all caucuses – about not having sessions on Friday, about increasing the sitting hours on every other day to leave Friday free so that MLAs could devote more time to the work in the constituencies. The problem with that from my point of view is that some people perceive our work to involve very little other than our work in the Assembly for a few hours a week, and if we weren't sitting on a Friday, somehow that perception that we're not doing something might be reinforced. It's a very unfair perception because most members work hours that are well in excess of any normal full-time job. So I would worry about the political implications of that. Kurt's proposal doesn't raise that problem.

I like the idea of starting the same time every day, and we've done that so far: 2:30 p.m. every day except Friday. If we made

a change, starting at the same time would be good because that allows other people to tune in on their radio or come to the Assembly or whatever.

I'm just thinking out loud trying to imagine benefits and disadvantages to the proposal.

MR. CHAIRMAN: There's no question; in terms of cost there would be a fair cost savings. I would venture the taxi bill for pages alone is \$3,000 a year, because it's mandatory that they must take a cab in the evening. It's a minor issue to some people but an important consideration.

MR. HAWKESWORTH: Absolutely.

MR. CHAIRMAN: The impact on *Hansard* I don't know. They work half the night.

MR. GESELL: Yes, they do.

MR. CHAIRMAN: You know, Louise, I don't know what the implications are there. I mean, there's a lot of factors. It's not just a matter of the members; it's also the costs. So I think there's a lot of implications here.

Let me just throw this in. You know it, even though members perhaps don't want to talk about it. Under our Standing Orders estimates are given 25 days. The government days are Monday, Wednesday, Friday and Monday, Tuesday, Thursday evenings if evening sittings are held. Government tends to deal with legislation Monday, Wednesday, Friday and calls estimates in the evenings, thereby getting a whole day's estimates done in one evening yet getting the legislation done the same physical day. That would be eliminated, because if you do four departments in estimates, it's one day's estimates within a day. Because I was involved in this process, I just point out that it's long been either a strategy or something of government to say, "If we deal with these Bills, legislation, on Monday afternoon, we'll deal with agriculture department estimates Monday night." That would have an impact there. Once estimates are called, it's a day charged to the 25 days even though you may adjourn the estimates and go back to legislation. I just point that out.

I think there is a lot of merit in being in tune with the rest of Canada. We have a document that tells us what other jurisdictions have done. Manitoba, for example, didn't sit on Wednesdays. How that applies when you're from Lethbridge, Alberta: I don't know what you're going to do to get to Lethbridge and back and so on. The suggestion about Fridays has been made in the past.

MRS. KAMUCHIK: There are some Legislatures now that don't meet on Friday.

MR. FOX: Where is that information? I remember reading it thoroughly and marking it up, but I can't find it in here.

MR. HAWKESWORTH: What's the tab number?

MR. CHAIRMAN: We have a document on it.

MRS. KAMUCHIK: "Hours of Sitting" under E.

MR. FOX: I went through that in some detail.

MR. HAWKESWORTH: Oh, yes. Here we are.

1:38

MR. FOX: British Columbia: it looks like 23 hours a week with a real dog's breakfast in terms of their start times; like on a Tuesday, 10 a.m. to noon and 2 p.m. to 6. They use the mornings instead of the evenings. Alberta: we're at 22 and a half, I assume, if we meet two and a half hours in the evenings. Saskatchewan, at 24 both currently and proposed; Manitoba, 22 and a half; Ontario, 20; Quebec, 18 and a half; New Brunswick, 32 and a half hours. One would assume that they don't sit every evening that they outline there, but 32 and a half hours in New Brunswick.

MR. CHAIRMAN: Isn't that something? It could be a very short session though.

MR. FOX: Yeah, it could be.

Prince Edward Island, 16; Nova Scotia, 18. They're 19 in Newfoundland, and then they're going to 33 hours in the House of Commons. So relative to other jurisdictions we're pretty well middle of the pack, I guess, with 22 and a half hours.

What was your proposal, Kurt?

MR. GESELL: Twenty-three.

MR. FOX: Twenty-three hours. So it would likely end up being more hours on a regular basis than this session.

One thing I wanted to refer to was just the kind of strategies that ensue during debate, and John referred to a few of those. Unless the Assembly were to grant unanimous consent to extend the sitting, the agenda would be more defined and more regulated, and some additional discipline would be required, I guess, when opposition and government are fighting over a particular piece of legislation in terms of a filibuster on a Bill or a government deciding to invoke closure. It may be that government would want to maintain the prerogative to try and deal with what we've called "legislation by exhaustion" by carrying the House till well past midnight, although in the seven years I've been here it's never proved to be effective. Maybe that wouldn't be a consideration. We're usually a pretty tenacious bunch. So maybe that's not as much an issue.

What do people think about the concern about sitting till 6:30, during sort of a normal supper hour? Would that be a problem in terms of the other meetings, with all of the range of obligations the rest of us have with other groups that want to meet with legislators or committee work that we're involved in?

MRS. B. LAING: For getting back to Calgary, I believe that the next airbus would be 7 o'clock, which for me means I could hit my constituency at 8:30, because it takes me an hour and a half to get from here to there. I don't know how many functions you would want to go to at 8:30 or 9 o'clock at night when you're coming back the next morning. That would be one of the disadvantages. If you were at a forum, for instance, or an open house or a town hall meeting, you wouldn't be starting it at 8:30 or 9 o'clock; you'd be starting at 7:30. So it would be difficult to get back to Calgary for that type of thing. You'd never make a dinner meeting in Calgary.

MRS. KAMUCHIK: Unless you can arrange a buddy system.

MRS. B. LAING: Unless you could trade off a day or something like that.

MR. FOX: Leaving at 5:30 for a person like Kurt with a constituency that's relatively close to the city or mine that's within reasonable driving distance, it's not a problem to make a meeting at 7 or 7:30.

MR. CHAIRMAN: Members who go now when there's a sitting on Monday, Tuesday, Thursday don't come back from Calgary for that sitting. So it would simply be a matter, I would suggest, of leaving the House at 5:30 if you have that type of commitment. I don't see that as the problem.

MR. FOX: Right.

MR. CHAIRMAN: I think what impact this would have on the total legislative session is one thing. How would members, including members of the Executive Council, find five hours in the afternoon? That's 40 percent more than we do now. What impact would that have? I think the evidence is that other jurisdictions have all changed over the years and in a pragmatic way. One very strong feeling I have, and I say this because I have the luxury of saying it after 18 years: if we wish to attract young members to the Assembly who have families, I think we should recognize that family is an important consideration. We're going to have, I think, 19 seats in this city; aren't we? If you add the surrounding areas, it wouldn't be hard to build it to 23, 24 at least within a half-hour drive. I think there should be some provision, and the sitting hours are not a bad way of looking at it, where members can be with their families in the evenings and attending meetings in the evenings. I think that's a consideration. I know from the experience of all my years the number of nights I've sat in this Legislature. With deference to Derek, filibustering has many times been the order of the day where, frankly, nothing was achieved other than Parkinson's Law was fulfilled; that is, you will find work to fit the hours available. I'm someone who's leaving this system, so I think there's a lot of merit in what I'm hearing.

We just must be careful of other implications involved. For example, the member elected to this House is not necessarily elected to the government, and that member's got to have opportunities within the House. That's why we talked about members' statements, which we'll come to. What impact will it have on the private members' business? Do we extend the private members' business, or do we split the day between government and...? We're going to have to deal with all of that. If you look at it now - and Kurt didn't mention this - under the present sitting hours standing order, the number of hours in the week, 22 and a half, given to government business I think would be, if I'm not mistaken, significantly longer than under the proposal.

MR. GESELL: Yes, that's correct.

MR. CHAIRMAN: So we're taking from government with this revision unless we do something about it. If you expect to sell it to government, I don't know where the quid pro quo is; there are going to be some trade-offs right there. Those kinds of items have to be considered.

MR. FOX: Because this is a very important point that we're debating - a lot of things would flow from it, and a lot of sort of concurrent recommendations would have to be made if we make any here with Standing Order 3 - may I suggest that we look together at the sitting hours of other Legislatures just to review the merits of what they do. Would that be a sensible way of analyzing this or not?

MR. CHAIRMAN: Well, I guess to an extent we've already looked at them.

MR. FOX: I mean, in terms of their sitting times: when they start, when they finish, do they sit evenings. There may be some wisdom here that could guide us.

MR. CHAIRMAN: Well, Derek, if you don't mind, Mrs. Hewes is due to join us in 10 minutes. Could we come back to this item and take the benefit of Bettie's views?

MR. FOX: Sure.

MR. CHAIRMAN: Number 4 is in that context, I guess. I should let Kurt or somebody take the leadership in this, but in terms of 5 and 6 there's no problem, I think. Is there a question about the quorum: 20 members?

1:48

MR. GESELL: Well, no, but let me back up to 3(2). We talk about quorum there, and I think it's not in the appropriate spot. It should really be with 5, and I'll get to that one right away. The situation here as I'm going through this, I have to make some assumptions. If a change in the hours is going to be what actually occurs, then 4 would be changed considerably and so on.

MR. CHAIRMAN: Yeah. I said we'll come back to that one when Bettie comes.

MR. GESELL: Okay; sorry. Also, I forgot, Mr. Chairman: somewhere in the beginning here, 1 or 2 or somewhere in that neighbourhood – and I just flag this – if we are going to define a procedure for election of the Speaker, that would be the appropriate spot to put it and also maybe bring section 55 forward, which deals with the other elections we're talking about, Deputy Speaker and Chairman of Committees and so on.

MR. CHAIRMAN: Would you want to comment while we're on number 3(2), "If at the time of meeting there is no quorum" to be something like: if at the time of meeting there is no quorum, the Sergeant-at-Arms will not call the House to order? Do you really think it's necessary for the Speaker to take the Chair and adjourn the House?

MR. FOX: Well, it probably is, because then there's a record of the fact that there was no quorum. I mean, if there was no quorum of the Legislative Assembly, that would be an incredibly serious event without precedent, as far as I'm aware, and if the Sergeant-at-Arms just didn't call the House to order, then there'd be no record of that.

MR. CHAIRMAN: Further on you'll find out: it's not up to Mr. Speaker but up to a member of the House to draw to the attention of the Speaker that a quorum is not present at any time during business, and so on.

MR. GESELL: Well, that's when we're conducting the business, when we lose quorum, but not at the beginning of the meeting.

MR. CHAIRMAN: No, no. That's just what I'm saying. There's another process later on.

MR. GESELL: My first point really, Mr. Chairman, was that this is not in the right spot. We're mixing things up. We're talking

about sittings of the Assembly, and all of a sudden we're into quorum and adjourning the House. I think 3(2) would be much better placed under 5(2) because there we're talking about quorum, and we're talking about what actually occurs when he does adjourn, that he takes the names. So there's some inconsistency in the organization of that, and I just draw that to the attention of the members. I'd like to get it shifted over in the appropriate spot, first of all.

I think it's all right if there is no quorum at the beginning for the Speaker to take the Chair and adjourn. I don't have any quarrel with that.

MR. FOX: Well, I don't know. I think this is basically a semantic argument that makes little difference. What this does is lay out in some order how things proceed in the House. It talks about when the House shall convene, and if there's no quorum, then it shall be adjourned, and I think that's the appropriate order. Quorum is a word that's defined somewhere later, and that's not inconsistent with legislation. If this were a Bill, we would say: quorum as defined in section 5(1). I don't see that as a problem.

Because we haven't decided if we're going to make recommendations about sitting hours, we should maybe deal with quorum. Is 20 the reasonable number?

5(1) The presence of at least 20 members of the Legislative Assembly is necessary to constitute a meeting, including Mr. Speaker. Now, that's fairly low.

MR. CHAIRMAN: It's the same as the House of Commons.

MR. FOX: Is it 20 members?

MR. CHAIRMAN: Yeah, 20, believe it or not. That's why you see no one in the House. As you know, our Standing Orders say that you will rise in your place and be recognized. You cannot speak from other than your place under our Standing Orders. In Ottawa, as you know, they all gather around whoever is speaking because in their rules for television the camera can only be on the speaker.

MR. FOX: Well, maybe there's no reason to change the 20.

MR. HAWKESWORTH: They all crowd around behind him, a movable crowd.

MR. CHAIRMAN: It's called portacrowd.

MR. FOX: Don't you call it PC rent-a-crowd during an election, where buses are taken from one venue to another to follow the Premier?

MR. CHAIRMAN: I don't think *Hansard* picked that up.

Well, I had hoped we could skim through here and mark those items that have got to be looked at in detail. It's amazing what comes to light once you start looking at Standing Orders. The most startling thing to me – and whoever did it deserves great credit – is that we have the only Standing Orders with an index that I have great difficulty having anybody understand. If you look at the last two pages in the book about the index, it's extremely confusing. As a Deputy Government House Leader trying to refresh myself on closure, believe me, I had great trouble finding it, because you've got to go to debate and so on.

MR. GESELL: That was my point, Mr. Chairman, and Derek doesn't quite agree with it. He says it's semantics. Well, maybe

it is, but I've got a sort of organizational bent, and I like to get things organized and have the same items in the same area so you can locate them when you need them in the House. Usually time is limited at that point in time. Enough said.

MR. FOX: Okay. It says there that the House shall be convened but there are circumstances under which it shall not be, and that just describes one of them. I guess 20 is a reasonable number.

MR. GESELL: Yes, I would agree.

MR. FOX: Change that.

The Speaker shall record the names; that seems reasonable.

Something under Standing Order 6, "Mr. Speaker shall offer prayers every day at the meeting of the Assembly before any business is entered upon." You know, all the time I've been a member, our Speaker has been someone with a religious background and the qualifications, and that puts us in a unique position of sharing prayers with someone who is very capable and experienced in that regard. I don't know what it was like before; maybe you can comment on that.

I was just in the B.C. Legislature on Monday, and an hon. member was called on to lead the prayer. I didn't ask, but I had the impression that Mr. Speaker or a member so designated shall offer prayers, that they may vary that. That might be something to look at. I would assume that members wouldn't beg debate in their offering and, you know, get up and say, "God help us if the opposition doesn't shut up or if the government doesn't get to work," or something like that. Presumably people would exercise reasonable discretion, but it was rather a nice touch. I don't know how the Speaker or other members would feel about that.

One thing they do in B.C. now: they don't use the term "Mr. Speaker." It's "Hon. Speaker." It sounded unusual, but it was always "Hon. Speaker." The Speaker is a woman, and it's more difficult to be calling a woman "Mr." all the time, so "Hon. Speaker" was acceptable.

MR. CHAIRMAN: Suitable terms, acceptable terms are "Your Honour" and "Sir" and "Madam." There's a variety of things.

MR. FOX: It's right in *Beauchesne* here.

MR. CHAIRMAN: On the first point though, Manitoba has a House chaplain.

MR. FOX: Oh. Is that right?

MR. CHAIRMAN: Yeah. Certainly the House of Representatives has a House chaplain. There are some places that have that.

You raise a very interesting point, Derek, - I think it's an exciting one - and that is that a member could be called upon to offer the prayer. Now, as I see it here, "Mr. Speaker shall offer prayers every day," I don't read that as he must do it. Whether a House chaplain would be appropriate or use a ministerial association rotational month, there are all kinds of things that could be done, and I guess in some ways it would reflect the Canadian Constitution about this nation under God. Put a question mark there.

MR. FOX: What about something like: Mr. Speaker or a member . . .

MR. CHAIRMAN: Designated by Mr. Speaker.

MR. FOX: . . . designated by Mr. Speaker shall offer prayers every day.

MR. CHAIRMAN: Should we use the term "the Speaker" or "Mr. Speaker?" We're going to have to come to that term, Bob. I think at some point we're going to have to come to that.

MR. GESELL: "The Speaker." Mr. Chairman, I talked about that the last time we discussed that, and I said we should be gender neutral.

Let me make another observation about the person that we call the Speaker. I know it's precedent and all the rest of that. The Speaker does not take part in the debate. He does not actually speak unless to lay down some of the rules we need to follow, yet we call that person a Speaker. The only time the vote is cast - and we'll get to that a little later on, and there's some difficulty with that as well - where the Speaker provides some reasons for the vote is when we have an equality vote. The Speaker is then the person that casts the deciding vote. There's an opportunity for the Speaker to actually comment on why the vote is whichever way he's going to vote. That's the only time the Speaker actually takes an active part in what occurs by way of question or motion in front of the House, yet we talk about that person as the Speaker.

I'm maybe just off on a tangent.

1:58

MR. FOX: You want to call him Mr. Listener.

MR. GESELL: Yes, maybe. Mr. Referee or something. I'm not sure.

MR. HAWKESWORTH: Well, the Quebec assembly refers to the president.

MR. FOX: M. le Président.

MRS. KAMUCHIK: They also call their Premier the Prime Minister. It's misleading when you hear that.

MR. FOX: And we're deputies - "députés."

MR. CHAIRMAN: Their Assembly's the National Assembly.

MRS. KAMUCHIK: Yes, but the House of Assembly is also in Newfoundland, so they don't all say Legislative Assembly.

MR. CHAIRMAN: The Member for Edmonton-Gold Bar has visited upon us. Bettie, very quickly let me bring you up to date, if it's acceptable to the other members. Following advice yesterday, meeting with Members' Services, they have taken certain steps with this committee. They have said in effect, in terms of our budget, that travel is not authorized even to have presenters come. So that disappeared. They authorized the advertising. They had some other thoughts about that, but it's been authorized. They reduced the payment to MLAs, which I think it is fair to say, Louise, would be relative to the number of meetings planned if we had traveled. If we went to the maritimes, it was going to be a seven-day trip, wasn't it?

MRS. KAMUCHIK: No, that had been taken out when the committee took out the travel. So this was the travel for attendance at meetings. I'm sorry; this is the payment for members attending meetings, not the travel part.

MR. CHAIRMAN: So it was reduced from \$15,000 to \$9,500?

MRS. KAMUCHIK: Cut in half.

MR. GESELL: From \$18,000 to \$9,000.

MR. CHAIRMAN: There'll be a transcript from Members' Services.

Now, that's a recommendation to the Assembly, and the Assembly must vote on it. As I commented to the committee this morning, it was a government resolution that established this committee, and I wanted to say that here's an exercise in a free vote already, where the government had stated its intent, and now, you know, this committee in its wisdom has felt perhaps relative to the findings of that committee last week on spending . . . Anyway, it's in our transcript because I reported back. So rather than hold up the business of the committee now, you'll have a copy before the next meeting date, which we'll decide before we adjourn.

MRS. HEWES: Thanks, Mr. Chairman.

MR. CHAIRMAN: We've moved on to Standing Orders, and we have documents under K or L. I forget which reference.

MRS. KAMUCHIK: K.

MR. CHAIRMAN: K in your book. We're dealing with the one from Dr. McNeil to us. Also, at the same time – is it under L that we have other jurisdictions?

MRS. KAMUCHIK: No, under E, for the daily hours of sitting comparison.

MR. CHAIRMAN: Under E, which is hours of sitting of other Assemblies, Bettie, and we're simply on pages 1 and 2 of Dr. McNeil's document. We got into this whole question of the sitting hours, and we deferred it until you arrived. We don't want to regurgitate everything that's been said, but – Kurt, if you don't mind – Kurt suggested that the sitting hours be from 1:30 to 6:30 daily with no night sittings, and the aggregate time of the week, which is now 22 and a half hours, would be 23 hours.

What we didn't resolve was private members' days, how we would utilize the business, and so on. But that's really where we are. The document we're on is Dr. McNeil's Standing Orders proposal of changes on page 2, coming to page 3, which is the daily routine in the House. Does that summarize where we're at?

MR. FOX: We had a fairly detailed discussion on sitting hours, Bettie, but we wanted to wait for you to have anything more thorough. As House leader you've probably been involved in quite a lot of discussion about that.

MRS. HEWES: At some point in time I recall that the Official Opposition asked for a change in the days; that is, that we not sit on Friday. Mr. Chairman, can I ask Derek: have you put that position forward?

MR. FOX: No, we didn't. We did discuss it, however. It was suggested, and we rejected the proposal in our own caucus eventually because we thought it would create the inaccurate and unhealthy perception that members of the Assembly were working less. At one point we were entertaining the idea.

MRS. HEWES: All right; thanks. Mr. Chairman, I recall that being the position of the House leader for the NDs, and I just wondered if that had been put forward.

I'm just trying to find our position on the sitting times, and I don't see it.

MR. CHAIRMAN: Well, it's under appendix 3 of your document you sent in. The only reference is with regard to evening sittings, that they commence at 7 instead of 8 p.m.

MRS. HEWES: At 7; right.

MR. CHAIRMAN: Kurt's proposal is that there not be evening sittings except by – I think he added the words – "unanimous consent of the House" or something for special issues.

MRS. HEWES: The proposal would be that we meet at 1?

MR. GESELL: At 1:30.

MRS. HEWES: And sit till 6?

MR. GESELL: Till 6:30.

MRS. HEWES: That every day of the week would still give us the same?

MR. GESELL: Except for Friday, which would remain the same. Actually it would give you a little bit more time, because right now the evening sessions may be held or may not be held. This way they would be firm.

MRS. HEWES: They will not be held.

MR. GESELL: Well, I'm talking about the hours now. Under the present system, if we count till 10:30, we've got 22 and a half hours per week, but that presupposes that you do have evening sessions, which in fact may not occur depending on which way the government decides prior to 5:30 on each given day. Under the proposal you would have a definite 23 hours.

MRS. HEWES: I would have to know as well, Mr. Chairman, or perhaps you've already explained, Kurt, how those times in the afternoon would be apportioned to government time and private members' time.

MR. GESELL: We haven't really discussed that. There's a raft of implications.

MR. CHAIRMAN: We knew there were implications. Clearly at the moment, without the night sittings, which are strictly government, the government hours would be lost. We would almost be doubling the private members' time if we just adopted the hours and kept Tuesdays and Thursdays for private members. So we've got to deal somehow with that, but we've already identified an item – I think it came from Mr. Hawkesworth some time ago – about members' statements, which would feed into part of that time, and whether question period would be altered, because we're now coming to the daily routine. So there clearly has to be some adjustments with how you use the hours.

MR. FOX: If I could just clarify something. This Friday proposal was something that we had entertained: not sitting Friday in order

to increase the time on other days but eventually rejected because of the implications of it.

MRS. HEWES: I didn't agree with the Friday proposal, Mr. Chairman, but I'm loathe to say I would support or reject the kind of proposal that Kurt has made. It gives us more time altogether, but I think we really need to put our minds to how the time would be apportioned and how that would work to benefit members and the public, if it would take too much time from potential work on other matters or in our constituencies.

2:08

We have felt in our caucus, Mr. Chairman, that the hours in the afternoon could be extended and the hours in the evening could be made definite – that is, we could convene at 7 and adjourn at 9:30 or whatever time we choose – so that people do know what they're faced with. I don't think we need the 8 o'clock time. That was defended on the basis that many special interest groups invited MLAs to meet over the dinner hour. I think that while it was a nice idea, that custom has perhaps changed in the last year or so. Special interest groups aren't in a position to entertain MLAs the way they did in the past.

MR. CHAIRMAN: Bonnie Laing may want to comment, but in my experience many evenings at 5:45, whether it's at the Royal Glenora or elsewhere, there are groups who meet with members of the Assembly and the various caucuses. I don't know, Bonnie, what impact changing to 6:30 would have, but I'm sure our caucus will look at that very seriously. It's a great opportunity for groups, particularly under the new policy standing committee system, to meet with groups and so on. So there are a lot of implications of changing hours. The thing I'd find very comforting is, if the other jurisdictions under E in your book practised the hours that are stated, then what their experience has been. That I just don't know. I just don't know.

MR. FOX: Well, the practice of the provinces that intrigues me the most is Saskatchewan's. I've looked closely at the other ones and find they're either too short, too long, too irregular with respect to starting times daily, or they leave out certain days of the week without much apparent reason. Saskatchewan seems to have a fairly defined, reasonable schedule with hours that are close to what Kurt is proposing. Currently they start at 2 and end at 5 every day, 10 to 1 on Friday, and then have evening sessions that are, as Bettie described, defined from 7 to 10 Monday, Tuesday, and Thursday.

Now, their proposal changes that by starting a half hour earlier Monday, Tuesday, Wednesday, Thursday, so they start at 1:30 p.m. and go till 5, and sitting one hour later on Monday and Tuesday evenings, 7 to 10:30, in exchange for not sitting Thursday evening. I don't know why they would do that, but I guess to me there are some appealing aspects of trying to make them as regular as possible, defined, just as I'd like to have our sessions defined, so everyone knows when they start in the spring and the fall, and our elections defined so that's not a matter of manipulation either.

MR. CHAIRMAN: I do think what would be helpful in considering the hours we set is the experience across Canada of length of sessions, because I think that's a factor. There's a great tendency to call the House, do the business of the House, close the House, and leave; i.e., keep the session as short as possible. Because we know how many hours each jurisdiction sits, it would be helpful, Louise, if we knew for the past several years how many weeks a year, how many days a year the House sat.

MRS. KAMUCHIK: This House?

MR. CHAIRMAN: No, not ours; we know ours. I'm thinking of these other jurisdictions. Is that not a factor; i.e., how long does the House sit?

MRS. HEWES: As well, Mr. Chairman, I'm interested in knowing the division, the ratio of government time to private members' time.

MR. CHAIRMAN: Well, I spoke earlier, Bettie. Monday, Tuesday, and Thursday evenings are government business. When we do the estimates, a government often does legislation on Monday afternoon, estimates Monday evening. That then constitutes one of 25 days of the estimates. Tuesday is a private members' day, but Tuesday evening is a government evening, and they do another department's estimates. I think your point is that under this system we would have to redefine what those days mean, how the hours would be divided; i.e., three hours to government business, two hours to private members, and so on. That has to be discussed.

MRS. HEWES: I think too, Mr. Chairman, the one hour per week that we have assigned to deal with private members' Bills, whether private members are government members or opposition members, is so minimal that it hardly seems worthy of the assignment. I'd like to see that stretched out. I'm sure government members would as well to get an opportunity to present their Bill and possibly even take it through. As it is, one hour a week, your Bill barely surfaces.

MR. FOX: Yeah. What we currently have is four hours a week, theoretically, of private members' time. That can sometimes be eroded by procedural delays after Routine Orders if there are points of order coming out of question period or . . .

MR. CHAIRMAN: Motions for returns.

MR. FOX: Yeah. Well, that's technically part of private members' day. When Motions for Returns comes forward on a Thursday, when we have at most an hour for debate on a private member's motion prior to that one hour assigned to Bills, that hour can be eroded pretty quickly by debate on motions for returns.

In theory if we had one day devoted to private members' business, either from 2:30 to 6:30, if that's the time we envision, following question period or something similar to that, the hours would be the same. Maybe what we would need to do is describe a different period of time for Bills, like a Bill would be for two hours a week instead of one hour, and motions for two hours a week instead of three, but then maybe do something with Motions for Returns and Written Questions: move that part of the agenda. Well, written questions don't take time; it's just procedural. Motions for returns end up being important parts of debate, and if they were on private members' day, it could really limit the amount of time spent on other motions.

MRS. HEWES: Mr. Chairman, can I ask Kurt? Kurt, if I recall, the basis for your changing the hours to daytime hours and eliminating those evening sessions is for more productive time.

MR. GESELL: Yes, it is. I'm thinking along the same lines that Derek is thinking. I haven't really brought this forward yet, but I thought we'd just get into the debate here. If we devote one day during the week to private members' business without the delay

that might occur because of questions and Motions for Returns, you've got then a set time that you can deal with that issue – right now in certain instances that is eroded to a large degree – and similarly if we can set a certain time aside for motions so that things are a bit more definite, that there's a certain block of time, whatever we might agree, for a particular part of business where there isn't that possibility of Motions for Returns or questions on the Order Paper running into private members' business and not leaving any time at all for the debate of some of those matters that I'm sure some members feel are very critical, particularly if their Bill is up for debate. I believe that under that system, if we allocate the times properly, there would be more time for debate. There would be changes that would be required throughout the whole Standing Orders, but I firmly believe there would be more preference given to private members to discuss some issues in the House than is the case right now, but it depends a little bit on how we arrange the times.

MRS. HEWES: Mr. Chairman, do you think the government would look favourably upon the notion of an erosion of government time? Does cabinet feel they have sufficient time to complete the business of the government?

2:18

MR. CHAIRMAN: Well, going by my experience in the past, since '84, when we amended the Standing Orders with regard to estimates to 25 days, House leaders are asked when the House opens as to a probable date of doing government business and adjourning the House so that the leader of government can plan various things, which is not unreasonable. So you map out a program. You've identified all your Bills that must be dealt with. You don't know how long they'll be debated, but you map out a master plan including the estimates and build in a legislative calendar. That was my job. By adjusting the hours of the House, you simply have to adjust how you do that. I don't see that as a problem. Government may well be of the view that they're losing under the proposal of 1:30 to 6:30 if two days are private members' days. So there may have to be a saw-off. I don't know that.

I'm kind of excited by the idea of a single full day as a private members' day, especially if we look at time limits for speaking other than movers of Bills and motions. We could get a tremendous amount done, instead of introducing a Bill and never seeing it come to fruition one way or the other. I mean, I'm kind of excited about that.

The other thing that excites me is that a member knows almost definitively whether or not he or she should have people in the gallery, because the chances of their Bill or motion being dealt with are more likely than under the present system. We can burn an entire afternoon debating and rejecting Motions for Returns and so on, and that's got to be very disappointing to a member who has a group come in for a specific reason, for their motion. I mean, I see a lot of things.

Your question though: I can't speak for the government other than they'll say, "Hey, you know, we're going to lose some time." Well, in government I guess this happens. I don't know. I think what you mix in the member's statement – we haven't talked about that – will put a different tone on it.

MR. GESELL: Well, Mr. Chairman, I think there needs to be some trade-offs somewhere along the line here in order to make this palatable to government, and we'll get to that probably as we go through here.

MRS. HEWES: I just find, Mr. Chairman, that it's difficult to talk about the hours in isolation from the application of those hours.

You know, I'm sympathetic to the notion of no evening sittings, but I'm not sure that by extending the afternoon time, unless we know where it's going to be apportioned, we would have in fact a more efficient operation.

MR. HAWKESWORTH: Well, a quick calculation in my head says that the saw-off would be a saw-off. If we assume for the moment that the first hour of every afternoon is taken up from the beginning with introducing visitors, petitions, Introduction of Bills, tabling returns, Ministerial Statements, and an Oral Question Period of 45 minutes – just let's assume that on the average that consumes an hour; okay? Under the current system, on a Tuesday we would go basically from 3:30 to 5:30 on private members' business and the same on Thursday. That would be four hours in a week of private members' business, and that's Motions for Returns, Motions Other than Government Motions, and private members' Bills. Under this alternative proposal, if we were to set aside Tuesday, for example, we'd have five hours going from 1:30 to 6:30. Still assuming that the first hour is consumed up to the end of question period, that leaves us four hours for the rest of the day. So it seems to me that there's neither a gain nor a loss one way or the other with this arrangement in terms of hours committed to that kind of business.

MRS. HEWES: I understand that, Mr. Chairman, but it doesn't accommodate my question. If, as Kurt says, instead of 22 and a half we get 23 hours – was that what you said?

MR. GESELL: Yes.

MRS. HEWES: The other half hour goes to government business; it doesn't go to private members. I'm eager to see more time for private members, if we're going to reorganize the time, either to have the same number of hours or more hours. This, as you point out, Bob, would not do that.

MR. GESELL: You're counting four hours for a week, for two days actually, and under the new arrangement we're counting one day, basically, four hours. There's some latitude for the other day that we haven't discussed yet.

MRS. HEWES: I thought that the Thursday would then not be a private members' day. That was my understanding.

MR. HAWKESWORTH: Yeah, that was my understanding too. I mean, under the new arrangement if you were to say that Thursday from 4:30 to 6:30 would be private members' business again, then all of a sudden two hours additional has been found for private members' business. It's then taken away from government. Or alternatively you could set aside maybe an hour to do things like Motions for Returns, members' statements. I don't know. There's lots of flexibility. We can come up with any arrangement we want. I'm just saying that if you dedicated one day to private members' business in the arrangement proposed, it would be a virtual saw-off with what we've got in terms of time. If there'd be some willingness to look at using other days or parts of other days for private members' business, great.

MR. CHAIRMAN: I believe British Columbia has a 15-minute question period, but then they have members' statements, which takes – I forget how much time.

I think there are a lot of variations. I don't think we have to zero in on the exact apportionment of time that we now have. I think there's a feeling by members that they want to participate in

a greater way than what they're participating. It just seems to me that although 3:30 to 5:30 and 1:30 to 6:30 only appears to be two hours more in terms of House business, it's amazing how much more business will go through that House, believe me. I simply draw your attention to how much goes through in an evening. A tremendous amount of business can be accomplished. I still think Parkinson's rule applies, and that is: you'll develop work to suit the hours.

You know, we'll be taking these suggestions back to our caucus. I almost sense that there would be a general feeling that if you ended up with two private members' days, not knowing what's going to be all in there, it might well be acceptable to the government, recognizing how the session may be stretched out.

Now, the other point is the 25 days for estimates. Most people have related to the 25 here in the departments; they just happen to coincide. Now they're 16 or whatever. It may be that people will say – a suggestion's been made in the past – "We want to extend the estimate period, and we'll compensate somewhere else." A Standing Order says, as I recall, 12 days for the heritage savings trust fund. That may indeed be a moot point in the near future, if we don't have a heritage fund. In my experience we've never used 12 days on the heritage fund. We provide, as I recall, two days for the capital fund. I mean, there are lots of variations within the legislative schedule for adjustment, and the saw-off could well be that eight or nine of the heritage fund estimate days which are allocated could be allocated to something else. You can't look at it in isolation.

I'm very mindful of Bettie's point – and I think it reflects the Conservative caucus – that private members would like to have more time for their business. Kurt, am I accurate?

2:28

MR. GESELL: Yes.

Mr. Chairman, I was dealing from a principle situation. First, is that general perception of afternoon, 1:30 to 6:30, a reasonable time to sit? That suggestion was made on the basis of allowing private members more time in order to discuss members' statements, also their Bills and their motions that they're considering. I certainly would be prepared to bring forward some definite suggestions of time allocation, but you know, they'd be just considerations for the members of this committee. I was moving from a very general principle into the more detailed one, but I can provide that information the next time around. I didn't bring it with me.

MRS. HEWES: Mr. Chairman, the other advantage of evening groups that is put forward to me is that there are members of the public who like to be present and aren't able to be here during the daytime, who like to hear budget discussions and so on. Since we ordinarily are in Committee of Supply in the evening, it does make it more convenient. There are some other factors there that we have to roll in. I would like to see some options, Mr. Chairman, Kurt, of plan A, plan B, how we might do it with your suggested time frame.

MR. HAWKESWORTH: Well, we're just blue skying here this afternoon without reference to any of our colleagues for further discussion, you know, not to be bound by things that we say. We're just exploring an option here. If there were ever some willingness to strengthen the role of all-party legislative standing committees perhaps to do budget review, as I think you've called for – we've called for it in the past. With a session that's over at 6:30, at 7:30 a committee could meet for a couple of hours, and it would be easier, to pick up on your idea, for them to conduct

public hearings if they wanted to hear witnesses or have people come in and make presentations in the evening. Public Accounts perhaps might change from meeting in the morning to meeting in the evening, or something along those lines perhaps might occur. With this sort of alternative before us, with a set adjournment time at 6:30, some of that might be facilitated.

MRS. HEWES: Uh huh. Good point.

MR. FOX: In terms of the time allocations here, we currently allot 25 days to estimates, as you pointed out. This would allow four days a week for government business instead of five, so that might be a problem from government's point of view. The amount of time allocated for each day is greater: four hours instead of two or two and a half. So that's better from our point of view as an opposition. We plan on being government after the next election, so we'd have to rethink that. As an opposition we've been interested in more hours allocated to estimates because of the constraints placed by 50 hours of debate for \$12 billion. So that's a consideration. Twenty-five days would be considerably more time, but government would lose the ability to deal with legislation on the same day as they deal with estimates, as you've pointed out, something that they've managed to do on Mondays. That might be one reason government wouldn't go for the proposal.

I think it really does have merit, and it would allow more time for members to speak, and procedurally, in terms of dealing with an opposition fighting the government on a Bill, if everyone knows when the House is going to adjourn every day, when that is not something that's indeterminate, then it's easier to work with that agenda in mind. I mean, we wouldn't find government members trying to provoke opposition members needlessly into debate.

If we find some merit in this five-hour-per-day all-in-a-row proposal with the exception of Friday being three hours, 10 to 1, would 1 to 6 be any different than 1:30 to 6:30? How would people view that?

MR. GESELL: It's the same principle, basically.

MR. FOX: Well, it just seems to me that that may make it more difficult organizationally to get all the things done that need to be done prior to going into the House at 1. On the other hand, we would be adjourning at an hour that's more in line with the way the rest of the province lives and it would make it easier for members to pick up a burger on the way to a meeting someplace else in the city.

MR. CHAIRMAN: Under E are there any jurisdictions that meet at 1?

MR. FOX: Well, some of them start at 10 in the morning, 10 to 12, 2 to 6 in British Columbia on Tuesdays and Thursdays. Saskatchewan is now at 1:30.

MR. HAWKESWORTH: The standard appears to be 1:30.

MR. FOX: One-thirty is quite standard. I don't see a 1 o'clock.

MR. CHAIRMAN: A lot of meetings occur over the lunch hour, I know.

MR. FOX: So 1 o'clock might be too early.

MR. CHAIRMAN: The one element we haven't talked about at all which may make a major difference here is a Liberal proposal

that estimates be done in whole or in part by a subcommittee – i.e., at two or more locations in the building – the principle there being that officials would then be present with their ministers. There's a precedent for that. In my first four years here that's how estimates were done. It's remarkable how that will cut down on the estimates time, because if you use two subcommittees, you then divide, in essence, the House. Caucuses have their own sets of critics and so on. So it works pretty well, particularly with a reduced cabinet; i.e., the portfolios being in some cases three portfolios for the same minister.

So if estimates are not done in the House but by subcommittee coming back to the House and reporting – and we might have to introduce some rules as to who can speak once they come back to the House – that would make a major difference, I think, to people who want to participate in the estimates and cannot now do so because of our rules, the 30-minute speaking times and so on.

MR. FOX: I had a motion on the Order Paper three or four years ago suggesting that we establish all-party committees dealing with policy issues to facilitate public input on Bills but also to facilitate the estimates review process. I mean, I think it's valuable. That would be a pretty big change to the way we do things here, and that would allow the proposal Bettie has made about calling witness, I guess, to the estimates debate so that department staff and deputy ministers could be questioned as well. That would have to be done in a broader sort of form.

MRS. HEWES: Well, I think it's absolutely essential, Mr. Chairman, and I don't think we can consider the budget any longer in the fashion we have. You know, it just blows me away. It isn't a consideration; it's show and tell. It's a presentation of a fait accompli that has no room for amendment, adjustment, change, and no real discussion takes place there at all. So I'm committed to the notion of all-party legislative committees that deal with policy matters but primarily with budget preparation.

2:38

MR. CHAIRMAN: Well, there is provision for amendments and estimates. As you know, you can propose any amendment you wish to amend an estimate. I sense that serious consideration, however, should be given to only questions being allowed in Supply, not speeches. The chair could readily adopt that; i.e., the minister makes a proposal to the Committee of Supply to supply that fund for his program, and members then can only question the minister and not make speeches. I don't think that would be difficult. It would make a major difference from the present system where there are 30-minute speeches in Supply with not necessarily any answers coming. That would really speed up the process.

MR. HAWKESWORTH: Sort of like a question period. The first 45 minutes of debate would be like question period.

MR. CHAIRMAN: Well, you know, the way it is now is that the critic for the Official Opposition is first up following the minister, followed by the next political party. Invariably it becomes policy options to what's being proposed instead of questions of supply. The response I'm getting from Mr. Kurt Gesell and others is: "Hey, man, what am I doing here? They affect my riding, and I can't even get a word in."

MR. GESELL: That's right.

MR. CHAIRMAN: Bob Elliott made that abundantly clear to us. I don't want to take away from the role of an opposition; i.e.,

government proposes, opposition opposes. That's not meaningful any longer. I think accountability is meaningful. The right of a member, regardless of political affiliation, should be there to say, "Hey, I want to know this."

Derek, and then Bettie.

MR. FOX: In terms of reviewing the estimates process, you described how it used to be. I remember in 1986 when we were first elected we had two hours to debate the estimates for the department of the environment, and the minister used almost the full two hours, uninterrupted, describing the colouring books and buttons and things that he was distributing. Both opposition critics were more than a little upset about not having the opportunity to even ask questions much less raise issues. So it's deteriorated over time, but I think it's important that we make provision for the minister and the designated critic from each caucus to speak in a general way about the department: the administration of the department, the direction of government with respect to that department. I don't agree that that's something that wastes time on the agenda; I think it's important.

Sometimes I take exception when a minister will get back in after the opposition critic and use up another half hour. Present company excepted, there have been ministers that have wanted to ensure that no one other than one opposition critic got in, or both, to use up that time. We need to guard against that, but I would speak strongly against us eliminating the right of the minister and/or his or her designated critics to make comments in a general way about the department, its administration, the direction, because if it's not done there, there is no other opportunity. You know, we're not just there to challenge numbers on a piece of paper. There are policy issues in a broad sense that determine why you put numbers on a piece of paper or what leads you to come up with certain budget considerations. I would just hate to see us forfeit that right. It may be useful to come up with strict limits on the introductory speakers on a department's estimates – the minister, the chief opposition critic, and third-party critic – and then from that point on, you know, question and answer. I know that in the House of Commons, by the way, when they have a debate on a Bill, the speaking times are generous at first and become compressed as debate goes on. The first few speakers speak for a certain length and then eventually the Bill is Q and A, they call it – question and answer – where members of the Assembly question the sponsor of the Bill back and forth. Debate is defined that way, and that might be useful to us.

MR. CHAIRMAN: Well, a lot of people view the Legislature as a necessary type of thing; i.e., when you're the government, you want to get your programs in place and so on. Some people have the view that the people have spoken, we're the government, and now we are going to govern. I understand the human side of that. The flip side of that is the role of the individual member, and I sense that not only is the public demanding change, but the type of people who are now elected to the House have that expectation of expressing their view.

Bonnie, and then Bettie.

MRS. B. LAING: Thank you, Mr. Chairman. I really believe that the length of debate for everyone should be shortened. Perhaps the minister, if he's presenting his entire budget, would need half an hour. I can't see why the two critics couldn't do theirs in, say, 20 minutes, and everyone else 10 minutes. What happens is that they basically get up and stonewall. I mean, a lot of us have thrown more speeches in the garbage during estimates than at any other time, because you never get that opportunity. If everyone

had shorter amounts of time to speak in, I think that would really increase the participation of everyone, including the opposition members. Quite often the opposition members get 2 to 1. You know, there's the ND caucus, then the Liberal caucus, and then maybe a PC caucus. Then you go the other two again and then a PC caucus. So actually we have more members and less opportunity. I think if the time frames were shortened – I mean, many times people are repeating things that have been said before – then everyone would have more opportunities to participate.

MR. CHAIRMAN: Thanks.
Bettie, Kurt, and Derek.

MRS. HEWES: Mr. Chairman, I spoke to this at our last meeting. From my standpoint, the constraints of two hours, literally, for a budget in the hundreds of millions or billions of dollars are just ludicrous. Regardless – and I sympathize with Bonnie – I think that to be sure we can perhaps use our time and compress it, but even if we had four speakers in instead of the numbers we have, it's still ridiculous.

My point is that the whole process as it has evolved over years, since the earlier stage that you spoke about, Mr. Chairman, where there were subcommittees, has become a very closed show-and-tell kind of thing: here is the budget; you've got two hours to ask questions or make comments, and that's it; nothing will change. I think it is not in the best interests of anyone to apply that kind of process. I think it's an inefficient one and it leads to inefficiencies in departments. We get to the point where we reward departments that are inefficient and penalize departments that are efficient. Some of those things have to change as well.

My thoughts and our caucus' thoughts are along the lines that we need the much, much earlier involvement of members in that process, in a different environment with senior officials present to have some open discussion. If you want to put, you know, 10-minute constraints or three-minute constraints on members, or one question at a time, whatever – but where there are senior officials present to answer with candour whether or not we've had any measurements on this program from last year; do we know if it's working; and if there's no proof that it's working, why are we continuing with it and so on, or should we just knock it off the end of the table. So I think we need to change the total process.

I'm not suggesting, Mr. Chairman, that we go back to – and Mr. Bogle has described the flaws in the earlier style of subcommittees and the difficulty when you come back in the House and everybody wants to debate it all over again. I think there are steps that can be taken to avoid that, but I don't think we should just tinker around with shorter speeches for the 25 days' two hours. I think we have to look at the much wider scene of how we deal with the budget.

2:48

MR. CHAIRMAN: Before Kurt speaks, is it possible for Supply to adopt the process of Public Accounts and Privileges and Elections, where a member is allowed a question and two supplementaries and then the next speaker and the next speaker and the next speaker? That now happens in the House under Mr. Pashak's committee, Public Accounts.

You mention Mr. Bogle. Let me share with you that when he was minister of social services, he spent a week being briefed on his department for estimates. He would be asked questions about every conceivable item. I would offer now, having had experience on Executive Council – mind you, I thought I was kind of on top of things in my own portfolio – that quite frankly I almost had the feeling that I could be assigned a new portfolio a week before the

estimates and get through the estimates with no problem because of the system; i.e., if I spoke for 30 minutes and Mr. Fox spoke for 30 minutes and you spoke for 30 minutes and I could answer a couple of questions, it's over. I mean, it's a holiday. You talk to Bob Bogle; it was a very difficult time.

Now, what's changed in these years? I mean, what's occurred? We never used 25 days in estimates. We didn't even have a rule, but we didn't use them. Clearly, Mr. Notley, one of the most effective people in the House, and Mr. Bob Clark, extremely effective in estimates – yet 18 days, 16 days, 19 days. We never used 25. I don't know what's changed in all this other than that certain departments were zeroed in, and now our Standing Orders say that the Leader of the Official Opposition can by 4 o'clock Monday designate Wednesday's estimates, one time only, and so on.

I really don't know what's changed, but it has changed dramatically. It's not because the opposition is larger, because in many ways, believe me, they were as effective or more effective at six. [interjection] No, I'm not knocking anybody. I just know. A government department was eliminated. I remember those days. A deputy minister was fired because of opposition critics in estimates: Mr. Purnell, deputy minister of agriculture. The Export Agency, Alberta Agriculture: wiped out only because of the opposition. That's perhaps the way it should be. So I don't know what's changed in the interim other than that members come to me saying: "I don't know what I'm doing here. I can't even get a word in." Bonnie, isn't that true?

MRS. B. LAING: It's very true.

MR. CHAIRMAN: "Why should I be a government member? I can't even represent my constituents." We must deal with that in our reform package somehow. I think that's what we must grapple with. I'm preaching now.

Kurt, and then Derek.

MR. GESELL: Well, Mr. Chairman, we were talking about time for speeches, which is really later on in the rules here, but the point is being made that we need to reduce the time in order for other members to have opportunity to speak. I agree with that principle, so that that is permitted in the House, but in committee that still might create a problem.

You've made an excellent suggestion, Mr. Chairman, of how committees might function with a question and then supplementaries. My experience in the Public Accounts Committee is that it works exceedingly well. Perhaps the same method could be implemented for Supply. Alternatively, I might suggest that we perhaps look at a sliding scale or sliding time limit. I agree with Derek that the minister should have an opportunity to make brief introductory remarks and comments about the issues – the importance of the department, where they're concentrating, what the budget is all about, the initiatives they're pursuing – and that then the next speaker would get a particular time limit, but if that speaker rises again for the second time, that time might then be reduced and might be reduced further if he stands up for the third time. So there's a sequential arrangement: I might get 10 minutes for the first go at it and only five minutes for the second go if I'm so inclined, and maybe the same rules might apply to the minister. It's just a suggestion I'm throwing out for debate.

MR. FOX: There are problems with the system from the government members' point of view and from the opposition critics' point of view. I guess we see that government members have opportunities that we're not provided to examine budget, to talk

about political issues. That may not be true, but that's our perception.

I don't think we want to suggest that because 25 days is all that can possibly be allocated to budget debate, therefore everyone needs to devote less time to it so more people can get in. That would be like saying that the one hour that was allocated to the boundaries Bill debated under closure in third reading should have been shared 45 seconds by each member. What in fact should have happened is that more time should have been allocated so that all members could have their say.

Perhaps what would work is if we had a committee process, a parliamentary committee where members would have the opportunity for question and answer, controlled by the chair of the committee, to question the minister and his or her officials about the budget proposals, which would then be reworked into what is a budget document presented to the Legislative Assembly: the minister making introductory comments, the opposition critics making their introductory comments, and then dealing with shortened time limits for everybody else to deal with. Twenty-five days – I've made this point time and time again, and Bettie did as well – sounds like a lot of time to people for whom 24 hours is a day, but on the Wednesday that the opposition has the opportunity to designate, sometimes that 3:30 to 5:30 two-hour time period is even less than that because the government will bring forward some government motion dealing with something and all of a sudden two hours becomes an hour and a half. Or if we designate something that's gone before, that's already been discussed and the minister has already had his or her half-hour kick at the cat and half-hour summation, they'll get up and use another half hour. So we have to be aware that there are problems on both sides of the formula and it's up to us to try and resolve it.

I was in Manitoba in 1986, shortly after being elected as a member. Becoming aware that for agriculture we'd have two hours a year to scrutinize the budget and whether it's passed or not it's deemed to pass when 25 days comes, I met the Minister of Agriculture there. He took me into his office and wanted to celebrate a little, and I asked why. He said, "Well, because I just finished my estimates." I thought: "Big deal. What's two hours?" They spent five days on the Minister of Agriculture's estimates, where he had to answer a wide range of detailed questions. They have closure on estimates like we do, but it was 200 hours, not 25 days, which is in fact less than 50 hours of our legislative agenda.

So I'd like to see us make recommendations about a committee system that functions outside the sitting of the House that not all members would be required to attend. I think that could be structured around policy committees not unlike the ones that the government has established but that should involve MLAs from all parties. Budget proposals would be made to the committee, and the committee would have the opportunity to question. That would be a step preliminary to the actual debate and passage of a budget in the Legislative Assembly by the Committee of Supply.

MR. CHAIRMAN: Well, one of the difficulties, members of the committee, is that it's 2 minutes to the hour. A member has to catch a plane, and we were going to adjourn at 3.

There are two items I wanted to cover very quickly, and we can come back to the Standing Orders. One is that Parliamentary Counsel has advised us there's precedence to amending the Standing Orders by resolution, which may deal with this question of a Speaker that we spoke of this morning. I think we should pursue that. The other item is: we talked of an interim report at some point, and we must have something to report. I think we must have another meeting or two to have meat on a report. We

could deal in terms of a minireport on the matter of Speaker. We could deal with the matter of a voting process or free votes. I think it's essential we have something within that for the very thing we've been talking about and that's members of the House, which is Standing Orders. I think we should include – because that doesn't generally concern the people we're advertising to as much as ourselves. You gathered that by our discussion today.

In order to do that, I think we must have another meeting and maybe even two. Now, you've been polled as to whether or not you could meet next week, and Wednesday the 14th appears to be all right. We have four to five members. Friday we have one, two, possibly three, and myself would be four. Did you poll people about Tuesday at all?

2:58

MRS. DACYSHYN: I did, but . . .

MR. CHAIRMAN: I almost think we need the two days. We may not meet again. Wednesday's okay according to this. Is it possible to have a meeting Tuesday? Now, you may have already spoken on this earlier.

MR. FOX: Well, our caucus executive meets at 3 on Tuesday, so I'd indicated that I would be free on Tuesday till 3.

MR. CHAIRMAN: Okay. Well, there's one. Kurt?

MR. GESELL: I'll be all right.

MR. CHAIRMAN: Are you sure?

MR. GESELL: Yes, I'm okay.

MR. CHAIRMAN: You've got a difficult day next week.

MR. GESELL: That's fine.

MR. CHAIRMAN: That's two.

MR. HAWKESWORTH: This would be starting when?

MR. CHAIRMAN: Well, that was the second point. Should we start in the morning? If we can get people from 2 in the afternoon, that way we'll get the two days if it's . . .

MR. HAWKESWORTH: I see; Tuesday and Wednesday.

MR. CHAIRMAN: Yeah.

MRS. B. LAING: I could be here Tuesday, but I'm not sure if I could be here for 1. I could definitely be here for 2. I could just come as soon as I could make it Wednesday.

MR. HAWKESWORTH: One further clarification, Mr. Chairman. Could it be 10 to 12 and 1 to 3, for four hours?

MR. CHAIRMAN: That may be difficult.

MRS. B. LAING: Yeah, I have a commitment till about 11:30, 12 in Calgary.

MR. FOX: On Tuesday.

MRS. B. LAING: On Tuesday. Then I would fly up. So if I can make the 12:15, I'll be here for the start of this.

MR. CHAIRMAN: Could we go for 1 o'clock?

MRS. B. LAING: Then I'd just come in late; sure.

MR. HAWKESWORTH: On Tuesday?

MR. CHAIRMAN: Yeah.

MRS. HEWES: Mr. Chairman, I'm out of the city all day on Tuesday. Wednesday is our caucus day.

MR. CHAIRMAN: Yeah, we had a good indication for Wednesday here.

MRS. HEWES: Friday I'm trying to free up at least the afternoon.

MR. CHAIRMAN: I see that here possibly. I sense with other members that they'd rather not on Friday if they can do it either of the other two days.

MRS. HEWES: Friday I can come though.

MRS. B. LAING: Friday I'm booked to about 1:30.

MR. HAWKESWORTH: So Tuesday for two hours and Wednesday for two hours?

MR. CHAIRMAN: Can we get four hours on Wednesday? Is it possible?

MRS. B. LAING: I could be all day then.

MR. CHAIRMAN: Okay. Bob Elliott's okay.

MR. FOX: What are you proposing on Tuesday, then, for times?

MR. CHAIRMAN: Well, I think it would be 1 to 3 or 2 to 4. Can we decide that? Bonnie's indicated she could be in town by 1. It doesn't really matter. I don't care whether we go from 1 till 4 or 1 till . . .

MR. HAWKESWORTH: Well, 1 to 3 would fit in with our caucus executive.

MR. CHAIRMAN: Would it?

MR. HAWKESWORTH: Well, it meets at 3; that's what I have in my book.

MR. CHAIRMAN: Is that okay with you, Bonnie, if it's 1?

MRS. B. LAING: I'll get here as soon as I can; that's all I can promise.

MR. CHAIRMAN: Yeah.
Kurt?

MR. GESELL: Tuesday, 1 to 3, yes.

MR. CHAIRMAN: Okay. Then Wednesday we'll go from 10 in the morning. We'll try to get in at least till 4 in the afternoon.

MR. HAWKESWORTH: Okay; one long day.

MR. CHAIRMAN: Yeah.

MRS. HEWES: So we're planning two days, neither of which I will . . .

MR. CHAIRMAN: Well, I've got your suggestions here in writing, because we're going to deal primarily with Standing Orders. Then we would be in the process of formulating an interim report, which would not go anywhere without your involvement. Okay?

Could we have a motion to adjourn, because Mr. Hawkesworth's got to catch a plane.

MR. HAWKESWORTH: Thank you.

MR. CHAIRMAN: I take it it's been moved and agreed. Thanks very much.

[The committee adjourned at 3:02 p.m.]

