

**Mr. Putz:** — Members of the committee, if I may bring this meeting to order. It's my duty as Clerk to this committee to preside over the election of a Chair, and under the practices of the Legislative Assembly, that is the first matter that must be dealt with in this committee after the opening of a first legislature after an election. So with that I will ask members to give me nominations for that position.

**Mr. Toth:** — I'll move that Rod Gantefer be the Chair.

**Mr. Putz:** — Mr. Toth has nominated Mr. Rod Gantefer. Any other nominations? Would somebody move that nominations close. Ms. Stanger. All those in favour of the motion? Carried.

Mr. Toth, there being no other nominations I would then ask you to move a motion that Mr. Rod Gantefer be elected to preside as Chair of this committee.

**Mr. Toth:** — I so move.

**Mr. Putz:** — All those in favour of the motion? All those opposed? Carried. Mr. Gantefer, I invite you to come and take the Chair of this committee.

**The Chair:** — Well thank you. Well thank you very much, ladies and gentlemen. I appreciate your confidence and I will not make a lengthy campaign speech nor an acceptance speech, which you will be all grateful for. I believe that my first duty is to preside over the election of a Vice-Chairperson and therefore I would open the floor to nomination for Vice-Chair.

**Ms. Stanger:** — Mr. Chairman, I'd like to nominate a friend of mine from the north-west, the member from Meadow Lake, Maynard Sonntag, as Vice-Chair of this committee.

**The Chair:** — Thank you. Moved by Ms. Stanger that Maynard Sonntag . . . Is there a . . . do you need a seconder?

**Mr. Putz:** — No, no seconder required.

**The Chair:** — No seconder. Any further nominations? If not, a motion to close nominations. Lynda Haverstock. All in favour of the motion to close nominations? Carried. Do we need a motion signed to . . . it's already there.

**Ms. Stanger:** — I'll make a motion to:

Accept Maynard Sonntag as Vice-Chair of the Standing Committee on Public Accounts.

**The Chair:** — Thank you. Are you ready for the question? All those in favour? Carried. Thank you very much and congratulations.

In some of the discussions that we've had leading up to this meeting today, as you've noticed there were about three or four notices of meetings and they all seemed to move by half an hour or an hour. We found in the discussion, and I didn't hear any dissenting opinions after we came to this time, that the most convenient time for us to meet is on Tuesdays from 9:30 to

11:30. And I would open that up for discussion if that's going to be a convenient time, and if it's all right, I have a motion here that I would ask someone to move making that so.

**Mr. Toth:** — Actually 9:30 to 11:30 might fit quite well, but it interferes certainly with our caucus, and I'm going to have to excuse myself. Or I think we could even go ahead to even 9 o'clock, would be a lot better. I would prefer 8:30 to 10:30. But I thought for the sake of this morning, we would go with the 9:30, so I'm just offering my suggestions as to 10:30.

**The Chair:** — Are there any other conflicts?

**Ms. Stanger:** — Mr. Chair, I'm sorry, but the member from Regina South and myself are on House Leader's committee, and on Tuesdays that starts at 8:30, so it would be difficult for us to be here. Caucus is one thing you can . . . but House Leader's . . . we're really committed. I'm the deputy whip, and he's a member from Regina. So I'm sorry, but I find 9:30 to 11:30 better. We left House Leader's this morning as it is, and they weren't done.

**The Chair:** — Okay. Are there any other points? I know this must be a difficult thing to arrive at that accommodates everybody perfectly. I'm hopeful though that we can make it as reasonable as we can to find the time. I'm led to believe that it does get busier around here, not the other way. I was hopeful that we could stake out our turf early.

Can you work around it, Don?

**Mr. Toth:** — Mr. Chair, I'll just work around it. I was just bringing forward the point that it conflicted with another meeting, and I understand the situation of the other members, and I can certainly work around it.

**Mr. Sonntag:** — I appreciate that, Don, because we've done . . . as you have seen, the notices have gone around. We've done some juggling to try and give even our crew a line here for this time at 9:30, so I appreciate that.

**Mr. Aldridge:** — What has been the traditional time?

**Mr. Sonntag:** — Well the last session, I think we met at 8. But that was to accommodate, I believe, your caucus meeting at that time and also Linda's if I'm not mistaken.

**Mr. Toth:** — There'll be somebody here to carry the . . . if someone has to skip out for a while, attend a meeting.

**The Chair:** — Would someone be prepared then to move the motion? I'll just circulate it till we get a signature.

Okay, I have a motion by Mr. Koenker that we have our regular meetings on Tuesday . . . oh, that the motion reads:

That the Standing Committee on Public Accounts shall meet every Tuesday from 9:30 until 11:30 for the remaining sitting days of the first session of the twenty-third legislature unless otherwise ordered.

That's moved. Are you ready for the question? All those in favour. That's carried. Thank you.

Okay, we have prepared a two-meeting agenda if you like, that has as its primary focus a virtually four-hour orientation program. And we made it into one agenda to cover both meetings so that we weren't limited by having to stop at any specific spot but that the orientation process could flow over the two meetings. And so I would like at this stage, a motion to accept the proposed agenda for this meeting and the next one. Just off the floor — we don't need a written one — to accept the agenda as circulated. Mark. Any discussion?

**Mr. Koenker:** — Faced with what we have here, a considerable backlog of materials going back to '93, I would like to see some discussion of how we deal with this backlog and dispose of the work in front of us. I think it's implicit in a number of the items on the agenda as given but I wonder whether we don't need to discuss this physical problem in some respects.

**The Chair:** — Point well taken and we have discussed it. And you have a proposal in your package from the Provincial Auditor that I would like to leave with you today. And that next week we discuss it. And if you find that that methodology is acceptable to the committee members then we will implement that process.

**Mr. Koenker:** — That's where . . . that proposal?

**The Chair:** — It was just handed out this morning.

**Mr. Koenker:** — Oh, okay. I haven't seen it.

**The Chair:** — No. It just came this morning. And why we did it that way . . . It's item 5 on the agenda actually. And I wanted to leave it with you for a week so that you could consider it and read it. And then next week we'll make a decision on using that or another methodology, whatever is appropriate in order to deal with the situation that you've correctly outlined.

**Mr. Koenker:** — Okay.

**The Chair:** — Okay. So are there any other discussions on the motion of accepting the agenda? If not, are you ready for the question? All those in favour of accepting the agenda? Thank you.

As I touched on briefly in the package that was handed out, there is a copy of a letter addressed to me from the Provincial Auditor. And I had asked Mr. Strelloff to provide his thoughts as to how we might proceed over the course of this committee's work in order to address the fact that we have a fair stack of material to cover.

So I would ask at this stage that you'd take this with you, think about it, discuss it over the course of the week. And I would ask that next week when we meet again, before we get back to the orientation, that we're prepared to discuss this methodology and decide on a process to follow in subsequent weeks. So I'm not expecting a discussion on it today but just give it to you for

your information. All right.

I think then we're ready to turn it over to the orientation process. Is there any other outstanding things we should address before the orientation? I believe that that is where we're at. I won't take any more time than necessary from the orientations.

I would like as we start this to invite Michelle Howland to join us at the table as part of this process. As well I would particularly like to express my gratitude to Harry Van Mulligen in terms of assisting us with his wisdom and experience of Public Accounts as part of the orientation.

I guess one question that I would have in terms of how we conduct the protocol, is it a tradition — and I'm just asking this out of newness — is it a tradition that we address each other very formally as the member from Meadow Lake or all the rest of it? Or do we just say, Maynard, what do you think? Or do we do this on an informal basis in committee? I'm asking for direction, or how formal is this?

I'm informed that I should address each member at least by their last names so *Hansard* can keep track of who's got the floor. But it's quite acceptable for us to use first-name basis and as long as the record is accurately kept, it's appropriate for us to make this a little bit informal and not too . . .

**Mr. Sonntag:** — As long as you treat the Vice-Chair with some formality.

**The Chair:** — Point taken.

**Mr. Flavel:** — Not well taken.

**The Chair:** — Now do we get out of the room here so that you have your spaces and do the presentations from the front or . . .

**Mr. Putz:** — No. Not at the moment. We're okay at the moment.

**Ms. Howland:** — I'd like to thank everyone for allowing me to give this brief talk about the library services that the Legislative Library provides.

I'd like to briefly describe three services which we would like to provide to the committee. The first one is illustrated in a hand-out that Monique has just handed out. It's the one with the red cover on it. And this service is basically the same service that we already give to members on an individual basis. And it's a current issue service which includes new material that the library has received in terms of books, magazines, journals, newspaper clippings, and on-line information.

We can, in fact, provide a very similar service to the committee as we do to the individual members. We would customize this service to meet the needs of the committee through discussion with the Chair and the Clerk and could offer this service on a regular basis — monthly, quarterly, bi-monthly — as required.

When this service was provided to the committee several years

ago, copies of the information packages were sent to the Chair and to the Clerk for distribution to all members of the committee, but we could alter the way that the delivery is made. We could send it to the individual members as well. But we would like to have the requests channelled through the Chair if possible.

The second service that we provide is compiling bibliographies, and there is the second hand-out there, is an illustration of bibliographies that we prepare. This one is on public accounts committees. And the library could compile similar bibliographies on any topic that the committee requires.

And just as an aside, if you see any items on that list that you'd like, please just get in touch with me or just drop off any of your requests at the reference desk in the library. I'd be happy to get the articles or the books that are listed on that bibliography for you.

The third service that we provide is really a service that members who have attended Commonwealth Parliamentary Association conferences have already received. It's a backgrounder kit type service. And we can really provide information packets on various topics that the committee sees fit to get backgrounders on. In this case it would be better for the library if these requests were channelled through the Chair and the Clerk as well.

The kits include newspaper clippings, journal articles, sections of books, and on-line information on the topics. And unfortunately at this time we cannot provide what I would term a research service to the committee. The Library of Parliament and the Ontario Legislative Library provides very extensive research for their committees, and in fact the Ontario Legislative Library has two staff devoted to finding information for the committee. And of course with our situation, with only 14 permanent staff members in the library, we would be devoting only part of one reference librarian to this job. So although we can provide large amounts of material, we cannot write briefing notes or analyse any of the information that we obtain for you.

I think that about sums up the services that we could provide. Are there any questions anyone would have?

**Ms. Stanger:** — Just make a comment. I just find the services that you've been able to provide for me as an individual member really helpful. So I'm sure that . . .

**Ms. Howland:** — Well that's wonderful to hear.

**Ms. Stanger:** — Yes, very helpful. So I'm sure that you'll help the committee if you can.

**Ms. Howland:** — Yes. Okay. Thank you.

**Mr. Sonntag:** — Just also, I'm not very versatile at this yet at all, but with respect to the Internet, what kinds of services as it relates to Public Accounts might be provided?

**Ms. Howland:** — I haven't really surfed the net in terms of the

Public Accounts information that's available on it, but it's becoming a very valuable tool for us. It's also a very frustrating tool and is . . . I curse it more than I love it right now. But it's definitely a very, very useful tool that we use along with a lot of other sources, where we're using it more and more actually, in the library.

**Mr. Sonntag:** — You don't strike me as the kind of person that would curse any.

**Mr. Putz:** — I think I can partially answer that question. Many of the Legislative Assemblies across the country are starting to put their committee *Hansards* on the Internet. So I know those are available at least for the House of Commons and I think Ontario very soon and some of the other jurisdictions, for instance Manitoba. But I can say that I have been informed recently that the Canadian Council of Public Accounts Committees, which is a national organization which includes this committee, will be launching a web site in September. I'm not sure exactly what the content of that web site will be but it'll be strictly pertaining to the business of public accounts committees.

**Mr. Sonntag:** — That was interesting.

**The Chair:** — Any other questions? If not, thank you very much, Michelle. We really appreciate it.

Moving on, item 7. Mr. Putz, do you need overhead or . . .

**Mr. Putz:** — No, I propose to be as brief as possible because Harry Van Mulligen, as was noted, is here to assist us with this part. What I propose to do is go through the two documents that were passed out to you about a week ago. And the first document is called "Committee Mandate" and the second one is called "Operating Principles and Practices." These two documents were adopted by this committee in 1992, and the second one had slight amendment in 1993. But basically the purpose of these documents were to outline the mandate and operating principles, as the titles imply, with some modifications to what was recommended, at the time of the committee's mandate review, from what was being proposed from the Canadian Council of Public Accounts Committees.

With that, maybe I'll just begin by saying a few words on the committee mandate and spending most of my time dealing with the operating procedures of this committee. And if you have any questions along the way, please interrupt. Some of the questions I may not be able to answer, but Harry is here also to give you the perspective of an ex-Chair and member of this committee.

As I said, I'd like to begin with the committee's mandate. And the first paragraph of the mandate document I think it is worthwhile repeating. It says:

The Committee's mandate is derived from the Legislative Assembly.

And I think that's very important, and the next sentence describes why.

The Committee can consider only those matters which have been committed to it by the Assembly and is not at liberty to depart from its . . . (terms) of Reference . . .

And with that, I'd just like to read you the terms of reference, because with new members, and often even veteran members forget what the actual terms of reference of this committee are. The terms of reference are actually two motions passed by the House. They are orders of the House because they pertain to a committee being a creature of the House. And those motions were passed on March 1, 1996. And they're the reason that you have this big stack of documents in front of you.

The first motion adopted reads as follows:

That the various Reports of the Provincial Auditor, as Tabled during the Twenty-Second Legislature and not reported upon by the Standing Committee on Public Accounts and as Tabled in the present Session, be referred to the Standing Committee on Public Accounts.

Hence we have all of these documents here.

The second motion is:

That the Public Accounts of the Province of Saskatchewan, as Tabled during the Twenty-Second Legislature and not reported upon by the Standing Committee on Public Accounts, as submitted to the Clerk of the Legislative Assembly pursuant to *The Financial Administration Act, 1993*, and as Tabled in the present Session be referred to the Standing Committee on Public Accounts.

Now that's a mouthful. And basically what that means is that as a matter of routine, as soon as the Provincial Auditor's report is tabled, it comes before this committee and it is the subject of this committee's examinations.

Secondly, the *Public Accounts*, as they are tabled, come before this committee, and they as well form part of the examination of this committee.

Now in this instance, being the first sitting after an election, what these motions also accomplish was re-referring all the matters that were not included by this committee during the last legislature.

So in short, what we have is a series of Provincial Auditor's reports and all of the public accounts committees . . . all the *Public Accounts* documents that were either tabled in the House or through their respective Acts tabled through the Clerk and deemed to have been tabled. So that's what this committee has before it.

Now having said that, I mentioned earlier, and this document states that the committee's mandate are only those matters referred to it by the committee. And the document goes on to say:

With the current order reference, the Public Accounts Committee can initiate, but is limited to, an examination of

any subject contained in these reports.

Therefore anything that's addressed in these reports for the public accounts is fair game provided that it's done with respect to the year under review. Now if the committee adopts what the Provincial Auditor is proposing, we will have a number of items that I would suspect we would be dealing with concurrently. So in the case of this coming session we will be dealing likely with more than one year under review, but under normal circumstances, it'll be a single year under review.

Now unless there are any questions on that, I'll turn to the actual operating procedures of this committee.

Now what I propose to do is to address most of the main points of this document — not exactly in the order in which they're presented — but what I wanted to do this morning was to give you some kind of historical background as well on why we have some of these procedures.

Sometimes that's a question that comes up and it's not readily known to members or the public. So I thought as I go along, I'd take a few moments to discuss from a historical perspective where some of these procedures have come from. And I'd like to begin with the Chair. It is the first item addressed in the document and I'd like to begin with that because I think it is an important distinction between this committee and other committees of the Legislative Assembly.

And its importance, I think, is symbolized by the fact that when this committee went about doing a mandate review it did put the Chair in the first place in its operating procedures document. And as I said, it is unique in the parliamentary context. This committee is one of the few places where the Chair not only maintains order and decorum but also fully participates in the questioning of witnesses and other deliberations. Furthermore, and this is the important distinction, the Chair is a member of the opposition.

These two facts might seem contradictory because of what the parliamentary authorities tell us and define as the role and responsibilities of presiding officers. The Speaker, for instance, is expressly forbidden from participating in debate. The Chair, and he's here today, the Chair of the Committee of Finance doesn't question ministers during consideration of the annual estimates. So in every other parliamentary setting the scrutiny role is performed exclusively by members and not presiding officers.

So that leads to the question, why is this committee so different? And to answer that, as I said, I'd like to give you some historical background on that because the history goes back about 30 years.

Until 1967 the Chair of the Saskatchewan Public Accounts Committee was chosen from the government side of the committee, and it had been that way since territorial days. The Saskatchewan committee was patterned after public accounts committees elsewhere in Canada, and especially the committee in Ottawa which also had a government Chair up until 1958.

In that year the House of Commons adopted, amongst other things, the long-standing British practice of selecting an opposition member to chair the Public Accounts Committee. The reform was actually part of a drastic overhaul of that committee which MPs (Member of Parliament) had said had become very ineffective.

The same dissatisfactions which prompted MPs in Ottawa to re-invent their own Public Accounts Committee caused members here in Saskatchewan to seriously reconsider the operating principles of the Saskatchewan Public Accounts Committee.

In 1963 the Assembly established the special committee to examine into and evaluate the function, terms of reference, and methods of the Select Standing Committee on Public Accounts and Printings. The name of the committee is a little different than what we know today. In those days they were called select standing committees and this committee also dealt with the cost of printing the annual legislative documents, such as the *Votes and Proceedings*. So hence the difference in the title.

And I think it's also important to note that this was not the Public Accounts Committee itself conducting its own mandate review, it was another committee set up to do that. Because things had become so contentious, they set up a separate and distinct committee to accomplish that.

In addressing the historical role, the Chair in various Public Accounts Committee, the special committee was very direct in its observations. In the report it was stated that in Ottawa it had appeared that the Chair's main interest before 1958 was to prevent rather than to encourage an examination.

With respect to Saskatchewan, the committee stated that at best the Chair could only operate in a role similar to that of the Speaker in the Assembly, and I quote what the committee said:

The committee chairman from the government side is an arbiter between opposing factions and does not initiate or lead investigation himself.

It was further observed that the Chair's role had become one of keeping the discussions within the narrowest bounds and of prodding the committee into approving the accounts as rapidly as possible. In fact the report even went on to say that the Chair's role was to approve the accounts as quickly as the members could turn the pages of the reports.

The special committee was particularly impressed with the British Public Accounts Committee, as was the Ottawa committee, where it found the Chair to have an extremely important role. At Westminster the Chair served, and I quote, "as chief interrogator," and the other members had a role more akin to jurors, and again I quote, "who will come later to serve conclusions on the matters at issue."

In describing and advocating the Westminster model, the special committee stated, "The Chair gives a sense of direction to the committee and guides it in its investigations." I know I'm setting up some big shoes to fill here for our present Chair, but

the practice isn't exactly as being outlined here. This is the Westminster ideal.

I do want to quote from the report in this regard. And it said:

A chairman chosen from the opposition members can be effective because he's interested in making a thorough, critical examination of the government's financial transactions. He has every incentive to be fair and judicial in his examination because the majority of the votes in the committee are from the government side.

It was also the special committee's view that the Canadian Public Accounts Committee achieved its greatest productivity after 1958. And it stated:

Under the opposition chairman, the Public Accounts Committee succeeded in doing two things that it had never been able to do before. One, make a systematic investigation based on the auditor's report. Two, demand and get a follow-up from the government on the recommendations made by the committee.

In 1964 the special committee reported to the Assembly and advocated, amongst other things, a switch to an opposition Chair in order to help make the committee more productive. In 1967 the recommendation was implemented and the position has essentially remained the same since that time.

There was one small modification made during the late 1980s, and that involved Mr. Van Mulligen, and he may want to address this a little bit further when he has a chance to make some comments. And at that time it became the practice of the Chair, in matters of great controversy, to leave the chair and carry on his own investigations from another position in the committee. And this was done to avoid having the Chair involved in a point of order or something else that might have to be said or done in respect to the Chair's comments.

In other committees though, if this situation were to arise, they're content with having the Chair just leave the chair so the Vice-Chair can preside over a point of order. So that's something that is at the discretion of the Chair, whether that's his style or not. This Chair can make his own decision in that regard.

It might be worthwhile perhaps at this point to diverge from that and talk a little bit about order and decorum in this committee.

As mentioned at the outset, the Chair is responsible for order and decorum in this committee. But unlike in the Assembly, rulings of the Chair may be appealed to the committee itself. That of course is one of the factors why this committee came to have an opposition Chair. And recall what the report stated:

As a member of the opposition, the chairman is keenly interested in making a critical examination of the government's accounts, and knowing that the government majority in the committee can overrule him or prevent inquiry, he has every incentive to be fair and thorough.

The committee, however, has no authority to punish or censure one of its members or other persons for an alleged offence. This can be done only through the House upon a recommendation from this committee through a report from this committee. The Chair of this committee nor its members may decide on a question of privilege. Again, such matters must be reported to the Assembly for the Assembly itself to take action.

Finally, procedural difficulties which arise in this committee, such as points of order, must be settled in the committee and not the House. And as I stated, the House will not hear any alleged breach of conduct, contempt, or any other matter except by way of a report from this committee. I don't know if there are any questions on that.

Now the next thing I want to address is members of the committee. I would presume that all of you know how you ended up on this committee. You were designated by your caucus and appointed by an order of the Assembly by way of a report of the Special Nominating Committee.

Now this is an important point to remember, because membership on committees is the prerogative of the Assembly itself. That means there may not be any substitutions or . . . substitution to memberships unless so ordered by the Assembly. In other words, all of you are stuck here until the Assembly decides otherwise.

Now that would have to be accomplished by a motion in the House or by reconvening the Special Nominating Committee. And I can say it's by the former rather than the latter. If there are to be membership changes, it's done by an order of the Assembly.

**Mr. Sonntag:** — . . . one thing I had been asking; I wasn't clear on the answer. The appointment is for the entire sitting of the legislature and you're not reappointed at each sitting.

**Mr. Putz:** — It's for the entire legislature. This committee's membership and mandate continues for the full legislature. Its terms of reference is renewed each year as required. But your membership on this committee continues for the full term of the legislature unless otherwise ordered by the Assembly.

Whether you like it or not, the Assembly could have you taken off of this committee and replaced by somebody else, or the Assembly could add members to this committee. At present the committee stands at 10 members. Members could be added or removed.

You might be aware that certain committees do allow for daily non-permanent substitutions, such as the Standing Committee on Crown Corporations. That is only because the Assembly has created a standing order, or rule, that authorizes temporary day-to-day to substitution. The rule does not apply to this committee.

So what about other members of the Assembly. Are they allowed to participate in deliberations of this committee? Until about 20 years ago, the Public Accounts Committee began each session with a motion which was worded as follows:

That any member of the legislature be allowed to attend meetings but not participate in discussions.

I think it is apparent from the motion that the committee is well within its authority to restrict the participation of other members in its deliberations. Having said that though, the present practice is rather the opposite, but still the committee could decide otherwise. Other members are generally permitted to participate, although under no circumstances may they vote, move motions, or be counted towards quorum.

The contemporary practice of this committee is stated in Beauchesne's *Parliamentary Rules and Forms*, 6th Edition, paragraph 766, and it's also repeated in point 4 of your operating procedures manual.

Now having mentioned quorum, I just want to briefly explain what quorum means in the context of this committee. The rule book specifies that quorum shall be a majority of members which means 50 per cent plus one. That means the quorum of this committee, given its present numbers, is six members, which is the minimum number of members required to begin a meeting.

Once a meeting begins however, fewer than half of the members may be present so long as it is not brought to the Chair's attention. It works here the same as it does in the House; if quorum is called and there are fewer than the required number of members present, the meeting is automatically adjourned without question put. Quorum however is always required when a vote, resolution, or other decision is taken, and the Chair should not propose a question unless quorum is present.

The last point on quorum I want to make is that this committee does have an option under rule 98(2) which states the Chair may be authorized "to hold meetings to conduct hearings and receive evidence when quorum is not present." This would be accomplished by a motion.

And the committee may want to adopt such a motion before it begins its departmental hearings.

But please note that point 8 of our committee's operating procedures does qualify that somewhat, and it says that the presence of members from both the government and opposition sides is still required to constitute a quorum even if we're operating under the reduced quorum rule.

So we have the rule on one hand, but this committee has qualified that somewhat by saying that it should not be just members from one side. There should be members from both sides of the House.

**Mr. Flavel:** — Is that rule 93(2) or 98(2)?

**Mr. Putz:** — It's 98, and that's something that I forgot to update in your document, so you might want to update that. It should be rule 98(2), not rule 93. We just reprinted the rule book, and I apologize. I neglected to update this document before I had it reproduced.

Okay now meetings of the committee . . . (inaudible interjection) . . . Oh, sorry.

**Mr. Flavel:** — On that point no. 8, that the Chair may hold meetings to receive evidence even without quorum . . . I mean is there a bottom number there?

**Mr. Putz:** — That's up to the committee to decide. And actually what I did was I brought the motion that . . . It wasn't adopted last time, but this committee has from time to time adopted this. And I just read into the record the motion that . . . the last time around the committee adopted this motion under rule 98, this is how it read:

That the committee authorizes the Chairman, pursuant to rule 98(2), to hold meetings to conduct hearings and receive evidence when a quorum is not present, provided that a full quorum shall be required whenever a vote, resolution, or other decision is taken by the committee.

What that meant was that to hear evidence, you could only have two members here if you wanted. Other committees in the past have said that quorum for hearing evidence might be a third, might be a quarter. This committee can decide whatever it sees fit if it wants to adopt such an order under rule 98.

Okay, meetings of this committee are called by the Chair at his discretion except when the committee has designated by motion, specific times and dates when it will meet. And such a motion was just passed. In practice, the Chair consults with the Vice-Chair to ensure quorum will be present for the meeting.

Point 46 of your operating procedures states that the steering committee comprised of the Chair and Vice-Chair will be utilized to organize meetings. But it was found soon after this provision was adopted that the process was too cumbersome to be effective. For the most part meetings are sorted out between the Chair and the Vice-Chair behind the scenes in consultation with other members of the committee.

When a regular time frame is adopted for committee meetings such as was accomplished today, any subsequent deviation from that must be done by motion. For example if the committee wanted to conclude the meeting right now, a motion to adjourn would be required. Such a motion would not be required if it was 11:30 because that was the time designated for normal adjournment of this committee.

The practice of the Saskatchewan Assembly is that no committee may sit while the House is sitting unless so authorized by an order of the Assembly. Nor can the committee sit away from this building unless specifically authorized to do so by the Assembly.

Room 10 in fact is the traditional home of this committee and has been for decades. Committee related documents such as the *Public Accounts* and auditor's reports are stored in the cupboards behind the government members. These documents are for the use of members but should not be removed from this room or annotated with personal remarks or cartoons or any other things. If you want to make notes in the documents,

please do so on your own sets which were distributed to you last week.

We also have a small supply of stationery, pens, and such — if you forget your pen, it's back there — as well as a set of the provincial statutes and parliamentary texts such as Beauchesne's, heaven forbid if a point of order is required, for members to use in this committee.

Now a little bit on the seating arrangement in here, because that confounds members sometimes, and it confused some members when they came into this room this morning.

It is the tradition of this committee to sit in the east end of the room with the Clerk to his right and the auditor and deputy auditor to the Chair's left. Contrary to normal parliamentary tradition and for reasons unknown to me, the government members of committees in the Saskatchewan Legislative Assembly sit to the left of the Chair and opposition members to the right. This is of course the reverse of what takes place in the House and most of the parliaments in the British Commonwealth.

But having said that, as I told Mr. Flavel, members are not restricted from sitting wherever they please. So if Mr. Flavel wants to sit over here to the right of the Chair, you may do so.

At the west end of the tables where the witnesses sit, the comptroller sits to the left of the witnesses on the opposition side of the table only because there are fewer opposition members than government members on a committee. If you guys wanted to switch that, I guess Mr. Kraus would have to go to the other side of the table.

Traditionally room 255 was home to the Crown Corporations Committee, but in recent years it too meets here. So you may find items in the cupboard that belong to that committee. Don't touch them.

Also the Regulations Committee meets here, and they have their materials in the cupboards. Don't touch their material either.

Now just a word on voting in this committee because it is somewhat different than in the House as well. This committee operates on the basis of voice votes like the House. When a recorded division is requested, the process is different than in the House. It is merely a show of hands in this committee. Names are not recorded. Members raise their hands, and those are counted and the vote recorded on that basis only. There are no bells, so there's no 10-minute or 30-minute bell here for any sort of division.

Now another small detail is that in committee, seconds are not required, and dress is casual, so you need not wear your ties if you desire not to do so.

Now unless there are questions on that, those few housekeeping things, I'll go on to addressing the topic of expert assistance to the committee.

The Provincial Auditor, as I think you're all well aware, attends all the meetings of this committee unless the committee advises him not to do so. Mr. Strelieff has in fact, by his Act, a statutory attachment to this committee, and his office is required to fulfil certain obligations with the Assembly and the committee, which of course he'll detail for you later.

Mr. Strelieff is in fact an officer of the Assembly. Mr. Kraus, on the other hand, who is our Provincial Comptroller, is responsible to the executive branch of government, so his reasons for being here are somewhat different. Again, he'll hopefully talk about his role and purpose for being here later, but I just wanted to point out that Mr. Kraus does regularly attend these meetings with officials from his department.

With respect to the offices of these two gentlemen, I would just like to make a few remarks with respect to the history of this committee. Besides the reforms involving the Chair of this committee, the second of the three enduring reforms brought about by the special committee in 1963 and 1964 concern the role of the Provincial Auditor and the relationship between the auditor and this committee. And to do so I'd like to quote a little more from the '64 special committee report in order to give you that historical perspective with regard to the Provincial Auditor's relationship with this committee. And this quote I'm going to read you I think well illustrates the state of affairs that existed 30 years ago. And I quote:

Under the Treasury Department Act, the Provincial Auditor has the duty of approving expenditures before they are made, and consequently before they are recorded in the public accounts. As a result when the public accounts committee receives the accounts of government, the transactions recorded in them have already had the approval of the Provincial Auditor. If the Provincial Auditor in Saskatchewan were to prepare a report like those prepared by the Auditors General of Britain and Canada, which contain criticisms and descriptions of selected significant financial transactions of government, he would be criticizing transactions which he must by statute have approved already . . .

So you can see there is an inherent conflict of interest there. So these were the reasons why the special committee recommended that — and I'll read their recommendations in order:

1. An independent auditor responsible to the Assembly be established
2. That the duties be changed so that the accounts are audited on behalf of the Assembly after expenditures have been made
3. That the results of the audit be reported to the Assembly
4. And finally that the control over disbursement be transferred to the Saskatchewan Treasury Department. (Hence, Mr. Kraus).

This was all accomplished by the late 1960s to give us the

present situation whereby the committee has, in the auditor's office, the expert full-time assistance it needs to do its job.

And I won't presume to explain how he fulfils his role; I'll leave that to Mr. Strelieff. Now, as for the Provincial Comptroller, the Provincial Comptroller, as envisaged by the 1964 report, provides the committee with information on the province's accounting system and general financial administrative policies.

He also works with the department to answer and, when possible, to satisfy the committee's recommendations. That is why he sits closest to the witnesses which are the departmental officials. Of course the comptroller is also responsible for the *Public Accounts* document which is also before this committee.

Now, in camera meetings. Until the late 1960s the Public Accounts Committee met openly before the public and media. That however was changed as a result of the 1964 special committee report. In its report, the special committee acknowledged a number of very strong arguments for having public meetings. The wide attention given by the media to its investigations was cited as a reason for keeping the meetings open to the public.

Given the recent history of the committee, however, the committee before 1963, the committee concluded that press often gave the public only part or perhaps a distorted part of the whole story. I hear some concurrence in that thought.

Public meetings tended to encourage the committee to seek sensational material and ignore important but less entertaining matters.

And those are the words of that report. The public meetings deterred civil servants from speaking freely before the committee. And these are a few of the reasons why, beginning in 1967, all the meetings of the Public Accounts Committee were held in camera and evidence and verbatim were not released until the committee had reported to the Assembly.

Now in 1982, the prevailing attitude towards meeting in camera changed again. It was determined that open meetings made the public, the press, civil servants, and government more aware of the Public Accounts Committee and that put more pressure on government to take actions on recommendations made by the committee.

Consequently this viewpoint was reconfirmed during the last mandate review in the early 1990s, so the committee has met continuously in public since 1982.

Well these were also the recommendations adopted by the Canadian Council of Public Accounts Committee, so this committee is following the guidelines as recommended by that organization.

The minor exception to that general rule is that it has not been uncommon for this committee to meet in camera to receive briefings by the auditor before questioning the departmental witnesses. The committee as well, has met in camera on



occasion to deliberate on its report. The other specific reasons why the committee might meet in camera are addressed by point 15 of the operating procedures.

Now I'd like to deal next with witnesses which were the third great reform of the 1960s and a reform still with us today. Since 1967, witnesses before this committee have been almost exclusively deputy ministers and senior departmental officials. Unlike the Crown Corporations Committee, ministers are not invited to appear before this committee. The reason for this was addressed in the report of 1964 whose recommendations remain the basis of our contemporary practice.

And again, I'd like to quote briefly:

The records indicate that in the early years, the chief witnesses before the public accounts committee in Saskatchewan were civil servants and usually the permanent heads of departments. However, the committee was used as a political forum and ministers, who by their position were the appropriate witnesses for such a committee, gradually replaced civil servants as witnesses. The rulings of successive chairmen tended to encourage and make formal the change.

For the detailed investigation of expenditures that a public accounts committee makes a permanent head is a more satisfactory witness than a minister because, as a witness before the Special Committee on Public Accounts Procedures stated:

1. His attendance tends to preclude policy debates; he may say that what the policy is, he may discuss the administrative aspects of policy but he will not debate policy.
2. His evidence is based on a more intimate knowledge of the facts.
3. The information he provides is less likely to be subjected to the political screening as that obtained from the minister.
4. . . . the selection of the permanent head or deputy minister as the principal witness before the public accounts committee, builds right into the civil service a pressure in the direction of a strict observance of propriety, lawfulness, custom, convention and the rights of parliament.

These reasons were the basis of the special committee recommendation in this regard and were adopted and reconfirmed by each successive committee mandate review right up to the present. And these are reflected in your principles document.

Witness before this committee are protected by parliamentary privilege, and as such the Chair does explain those rights before they are asked to respond to questions.

Now meetings, the next topic, unless there are questions, and

that is meetings and questioning of witnesses. As I . . . oh, Mr. Van Mulligen.

**Mr. Van Mulligen:** — There's a question of deputy ministers versus ministers appearing before the committee. I think that's a very important point in that members need to remember that the committee is here to deal with administration and not with policy. It may well be that in examining issues that come before the committee that you have questions about policy, a question about why the government would choose to do something or another. And it's appropriate that those questions be raised in question period, but not here. The deputy ministers can tell you about all of the details, underlying policies, and how things have been implemented, but they are not here to deal with policy issues.

There's also a difference between, I think, accountability and responsibility. In our system of government, we accept that ministers are ultimately responsible for the actions of their department; that's a given. But we also have to recognize that because departments are so large that, you know, a great deal of authority is delegated to deputy ministers and to public servants for the day-to-day administration of the department. And it's impossible for a minister to be held accountable on any given day for what it is that his civil servants are doing. He's ultimately responsible, and he should be held responsible, but there are things that civil servants may be doing that the minister is not aware of.

And therefore that's why we have the deputy ministers in the committee, and we choose to hold the deputy ministers accountable for what it is that their departments are doing—how it is that civil servants are doing the things that they're supposed to be doing, subject to either the budget that they've been provided or subject to the laws that have been passed by the legislature which outlines the programs that they're supposed to administer.

I think it's very important to remember that distinction. The committee can degenerate into complete ineffectiveness if members take the point of view that well we really want to deal with policy issues. It just won't work because the witnesses that are here before you won't be able to answer your questions. And the questions should be asked in the legislature. But it's a very important point to remember.

**Mr. Putz:** — I might add that the Standing Committee in Crown Corporations does invite ministers, as suggested. But that committee's history is very much different. And without getting into the reasons, I'd simply invite you to their orientation which I believe is taking place this week, and that topic may be raised. But that committee has dealt with that issue. And given the nature of the Crowns and whatever other reasons were raised in that committee, ministers still tend to be the principal witnesses.

**Mr. Pringle:** — Can I ask . . . I'm of course aware of the auditor and comptroller; I don't know the other officials here. Can I just clarify who else is around the table? I'm a new member, so I don't know this gentleman, this gentleman, or this gentleman.

**The Chair:** — Thank you very much, Mr. Pringle. I think it's very appropriate that people introduce themselves. It's negligent on my part for not having that done right off. It also maybe gives us a little break after we do that to grab a coffee, and then we'll reconvene if that's appropriate. I guess we don't adjourn as long as we don't leave the room.

**Mr. Putz:** — No, we can recess.

**The Chair:** — But I think that it might be appropriate to grab a coffee or a juice or water, and then we can reconvene. So if you would care to start.

**Mr. Strelloff:** — Mr. Chair, members, with me today is Fred Wendel. He is the assistant Provincial Auditor. And also Bob Black, he's a director in our office and helps us keep track of what we're doing in the Public Accounts Committee. So you'll see Mr. Black here regularly. By the way, he's been with our office for over 20 years, and this is his first time attending the meeting of the Public Accounts Committee.

**Mr. Kraus:** — And with me is Terry Paton who is the executive director of what we call the financial management branch. He is my senior staff member, and I believe you've been with us about 10 years or so. And Terry does attend all the meetings with me.

**The Chair:** — Thank you very much. With that then, we'll recess for five minutes.

**The committee recessed for a period of time.**

**The Chair:** — Okay, if we could come back to order please. And we will continue with the Clerk.

**Mr. Putz:** — Thank you, Mr. Chair. The next topic I want to cover is meetings and the questioning of witnesses.

Now as I mentioned earlier, the basis of this committee's examination is the Provincial Auditor's reports. And traditionally, the committee conducts its examinations based on the organization of the auditor's report. Now perhaps that will be a little differently this time, and that will be discussed next meeting. But traditionally the committee proceeds in its reviews based on the way the Provincial Auditor has organized his report.

The examinations begin by questioning the auditor about his recommendations and asking the Provincial Comptroller if he has any comments from the government perspective. Usually this is done in the absence of the departmental witnesses. Next, the officials are invited in and asked to respond to questions about the auditor's report pertaining to their administrative responsibility, as well as entries made in the *Public Accounts*.

With respect to the section, questioning of witnesses, in your operating procedures documents, those being points 27 through 29, I'm not aware that the committee has adopted a set of standard questions. I believe that that has been left to the individual members. I stand to be corrected on that however.

What this committee has done is provided the witnesses with an opportunity to make an opening statement about known concerns about their department or agency or responsibility, what have you, before the floor is open to questions. The scope of the examination of the witnesses is addressed through points 30 through 33 of the operating practices, so I don't intend to go through those in detail. The examination is concluded by the committee agreeing to what, if anything, it wants to put in its report on that particular topic.

Finally, a motion is moved to close the discussion to the effect — and this is the wording of the motion that's traditionally been used: That the hearings on the department of such and such be concluded, subject to recall, if necessary, for further questioning.

Now the last thing that I want to cover is reports . . .

**Mr. Van Mulligen:** — . . . On questions that there was a time when it seemed like every department was going to appear and the same questions were put to the deputy ministers, and then the deputy ministers would have to go back and get the information and subsequently ship it to the committee.

If there are a set of questions that the opposition or any member feels that they're going to put to departments every time that a department appears, then you're better off to get them out and to have the committee take a look at them and agree that the questions are in order and then have those questions submitted to deputy ministers before they appear because it's going to save them time. And it'll save the committee some time so that they know that when they appear that those questions are going to be asked so that they can prepare for those.

**Mr. Putz:** — Okay, the last thing that I wanted to talk about was reports to the House. It has been the practice of this committee to report to the Assembly whenever it has concluded the review of a specific fiscal year or at least the year under review. Normally that means at least every session.

The report is comprised of the committee's own recommendations and observations. The recommendations and observations are usually derived from the auditor's report and the official's response to the recommendations made by the auditor in his own report.

The committee will also make observations with respect to the government's response to its own last report. This committee's report is drafted by the Clerk. So from a personal point of view, I'd like to say that it would be very much appreciated if the committee could very clearly indicate what it wants to report after each decision is taken with respect to the auditor's report or the Public Accounts or what have you.

The draft report is then at some point considered by the committee, amended if necessary, adopted, and then presented to the Assembly by the Chair. Once the report is received by the Assembly, the government is asked to provide a response to the committee within 120 calendar days.

Now the last report of this committee made during the previous

legislature did receive a response from the government. That response was distributed to the caucuses namely because during the dissolution period this committee did not have a membership. But I've also handed out the government response to that last report with the package of materials you received earlier.

So having said that, I think that comes to the end of my remarks. I think Harry might want to say some more because Harry Van Mulligen was the Chair of this committee when many of these things were initially discussed and was the Vice-Chair, I believe, when these documents were finally adopted.

**Mr. Van Mulligen:** — Thank you for this opportunity. I've always appreciated the time that I've spent on the Public Accounts Committee because it did a number of things. One, it made me very familiar with the operation of government departments — and as a member of the legislature, that's no small amount of information that can become helpful — and of government programs.

Also it gave me more than a passing familiarity with government financing, questions of revenue, and questions of spending. Also it made me familiar with issues of accountability which is a very important part of being a member of the Legislative Assembly, and that is holding the government accountable for the taxpayers' dollars and then becoming familiar with the issues that from time to time crop up surrounding that accountability.

And I think last and certainly not the least in terms of importance is the ability to . . . or the opportunity to be able to work with other members of the Legislative Assembly. I mean this is a totally different atmosphere than question period. And the ability to find some common ground with members from the other side on issues that are of common concern should not be understated or undersold. When you look back at your time in this place, I think that you'll find that was a valuable experience for all concerned. And so it's for those reasons that I've enjoyed my time on the committee.

The points that I wanted to make . . . and I'll get into some questions on membership and the role of the Chair in a minute. The points I had made were one . . . was the question of administration versus policy. Just picture if ministers were here to answer the questions for departments and the ministers tended to answer questions the way they did in question period. And if members started to put questions to the ministers the way they put questions to the ministers now in question period, you can well imagine the wealth of information that would be forthcoming from all concerned and what it is that you might have to report to anyone.

So we've gone this route because we're interested in knowing how it is that the government has handled the monies that had been voted to it by the Legislative Assembly . . . and to hold those who are responsible for the day-to-day administration of those dollars, to hold those people accountable as to how it is that they've spent the money that they've been allocated for programs.

And out of that there may well rise questions of responsibility that need to be raised or accountability that need to be raised in the Legislative Assembly. But that was one point. And I can't underscore that enough, that if the committee deals with question of administration, then I think that there will be opportunity for both sides of the committee to agree more often than is the case on what is wrong and how it ought to be fixed.

The question of partisanship . . . I think that the committee works best when members agree to look for agreement. That's not to say that members shouldn't disagree or won't disagree and that they agree to disagree in instances. But remember that a committee that makes recommendations that are acted upon by the Legislative Assembly and makes good, sensible recommendations to the Legislative Assembly that the Legislative Assembly adopts and that the government ultimately implements is a committee that gains in stature and are members that gain in stature because they've made those recommendations in the first place.

And to do that requires agreement among the members. That then means that government members can't look at every deputy minister that comes into this place as an official that they should be defending. Neither should opposition members be looking at deputy ministers as someone that obviously is a mouthpiece for the policies of the government, but that you look at the deputy minister as a person who is responsible for the day-to-day administration. And there are issues that you both agree that aren't being dealt with appropriately and you want to ask questions about and you want to make recommendations on.

Again the government members ought not to take a defensive posture with respect to deputy ministers. You know, you're not there to defend the deputy ministers. The deputy ministers are paid a very good salary and usually have a great deal of expertise and ability to defend themselves. And I take that if you approach the Public Accounts in that way, then much good can come out of it. And there can be good recommendations that go forward, and the Public Accounts Committee can have some impact.

There have been departments which the auditor has reported on from time to time on an ongoing basis where the auditor has said, look this is a problem here, and the next year it's a problem, and the following year it's still a problem . . . where the committee has said, well let's take a closer look at that. And the committee has turned up the heat on the deputies, and — low and behold! — I noticed in the last *Report of the Provincial Auditor* that those issues are no longer coming to the fore. And obviously the deputies concerned have dealt with those matters and dealt with them to the satisfaction of the auditor. So the committee can have a very positive impact on the operations of government and questions of accountability.

I wanted to just deal with, for a moment, the question of committee membership as Greg asked me to do. I think this is a fairly good size. I don't think you want to be much larger than ten members because it then becomes unworkable in terms of the informality that I think helps the committee to achieve its goals. You have a good sized group here. The representation

roughly approximates the proportion of representation of the House although not exactly, and if it can't be, then it's usually weighted towards the opposition.

Greg spoke earlier about substitution not being allowed on the committee and, I think, for good reason. As you get into the material and if you start getting . . . as you start dealing with issues that the auditor raises or that present themselves in the Public Accounts, I think it becomes obvious that you really can't substitute members on a given day and expect that member to perform any effective function on your behalf. Or that if you start to miss too many meetings, that you find that the committee is discussing items that you're no longer familiar with and that you really ought to be familiar with if you want to make a contribution.

So substitution really doesn't work on this committee which is why it's appointed for the life of the legislature. And it's because the legislature expects the members here to become knowledgeable about the issues that are brought before it and to do good work on behalf of the Legislative Assembly, so substitution isn't encouraged.

Neither is there substitution on the part of the Provincial Auditor or the Provincial Comptroller. These are two very senior officials in the scheme of governing. Those are both persons who have many other things that they could be doing. But they come to this committee, and they choose not to substitute. And rare is the occasion that they themselves aren't here. And if they're not here, they always bring their deputy or their most senior person. So I think members ought to approach the committee in the same way.

Also the witnesses that appear before the committee, it's very rare that a deputy minister does not appear himself or herself to answer the questions of the committee. It's very rare. Mostly they're here themselves to answer the questions. And so I think that that should be a signal for members to treat the committee in the same fashion.

Continuity is important. If members don't think that this is the committee for them, if you sense that, gee I shouldn't be on this committee and there's other things I should be doing, you should be telling your respective caucuses quickly so that others can be appointed who can then be here for the continuity.

It becomes very difficult for a person who's appointed sort of mid-term to pick up where others have left off and to be able to do so effectively. There is just the orientation itself. There is a great deal of history and tradition that goes with this committee. And it becomes very difficult to maintain continuity if members move in mid-term. Now that's sometimes unavoidable. But if you have a choice in the matter, then I would encourage you to think about that now. And if you think that you'd rather be on another committee . . . is to make that decision now.

Ministers are not members of the committee. I don't think that you can expect ministers to be objective. I think if ministers were here and officials appear, I think that you would find ministers to be overly defensive of officials and of government policy. And it simply hasn't worked, and it doesn't work in

places where ministers are still members of the committee.

I think that . . . or my experience is that there are occasions where departments appear before the committee, and the government members don't feel very defensive about the deputy minister concerned and will work with the opposition members to deal effectively with issues. And ministers tend to make that not possible.

There are the odd occasions when a minister will appear before the committee, but that usually, in my experience, is rare, and that's to deal with legislation that the Legislative Assembly may be considering which pertain to the committee. It may be questions dealing with the *Public Accounts* and how they're reported. It may have to do with financial management issues. It may have to do with The Provincial Auditor Act.

And under those circumstances it's appropriate for the Legislative Assembly, in addition to whatever review the Legislative Assembly subjects the legislation to, to refer that legislation then to the committee. But in those instances, the minister will also appear because the legislation essentially deals with questions of policy. And under those circumstances, the minister then becomes the witness to the committee.

The role of the Chair, it's a very difficult one. But if the Chair remembers that it's the role of the committee to find consensus wherever possible on issues, then the Chair will find the opportunity or will find it necessary to put aside some of the partisan inclinations.

That's not to say that there aren't issues that the Chair is very much concerned about and the Chair finds that it may be appropriate under those circumstances to step down from the Chair and let the Vice-Chair handle it because the vice, you know . . . because the Chair has a particular interest in an issue and wants to deal with that that may not be an issue necessarily to other members of the committee. That's happened in the past, and the Chair should not be discouraged from doing so. But in the main, if the Chair ignores the majority on the committee, then it's not going to be a very effective committee, and not much will get done.

And then it's a legitimate question for the media to ask, well why can't you get things done? Is it the problem here the issues that you raise or is the Chair himself or herself? So the Chair always has to be conscious of the majority. It does the Chair no good, that in dealing with questions on points of order, for example, to make rulings that are inappropriate and that can't be supported by the majority on the committee.

If the Chair does that, you know, that's not to say that the odd time there may not be . . . he may not make a mistake on a point of order. But if the Chair consistently makes points of order that aren't sustainable by the majority and therefore the Chair's rulings are questioned by the majority, then the Chair calls into question the Chair's suitability to deal with the committee. And that doesn't help the Chair then or help the opposition members on the committee when that happens because the media will also then focus in on that question.

The points of order that are brought to the committee are usually dealt with in a context of rules that we have . . . Beauchesne's and other parliamentary tradition. The Chair has to rule on that basis, not on the basis of, well, there's some minute partisan advantage at this point to rule it some other way. If the Chair does that on a consistent basis, then the Chair's credibility is under attack, and that doesn't help the committee or help the opposition's cause very much or help the chairman in the long run.

So it's a difficult job that the Chair has. The Chair should also make sure . . . because there's a tendency on the part of the committee members from time to time to rush from one thing to another without having really come to an agreement as to how it is that they're going to deal with questions that are legitimately those of the committee.

The Legislative Assembly has referred to you the *Report of the Provincial Auditor*. You can't go through some chapter of the auditor's, where the auditor has made recommendation, and then go onto the next one. Committee members may not be interested in what it is that the report actually says, but the chairman has to take a very great interest in that and has to stop the committee and say look, you're going ahead; you haven't come to an agreement, or you've given no direction at all as to what should be in the report on that chapter.

And so the Chair just has to dig in his or her heels and say look, stop here, and we're going to get this resolved whether we agree, or whatever it is we agree on. We need to do that now before we move forward. And so that's an important aspect of the role the Chair. There is a tendency for committees to rush ahead, to leave the Clerk at the end of a number of months charged with the responsibility of writing a report on items on which they just gloss over, and no one's really talked about what it is that they agreed on.

So from the viewpoint of putting a report before the Assembly that deals with the questions that the Assembly is giving to the committee, then the Chair needs to dig in his or her heels at the appropriate time.

I think most of the other issues have been dealt with by Greg in the report that he gave. It may be appropriate for the committee in a couple of year's time to review the committee's mandate and to review the operating principles and practice. These principles and this statement of mandate reflected the consensus of the committee at a certain point in time. And it may well be that in a couple year's time with a couple year's experience as a committee that some of these things that are being put forward are no longer effective and need to be changed.

It may well be that you find that additional statements of either mandate or of operating principles need to be considered. It may well be that Rod and Maynard as they go to the Canadian Council of Public Accounts Committee find that there are issues being raised that aren't being considered here but that the committee should be considering in the context of how it is that the committee does its work and might be taken into account in the operating principles and practice. So I would strongly encourage the committee to take a good, hard look at how it

operates, what it's here to do, and to make sure that your statement on these things continues to be relevant.

Both the auditor and the Provincial Comptroller are excellent resources to the committee. And you should never, never, never hesitate, when there's some question, to ask them for their opinions or for what information they have on questions that you have. You should never worry about, should I ask this question, because gee, you know, I'm not sure it's a very good question, and people might think that I'm being ignorant by asking this question. Never, never take that point of view. Ask the question. The worst sin, I think, is to not ask the questions that should be asked and to getting the information out to the committee.

One other issue, just as I'm looking at the operating principles that Greg dealt with, is the question of quorum. As long as there's people from both sides of the committee present, you really don't need a quorum to deal with witnesses that are before you. You know, you need it for votes and so on. But in terms of the work of the committee continuing, then I don't think . . . and the operating principles state that you don't need a quorum as such.

As long as there's people from both sides here, you know, so you don't just have all government members meeting while the opposition members have some other thing on. Or just opposition members meeting while the government members are called to some special caucus meeting or another. But as long as there's people here from both sides, then the work of the committee should be allowed to continue. There were times in the past where, you know, you didn't have the quorum, and the whole thing ground to a halt. But as long as people are here from both sides you should be able to continue.

The only other point I would make is just with respect to the media. These meetings are open to the public and open to the media to take notes and I don't know what it is that the committee can do to make the media interested in the work of the committee.

They're here, you know, if there's some controversy or something and then they report on it and try and give the impression that they have years of experience in reporting on these things; and therefore people reading the article should get some sense that they report accurately on what's before the committee. But I think they miss a lot and I think the public misses a lot.

When the media are not here to also understand what the committee's role is and some of the background that underlie controversies that do come up from time to time. I don't think that the public is well served by the absence of the media here, but that's . . . This is not something that's a result of any cut-backs in the media either. I mean they've always taken this approach.

So I don't know what the committee can do to encourage the media to attend and to send reporters who become knowledgeable about the working of the Public Accounts Committee and knowledgeable as you are about issues of

government financing and so on. But that's an issue for another day. I think that's it. I just want to leave it at that point.

**The Chair:** — Well thank you very much, Harry. I certainly want to express my appreciation and I think the whole committee's appreciation for your insights. Your experience is very valuable and your points are very well taken.

Mr. Kraus, I notice we're getting a little bit pressed for time but I wonder if it's possible that . . . (inaudible) . . . presentation is longer. I'm sorry . . . Andrew?

**Mr. Thomson:** — Mr. Chairman, I just wanted to raise a couple of points and I appreciate the fact we want to move on with the discussion of the role of the Provincial Auditor and the comptroller. I think to a certain extent that we may, given the hour, may be better off having those two presentations bumped over because I think that they do complement each other and should be heard at the same time rather than simply isolate one and then the other. And I say that partly because I have a couple of pieces I want to talk about separately.

Listening to the Clerk and to the former chairman and vice-chairman of this committee, Mr. Van Mulligen, it strikes me that really what our role is here, and perhaps you can either concur or correct me on this, we are a committee of the legislature here to provide oversight on the executive government's expenditures.

It is a committee comprised of legislators with a specific role of carrying out the duties that we would normally perform in the Assembly by having instead decided to perform in a committee. And I guess one of the reasons I state it that way is because I think over the last 10 years or so, as we've slowly seen these systems develop, there has been a creeping, or maybe a blurring, of the lines between what exactly is the responsibility of the members versus the responsibility of officials versus the responsibility of the executive government.

And I think that this does not necessarily serve members well, and I see this maybe even more so because like Mr. Van Mulligen and Mr. Pringle who have also been public servants in past lives, I think that we see that there's often a tendency to confuse this. This is not in fact a committee that is the Provincial Auditor's committee or is the executive government's committee or the Minister of Finance committee. This is a committee where we come together as members not as Liberals or New Democrats, to discuss the accountability mechanisms of government.

The reason I say that is because it concerns me a little bit in the way that committees in the past have dealt with witnesses and I guess, have even structured themselves in terms of the dialogue back and forth. There's a sense in here, and you can see it even in the seating arrangement today, there is no clear sense of delineation between the members of the committee and the officials to the committee. And this in that way is very different than any other committee at the legislature. I think that in part it blurs that line to a certain extent. I think that it in part subordinates some of the role and importance of this committee in terms of providing very direct oversight by legislators of

executive government and the various agencies under its purview.

And I just wonder if maybe at some point we should have some discussion about how we begin to correct that. Because listening to members over the past several weeks giving their speeches in the House, I know each of us feels a very significant personal responsibility I think, to start to change the perception of politicians. That no longer are we content to simply say, oh well, we'll pass it off to some independent citizen to look at. And in fact we, I think, are wanting to take back more of that responsibility ourselves.

And I wonder if maybe as members we shouldn't have that discussion at some point, about how do we maybe start to restructure some of the protocols; how do we start to take on a bigger role; how do we make sure there is a clearer definition or delineation between our responsibilities as members and those that may be passed on to the officials.

Because I think that this is a line which is very quickly becoming blurred and has become blurred over the past 10 or 15 years in Public Accounts. That this is very much seemed to be not any more a committee of members but rather a . . . I don't know what exactly it is. It almost goes back to the reference to us the members simply sitting as a jury listening to a debate between the auditors and the comptroller, and I think that that's a dangerous precedent. I think that's a dangerous approach for us to take.

And I think that as members we should probably at some point have that discussion and really rethink how we present that and what exactly we're here to do. Because it is a dangerous situation if we start to move towards this simply being a debate between opposing forces rather than an actual committee of consensus and oversight.

**The Chair:** — I think your points are well taken, and certainly in terms of considering over the next week how we're going to approach the task before us, I think that your points are very valid in that. I think as well it's appropriate that perhaps we do sit down as a committee, I'm not sure at the first meeting or second, and maybe we have to get a bit of a feel for this. And then sit down, the 10 of us if you like and to say look, how is the role evolving?

I take the points that have been made by Mr. Van Mulligen in terms of the role of the Chair very seriously, is to try to develop this as a consensus committee. And I would hope as much as we're humanly possible we'll leave our partisan cards out in the hallway or upstairs or somewhere else, and that we will approach this as legislators. And that we do not shirk our duty, the 10 of us and sort of say, well this is easy; we can just sort of, you know, muddle through here and hope that the Clerk and the auditor and the comptroller sort of carry the can on this thing.

I really think that all 10 of us have to individually and collectively take our responsibility very seriously to this. So I don't know if it addresses the direction but I think it is a point extremely well taken. And I'm not sure because so many of us

are very new, that we're going to be able to make that determination right at the first instance. It may be that we have to work together a bit and work our way that way.

**Mr. Koenker:** — I have a question. I guess it refers to the mandate, and I would maybe ask it of the Clerk or maybe Mr. Van Mulligen, and that has to do with the timeliness of review. The mandate document here makes the point that the Public Accounts Committee is not fundamentally concerned with matters of policy, but rather the economy and efficiency of administration. And if it is an accounting, a public accountability for government expenditure, how does that inform the timeliness of the review of documents when we have documents going all the way back to '93 in front of us right now.

The reports to the Assembly need to be done at least annually, but presumably the committee can report that we have not concluded our review, and we haven't with the documents in front of us. So can somebody enlighten me as to the issue of timeliness in terms of the review and the disposition of reports?

**Mr. Van Mulligen:** — I'm a Dutch guy and timeliness is almost as important as cleanliness. No, it's very important. I mean you're looking at reports from 1993 and this is 1996. Well how can you expect the media or the public to have much interest in recommendations you're making with respect to a report that came down in 1993 dealing with issues that — what, go back to 1992?

**A Member:** — Yes.

**Mr. Van Mulligen:** — You know, you can't. So you've got to get through the backlog and then stay on top of things. You just simply have to do that.

One of the issues that the committee might want to look at, and I don't know if it's within the purview of the committee, but that's to deal with the question of how do we avoid in future this question of no committee in the period between the election and the next legislature. The government was of the opinion that well, we had the election, we had a budget, we had a throne speech, that's the program we just got re-elected on, we see no reason for the legislature to meet especially in the fall; but you had no committees.

Now it may well be that there are other jurisdictions that provide in any event for a short administrative session of the Legislative Assembly. Not a full-blown Speech from the Throne. I mean, the Legislative Assembly also meets for a short period of time to elect a Speaker, right? — before the Speech from the Throne.

So why is it impossible for the Legislative Assembly to meet shortly after or the day that the writ becomes official or the swearing-in occurs; that the Legislative Assembly convenes for strictly administrative reasons to strike committees. I don't know, but maybe this is something that the committee can look at.

I mean it doesn't then obligate necessarily the government to go

through the Speech from the Throne and all those kinds of things, but at least some of the administrative workings that are dependent on the legislature sitting can be dealt with at that time.

I don't know if that's within the purview of the committee to look at.

**The Chair:** — It's maybe something we can look at in terms of a recommendation which is partially the situation that's risen here.

I think the other thing that I want to state at this point is that it's really important in recognizing the fact that this has occurred, that that's just a reality and it shouldn't be something that's our normal practice. And that's why the special consideration of the auditor's recommendations as to how we can deal with this.

It might be a naïve hope, but I think that if we meet regularly and don't adjourn and don't sort of procrastinate, and do this seriously; that's certainly my objective, that we get current by the end of this session. Now that's going to mean an awful lot of work. I recognize that and maybe we'll fall short of that in some respect, but certainly it's an objective at this stage, to get current.

After that I think then that we will have a much easier time staying current. It's academic why this happened. I think it's a reality that we have in front of us, and therefore please study the recommendation that the auditor has made in your packages, for consideration for a method of operation for two weeks and forward. I think that that's what we try to address, and when I ask the auditor to prepare his recommendations of how we deal with this reality.

**Mr. Koenker:** — Again the issue is public accountability, and if we have a task in front of us as legislators to rehabilitate public credibility in the role of elected members, I would like to suggest that we include Mr. Van Mulligen's suggestion of an administrative sitting of the legislature following an election, as a formal matter in our committee report.

I know we have a full agenda but I think . . . personally I find it inexcusable that we didn't meet before now and . . .

**Ms. Stanger:** — We couldn't.

**Mr. Koenker:** — Well I know, but I find that unacceptable. And I think it behoves us then to come up with suggestions, positive suggestions. So I'd like to request that that be put on our agenda.

**The Chair:** — Point taken. And if it's within our . . . would that be within our purview to be able to discuss and make that kind of a recommendation as part of our report?

**Mr. Putz:** — Yes, because it involves the committee's method of operation.

**The Chair:** — Okay, if it's appropriate, then for sure.

**Mr. Sonntag:** — Thank you. I was interested in a couple of questions. Your report, I know it will be in verbatim, Gregory, but were there notes just that you made up as a result of the procedure, or is that quoting from ... (inaudible) ... document?

**Mr. Putz:** — No, they were my notes that I made up but they were based on that 1963 report, when I talked in historical terms.

**Mr. Sonntag:** — Okay.

**Mr. Putz:** — So, no, those are my notes.

**Mr. Sonntag:** — They're very good by the way. They give you an excellent ... (inaudible) ... As a result of that, I would be a bit interested in the consistency with other jurisdictions. Is that pretty consistent with all other jurisdictions across the ... or do you know?

**Mr. Putz:** — I don't know offhand. I know that many of the Public Accounts committees across the country subscribe to the guidelines as developed by the Canadian Council of Public Accounts Committees, and that was the route of these mandate and procedure points that were developed into these two documents by this committee. It was on that basis.

And as Mr. Van Mulligen pointed out, there is a conference each year which is in essence a professional development conference for Chairs and Vice-Chairs, and other members as jurisdictions see fit to send to these conferences, to discuss these matters of mandate and operating procedures and methods of operation that the Public Accounts Committee should be operating under, as a matter of consistency across the country.

So I don't know if that answers your question or not.

**Mr. Sonntag:** — Yes, I think it does. Just as now, as the Vice-Chair, this is of a bit more interest to me. And I certainly will probably pay a bit more attention to other jurisdictions as well, just to make sure. I want ...

**Mr. Putz:** — I just might add that, through various circumstances, I haven't had an opportunity to attend one of these meetings. But I know Mr. Van Mulligen has, and he may want to comment on whether he finds those meetings valuable or not, in the sense that, you know, they are trying to develop some consistency as to the way Public Accounts committees across the country address these issues.

**Mr. Van Mulligen:** — Yes, I agree. I think that whatever opportunities there are for members to attend, you should definitely go. I think you have a responsibility to do that, to find out what it is that other jurisdictions are saying about topical issues, to find out what new issues may be raised, and the whole question of how to hold governments accountable.

And that's not to say that we're simply going there to learn. I think we also have things to tell other people about how we operate and things we do, significantly in the area of Crown corporations. We have a larger Crown corporations sector than

any other government. And I think other committees in Canada look to us for leadership in terms of how we hold Crown corporations accountable. And so therefore we have lots to say to other committees across the country and to help them to grow and develop.

But no, I think whatever opportunities there are, members ought to go. I think they have a responsibility to do that.

**Mr. Sonntag:** — Just one other point. And this is just for the record because I think there's even some of our committee members who don't know the rationale for this, and as you stated, Mr. Chair, with respect to the backlog.

The rationale for it ... And just for new members who are wondering why we got into this position, I think it behoves me to say that our past Chair, we had arranged a number of meetings intersessionally, and through no planning of his own ... First of all, he had a personal accident, as I understand it, when we had one week of meetings planned. And then secondly, I know there was some problems relative to family. I think there was a death or something in the family that caused another series of meetings to be cancelled. And of course we called a provincial election.

So as you state, we're dealing with ... I mean, the facts are we've got four different reports to deal with. But that's the rationale. It wasn't planned at all that we would end up in that position.

**Mr. Koenker:** — Greg, you had mentioned the Canadian Council of Public Accounts Committees and the guidelines that they have. And I note that the Legislative Librarian in the bibliography lists those guidelines as a possible resource. Do you have multiple copies of that document? Is it a tome 12 inches thick, or is it the kind of thing that you have readily available?

**Mr. Putz:** — Harry has a copy of it there. We did have, but they were distributed to committee members in the past, and I don't know whether they are still available. I know they had a certain printing run. But they are available in the library, as suggested. And I could check to see if we have extra copies. But I fear that my answer would be that we might have one or two, and we wouldn't have enough to distribute to the whole committee. Your best option might be borrowing those from the library.

**The Chair:** — If there is no further questions at this moment, then we will ... I recognize that it's 11:30 and that's sort of the magic hour. We will then convene a week today to continue with the orientation and to make some decisions in terms of our process and procedures there forward. So thank you very much.

The committee adjourned at 11:30 a.m.