



Legislative Assembly of Alberta

The 28th Legislature
First Session

Special Standing Committee
on
Members' Services

Tuesday, December 4, 2012
9:01 a.m.

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Special Standing Committee on Members' Services

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Chair
Young, Steve, Edmonton-Riverview (PC), Deputy Chair

Calahasen, Pearl, Lesser Slave Lake (PC)
Dorward, David C., Edmonton-Gold Bar (PC)
Forsyth, Heather, Calgary-Fish Creek (W)
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)
Jablonski, Mary Anne, Red Deer-North (PC)
Mason, Brian, Edmonton-Highlands-Norwood (ND)
Quest, Dave, Strathcona-Sherwood Park (PC)
Sherman, Dr. Raj, Edmonton-Meadowlark (AL)
Smith, Danielle, Highwood (W)

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Liz Sim	Managing Editor of <i>Alberta Hansard</i>

9:01 a.m.**Tuesday, December 4, 2012**

[Mr. Zwozdesky in the chair]

The Chair: Good morning. I have 9:01. I'd like to call this meeting of the Members' Services Committee to order.

We'll begin with a roll call. Let's begin on my right with Mrs. Forsyth. Please identify yourself. We'll go around the table with members first, and we'll come back for others who are at the table.

Mrs. Forsyth: Heather Forsyth, Calgary-Fish Creek.

Ms Calahasen: Pearl Calahasen, Lesser Slave Lake.

Mr. Quest: Dave Quest, Strathcona-Sherwood Park.

Mr. Young: Steve Young, Edmonton-Riverview.

Mr. Dorward: David Dorward, Edmonton-Gold Bar.

Mrs. Jablonski: Good morning. Mary Anne Jablonski, Red Deer-North.

Dr. Sherman: Good morning. Raj Sherman, Edmonton-Meadowlark.

The Chair: Thank you.

We're still anticipating Ms Smith and Mr. Mason and Mr. Goudreau. Are any of them on the teleconference line? Mr. Mason, are you there? Mr. Goudreau, are you there? Ms Smith, are you there? No one has called in, so let's just anticipate that they are on their way, and if anyone gets an update to the contrary, please let me know. Thank you.

Other people joining us at the table. Let us start with Ms Quast.

Ms Quast: Allison Quast, committee clerk.

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

Mrs. Alenius: Bev Alenius, executive assistant to the Speaker.

Mrs. Scarlett: Cheryl Scarlett, director of human resources, information technology and broadcast services.

Mr. Ellis: Scott Ellis, director of financial management and administrative services.

Mr. Reynolds: Good morning. Rob Reynolds, Law Clerk.

The Chair: Thank you very much.

This is officially a meeting at 9 a.m. As such, I will declare it a breakfast meeting, and beverages and breakfast foods will be allowed at the table. Please proceed in that regard.

I have nothing new to update you on with respect to house-keeping items. Unless anyone has anything else they wish to raise, we will move on to the next item. Anyone? Thank you.

Let's go on. The agenda is before you. This was sent out at least a day ago, as I recall. Was it, Allison? Last night?

Ms Quast: The agenda was earlier. The other meeting materials were yesterday. Yes.

The Chair: But the agenda went out a day or two earlier?

Ms Quast: Yes. Before the weekend.

The Chair: Thank you.

As you look at the agenda quickly, I will just ask Mr. Mason to identify his presence.

Mr. Mason: Hello.

The Chair: Good morning, sir. Just identify yourself, please.

Mr. Mason: Brian Mason, MLA for Edmonton-Highlands-Norwood.

The Chair: Thank you.

Approval of the agenda is before you at the moment. Could I get a motion to approve the agenda as circulated? Ms Calahasen.

Ms Calahasen: So moved.

The Chair: Thank you. Those in favour of the motion, please say aye.

Sorry. One moment before we vote.

Dr. Sherman: Just a motion to amend the agenda to extend the meeting until 11 or until all old business is completed.

The Chair: I'd like to entertain that motion if I could, hon. member. However, this meeting has been set for this time for quite some time, and I've already been advised about plans that certain people have. However, there is a suggestion here. Did you make it an official motion? Then we'll discuss it if you did.

Dr. Sherman: Well, a motion to ensure that we get through all old business before the end of the meeting.

The Chair: There's an amendment here provided by Dr. Sherman. Does anyone wish to comment on the amendment to the motion?

Mr. Mason: I do, and this is perhaps more a point of order. I mean, the question I have is: why is budget estimates listed as old business ahead of the item that is actually old business left over from last time? This is not old business. Even if it were, it should not appear on the agenda ahead of an item that was not dealt with in the previous meeting. So the agenda for the meeting is incorrectly formulated.

The Chair: Well, I asked the very same question, hon. member, as we were formulating it. I believe that the older issue of the two that you have just raised, in fact, is the budget estimates because they were flagged for our attention ahead of Dr. Sherman's point.

Mr. Mason: This is new business. This wasn't on the agenda before.

The Chair: Well, we can get a parliamentary ruling on it if you like. But this is the advice that I was given, and that's why the committee clerk, Ms Quast, configured it the way it is.

Does anyone from the Parliamentary Counsel side wish to make a comment on this issue? We did discuss it, as you may recall. Mr. Reynolds?

Mr. Reynolds: Thank you. No, not really. You've determined the order of business. I would say that it's always open to a motion to amend. But there you are.

The Chair: Agreed. As I say, we did discuss this in preparing this agenda. We went by which issue had arisen first, and clearly it was the estimates.

Let's also remember that today is not a decision day on estimates. This is one of at least two meetings to do with estimates. At the last meeting we discussed and introduced the issue, today we'll get into some of the meat of the matter, and then there will

be one additional meeting after this, at least, which is dedicated exclusively to the budget estimates.

On the amendment, Mr. Dorward.

Mr. Dorward: Well, might I point out that 4(a) will deal with the issue of taking back to the Legislative Assembly the remuneration review, which means that 4(c) may not need to be discussed because if we're already reporting, we already know what we're reporting. So it might not be there anyway.

The Chair: Yeah. I mean, the sooner we get on with this, maybe we'll get through it, and we'll get to the business at hand. Who knows?

Are there any other comments on the amendment moved by Dr. Sherman?

Mrs. Jablonski: I sympathize with Dr. Sherman, and I perhaps would like a longer meeting, but I've got other appointments that I've arranged. Perhaps we should be looking at whether we need to extend our meeting times for the next meeting.

The Chair: Absolutely. There's no difficulty there whatsoever. Anyone else on the amendment?

Dr. Sherman: Just a comment. Item 4(c) isn't covered under (a) as expressed by Mr. Dorward. These two motions, (c) and (d), are extraordinarily important. They've been brought up at this committee week after week after week. They've been on the agenda. I've been asked by other members to prepare these motions. We worked with leg. counsel. I would urge you and every member to please allow opportunity for us to deal with these motions today and not put it off again for another week.

The Chair: Let me be clear. Nobody is trying to take anything off the agenda here, Dr. Sherman. No one is trying to do that, so please don't infer that.

Let's get on with the meeting, and hopefully we'll get to it. If not, we'll pick it up at the next meeting. All I'm saying is that the order of precedence was established, and this is how it came out.

Now, there is an amendment, and Mrs. Forsyth wishes to speak to it.

Mrs. Forsyth: If I may, Mr. Chair, you keep referring to an order of precedence that was determined. I'd like to know how that order of precedence was determined. Who determined that order of precedence?

The Chair: Well, we have a preparatory meeting: myself, the Clerk of the Assembly, the clerk of this committee, and Parliamentary Counsel, and sometimes we bring in others as well to help us with certain issues as we prepare for the meeting. I asked the very same question that Dr. Sherman is asking. The advice was that when you look back at how the business of this committee evolved, the issue of the budget estimates arose first. Now, in whatever capacity that was, I don't recall vividly. Maybe someone else does. But that's how it was determined.

Mrs. Forsyth: So I'd like to ask the question: if you have staff, if I may use that word, that determines the budget but you have committee members who want to change that budget, as the member has done, and he's made a motion, can we not debate that motion and accept that motion to change the preference of— you know, I'm just trying to get some clarity.

The Chair: Well, hon. member, that's precisely what we're doing. I just indicated that there is an amendment on the floor, and

we are now debating it, and Mrs. Forsyth wishes to speak to that. You have now spoken to it, and if you want to speak again, you're welcome to as is any other member. We have a motion on the floor, an amendment to alter the agenda.

Are there any other speakers to the amendment?

9:10

Ms Calahasen: We have spent 10 minutes talking about the amendment to the agenda when we're talking about time. We have additional work that we have to carry out. I don't mind talking about this and extending it next time because I think that's important. However, I just don't support it today.

The Chair: Are there any other speakers to the amendment?

If not, are you ready for the question on the amendment? Those in favour of Dr. Sherman's amendment, please say aye. Those opposed, please say no. Accordingly, the amendment is defeated.

Now we'll go back to the main motion, which was moved by Ms Calahasen, was it?

Ms Calahasen: Yes, it was.

The Chair: That the agenda be approved as circulated. Is there any other discussion on that motion?

Seeing none, are you ready for the question?

Hon. Members: Question.

The Chair: Those in favour of Ms Calahasen's motion to approve the agenda as circulated, please say aye. Those opposed, please say no. Accordingly, that motion is also carried.

So let us move on and make as much progress as we can. You have before you item 3, which is approval of the minutes of the November 27 committee meeting. These were circulated when?

Ms Quast: Yesterday.

The Chair: These were circulated yesterday. I'm looking for a motion to approve the minutes of November 27, 2012, as circulated. Do I have a mover of such a motion? Mr. Quest, would you like to move that, please?

Mr. Quest: So moved.

The Chair: Moved by Mr. Quest. Is there any discussion on that motion?

Seeing none, are you ready for the question?

Hon. Members: Question.

The Chair: Those in favour of the motion to approve the minutes of November 27, 2012, as moved by Mr. Quest, say aye. Those opposed, please say no. That is carried.

Now, let us move on to the next item, which in my log says item 4, old business. We are dealing with item 4(a) first, which is the draft report, that is before you, of this Special Standing Committee on Members' Services. It is with respect to the review of compensation of Members of the Legislative Assembly of Alberta. For the record, clerk of our MSC, when was this draft report sent out?

Ms Quast: Yesterday.

The Chair: This was also sent out yesterday. Thank you very much.

I think, members, because of the extensive discussions we've had, you're all very familiar with it. However, I would like to get a motion on the floor to accept, reject, amend, or otherwise alter

this particular draft report, and then we can have a discussion on where it goes from there. In terms of formalities we could discuss it first and come back with a motion, but it's probably better if we have a motion first and then open up the floor for a discussion on the motion.

Mrs. Jablonski: I move that

we accept the Legislative Assembly of Alberta draft report of the Special Standing Committee on Members' Services: Review of Compensation of Members of the Legislative Assembly of Alberta.

The Chair: Thank you very much.

Is there any discussion with respect to the motion? Anyone?

Dr. Sherman: Mr. Speaker, a major part of our issue here is, moving forward, how MLA compensation will be reviewed, how MLA wages and pays and perks will be set. This is why it's so important to discuss the MLA compensation review, which is old business, 4(c). Under the Major report, as you know, leg. counsel has said that you can't just appoint three judges; it has to be done under legislation. We need to recommend legislation to the Legislative Assembly moving forward on future MLA compensation review. I personally have opted, based on principle, not to set MLA pay. We MLAs should not be setting MLA pay, and in my usual tradition I will not be voting for recommending what our wage should be to the Assembly. I will recuse myself from the actual recommendation of the draft report because I believe we need an independent process, which is what 4(c) is all about.

I thank you for this opportunity.

The Chair: Thank you.

Mr. Goudreau, would you announce your presence, please, so that we can record it officially?

Mr. Goudreau: Thank you, Mr. Chair. Hector Goudreau, MLA, Dunvegan-Central Peace-Notley.

The Chair: Thank you for joining us.

Are there any other speakers to the motion as presented by Mrs. Jablonski? Mrs. Forsyth.

Mrs. Forsyth: Thank you, Mr. Chair. I understand that everyone is very, very busy. We did not get this till about 4 o'clock yesterday afternoon. Obviously, we were in session. Like many others around this table, we probably have dinner meetings or other meetings that keep us well into the night. I, personally, did not even walk into my apartment until about 11:30 last night. I have to admit that at that particular time I was tired. I was up at 5:30 this morning. We've been busy, if I may. I've been up since 5:30 getting ready for question period, getting ready for members' statements, et cetera. Quite frankly, we have not had a lot of time to read this. For me, it's a lot to absorb in a very quick period of time.

I appreciate the fact that, you know, you have indicated that we have discussed this over and over and over again. What is the strategy for this report, and what are we supposed to do from here when you make a motion in regard to acceptance of this, as you have under your agenda? If you could clarify that for me, first, then I want to make some further comments.

The Chair: If I could clarify what? Sorry. On that last part I was just distracted momentarily.

Mrs. Forsyth: Well, Mrs. Jablonski has put a motion on the floor to accept the review of the compensation for Members of the

Legislative Assembly, which is your draft report that is contained here within the binder. As I said, we didn't get this until approximately 4 o'clock . . .

The Chair: Understood.

Mrs. Forsyth: . . . all of that, in the Legislature till 6, and the leader and I are on several meetings. What are you proposing to do with this draft report, first of all? Is it going to be tabled in the Assembly? If you could give us some clarification on that, please.

The Chair: That would be the expectation, of course, to table this report in the Assembly. Then it becomes the property of the Assembly to deal with as it wishes.

On your point about only having received it yesterday, as you know, we are all in the same boat. We have X number of hours from our staff, who have worked very hard, late into the night, as you've mentioned. Your speech could be given by any one of us at this table. We've all been up really late; we've all been up really early to get back at the job. This came out as quickly as it possibly could.

What I'm going to propose is that we go through it recommendation by recommendation just to refresh our memories. We understand that Parliamentary Counsel and clerks of the table and clerks of committees and so on have been working very, very hard on other business as well. I think there's a record number of amendments that had to be reviewed and prepared by counsel pertaining to other business of the Assembly, so everybody is short of time and so on. But we have been given a task to present a report back to the Assembly, and that's what I'm endeavouring to do. So that's how it will proceed.

Mrs. Forsyth: If I may, if you've been given a task to report back to the Assembly, did that task that you were given by the Assembly have an end date on it? Did it say that it had to be done by September 4? Did it say that it had to be done by February?

The Chair: There was one aspect of the directive from the Assembly that said to get as much as possible done with respect to certain parts of the report by June 30, which we honoured. Otherwise, no MLAs would have been able to be paid, for example. Now, there might be better examples than that. Beyond that, I am at the whim of the committee. I am simply here chairing the meeting. To get this report moving, we have a draft before you. To get it onto our agenda formally, we have a motion. We're now debating it. As I've indicated, it would be my expectation that we might have a chance to go through what the actual report says. I'd like to get into the recommendations one at a time, if we could, and the decisions you made, just to remind you so that everyone is very clear and very comfortable with what is being reported back because it is your committee.

I have Mr. Dorward, and then I have Dr. Sherman.

9:20

Mr. Dorward: Yes. I'd like to speak in favour of your process, Mr. Chair. If I didn't see the word "report" here, I would probably use the word "summary" because I think it's more like a summary of our activities over the last five months. As I read through the report late last night and then this morning again, I agree with you on the timing, but there was nothing new in here for me. The information basically summarized all of the minutes that we've already approved in all of the meetings that we've had. I'm quite prepared to go through each item in order to just confirm that it is what we had done and then move on from there. It's very technical. There's not a lot of new information that a report might

have or anything like that. It just summarizes what we've done already.

Thank you.

The Chair: Thank you. Your assessment of this being a summary of actions taken by this committee, in the chair's view, is quite correct.

Dr. Sherman: Mr. Speaker, you have asked us to provide you with details of everything 24 hours in advance of anything getting on the agenda. This is a major report with a lot of details. Getting it at 4 p.m., you haven't given us 24 hours' notice. We are asking for what you have asked of us. For us to make a major decision on this report, for research of the various caucuses not to have the opportunity to go through this when the Leg. is sitting all night is unreasonable. I am asking you to afford all caucuses the same rules that you have asked of us. We cannot vote on this report today. The opposition caucuses haven't had enough time, and I ask you to make a fair decision on that.

The Chair: Dr. Sherman, let me remind you, inasmuch as you don't want to be part of this process, that I have referenced this many times. We have had discussions in this room, which, through your own choosing, you may have chosen to be absent from. I did not direct you out of this room for the discussion. Secondly, every decision that was made is simply restated here, and the orders are attached. It would be my expectation that all members would take the decisions back to their own caucuses for review as they occurred. These affect things like MLA pay, MLA remuneration, and they also affect things that we cancelled. I would think that you would have shared that with your caucus. Now, I don't know what the government caucus did or the Wildrose caucus did or the NDP caucus did or what you did, but that would have been my expectation.

Now, I am simply bringing forward a draft report, as I indicated I would do, at the earliest opportunity that we could put it forward for the reasons mentioned and for some reasons that Mrs. Forsyth also mentioned, and what you as a committee decide to do with it now is up to you. So I appreciate the points you're making, but there are points on the other side as well.

I have Ms Smith, followed by Mr. Quest.

Ms Smith: Can you just clarify? At what point on our Order Paper does this come forward as a report from you? Can you help me understand the mechanism by which you bring it forward?

The Chair: It would come forward, hon. member, under tablings.

Ms Smith: Under tablings.

The Chair: As part of the Routine, in other words.

Ms Smith: So under tablings there isn't an opportunity for any hon. member to be able to speak to it at that point.

The Chair: Not at that point, but remember that the minute I table this report, it becomes the property of the Assembly, and then the Assembly can do with it what it chooses to do. I have indicated that on several occasions, and I'll just reiterate it again.

Ms Smith: Well, maybe you can assist me as a new member in understanding how the opposition might make a motion to have some discussion because I've not actually seen that in the Legislature when something has been tabled. We've had many reports tabled, but it just seems like they go into an archive, and

there isn't an opportunity to bring them back for discussion. So perhaps you can enlighten me on that.

The Chair: Well, let's just review the history of this. There is Government Motion 11, which we're all familiar with, which is restated here. Our job is to have considered that motion, and we did. We considered all aspects of it. The details are here, and I'm anxious to go through all the details just as soon as you'll allow that to occur. After we have concluded that, there will be a motion that gets voted on if that's your wish. After we have voted on it, then that will be the end of our work on this particular directive. I will then table it in the Assembly, and then you may do with it whatever you wish as a caucus, as a private member, as a government, as an opposition. That becomes totally your own desire.

Ms Smith: You've been helpful before in telling us the different mechanisms that we could use to raise questions, whether it's question period, whether it's Written Questions. I'm just asking what would be the mechanism that we would use to be able to actually discuss this report.

The Chair: Let me get Parliamentary Counsel, if he wishes, or the Clerk to help out with some of the procedural stuff because this will be my first tabling from this committee. There might be some history and some precedent there, which maybe, Mr. Reynolds, you could enlighten us on. That would be helpful.

Mr. Reynolds: Sure. Shannon is over there. She may wish to add something to this.

The Chair: Well, whoever. The committee is just looking for some help and some direction here.

Mr. Reynolds: Yes. Well, in response to Ms Smith's question, there are not a lot of opportunities for opposition members to get motions onto the floor, as it were. Of course, there's the motions draw for members, motions other than government motions, which occurs in the summer, so that's really not of much assistance. Of course, there is the mechanism of Standing Order 42. I guess you could seek unanimous consent of the House to bring it forward. A concurrence in a report would be a government motion. Typically that's what's happened in the past, and such motions are, of course, fully debatable.

The Chair: Any further clarification required?

Ms Smith: That's fine. Thank you.

The Chair: Okay. Thank you.

Let me go to Mr. Quest, followed by Dr. Sherman.

Mr. Quest: Well, thank you, Mr. Chair. We've spent about 27 minutes now discussing how we're going to proceed in a 90-minute meeting. This draft report is old news. It is simply a summary of items that have been discussed at this table at length. I guess my only comment would be that we need to move on.

The Chair: Thank you. You're quite correct. There's nothing new here whatsoever, and it is a summary of decisions this committee made previous to this meeting.

I have Dr. Sherman.

Dr. Sherman: Thank you, Mr. Speaker. Although we got the report just 17 hours ago in its entirety, my question to you and

maybe to leg. counsel is: is there an opportunity for the opposition parties to have a minority report to the Legislative Assembly?

The Chair: Yes, there would be if you so wish.

Dr. Sherman: How and when would we be able to put in a minority report?

The Chair: I'll get Parliamentary Counsel to comment on that. I've never been involved in a minority report, but I have seen them, and they are sometimes prepared as an accompanying document. I wonder if we should invite Ms Dean . . .

Mr. Reynolds: Shannon is responsible for House services. She may want to comment on this.

The Chair: Is it Ms Dean who has some familiarity with this?

Mr. Reynolds: Yes.

The Chair: There is precedent, hon. members. While Ms Dean is preparing to take her seat at the table, my recollection, Mr. Reynolds, is that there was a minority report with a boundaries commission's review one time. Is that the best example? Maybe not.

Mr. Reynolds: Well, yes, I believe you're quite accurate, Mr. Chair; however, the commission would be a different process as it's not a committee of the Assembly. The commission would not be governed by our standing orders as would this committee.

Ms Dean can perhaps elaborate on the opportunities for a minority report in our standing orders.

The Chair: Citation, please. Just joking.
Ms Dean.

Ms Dean: Good morning. Standing Order 68 provides for minority reports to be part of a committee report.

The Chair: I'm sorry. Which one?

Ms Dean: Standing Order 68(2).

The Chair: For the record Standing Order 68(2) is under the heading Committee Reports and Documents. I realize not everybody has their standing orders with them because you don't take them home with you like I do, probably. Nonetheless, 68(2) – right? – reads as follows:

The report of a committee is the report as determined by the committee as a whole or the majority of it but shall include any minority reports concerning the report or parts of it.

As I indicated to Dr. Sherman, a minority report, in my view, would be in order pursuant to 68(2). Would that be right, Ms Dean?

Ms Dean: That is correct.

The Chair: Okay. I'm sure the next question will be what constitutes it and how does it come into effect and so on? Perhaps if you could just clarify that for us quickly, we can maybe move on and actually discuss the report itself.

9:30

Ms Dean: If there's a desire from a member on a committee to submit a minority report, then they would do so through the chair, and it would be appended to the committee's report.

The Chair: Okay. Is that clear, Dr. Sherman?

Dr. Sherman: Yeah, and there is a desire to do that.

The Chair: Fine. It's all fine.

Ms Smith: Since you've indicated your intention – I'm assuming today – to table this report, at what point would you need the minority report to be able to append it?

The Chair: I'm not presuming anything. The report is before you for discussion, debate, and then you tell me what you want done with it.

Ms Smith: Well, I suspect that the majority of this committee will vote to have it tabled today.

The Chair: Maybe.

Ms Smith: And should that be the case, at what point would you need the minority reports?

The Chair: Well, I would say probably as soon as possible, obviously.

Mrs. Forsyth: Well, the Legislature has to be sitting.

Ms Smith: If we go into the Legislature at 1:30 today, you'd need it today by 1 o'clock, by 12:30?

The Chair: No. It wasn't my intention to try and table this today, but I'll take the direction of the committee in that regard. I thought I would table this tomorrow if that's the wish of the committee. The House standing orders say that we're sitting at least until Thursday. That's my understanding. Somebody correct me if I'm wrong, but that's my understanding. So we have a couple of days, three days yet.

Just one second, Mr. Mason.

I just wonder. Ms Dean, what would be the precedent for how much time is allowed for a minority report? What is the sort of general accepted rule of thumb or whatever?

Ms Dean: Well, our practice has been to request about two days to get that formatted.

The Chair: Maybe that's a good rule, then, to follow, so let's see if we can.

Mrs. Forsyth: I might be out of line, Mr. Chair, so you may have to say: "Well, no. We'll deal with that as we go along." I have a question in regard to the report, so if you indicate that we're going to go by the report, then I probably should hold the question till after that.

The Chair: Sure.

Mrs. Forsyth: And I don't mind doing that.

My only other comment when we talk about this minority report: we're all aware of the fact that we have now got closure on Bill 7, a motion made by the House leader which, in effect, went in yesterday afternoon, for two hours in committee and two hours on third reading, which, I would suggest, probably will take us till tonight and maybe – maybe – tomorrow for question period. I could be wrong. If Shannon is indicating that they need two days for a minority report, it is going to be quite difficult for us to have it tabled in the House because you have to be in session to be able to table something in the House.

The Chair: Well, hon. member, we don't have to be in the House for something to be tabled. There is a thing called intersessional tablings. I don't know if it requires Parliamentary Counsel to explain to you, but you can table stuff with the Clerk in between sessions or when the House is not sitting, and they're called intersessional tablings, I believe.

Mrs. Forsyth: You can also do an intersessional tabling on this report?

The Chair: Uh-huh.

Mrs. Forsyth: So there's no urgency that this report has to be dealt with today and get approval today if, you know, we're going to have more meetings next week, I think you said, or whenever you decide in regard to the budget. There's not that much of an urgency on this particular report because you indicated earlier that you have no timeline. It doesn't have to be tabled in the Legislature. While we get criticized by some of the members across the way that we've taken 37 minutes or 43 minutes, there's no urgency. That is my understanding.

The Chair: I don't believe I indicated any urgency at any time. I'm trying my best to answer questions of process, procedure, that kind of thing. Now the question has arisen: does this have to be tabled while the House is sitting? The answer is no. It doesn't have to be. We weren't given a drop-dead date, so to speak, at least not in the chair's view. It's up to this committee to decide. Our job as chair and helpers to the chair was to provide you with a summary – we'll call it a report – of the findings and decisions made by this committee and to bring it forward to you for review and discussion, and that's what we're doing. Where it goes from there on I'm not sure.

Mr. Dorward: This information regarding a minority report was new to me. I just wonder. Although we've been talking about the report that has to go back to the Assembly since May, I think, or June, nobody has ever mentioned this in this meeting before, so we don't have any paperwork. I submit that it's not the holdup of legislative counsel here. It's the holdup of the people that create the first report, and we don't have a report to append. But I am sympathetic to the desire to put something in, so I just wonder if a tabling that's done intersessionally, post tabling the report that we have before us today, would be as effectual as adding one to this report. In other words, tabling a report of the individuals on this committee respecting this report: would it be in law or filings the same as appending one onto this? If that's the case, then maybe that's a mechanism to be able to get that in.

The Chair: Well, hon. members, let's be clear. The chair is very sympathetic and understanding to the requirements that we have to live by and equally so to what the opposition members are raising. If they wish to provide a minority report, undoubtedly they will base it on the basis of their arguments that have occurred over the last four, five, six meetings that we've had. It'll take some staff time to do that, and the chair is prepared to offer time to them to get the minority report in. That's part of their legal right, if you like.

In terms of the report itself it is typically the procedure – and, Ms Dean, I'll ask you to comment in a minute – for the minority report to accompany the major report, if you will. Now, that being said, you wouldn't table one on one day and table the minority report on another day. They would come in together so that people receiving the information would see the major report, if I can call it that, and the minority report at the same time.

Ms Dean, do you wish to confirm that or amend my comments?

Ms Dean: I can confirm that. That is the practice.

The Chair: That is the practice. Okay. Thank you.
Let's move on.

Ms Smith: Just one more process question. I think the members who are in the minority have different rationales and different reasons we'd like to bring forward for our objections. Do we then forward it to you and the minority report gets compiled by your office, or is there an expectation that all of the minority opposition members would work together on that?

The Chair: Well, there are two questions there, and the first one is that it's your minority report, so you would put it together. If it involves anything that might require some assistance with legal wording to make sure it complies with our rules and procedures, then Parliamentary Counsel is available for that, but essentially, based on the ones that I have seen, it's basically your minority report from your perspective.

The other question that comes out of that if I'm sensing where you're going: is it possible to have two minority reports? I think the answer is yes as well. There could be three. I don't know. Maybe there could be four. There's no cap, to the chair's knowledge at least, that says that there can only be this many or that many.

Thank you for that.

Mrs. Jablonski: Mr. Chair, I'm slightly confused because we haven't even discussed the draft report as yet. Members are telling me that they haven't had time to peruse it. Without discussing the draft report, we're already jumping to the conclusion that everybody is going to have a minority report. Unless you've gone through this report, how do you know what kind of a minority report you would like to present? I think that we should proceed with discussing the report we have in front of us.

The Chair: Thank you.

Mr. Young, followed by Mr. Mason, followed by Dr. Sherman, followed by Mrs. Forsyth.

Mr. Young: Thank you very much. We have a motion right now to review this report, so let's discuss this report, make a decision on this report. I support this being submitted, as has been the direction of this committee and the intention of this committee until 10 minutes ago, when the idea just presented itself at this committee at the eleventh hour or whatever hour we're at to add another report that hasn't even been considered or started on. We should deal with the review, the report that's before us, and do as we are tasked to do.

9:40

The Chair: I appreciate your points, Mr. Young, but the point here is that we are discussing the report. There are clearly some objections to the report, and the question was posed: how does the opposition phrase its objection perhaps? I'm speculating here, but I think that based on recorded votes and everything else that we've had with respect to some of the recommendations, I'm anticipating that there are some opposition points of view that the members wish to express, and they're asking: how can we do that? We're trying to clarify that for them so that we can get on with looking at the major report, if I can call it that.

Mr. Mason, followed by Dr. Sherman, followed by Mrs. Forsyth.

Mr. Mason: Thank you, Mr. Chairman. Well, as I look through the report, it seems to me to be simply a technical summary of the decisions made by the committee. It does not contain opinion or

editorializing on the part of the chair. I'm assuming that it is a complete record of the major decisions of the committee, and we'll of course review it. It seems to me that if it is complete and accurate, then I think it can just go to the Legislature.

The Chair: Thank you, Mr. Mason. Again, your summary and perspective is exactly correct with respect to process and content of the report. The number 14 speaker, Mr. Mason, has spoken.

Dr. Sherman: Mr. Chairman, I'd like to thank you and leg. counsel for clarifying the opportunity to give us two days to prepare a minority report. I feel that these reports need to go hand in hand to the Leg. Assembly, and I would appreciate the opportunity for you to afford us that opportunity to send the minority report along with the majority report. As you know, actually, the government members have had a habit of going offside with the Premier. It's important for the Leg. Assembly to see the minority report as well.

Thank you.

The Chair: I don't think we should get into any politics at this table. We're all here trying to do the best we can for 87 Members of the Legislative Assembly. [interjections] Order. Mr. Mason, Mr. Dorward, Mr. Young, Dr. Sherman, please, let's observe some decorum here if you will. Nobody is looking to turn anything into any political issues here, so let's keep our comments at a higher level if we could.

We have before us a report, and we have some people speaking to it. Dr. Sherman has concluded his comments.

Mrs. Forsyth.

Mrs. Forsyth: Thanks, Chair. I just want to respond to Mrs. Jablonski and some of the comments she made and to Mr. Young. First of all, he said that we were discussing the report. We were actually discussing a motion, not the report, which we're debating. We haven't even gotten into discussing the report. We're discussing a motion.

The comments in regard to the minority report: no one came in here planning any minority report. I think it has been extremely beneficial on behalf of, yet again, your staff in clarifying opportunities for members. I wasn't aware of, you know, Standing Order 42, about unanimous consent from the House, Standing Order 68(2), or even the opportunity for a minority report until Ms Dean told us that. For us as members of the opposition that's good information to be able to say: "Well, these are our options. These are the things that we can do and can't do."

I can speak for the leader and myself because we were discussing this bright and early this morning. At no time did we even discuss or even think or even know that we had the option to bring in a minority report till your staff mentioned that, so I want to thank them for getting that on the record. That's what good government is about, getting on the record the opportunities that are available to people who are elected to this Assembly on behalf of their constituents.

Thank you.

The Chair: Good point. It was actually Dr. Sherman who raised it, and I confirmed it, and Ms Dean clarified it and pointed us to the standing order that covers it, so thank you to everybody.

Let us move on. Are there any other speakers?

If not, then what I'd like to do before we call the question – and I don't know how far we'll get – is go through this report so that you're abundantly clear with what its contents are. I don't want anyone thinking that the chair is doing anything but being up front, direct, honest, open, transparent, and everything else with

respect to this report because it is simply a regurgitation, a summary, of what this committee decided.

Now, just in terms of the layout you will see on pages 5, 6, 7, and 8 the actual meat of the report, if you will, as summarized. After each recommendation – if you go back to page 5, for example, there is recommendation 1, which follows the sequence of retired Justice Major's sequencing. Then you'll see what the decision was of our committee in the paragraph right below it. In that paragraph it says what the effective date was, and it says which particular order was amended or upheld or maintained or whatever. In this case with recommendation 1 it's our Members' Allowances Amendment Order (No. 23) and then specific to our committee it says Special Standing Committee on Members' Services Order No. MSC 06/12. That tells you that it was the sixth decision of this year made by this committee, and that is attached in your stack that follows.

If you go to the stack that follows, where my signature as your chair and the signature of the Law Clerk, in this case our Parliamentary Counsel, Mr. Reynolds, appears, if you take a look at the fourth line from the top, you will see in this case Order No. MSC 04/12. So if you just flip ahead a little further you will find the one that matches recommendation 1. We dealt with the Justice Major report items in his sequencing, not in terms of our sequencing, so to speak. So if you flip forward a few pages, you will find Order No. MSC 06/12.

That explains exactly how we dealt with retired Justice Major's first recommendation. I could go through each one like that, but that's how this report is laid out for you. Are there any questions about the layout? Is anybody confused or needing more clarification?

Mrs. Forsyth: I have one question on the layout. I think your staff did yet again another good job. As you go through, on some of these recommendations we had asked for a recorded vote, and that's not included in that. Is there a reason why?

The Chair: It's recorded in the minutes. Typically . . .

Mrs. Forsyth: But on the report. The report is what's going to be tabled in the Legislature, and that's what people are going to be able to access.

The Chair: I think the mechanism, Mrs. Forsyth, would be your minority report, in which you can not only say how you objected and how you got a recorded vote, but you can mention whatever you want in your minority report. That would be how I would suggest it be handled. This report before you as a draft: I'm dubbing it small "m" major report to differentiate now between minor report.

Does Ms Dean or Mr. Reynolds have a comment to the contrary in response to Mrs. Forsyth? Is the clarification I've given sufficient?

Mr. Reynolds: Yes, sir. I don't recall seeing any report containing the outcome of the votes during the report process.

The Chair: I don't recall it either.

Mr. Reynolds: As you indicated, those are in either the minutes or the transcript of the meetings prepared by *Hansard*.

The Chair: But the opposition or whoever that might wish to provide a minority report are welcome to put in it whatever they feel they wish, expressing their concerns, how they wish to express them.

Mr. Reynolds: Yes, sir. It would be up to them as to what they put in it. Yes.

The Chair: Okay. Any other comments regarding layout or formatting?

All right. Let us proceed. If you would with one hand sort of have retired Justice Major's recommendation 1 – that's page 5 – and then flip forward through your attachments about six pages or so to where you will find our Members' Services Committee Order No. MSC 06/12, that shows you what was amended and how we handled this. I'm sure, hon. members, you would all recall that we abided clearly by this recommendation 1.

Are there any comments with respect to recommendation 1 as enunciated on page 5 and as explained in the attachment that follows several pages later as MSC 06/12?

9:50

Mr. Mason: The recommendations, Mr. Speaker: are we going to go through them one at a time?

The Chair: Well, I think some members wanted to do that, but why don't I ask you this: are there any recommendations here that you would like us to delve into and discuss? Maybe we should just take a couple of minutes and let you have a chance to review them and then we can come back. Perhaps, Mr. Mason, your point is well taken. There's no point in me going through every one of these unless members wish to. I was prepared to, but I'm at your whim. Anybody have a comment regarding Mr. Mason's point?

If not, my suggestion would be just to take a couple of minutes and allow you some silent time to go through these and see if there are any in particular that stand out that you want highlighted or more discussion on. Shall we go with the chair's recommendation in that regard?

Okay. So let's take a couple of minutes and do that. Let's call it a bit of a comfort break and a refreshment break and a reading break. All right. We'll reconvene in five minutes.

[The committee adjourned from 9:51 a.m. to 9:58 a.m.]

The Chair: All right. We are reconvened at 9:58. You had a chance to at least glance through the rest of the recommendations. I like Mr. Mason's suggestion that maybe we don't have to go through these one at a time, but we should address any that you might have flagged where you'd like to have a discussion or have some clarification or whatever I or any of our staff assistants might be able to comment on.

That having been said, I'll ask if there are any recommendations that you want to delve into more deeply right now.

Mrs. Forsyth: I would like to go to 09/12. That's, I think, the last one where it talks about section 10 is repealed, and the following is substituted. Individual retirement investment option is the first thing.

The Chair: MSC 09/12, is basically the very last page of the attachments. MSC 09/12 ties in with recommendation 12, which is on page 8, I think. Page 8 of the report references MSC 09/12 in the last recommendation, and it's also the last page of our MSC orders.

Mrs. Forsyth, please proceed.

Mrs. Forsyth: That is one of the things that I do have some questions on. I believe that was part of the motion originally that maybe Mr. Dorward and Mrs. Jablonski brought forward – am I wrong, or am I right? – about adding more money to our RRSPs and the increase of 8 per cent to our base salaries? Am I correct or not?

The Chair: Well, I think earlier we had discounted any form of pension plan and formally an RRSP-only plan. However, I'll get Mr. Dorward to comment on the question just so that we're clear on what MSC 09/12 is vis-à-vis the question that Mrs. Forsyth just presented.

Mr. Dorward: Well, I'm not sure I understand exactly the question. We're on page 8 of the report.

Mrs. Forsyth: Yes.

The Chair: Well, if you go to page 8 first, you'll see that the committee eliminated the RRSP option for members, and we implemented in its place a retirement investment option. However, as part of that retirement investment option, if you look at MSC 09/12, which is the very last page of all the attachments, it says how that is going to be done and what the replacement mechanism is. Mrs. Forsyth is simply asking that you clarify something for her.

Maybe you could just restate the clarification requested.

Mrs. Forsyth: As I explained earlier, Mr. Chair, this is a lot of information to read, getting the report late afternoon. Please don't think that I'm putting any blame on the staff – you need to understand that – because I know how busy we've been with Parliamentary Counsel. It's just an incredible amount of information to go through and then be ready for a meeting at 9 in the morning.

What I'm trying to find out is on the last page, where it talks about: "The Members' Allowances Order," blah, blah, "is amended by this Order. Section 10 is repealed and the following is substituted: Individual Retirement Investment Option." That is, I think, the name that we had decided to call it instead of a salary increase or more to our RRSP. I'm wondering if this is the amendment that both Mrs. Jablonski and Mr. Dorward brought forward. If it's not, where in this report are we dealing with this section of the increase in the RRSPs or the individual retirement investment option and the additional 8 per cent on the salaries?

The Chair: Mr. Dorward, go ahead and speak to that.

Mr. Dorward: Yeah. Sure. I can speak to that. Firstly, the documentation here is exactly what happened in our committee meetings, and this reflects accurately the motions that were passed. I would comment that there is no pension plan that this committee accepted.

I would also say that when you consider that this committee early in May set aside a recommendation of the Major report relative to an increase of approximately 37 per cent, which was in the Major report, that MLAs would have received, the MLAs set aside that and just took the base salary for the time being until that could be discussed through this committee. Through the process of deliberations and having expert opinions come in, this committee decided on a 17 per cent increase and not the 37 per cent increase that was in the Major report.

To categorize – and I think I heard the word "increase" there – what happened to the MLAs in the last six months as an increase would certainly be inaccurate, in my professional opinion, only in that we accepted the base pay without any increase for the time being until a final decision was made. To reflect on anything that happened relative to the base pay of \$134,000 would be inappropriate because we hadn't decided yet what would happen.

I think the analysis that I've had done with our researchers indeed shows that there is a decrease in salary if you compare the amount that MLAs on average took in the year 2011 to what the eventual results of this motion will be. In 2012 there's actually a decrease in salary.

So let me reiterate that to categorize a base pay and then what MLAs got eventually, when this motion was passed, is inappropriate because the base pay was only for a period of time until a final decision was made on the amount that they would finally get, which was 17 per cent, instead of the amount in the Major report, which was 37 per cent.

I do think this reflects accurately the conversations. I think I've just summarized them. I know they were discussed at length in our meetings that we had, and I don't see any issue with respect to this part of the report, Mr. Chair.

10:05

The Chair: Thank you.

Ms Smith: I think just to clarify Mrs. Forsyth's point, we are dealing just with recommendation 12. I know that Mr. Dorward likes to link a number of different recommendations together, but I think the way this recommendation actually reads is: "The Committee eliminated the RRSP option for Members." So it doesn't talk about any of those other things. It talks about eliminating the RRSP option.

I just want to be clear that before we eliminated that RRSP option, that was worth \$11,485, and in place of the \$11,485 which is eliminated, the motion put forward by Mr. Dorward and Mrs. Jablonski implemented a retirement investment option. Now, that retirement investment option that replaced the \$11,485 had two parts to it, one being a matching 3.65 per cent of the amount of a contribution to a person's RRSP for a total of \$4,891; but in addition, an amount of 13 per cent of the base salary of \$134,000, which would have been \$17,420, for a total, if you add those two together should a member take advantage of both options, of \$22,311.

The way this would then read is: the committee eliminated the RRSP option, that was worth \$11,485, and implemented a retirement investment option worth a total of \$22,311, which actually is, in effect, \$10,866 more than the original RRSP option, which, indeed, is an 8 per cent increase. So I just wanted to make sure that we're all on the same page on that because it does sound to me like there is a little bit of confusion of multiple different recommendations being drawn into one. But I think we were just seeking clarity on the before and after on this particular recommendation.

The Chair: I have Mr. Goudreau, followed by Mr. Young.

Mr. Goudreau: Well, thank you, Mr. Chair. You know, I understand it and I look at it and I've been talking to my colleagues about a total package. Mr. Dorward indicated the numbers. You know, when I compare what I was making before the election to what I'm making after the election, I'm sensing that I've had a considerable decrease in the amount of dollars that I'm bringing home when I look at the full package. I want to reiterate that and put that on record, you know, that my take-home pay is certainly lower, even considering all of the changes that we've approved over the last four months here.

The Chair: Thank you.

Mr. Young, followed by Mrs. Jablonski, and then Mrs. Forsyth.

Mr. Young: As has been mentioned by this committee and as I see the report before us, this is a summary of what was decided. So I think we should be looking at the accuracy of the information before us rather than debating on whether this was more before or more after. Is the document accurate to what the committee decided?

The Chair: And the short answer is yes.

Mr. Young: There we go. Thank you.

The Chair: Nonetheless, I have Mrs. Jablonski, Mrs. Forsyth, and Dr. Sherman.

Mrs. Jablonski: Thanks very much, Mr. Chair. Mr. Young made my point completely. Thank you.

The Chair: Thank you.

Mrs. Forsyth.

Mrs. Forsyth: Well, thank you. I guess, for me, we're supposed to be reviewing a report, and you asked if anybody had any questions in regard to the draft report. So then I brought to your attention the last page in regard to MSC 09/12 to get some clarification if this is exactly what was discussed in the meeting. There was some hesitation, so people flipped back to their pages, found exactly what was discussed on MSC 09/12, and then referred back to page 8. I asked that particular question because I wanted to understand if this is exactly what we had discussed during the meeting, which is my privilege as a member of this committee. I got some clarification both from you and then from Mr. Dorward, and then we had several other people speak to this.

Now, we can call it any way you want. You can say it's an increase; it's a decrease. You know, it's semantics. But I can tell you that I will be tabling 840 e-mails that I have received in my constituency alone – and I know that everyone around this table is privy to those same e-mails because they're CCed on all the ones that I'm tabling today – that Albertans have clearly said: call it what you want; this is an increase.

I just want to get some clarification on the numbers and why the numbers aren't included in this motion because if you flip back, you have recommendation 9 of the Major report, and under Official Opposition House Leader there are no numbers referred to from Government Motion 11 or the standing order as far as: here's what it was, \$11,485, and with the 3.65 it's \$4,891 and with another 13 per cent. I'm wondering why we've got numbers throughout the report and then no numbers on that particular one.

The Chair: Are you talking about dollar numbers?

Mrs. Forsyth: Yes, or a percentage.

The Chair: Clerk McNeil has a comment.

Dr. McNeil: Well, in some of the orders the numbers are explicit, and in the other orders, because they are expressed as a percentage, the numbers are not explicit. Ms Smith's calculation in terms of her summary of the numbers was correct.

Mrs. Forsyth: Thank you.

The Chair: Okay. We have Dr. Sherman, followed by Ms Smith.

Dr. Sherman: Thank you, Mr. Chairman. Just to clarify some comments that Mr. Dorward made, Mr. Dorward and Mr. Young are new to the Legislative Assembly. When I got elected in 2008, the base pay was \$79,000, and if you had included the tax-free allowance, it would have made it \$91,000. My understanding was that committee pay was abolished, and with the \$134,000 our base pay has actually increased by 47 per cent compared to when I was first elected, four years ago, in 2008. At that time the base pay was \$91,000 if you included the tax-free allowance. Now it's \$134,000. Just a matter of clarification.

The Chair: Understood, then. Thank you, Dr. Sherman.

The point of this report is that if you take any aspect of it in isolation, you're going to come to a conclusion that suits your particular point of view and your point of argument. However, that's not what the Assembly directed us to do. We had to look at a lot of different issues. Some of them we had to deal with sooner than later or no MLA pay would have been able to go out. We had to deal with them in the order we dealt with them partly because of the way the motion from the Assembly was phrased: where possible by June 30, to paraphrase, with respect to certain parts.

You know, I appreciate where members are going with this, and I'm not immune to the politics involved in it all or the optics of it. I get where various members are coming from, but you must look at this report in its totality. If you want to discuss in isolation one item, we're prepared to do that, but don't lose sight of the overall larger picture.

Now, I've allowed Mr. Goudreau to explain from his perspective his comment that he's taking home less pay, and I'll bet you, Dr. Sherman, that you might be in a similar position. I don't know. You've explained your circumstance. Rather than getting into personal circumstances, let's deal with what we're charged to deal with here and see if we can move on and move through and get on with the business before us.

Ms Smith: Well, I think Mrs. Forsyth is raising an important point here because if I could direct you to recommendation 9, we actually have a dollar figure and a percentage amount for what those additional stipends will be. That's in detail there.

Mrs. Jablonski: What page?

Ms Smith: Oh, sorry. Page 6, recommendation 9. We've actually explicitly said what the dollar figure and the percentage amount will be for the Official Opposition House Leader, the third party House leader, the chief government whip, the assistant government whip, the chief opposition whip, the assistant opposition whip, and the third party whip.

In addition to that, on page 7, when we talk about the differential for the Premier's salary, we talk about a 25 per cent differential. It does seem to me that not making any reference in recommendation 12 to either the dollar figures or the percentages seems to actually not be in keeping with the level of detail that we have in the other recommendations. I would respectfully suggest that we do actually need to see that additional detail there if we're going to be in keeping with the integrity of the report, whichever way the hon. members want to deal with it. It does seem to me, though, that because it's fairly explicit in recommendation 9 – there are both percentages and dollar figures – we should also have both percentages and dollar figures in that response to recommendation 12.

10:15

The Chair: Are there any other speakers? Dr. Sherman.

Dr. Sherman: Thank you, Mr. Chair. Recommendation 15 assumes that we didn't pass any recommendation regarding the review mechanism, but I do have a motion on the floor, which has been delayed for two meetings now, to recommend that mechanism, that the government introduce legislation using Bill 14 as a framework.

The Chair: Your comment is understood, but let's be clear. No one has delayed your motion, okay? It is still on the agenda. It's in its location. You can argue about that, which we already did, but no one has delayed it.

Mr. Mason: There's just been a slight delay.

Dr. Sherman: Just a slight delay.

So in having a complete report to the Assembly, I believe it's important to have recommendation 15 fulfilled as well. Otherwise, it's an incomplete report to the Assembly.

The Chair: Well, this committee considered recommendation 15 and chose to withdraw that particular recommendation, which was in the form of a motion, if I'm not mistaken, by Mrs. Jablonski. You just approved those minutes for the meeting where I think that motion went through. I think it was November 27. What's the date of the minutes we just approved?

Mrs. Forsyth: No, it wasn't in there. We didn't deal with this last week.

Mrs. Jablonski: Yes, we did.

Mrs. Forsyth: On November 27?

The Chair: Whatever the last meeting was. What's the date of the last meeting? I don't have my agenda. November 27? It was in the minutes of November 27.

Now, I don't have any other speakers at the moment. Is there anyone else who wishes to speak to the motion before us?

Ms Smith: I heard Mr. Dorward as I was making the point about having consistency in the report. Is that something that I need to make a motion on, to add those numbers, or is that just something that you would accept?

The Chair: Well, it's reflected here in the way that it came about and was decided by this committee. All that our staff did was reflect it back to you in the way that you approved it, notwithstanding the fact that some members may have been opposed to it. The fact is that it went through this way. I don't know how else we might change this.

Dr. McNeil, do you have a comment on that?

Dr. McNeil: I'm just trying to look.

The Chair: Okay. While Dr. McNeil looks through just to see if we can get a comment to clarify for Ms Smith, let me go to Mr. Mason.

Mr. Mason: Thanks, Mr. Chairman. If I can just suggest a way to deal with this, I'm assuming that the report is an accurate reflection of the motions that were passed by the committee in the precise wording that was used when those motions were passed. If that's true, then I think that this should go forward. But if people wish to restate the numbers in a way that brings more clarity to them, then I think a minority report is an excellent way to do that.

The Chair: Thank you. On your first point I can assure you that neither I nor Parliamentary Counsel would have signed any of these things if we weren't sure.

Mr. Mason: I didn't mean to imply that, Mr. Chair.

The Chair: I know you didn't, and I'm not taking any offence whatsoever, Mr. Mason. What I'm simply saying in response to your earlier part is that we spend hours reviewing minutes, listening to the tape, jiggling and rejigging and reformatting the minutes to make sure they accurately capture as succinctly as possible what occurred in this meeting. I've been at this a long time, as you know, and I know you have as well. I would do

nothing to the contrary, and I can assure you Parliamentary Counsel wouldn't either. That doesn't mean that we may not make the occasional slip-up, but it's very inadvertent, if at all. In this case I'm pretty comfortable and confident that this is how it came down the pipe.

Are you ready to comment yet, Dr. McNeil? If not, I'll take another speaker. Is there another comment anywhere?

I'm just going to invite Dr. McNeil to comment on Ms Smith's need for clarification.

Dr. McNeil: I think that in terms of your concern what could be added on page 8 would be, "The Committee eliminated the RRSP option for Members and implemented a retirement investment option," and then just add what that was, 13 per cent plus 3.65, so just articulate those percentages in that to be consistent.

Ms Smith: So do I need to make a motion to that effect?

The Chair: No. It can be noted.

I understand where you're coming from. I think, however, your comment is specific to – let me just be clear which parts you were commenting on. I have a little different understanding, and maybe I misheard it. Would you just restate which section you're talking about?

Ms Smith: It's the last section on page 8, where it says, "The Committee eliminated the RRSP option for Members and implemented a retirement investment option." I mean, in keeping with the level of detail that we saw in recommendation 9, where we actually articulate the dollars and the percentages, it would just seem to me that that should read:

and implemented a retirement investment option that consisted of an investment amount equal to 13 per cent of the member's indemnity allowance in addition to a matching contribution amount up to 3.65 per cent of the member's indemnity allowance.

Those would be just the additional points of clarity that I think I would add to the summary document.

The Chair: Just to summarize, it's specific to the last item on page 8, which deals with recommendation 12 of retired Justice Major's report, that one item, right?

Ms Smith: Correct.

The Chair: Okay. I don't have any objection to that personally. I think it's just a friendly amendment. I'd be inclined to open it up for some discussion if you want to make it in the form of an amendment, and then we can vote on the amendment.

Ms Smith: Sure.

The Chair: Would you just move your amendment, then?

Ms Smith: Certainly. I have not written it out. Do you need me to write this up beforehand?

The Chair: Phrase it as best you can.

Mrs. Jablonski: Is this an amendment to my motion to accept the report?

The Chair: Yes. [interjections] I'm not averse to it personally. But if she wishes to put it into the form of an amendment, then I'm inviting her to do so. However, if it's the will of the committee to just accept it as a friendly comment and an amendment and incorporate it and get it done, then that's fine, too.

Let me take one comment only.

Mr. Dorward: Well, I don't get this. You know, I mean, you could go through this whole report and add words that are in *Hansard*, in our minutes, in our motions. At the top of page 8, for example, it doesn't talk about the tax-free allowance not being implemented. There are no dollars there. We could go on and on and on and on and keep adding and adding and adding. I just don't see any need for it whatsoever. In fact, the dollars that are not in the tax-free allowance dwarf the amount of the discussion in this other area.

I see no reason to edit this. I just don't think it adds anything to the report. We have our minutes available. We have *Hansard* available. I think we should move on and just accept the report and get it into the Assembly, where the people can understand what happened today.

The Chair: We'll deal with it. I thought I clarified that it's very difficult, if not challenging, to just address any one item in isolation. However, I wanted to make it very clear what Ms Smith's rightful entitlement to raise an issue was all about. It was about one specific item. So we're dealing with that now.

Let's put forward the amendment. We'll discuss it, vote on it, whatever you want to do with it. Otherwise, we're going to be into a free-flowing discussion here that will not culminate in any decision, and we should try and make some decisions.

Ms Smith, you wanted to move an amendment.

Ms Smith: Sure. It would be adding to the sentence that says:

The Committee eliminated the RRSP option for Members and implemented a retirement investment option.

After that, it would state that

a member will receive a retirement investment amount equal to 13 per cent of a member's indemnity allowance (\$17,420). In addition, the member will receive a matching RRSP allowance up to 3.6 per cent of his or her indemnity allowance (\$4,891).

Mr. Dorward: That's in the report already.

The Chair: Right. Respecting that you have to have the first part of that, too, because there are two reservations. One, you must have served a minimum of three months, and you may make a contribution if you wish. You're not obliged to. We'll have to make sure that your amendment is understood in that context.

10:25

Mr. Dorward: It's already in the report.

The Chair: Well, of course it's in the report. It's all there. This will all be tabled together.

Ms Smith: With respect, Mr. Dorward, I mean, on recommendation 9 it doesn't just say that the roles will receive a certain percentage and go look in the minutes to find out what those percentages are and go look in the minutes to find out what those dollars are. So the point is that the recommendation summary page is supposed to be and intended to be an actual summary page. It seems to me that the Speaker has done quite a good job of containing all of the information in the other recommendations. The only one I found short was this recommendation 12, and I think that this is inconsistent with trying to keep a summary page that has all the information on it.

Thank you, Mr. Speaker.

The Chair: Thank you.

Mr. Mason, you had your hand up as well.

Mr. Mason: Just out of desperation.

The Chair: Okay.

All right. Are there any other speakers to Ms Smith's amendment?

Some Hon. Members: Question.

The Chair: Seeing none, the question has been called. Those in favour of Ms Smith's amendment, please say aye. Those opposed, please say no.

Ms Smith: Could I have a recorded vote, please?

The Chair: A recorded vote has been requested. Those in favour of the amendment, please say your names, starting with Ms Smith.

Ms Smith: Danielle Smith.

Mrs. Forsyth: Heather Forsyth.

Dr. Sherman: Raj Sherman.

Ms Smith: You normally don't vote on anything.

The Chair: We're doing a recorded vote here, so just state your name or don't state it. That's it. We're in the middle of a vote here.

Ms Smith: Either leave or vote.

Dr. Sherman: Mr. Chairman, I think I've got to get some coffee here.

The Chair: So far in the recorded vote in favour of Ms Smith's motion we have Ms Smith. We have Mrs. Forsyth. Is there anyone else?

Mr. Mason: Brian Mason.

The Chair: Is there anyone else?

Those opposed to Ms Smith's amendment, please state your names.

Mr. Goudreau: Hector Goudreau.

Mrs. Jablonski: Mary Anne Jablonski.

Mr. Dorward: David Dorward.

Mr. Young: Steve Young.

Mr. Quest: Dave Quest.

Ms Calahasen: Pearl Calahasen.

The Chair: Accordingly, the nays have it, so that amendment fails. Are you ready for the question on the main motion?

Ms Smith: What is the main motion? Can you just please restate it?

The Chair: The main motion is to accept this draft report as the final report of this committee. I would add, of course, a reminder that you're welcome to put in your minority report. I believe, Mrs. Jablonski, that was the thrust of your motion.

Mrs. Jablonski: That's correct.

The Chair: Those in favour of that motion, please say aye.

Mr. Dorward: A point of clarification. Can you clarify what you're saying about the minority report to be added?

The Chair: We're in the middle of a vote here, Mr. Dorward, and I think we've talked about the minority report quite clearly. I'll come back and explain the timing on it in a moment. For the moment we're voting on this as being our small "m" major report of this committee.

Mrs. Jablonski: Mr. Speaker, just a clarification. My motion was to accept the report, period. I didn't mention anything in my motion . . .

The Chair: Understood. We're in the middle of the vote here. It's a recorded vote. I have Mr. Goudreau voting for Mrs. Jablonski's motion. I have Mrs. Jablonski voting for it. Is there anyone else voting for her report?

Mr. Dorward: David Dorward.

Mr. Quest: Dave Quest.

Ms Calahasen: Pearl Calahasen.

Mr. Young: Steve Young.

Mr. Mason: I'll vote for it, too.

The Chair: Those opposed?

Ms Smith: Danielle Smith.

Mrs. Forsyth: Heather Forsyth.

Dr. Sherman: Raj Sherman.

The Chair: So that is carried.

Now, just to clarify two things, if the minority report or reports, however you wish it, are able to be readied and can accompany this report within the customary 48 hours, then we will happily ensure that they get included with the report.

Secondly, if the Assembly is sitting, then it would be the chair's desire to probably table this under Presenting Reports by Standing and Special Committees, which is on page 4, I think. Yeah. If you look on page 4 of your Standing Orders, under Standing Order 7, where daily Routine is itemized, you will see that one of our mechanisms is called Presenting Reports by Standing and Special Committees. Now, I can only table something under that section if the House is sitting. Obviously, I would like to do that. However, I can also table this as an intersessional report, which we've already indicated. So there are some options there that we can pursue. That concludes that.

Now let's go on to Mr. Young and Mrs. Jablonski. I had Mr. Young first.

Mr. Young: Yeah. Just for clarification how can a report under the guise of this committee be summarily submitted without being at least reviewed or seen by this committee?

The Chair: Well, it's a minority report. Anyone can submit a minority report, and it doesn't have to come to this committee for review.

Mr. Young: But I could write any kind of vitriolic report or anything else without having the review of this committee, and it would be submitted under the guise of this committee.

The Chair: No. It's submitted as a minority report. The official report is the one before you. It's the major report. If somebody wishes to submit some . . .

Mr. Young: Then can I submit an additional report as well, you know, do my diatribe, that I suspect the other people are going to do? I'm just saying that this is a very technical report, and I think we've got that from this committee. In terms of the accuracy of what we've heard from this committee, this is a very technical and accurate report. I suspect that may not happen if individuals can summarily submit their reports under the guise of this committee.

The Chair: I'll get Ms Dean to clarify again on that point, but before I do, two things. I have Mr. Mason, I have Dr. Sherman, I have Mrs. Jablonski, and I have 10:33 a.m.

Mrs. Jablonski: You had me first, though.

The Chair: Yes. My apologies, Mrs. Jablonski. Yes, you'll be first. Sorry, Mary Anne.

A quick clarification, Ms Dean, on Mr. Young's point.

Ms Dean: Mr. Speaker, I'm not quite sure what the question is, but members are entitled to submit minority reports. The minority report is technically not part of the committee's report; it's attached as an appendix.

The Chair: That's what I said. This is our main, major report. That's what it is.

Mrs. Jablonski, then Mr. Mason, then Dr. Sherman, and then we're going to have to adjourn.

Mrs. Jablonski: It's a clarification. We voted on the report, and that will be tabled in the House as I understand it. My question is: now we've completed this, but do we have to delay the tabling because we've been informed that there will be a minority report? Does the entire thing need to be delayed?

The Chair: Well, I can tell you what my view on it is, and Ms Dean might wish to clarify and comment. The common practice, if I can refer to it that way, the precedent, perhaps – we'll have to look it up to be sure – is that typically two full days are extended as a courtesy to people who have expressed an interest in filing a minority report. It would be the chair's view that we should honour that and respect what the wishes are of certain members of the committee.

Now, if they happen to turn that minority report in later today, then that would put the chair in a position to table the report sooner. If they take the full two days, then I think we should honour that tradition if that's what it happens to be. We'll check on it.

In the meantime, before Ms Dean comments any further, let's go to Mr. Mason and Dr. Sherman.

Mr. Mason: Thank you very much, Mr. Chairman. I just wish to make two points, one in respect to Mr. Young's objections, which I guess have been dealt with by Ms Dean. The point is that if a minority report required the approval of the full committee, it would be a majority report.

The Chair: Well said, Mr. Mason.

Mr. Mason: You know, people and members are responsible for the contents of the materials they produce and can be held accountable for them by the public and not necessarily by their political opponents. So that's the point I wanted to make with respect to that.

The other point that I want to make is in terms of the timeliness of materials for committees. I don't just mean it with respect to this committee but other committees as well. I respect the difficulty that exists in terms of preparing these things in the middle of a full session and so on. When I served on Edmonton city council, there was basically a rule. The meeting would be on Tuesday, and you would get your agenda on Friday afternoon, so you'd have the weekend to go over it, and you had a full business day on Monday before the council meeting began. Any documents or any items that came forward after that time would have to be added by a vote of the council.

I respectfully request that we take a look at some kind of rules around that so that people have important reports in a timely fashion, and then they can come prepared to the meeting. It's difficult to be prepared if you're just reading it for the first time and you want to make amendments. Then you get into this kind of situation.

So without sort of pointing any fingers at anybody at all, Mr. Speaker, I would really request that we adopt for all committees some sort of rule that sets out timelines for the receipt of information.

10:35

The Chair: I think it's a valid comment, Mr. Mason. Again, not to take up too much time, but let's just remember that this has been an unusual period of time. We've had two meetings back to back in the space of one week. We've had an all-nighter and many, many late nights. We've had points of privilege, and I can't begin to tell you how many hours and hours and hours of time those points consumed for your chair over the weekend. I was at this night and day for three straight days.

So no offence taken, but please know that there is nothing new in what came forward to you late yesterday. I do apologize that it's only 17 hours. Had it been something substantively new or different, then we would have tried our darndest to get it out much sooner, but because there was nothing new, I didn't think anyone would take any offence to it. I'm not taking any offence either.

Mr. Mason: Long before you were the Speaker, Mr. Speaker, we had issues around this. I'm not saying that it's anything to do with anybody. It's that I just think we should adopt a different practice going forward. This goes back many years, and it also applies to motions that sometimes come out of the blue in committee meetings. Substantive motions should require notice.

The Chair: Well, why don't I take that under advisement and see what we can come back with, if anything at all. As I said at the beginning, it's a valid comment, and you and I have chatted about process before, so I take it.

Dr. Sherman, you have the final comment here, and then we'll have to adjourn.

Dr. Sherman: Mr. Speaker, I ask for the opportunity to finish off all old business. That opportunity was afforded to Mr. Young in the previous meeting. We have put an incomplete report to the Legislative Assembly. I ask for the opportunity to discuss very important issues that complement this report and to extend the meeting.

The Chair: It's not an incomplete report, Dr. Sherman. Every item that the committee dealt with, made decisions on to either amend, alter, or maintain is reflected in the document as the meetings occurred.

Dr. Sherman: Allow me to make a motion, Mr. Speaker. I make a motion to extend the meeting to allow us to go through all old business.

The Chair: We went through all of that. We voted on it earlier, Dr. Sherman, and your points will come up at the appropriate time. They're still on the agenda. They haven't lost their place.

Dr. Sherman: Thank you.

The Chair: I just want to say two final things before I adjourn the meeting. Mr. Ellis and Mrs. Scarlett, thank you for being here. I'm sorry we couldn't get started on your issue, on the budget, but everybody has their binders, and they'll be looking at that.

My second point is this: what I will do is canvass you for a date for a meeting where we can get into the budget estimates because we have to have something that we can put forward to not miss the window of opportunity for the issues that you've brought to my attention about constituency office budgets and so on.

Ms Smith: I'm sorry. What is that date? What's your deadline?

The Chair: The deadline? Well, I was hoping to have it done well before Christmas so that we can get it into the machinations.

Mrs. Forsyth: When do you have to have it? Do you have to have it by January 1, January 10, December?

The Chair: Do we have a fixed deadline as such?

Dr. McNeil: The drop-dead date would be January 15.

The Chair: So January 15 is the final, final date. But you know what happens, Heather, over Christmas and everything else. People do something unprecedented. They take holidays and stuff like that.

With that having been said, I apologize for running a bit late, but it was a worthwhile discussion. I'll adjourn this meeting at 10:39 or thereabouts. Motion to adjourn, please. Mary Anne Jablonski moves that we adjourn at 10:39. Agreed? All in favour? Any opposed? None. Okay. We are adjourned.

Thank you.

[The committee adjourned at 10:39 a.m.]

