

Twenty-Seventh Legislature First Session

Standing Committee on  
**Privileges and Elections,  
Standing Orders  
and Printing**

Standing Order Review  
Interim Report

October 2008



**COMMITTEES**  
OF THE LEGISLATIVE ASSEMBLY

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October, 2008

To the Honourable Ken Kowalski  
Speaker of the Legislative Assembly of Alberta

The Standing Committee on Privileges and Elections, Standing Orders and Printing has the honour to submit its interim report on its review of the Standing Orders, for consideration by the Legislative Assembly of Alberta.

Ray Prins, MLA  
Lacombe-Ponoka  
Chair  
Standing Committee on Privileges and Elections,  
Standing Orders and Printing

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**MEMBERS OF THE  
STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS,  
STANDING ORDERS AND PRINTING**

**27<sup>th</sup> Legislature, First Session**

**Committee Members, April 15-May 29, 2008**

Raymond Prins, MLA Chair Lacombe-Ponoka (PC)	Hon. Dave Hancock, MLA Deputy Chair Edmonton-Whitemud (PC)	
Naresh Bhardwaj, MLA Edmonton-Ellerslie (PC)	Hon. Ronald Liepert, MLA Calgary-West (PC)	George Rogers, MLA Leduc-Beaumont-Devon (PC)
Guy Boutillier, MLA Fort McMurray-Wood Buffalo (PC)	Richard Marz, MLA Olds-Didsbury-Three Hills (PC)	Hon. Ron Stevens, MLA Calgary-Glenmore (PC)
Pearl Calahasen, MLA Lesser Slave Lake (PC)	Leonard Mitzel, MLA Cypress-Medicine Hat (PC)	Dave Taylor, MLA Calgary-Currie (L)
Arno Doerksen, MLA Strathmore-Brooks (PC)	Rachel Notley, MLA Edmonton-Strathcona (NDP)	Tony Vandermeer, MLA Edmonton-Beverly-Clareview (PC)
Doug Griffiths, MLA Battle River-Wainwright (PC)	Frank Oberle, MLA Peace River (PC)	Greg Weadick, MLA Lethbridge-West (PC)
Jeff Johnson, MLA Athabasca-Redwater (PC)	Bridget A. Brennan Pastoor, MLA Lethbridge-East (L)	Hon. Gene Zwozdesky, MLA Edmonton-Mill Creek (PC)
Genia Leskiw, MLA Bonnyville-Cold Lake (PC)		

**Committee Members after May 29, 2008**

Raymond Prins, MLA Chair Lacombe-Ponoka (PC)	Hon. Dave Hancock, MLA Deputy Chair Edmonton-Whitemud (PC)	
Moe Amery, MLA Calgary-East (PC)	Jeff Johnson, MLA Athabasca-Redwater (PC)	Bridget A. Brennan Pastoor, MLA Lethbridge-East (L)
Evan Berger, MLA Livingstone-Macleod (PC)	Genia Leskiw, MLA Bonnyville-Cold Lake (PC)	George Rogers, MLA Leduc-Beaumont-Devon (PC)
Naresh Bhardwaj, MLA Edmonton-Ellerslie (PC)	Hon. Ronald Liepert, MLA Calgary-West (PC)	Dr. Raj Sherman, MLA Edmonton-Meadowlark (PC)
Pearl Calahasen, MLA Lesser Slave Lake (PC)	Barry McFarland, MLA Little Bow (PC)	Hon. Ron Stevens, MLA Calgary-Glenmore (PC)
Alana DeLong, MLA Calgary-Bow (PC)	Rachel Notley, MLA Edmonton-Strathcona (NDP)	Dave Taylor, MLA Calgary-Currie (L)
Arno Doerksen, MLA Strathmore-Brooks (PC)	Frank Oberle, MLA Peace River (PC)	Hon. Gene Zwozdesky, MLA Edmonton-Mill Creek (PC)
Heather Forsyth, MLA Calgary-Fish Creek (PC)		

**Substitutions pursuant to Temporary Standing Order 56(2.1-2.4)**

Laurie Blakeman, MLA Edmonton-Centre (L)	Jonathan Denis, MLA Calgary-Egmont (PC)	Richard Marz, MLA Olds-Didsbury-Three Hills (PC)
Cal Dallas, MLA Red Deer-South (PC)	Broyce Jacobs, MLA Cardston-Taber-Warner (PC)	George VanderBurg, MLA Whitecourt-Ste. Anne (PC)

## **1.0 Introduction**

The Standing Committee on Privileges and Elections, Standing Orders and Printing meets when the Legislative Assembly refers a matter to the Committee for consideration.

On April 17, 2008 and May 21, 2008, the Assembly approved Temporary Amendments to the Legislative Assembly Standing Orders. These amendments have effect until the conclusion of the 2008 Fall Sitting. As part of a motion passed on April 17, 2008, the Assembly directed the Standing Committee on Privileges and Elections, Standing Orders and Printing to review the Temporary Standing Orders and to consider the need for additional amendments to the Assembly's rules and practices. The Committee was asked to report to the Legislative Assembly no later than October 30, 2008. The Committee met on May 14, 2008, September 3, 2008, October 8, 2008 and October 28, 2008. Subsequent to a motion passed at the October 28, 2008 meeting, the Committee agreed to provide the Legislative Assembly with an interim report. The Committee will meet again to consider further amendments and will submit its final report to the Assembly before the end of November 2008.

## **2.0 Order of Reference**

Excerpt from Government Motion 8, *Votes and Proceedings of the Legislative Assembly of Alberta*, Thursday, April 17, 2008:

B. Be it further resolved that the Standing Committee on Privileges and Elections, Standing Orders and Printing shall, without further motion, review and consider

(a) the amendments to Standing Orders in this motion by comparing the reforms to the practices in other Assemblies, examining whether the reforms afford open discussion of public policy where Albertans can participate and whether the reforms maximize oversight and accountability;

(b) the need for additional amendments or reforms to the Assembly's rules and practices to further objectives of open, public discussion of public policy, the role of the Assembly in overall government accountability and the work/life balance of Members; and

(c) the process used for Committee of Supply consideration of main estimates in 2008,

and shall report to the Assembly with its recommendations no later than October 30, 2008.

### 3.0 Recommendations

The Standing Committee on Privileges and Elections, Standing Orders and Printing recommends the following:

(1) that the Standing Orders effective May 21, 2008 be made permanent subject to the amendments recommended in this report and the final report;

(2) that the following administrative changes with respect to the manner of providing notices and information to Members concerning Committees of the Assembly be adopted and requests that these administrative changes be implemented by the Speaker:

All Members shall receive

- (a) notice of Committee meetings;
- (b) access to Policy Field Committee materials;
- (c) two working days notice for all Policy Field Committee meetings.

The Committee further recommends that a one-month notice period be provided, where possible, for the draws for Private Members' Public Bills and Motions other than Government Motions.

Moreover, the Committee will be considering additional amendments to the Standing Orders in its final report, to be submitted to the Assembly by the end of November 2008.

#### 3.1 Proposed Amendments to the Standing Orders:

The Standing Committee on Privileges and Elections, Standing Orders and Printing approved the following motion regarding proposed amendments to the Standing Orders.

**A BE IT RESOLVED THAT** the Standing Orders of the Legislative Assembly of Alberta effective May 21, 2008 be amended as follows:

#### **1 Standing Orders 3 and 3.1 are struck out and the following is substituted:**

##### **Sitting times and sessional calendar**

**3(1)** Unless otherwise ordered, the sitting hours of the Assembly shall be as follows:

Monday:	1:30 – 6 p.m.
Tuesday:	1:30 – 6 p.m.
Wednesday:	1:30 – 6 p.m.
Thursday:	1:30 – 4:30 p.m.

**(2)** If at the time of meeting there is no quorum, the Speaker may take the chair and adjourn.

**(3)** The Assembly shall not meet on

- (a) New Year's Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Alberta Heritage Day, Labour Day, Remembrance Day, Thanksgiving Day, Christmas Day, Alberta Family Day,

(b) December 26, or when that date falls on a Saturday, Sunday or Monday, then either December 27 or 28, as the case may be.

- (4) Unless otherwise ordered, the Assembly shall meet each year
- (a) for the Spring Sitting commencing on the first Monday of February and concluding no later than the first Thursday in June; and
  - (b) for the Fall Sitting commencing on the last Monday of October and concluding no later than the first Thursday in December.

(5) On or before January 15 each year, and following consultation with the Opposition House Leaders, the Government House Leader shall file with the Clerk a calendar that indicates the days on which the Assembly shall sit and which weeks will be constituency weeks when the Assembly will stand adjourned.

(6) There shall be one constituency week for every 3 sitting weeks unless varied by the calendar provided for under suborder (5).

(7) As soon as possible after January 15 each year, the Clerk shall publish the calendar provided for under suborder (5).

(8) Nothing in this Standing Order precludes the Government from advising the Speaker that the public interest requires the Assembly to meet on a certain date, and the Speaker shall give notice that the Assembly shall meet at that time to transact its business as if it had been duly adjourned to that time.

(9) The Spring or Fall Sitting of the Assembly may be shortened or extended by passage of a motion which shall be decided without debate or amendment.

**2 Standing Order 4 is struck out and the following is substituted:**

**Night sittings and adjournment**

**4(1)** Upon passage of a Government motion, which may be made upon one day's notice and is not subject to debate, the Assembly may meet on Monday, Tuesday or Wednesday evening commencing at 7:30 p.m.

**(2)** When there is no evening sitting, at 6 p.m. on Monday, Tuesday and Wednesday or at 4:30 p.m. on Thursday, the Speaker adjourns the Assembly until the next sitting day.

**(3)** If the Assembly is in Committee of the Whole 5 minutes before the adjournment time in suborder (2), the Chair shall interrupt the proceedings and call on the Committee to rise and report without question put.



(4) When there is to be an evening sitting and the Assembly is in Committee of the Whole at 6 p.m., the Chair leaves the chair until 7:30 p.m.

**3 Standing Order 7 is amended by adding the following after suborder (6):**

(7) At 3 p.m. the items in the ordinary daily routine will be deemed to be concluded and the Speaker shall notify the Assembly.

**4 Standing Order 8 is struck out and the following is substituted:**

**Order of business**

**8(1)** On Monday afternoon, after the daily routine, the order of business for consideration of the Assembly shall be as follows:

Written Questions  
Motions for Returns  
Public Bills and Orders other than  
Government Bills and Orders  
at 5 p.m.: Motions other than Government Motions.

**(2)** On Tuesday, Wednesday and Thursday afternoons, the order of business for consideration of the Assembly shall be as follows:

Government Motions  
Government Bills and Orders  
Private Bills.

**(3)** A motion other than a Government motion, once called, shall be considered until the motion has been given 55 minutes of debate and 5 minutes for the mover of the motion to close debate, unless the motion is voted on sooner, at which time all questions that must be decided in order to conclude debate on the motion shall be decided immediately.

**(4)** Before the mover closes debate on a motion under suborder (3), a Member may move a motion, not subject to debate or amendment, that provides for the motion under consideration to be moved to the bottom of that item of business on the Order Paper.

**(5)** Only one motion other than a Government motion shall be considered on Monday afternoon.

**(6)** If the Assembly is in Committee of the Whole on Monday afternoon at 4:55 p.m., the Chair shall interrupt and the Committee shall immediately rise and report without question put.

**(7)** (a) A public Bill other than a Government Bill retains its place on the Order Paper until the Bill has been given

- (i) 115 minutes of debate on the motion for second reading and 5 minutes for the mover of the Bill to close debate,
  - (ii) 120 minutes of debate in Committee of the Whole, and
  - (iii) 55 minutes of debate on the motion for third reading and 5 minutes for the mover of the Bill to close debate,
- unless the relevant motion is voted on sooner.
- (b) Once the time limits specified in this suborder are reached, all questions that must be decided in order to conclude debate on the motion shall be decided immediately.
  - (c) A public Bill other than a Government Bill shall be called in Committee of the Whole within 8 sitting days of the day the Bill receives second reading unless the Bill has been referred to a Policy Field Committee, in which case the Bill shall be called within 8 sitting days of the day on which the Policy Field Committee reports.
  - (d) A public Bill other than a Government Bill shall be moved for third reading by the Member who introduced the Bill, such motion to be made no more than 4 sitting days after the Bill is reported by Committee of the Whole.

**(8)** Before the mover of a motion for second or third reading of a public bill other than a Government Bill closes debate, or the time limit is reached for consideration at Committee of the Whole under suborder (7)(a)(ii), a Member may move a motion, not subject to debate or amendment, that the votes necessary to conclude consideration at that stage be postponed for 10 sitting days or the first opportunity after that for the consideration of the Bill, unless there are other Bills awaiting consideration at that stage in which case the Bill will be called after the Bills at that stage have been considered.

**5 Standing Order 25 is amended by adding the following after suborder (2):**

**(3)** When the mover of a substantive motion or Bill is someone other than the sponsor, a later speech by either Member will close debate.

**6 Standing Order 37 is amended by striking out suborder (2) and substituting the following:**

- (2)** In addition to the copies required under suborder (1),
  - (a) 2 copies must be tabled of responses to written questions and returns ordered by the Assembly for distribution to the

- Member who asked the question or moved the motion for return and the Leader of the Official Opposition, and
- (b) a sufficient number of additional copies must also be tabled for distribution to the leader of any other party or group in opposition.

**7 Standing Order 41 is amended by striking out suborder (2) and substituting the following:**

(2) The draw referred to in suborder (1) shall be held on a date set by the Speaker.

**8 Standing Order 52.01 is amended in suborder (1) by adding "At the commencement of the first session of each Legislature," before "Five Policy Field Committees".**

**9 Standing Order 52.03 is struck out and the following is substituted:**

**52.03** A Policy Field Committee may on its own initiative, or at the request of a Minister, review any regulation, amendment to a regulation or prospective regulation within its mandate.

**10 Standing Order 52.08 is amended by adding the following after suborder (2):**

(3) A Policy Field Committee may report to a Minister or responsible public official on issues arising from a public meeting.

**11 Standing Order 52.09(1) is amended by adding "or a report provided for under Standing Order 52.08(3)" after "report on a Bill".**

**12 Standing Orders 59.01, 59.02 and 59.03 are struck out and the following is substituted:**

**Consideration of main estimates**

**59.01(1)** Following the Budget Address, the main estimates of departments shall stand referred to the Policy Field Committees according to their respective mandates, unless otherwise ordered.

(2) The schedule for consideration of main estimates shall be prepared by the Government House Leader in consultation with the Official Opposition House Leader, the third party House Leader and the chairs of the Policy Field Committees, and such schedule, unless otherwise agreed, shall be subject to the following requirements:

- (a) Policy Field Committees shall meet to consider main estimates on Monday, Tuesday and Wednesday evenings from 6:30 p.m. to 9:30 p.m.,
- (b) no more than 2 Policy Field Committees shall be scheduled to meet at the same time,
- (c) each department's estimates shall receive a minimum of 3 hours' consideration,
- (d) the estimates of Executive Council may be considered by one of the Policy Field Committees or may be considered by Committee of Supply for a minimum of 2 hours.

**(3)** The Government House Leader shall table in the Assembly the schedule for consideration of main estimates at any time following the date of the Budget Address being made public and no later than one sitting day following the Budget Address.

**(4)** A Policy Field Committee shall consider estimates in the following manner:

- (a) the Minister, or the member of the Executive Council acting on the Minister's behalf, may make opening comments not to exceed 10 minutes,
- (b) for the hour that follows, members of the Official Opposition and the Minister, or the member of the Executive Council acting on the Minister's behalf, may speak,
- (c) for the next 20 minutes, the members of the third party, if any, and the Minister or the member of the Executive Council acting on the Minister's behalf, may speak, and
- (d) any Member may speak thereafter.

**(5)** When the time allotted for a department's estimates has not expired, but there are no Members who wish to speak, that department's estimates shall be deemed to have been considered for the time allotted in the schedule.

**(6)** When the time allotted for a department's estimates has expired or if there are no Members who wish to speak, the Committee may then proceed to the next department's estimates that are scheduled for consideration.

**(7)** When an amendment to a department's estimates is moved in a Policy Field Committee, the vote on the amendment stands deferred until the date scheduled for the vote on the main estimates.

**(8)** When a Policy Field Committee has completed its consideration of the main estimates of the departments within the Committee's mandate, the Chair shall so report to the Committee of Supply on the date scheduled for the vote on the main estimates without question put.

### **Application of Standing Orders during main, supplementary and interim estimates**

**59.02(1)** The Standing Orders of the Assembly shall be observed in the consideration of estimates except as follows:

- (a) a Member may speak more than once;
- (b) no Member may speak for more than 10 minutes at one time.

**(2)** Notwithstanding suborder (1)(b), and provided that the Chair has been notified, a Minister and a private Member may combine their respective speaking times for a total of 20 minutes, with both taking and yielding the floor over the combined period.

**(3)** During consideration of estimates,

- (a) officials of the Government may be seated at the Committee or in the Assembly to advise the Minister whose estimates are under consideration, and
- (b) staff of the opposition may also be seated to assist Members who are participating in estimates consideration.

### **Voting - main estimates**

**59.03(1)** On the date scheduled at the end of consideration of main estimates there shall be one vote in Committee of Supply on main estimates unless

- (a) additional votes are required on amendments pursuant to Standing Order 59.01(7) prior to calling the vote on the main estimates;
- (b) on at least one day's notice a Member has provided written notification to the Chair and the Clerk of his or her desire that the estimates of a particular department be voted upon separately, in which case that department's estimates shall be voted separately and the final vote for the main estimates shall consist of the estimates of any departments not yet voted upon.

**(2)** The votes under suborder (1) shall be taken without debate or amendment except as provided in Standing Order 59.01(7).

**(3)** The vote on the main estimates may be scheduled with a minimum of one sitting day's notice to occur any time after the Policy Field Committees have completed consideration of the main estimates.

**(4)** At 5 p.m. on the date scheduled for the vote on the main estimates, if the vote has not been taken earlier, the Chair shall interrupt the proceedings and, if required, Committee of Supply shall be called and the Policy Field Committee Chairs shall report without question put and then voting on the main estimates shall proceed.

**(5)** On the date for the vote on the main estimates and prior to the vote on the main estimates, the Chair shall put the question to approve the estimates of the Legislative Assembly, as approved by the Special Standing Committee on Members' Services, and the estimates of the officers of the Legislature, which shall be decided without debate or amendment.

**(6)** Once the Committee of Supply is called on the date scheduled for the vote on the main estimates, it shall, if required, continue beyond the normal adjournment hour until all matters have been voted upon, at which time the Committee shall immediately rise and report.

**13 Standing Order 61 is struck out and the following is substituted:**

**Interim and supplementary estimates**

**61(1)** Interim and supplementary estimates shall be considered for a minimum of

- (a) one afternoon provided that Orders of the Day are called by 3 p.m. and Committee of Supply is the first item of business, or
- (b) 3 hours if the estimates are scheduled for an evening sitting.

**(2)** A member of the Executive Council may, with at least one day's notice, make a motion to determine when Committee of Supply may be called to consider interim or supplementary estimates and the question shall be decided without debate or amendment.

**14 Standing Order 62 is struck out.**

**15 Standing Order 64 is amended by striking out suborder (1) and substituting the following:**

**64(1)** In this Standing Order,

- (a) "Appropriation Bill" means
  - (i) a Bill introduced to appropriate sums of money contained in the estimates approved by the Committee of Supply;
  - (ii) a Bill for a Special Act introduced pursuant to the *Alberta Heritage Savings Trust Fund Act*;
  - (iii) a Bill to provide for interim supply;
- (b) "normal adjournment hour" means 6 p.m. on Tuesday or Wednesday and 4:30 p.m. on Thursday unless an evening sitting is to be held, in which case it means 10:30 p.m. on Monday, Tuesday or Wednesday.

**16 Standing Order 65(1) is amended by striking out “and” at the end of clause (a), adding “and” at the end of clause (b) and adding the following after clause (b):**

(c) Policy Field Committees may only go in camera with the unanimous consent of the members present.

**17 Standing Order 68(2) is amended by striking out “dissenting or”.**

**18 Standing Order 72 is amended by striking out suborder (2) and substituting the following:**

(2) The draw referred to in suborder (1) shall be held on a date set by the Speaker.

**19 Standing Order 74.1(1) is amended by striking out “Immediately after a Bill has been read a first time” and substituting “At any time after a Bill has been read a first time and before it has been read a second time”.**

**20 Standing Order 78.1(1) is amended by striking out “Immediately after a Bill has been read a second time” and substituting “At any time after a Bill has been read a second time and before it proceeds to Committee of the Whole”.**

**21 Schedule A is amended by adding the following after section 25:**

**26** The Clerk shall destroy the ballots following the announcement of the election results.

**B AND BE IT FURTHER RESOLVED THAT** the Standing Orders effective May 21, 2008, as amended in Part A of this motion, shall no longer be considered temporary and shall come into force on the day following the conclusion of the 2008 Fall Sitting.

### 3.2 Administrative Recommendations

The Standing Committee on Privileges and Elections, Standing Orders and Printing makes the following administrative recommendations and requests that they be implemented by the Speaker:

- (1) that all Members receive notice of all Standing Committee meetings;
- (2) that access to all Policy Field Committee materials be available to all Members;
- (3) that all Members receive a notice of two working days for Policy Field Committee meetings; and
- (4) that a one-month notice period be provided, where possible, for the draws for Private Members' Public Bills and Motions other than Government Motions.

### 3.3 Tabling of a Final Report

The final report of the Standing Committee on Privileges and Elections, Standing Orders and Printing with respect to the Standing Orders is to be tabled in the Assembly no later than the end of November 2008.



**Standing Committee on Privileges and Elections, Standing Orders and Printing**  
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