

Select Standing Committee on Parliamentary Reform,  
Ethical Conduct, Standing Orders and Private Bills

# *The Estimates Process and the Establishment of Select Standing Committees in British Columbia*



OCTOBER 2016





October 31, 2016

To the Honourable  
Legislative Assembly of the  
Province of British Columbia

Honourable Members:

I have the honour to present herewith the Third Report of the Select Standing Committee on Parliamentary Reform, Ethical Conduct, Standing Orders and Private Bills for the Fifth Session of the 40th Parliament, entitled *The Estimates Process and the Establishment of Select Standing Committees in British Columbia*.

The Report covers the work of the Committee in regard to the referral and consideration of Estimates by Committee of Supply and the establishment of Select Standing Committees for the life of a Parliament, and was unanimously adopted by the Committee on October 26, 2016.

Respectfully submitted on behalf of the Committee,

John Martin, MLA  
Chair



## Table of Contents

Composition of the Committee .....	i
Terms of Reference .....	ii
The Work of the Committee.....	1
The Statutory and Procedural Context in British Columbia .....	2
Introduction .....	2
Referral and Consideration of Estimates by Committee of Supply .....	3
Establishment of Select Standing Committees for the Life of a Parliament.....	5
Committee Conclusions and Recommendations .....	7
Referral and Consideration of the Estimates by Committee of Supply .....	7
Establishment of Select Standing Committees for the Life of a Parliament.....	11
Other Observations .....	12
Appendix 1 – Time Spent on Assembly Activities.....	13
Appendix 2 – Sample Sessional Estimates Orders .....	15



## Composition of the Committee

### Members

John Martin, MLA	Chair	Chilliwack
Leonard Eugene Krog, MLA	Deputy Chair	Nanaimo
Dr. Doug Bing, MLA		Maple Ridge-Pitt Meadows
Eric Foster, MLA		Vernon-Monashee
Gary Holman, MLA		Saanich North and the Islands
Vicki Huntington, MLA		Delta South
Don McRae, MLA		Comox Valley
Harry Bains, MLA		Surrey-Newton
Sam Sullivan, MLA		Vancouver-False Creek
Jackie Tegart, MLA		Fraser-Nicola

### Committee Staff

Kate Ryan-Lloyd, Deputy Clerk and Clerk of Committees

Susan Sourial, Clerk Assistant, Committees and Interparliamentary Relations

Jennifer Arril, Committee Researcher

## Terms of Reference

On May 4, 2016, the Legislative Assembly agreed that the Select Standing Committee on Parliamentary Reform, Ethical Conduct, Standing Orders and Private Bills be empowered to examine and make recommendations by October 31, 2016 with respect to the practices and procedures relating to:

- a. The referral and consideration of Estimates by Committee of Supply; and
- b. The establishment of Select Standing Committees for the life of a Parliament.

In addition to the powers previously conferred upon the Select Standing Committee on Parliamentary Reform, Ethical Conduct, Standing Orders and Private Bills by the Legislative Assembly, the Committee is empowered:

- a. to appoint of their number, one or more subcommittees and to refer to such subcommittees any of the matters referred to the Committee;
- b. to sit during a period in which the House is adjourned, during the recess after prorogation until the next following Session and during any sitting of the House;
- c. to adjourn from place to place as may be convenient; and
- d. to retain such personnel as required to assist the Committee;

and shall report to the House as soon as possible, or following any adjournment, or at the next following Session, as the case may be; to deposit the original of its reports with the Clerk of the Legislative Assembly during a period of adjournment and upon resumption of the sittings of the House, the Chair shall present all reports to the Legislative Assembly.



## The Work of the Committee

On May 4, 2016, the Legislative Assembly agreed that the all-party Select Standing Committee on Parliamentary Reform, Ethical Conduct, Standing Orders and Private Bills be empowered to examine and make recommendations by October 31, 2016 with respect to the practices and procedures relating to two issues:

- The referral and consideration of Estimates by Committee of Supply; and
- The establishment of Select Standing Committees for the life of a Parliament.

## Meetings Schedule

The Committee's review of the Estimates process, and the establishment of Select Standing Committees for the life of a Parliament took place over the course of the following meetings:

October 4, 2016	Committee meeting
October 17, 2016	Committee meeting
October 26, 2016	Deliberations (in-camera) Adoption of Report

At its October 4, 2016, and October 17, 2016 meetings, the Committee received initial reference materials and a briefing from the Deputy Clerk and Clerk of Committees on the statutory and procedural context for the Estimates process in British Columbia. One of the key roles of the Legislative Assembly is to approve public sector expenditures. This includes examining the proposed spending of provincial ministries, and debating and voting on the Estimates – the money requested annually by each government ministry to fund programs and pay staff for the coming year. The sole authority to approve the proposed expenditure of these funds rests with the Assembly.

The Committee's proceedings and this report are available at <https://www.leg.bc.ca/parliamentary-business/committees/40thparliament-5thsession-parref>

# The Statutory and Procedural Context in British Columbia

## Introduction

The Legislative Assembly of British Columbia is the provincial lawmaking institution authorized to legislate, to raise taxes, and to authorize taxation and government spending on behalf of the citizens of British Columbia. Our system is based on the principle of responsible government, meaning that government must have the support of a majority in the elected Assembly to govern. Under this system, government is responsible, or accountable, to the Assembly, and must receive authority to legislate, establish programs, and carry out taxation and expenditures from the Assembly.

The Members who currently comprise the 40th Parliament of the Legislative Assembly undertake a range of legislative, financial, oversight, and representative duties within a work environment steeped in tradition and history. In recent years, some procedural changes have been introduced, such as the introduction of a parliamentary calendar and daily Members' Statements. Although Question Period may have the highest public profile of the parliamentary day, Members also undertake other substantive work with respect to the consideration and approval of legislation and financial expenditures, as well as other processes and measures to hold government to account.

The conduct of parliamentary business in the Legislative Assembly is regulated by a collection of parliamentary rules and practices. Parliamentary procedures are intended to balance government's need to advance its business through the parliamentary institution with the opposition's responsibility to debate and consider that business on behalf of their constituents. *Parliamentary Practice in British Columbia*, by former Clerk of the Legislative Assembly George MacMinn, states that the Legislative Assembly's procedures and practices are based on a variety of instruments, including constitutional and statutory provisions, the Assembly's written Standing Orders as well as sessional and special orders, Speakers' decisions, and parliamentary customs, usages, and conventions.<sup>1</sup>

As noted above, decision making in the Westminster parliamentary system is typically based on the principle of majority rule – which requires more than half of the Members who cast a vote to agree in order for the entire group to make a decision on the measure being voted on. In British Columbia, this decision making principle is enshrined in section 43 of the provincial *Constitution Act* which states, “all questions must be determined by a majority of votes of the members present, other than the Speaker.”

Within this context, each recognized political party has one Member who is appointed to the position of House Leader, and who is responsible for the day-to-day administration of the party's business in a legislature.

---

<sup>1</sup> George MacMinn, *Parliamentary Practice in British Columbia*, 4<sup>th</sup> ed. (Victoria, B.C.: Queen's Printer, 2008), 1.

The Government House Leader, typically a member of Cabinet, holds unique responsibilities to plan and manage the business of government in the Legislative Assembly. In order to minimize conflicts on procedural matters, including scheduling of Assembly business, a consultative process is often utilized to support a practical and efficient management of legislative business during a sessional period. However, it is recognized that consultations may not always produce a consensus in a parliamentary environment, and as such government may avail itself, particularly when holding majority status, of procedural mechanisms to advance its agenda in a legislature.

## Referral and Consideration of Estimates by Committee of Supply

### Statutory Provisions in British Columbia

A fundamental principle of the Westminster system of parliamentary democracy is that no public money may be expended without the consent of Parliament. This principle and related British Columbia financial procedures are enshrined in provincial statutes.

Section 47 of the provincial *Constitution Act* requires that the Assembly's consideration of appropriations for public sector expenditures be preceded by a recommendation to the Assembly by the Lieutenant Governor.

Section 21 of the *Financial Administration Act* provides that no money may be paid out of the consolidated revenue fund without the authority of an appropriation. Simply put, no funds can be spent without the authority of the Assembly. Section 23 sets out guidelines for the use of Supply Act appropriations, including the requirement that a sum appropriated by a Supply Act must only be spent for the purpose set out in the Estimates.

### Existing Procedural Practices in British Columbia

The Legislative Assembly's procedures and practices establish a structured and flexible process for the annual consideration and approval of the Estimates by the Members of the Legislative Assembly. This has provided for a robust and thorough consideration of government Estimates as outlined in the tables in Appendix 1.

In accordance with the *Budget Transparency and Accountability Act*, the Standing Orders of the Legislative Assembly provide that the presentation of government's budget and main Estimates by the Minister of Finance (on budget day) is followed by a general budget debate in the Assembly, lasting a maximum of six sitting days. The expenditure details are not debated at this time. They are set out in the detailed Estimates documents, and scrutinized within that subsequent process.

### Scope of Review

Under Standing Order 45A, at the conclusion of the budget debate, pursuant to a motion in the Legislative Assembly by the Minister of Finance, the Speaker leaves the Chair, and the Assembly resolves itself into a Committee of the Whole, called "Committee of Supply." Committee of Supply is comprised of all Members, except the Speaker, and is tasked to review and approve the

expenditures in the Estimates. This model allows all Members, with the exception of the Speaker, to participate in the Estimates process, and all government ministries are reviewed.

Since 1992, the Legislative Assembly has authorized the Committee of Supply to sit in two sections, allowing concurrent debate of the Estimates in a committee room (called “Section A”) and in the main legislative Chamber (called “Section B”). Between 2012 and 2015, the Legislative Assembly authorized a third section of Committee of Supply (called “Section C”). A sample of the motion which authorizes Committee of Supply to sit in two or three sections is attached as Appendix 2.

As indicated earlier, all Members may participate in the Estimates debate, including all designated sections of Committee of Supply: A, B, or C. However, only designated Members who are specifically named in the motion are permitted to vote in Sections A and C (all Members may vote in Section B). In 2016, the motion designated 17 voting Members, proportional to party standings in the Assembly, and included the Minister whose Estimates were under review.

### ***Time Management***

In British Columbia, there are no specific time limits in place regarding the Estimates process. The sequence in which ministries are considered, the time allotted per ministry, and the overall time spent in the Estimates debates, are ultimately determined by the Government House Leader, often through consultation with the Opposition House Leader. This informal scheduling process provides for a high degree of flexibility in order to accommodate scheduling considerations as well as emerging or changing legislative priorities. In practice, the Estimates process ensures that the Assembly reviews the expenditure proposals of all ministries, and can prioritize the time allocated for consideration of specific ministry Estimates.

There are provisions available to the Legislative Assembly to facilitate enhanced consideration of the Estimates process; however these provisions have not been used. The motion which refers Estimates to Committee of Supply provides that, in Section A and C (if applicable): “a Minister may defer to a Deputy Minister to permit such Deputy to reply to a question put to the Minister.” This provision, which does not apply to Section B, which is in the main Legislative Chamber, has rarely been used.

In 1985, a number of changes were made to British Columbia’s Standing Orders. This included the addition of Standing Order 60A which provides for the Government House Leader to move a motion without notice to refer Votes within the Estimates to a Select Standing Committee at any time after the Estimates have been referred to the Committee of Supply. Such a motion is to be decided without amendment or debate. There is no record of this provision having ever been used.

While the Estimates process supports the Legislative Assembly’s responsibilities for the scrutiny and approval of public expenditures, and decisions on Estimates time management are generally taken following consultations between government and the Opposition, it is important to note, as indicated above, that the Assembly’s procedures also exist within a parliamentary system in which government, with the support of a majority of the Members of the Assembly, retains procedural measures with which to ultimately secure the timely passage of legislation authorizing expenditures.

## Consideration of the Estimates in Other Jurisdictions

### *Consideration of the Estimates: Committee of Supply*

Other jurisdictions in Canada that consider the Estimates in Committee of Supply include Manitoba, New Brunswick, and Nova Scotia, as well as other, smaller Canadian jurisdictions. In this model, all ministry Estimates are considered. In Manitoba and Nova Scotia, like British Columbia, Committee of Supply is authorized to sit in two or three sections. Manitoba, Nova Scotia and New Brunswick employ global time limits, ranging from 80 to 100 hours. Formal provisions (set out in Standing Orders) and informal processes (established by practice) are in place whereby ministries are prioritized for consideration by the House Leaders. New Brunswick regularly uses a provision in their Standing Orders (similar to British Columbia's Standing Order 60A) whereby Estimates may be referred to a standing committee for consideration.

### *Consideration of the Estimates: Single Parliamentary Committee*

Ontario is the only jurisdiction in Canada that uses a single parliamentary committee to consider the Estimates. In practice, Ontario's consideration of the Estimates involves a review of 6-12 ministries out of a current total of 27 ministries. The ministries are selected for review on a rotational basis by each party. Each ministry may be considered for a maximum of 15 hours, with a global time limit of 90 hours for consideration of all 6-12 selected ministry Estimates.

### *Consideration of the Estimates: Multiple Parliamentary Committees*

Some jurisdictions in Canada that use multiple parliamentary committees to consider the Estimates include Alberta, Quebec, and the House of Commons. Estimates are referred to policy field committees for consideration. All jurisdictions manage time differently. Quebec has a global time limit of 200 hours, and a time limit of 20 hours per ministry for the Estimates debates. In Alberta, there are time limits of between two and six hours per ministry. Formal provisions (set out in Standing Orders) and informal processes (established by practice) have been developed to determine how this time is used. In the House of Commons, the Estimates are referred to committees on or before March 1, and are reported back to the House of Commons no later than May 31. If a committee does not complete its review of the Estimates referred to it by May 31, they are deemed reported and agreed to.

## Establishment of Select Standing Committees for the Life of a Parliament

Parliamentary committees in British Columbia are established on a sessional basis, and derive their powers and mandates from the Legislative Assembly. The work of parliamentary committees includes: reviewing existing legislation; monitoring activities of government; examining issues affecting the province; recommending the appointment of statutory officers; and reviewing and advising on the procedures and rules of the Legislative Assembly. British Columbia has an active parliamentary committee system. Thus far in the 40<sup>th</sup> Parliament, five Select Standing Committees and 11 Special Committees have been active, completing a total number of 40 reports.

## Statutory Provisions in British Columbia

The statutory provisions which govern the establishment of Select Standing Committees in British Columbia include section 53(1) and (2) of the provincial *Constitution Act* which provides for the sitting of Select Standing and Special Committees as authorized by the Legislative Assembly during periods of adjournment or recess after prorogation until the next following session, and for reporting on referred matters during a session or at the next session as the case may be.

One notable exception is the provision within Section 9 of the *Recall and Initiative Act* which provides for the appointment of the Select Standing Committee on Legislative Initiatives for the life of a Parliament.

## Existing Procedural Practices in British Columbia

The Legislative Assembly's Standing Orders, provide for the establishment of two forms of parliamentary committees: nine permanent, or Select Standing Committees; and Special Committees, which have specific and time-limited mandates.

Under Standing Order 68(1), a Special Committee of Selection is appointed at the commencement of each session of a Parliament to prepare and report lists of Members to compose the nine Select Standing Committees of the Legislative Assembly. While Select Standing Committees (with the exception of the Select Standing Committee on Legislative Initiatives) are established on a sessional basis, they are not fully active until authorized by the Legislative Assembly pursuant to a motion establishing their Terms of Reference

## Establishment of Permanent Committees in Other Jurisdictions

British Columbia is the only jurisdiction in Canada, apart from the Senate, which uses a sessional approach for the establishment of permanent (Select Standing) parliamentary committees. The procedures and practices of other jurisdictions provide for the establishment of permanent parliamentary committees for the life of a Parliament.

For example, Ontario's Standing Order 108 states that:

“Within the first 10 Sessional days following the commencement of a Parliament, the membership of the following Standing Committees shall be appointed, on motion with notice, for the duration of the Parliament ...”

Alberta's Standing Order 52 reads:

“At the commencement of the first session of each Legislature, standing committees of the Assembly must be established for the following purposes ...”

In some jurisdictions, while committees are established for the life of a Parliament, committee membership is subject to a built-in renewal process. In Quebec, Members are appointed for a two-year term. In the House of Commons, committee membership is updated on an annual basis within the first ten sitting days after the summer adjournment, and at the beginning of each new session.

## Committee Conclusions and Recommendations

In their discussions and deliberations, Committee Members affirmed the importance of the Estimates process and parliamentary committees as central to the responsibilities and functions of the Legislative Assembly.

### Referral and Consideration of the Estimates by Committee of Supply

Members shared the view that the Estimates process is an essential role of the Legislative Assembly. They recognized that it is a valuable process for holding government to account, and one of the only times that government can be questioned at length and in great detail. Members noted that the Estimates process is time consuming, but has significant value for Members and British Columbians, and provides a forum of scrutiny in which Members can make a meaningful contribution.

The Estimates process in British Columbia is substantive and flexible in nature and includes the opportunity to directly question Ministers on a wide range of issues, from expenditure details to broader matters of programming and policy.

### Committee of Supply and Time Management

The practice of authorizing the Committee of Supply to sit in two or three sections provides for a robust Estimates process. This includes the review of all government ministries, the ability for all Members to participate, and the flexibility to set priorities with respect to the allocation of time for specific ministries under review. It also provides the Legislative Assembly more time to consider other parliamentary business, including parliamentary committee work. Although it increases, to some degree, the effectiveness and efficiency of the Estimates process, it may also place time pressures on Members, caucus staff, and Assembly staff to support the additional sections. These pressures are particularly acute when three sections of Committee of Supply are meeting concurrently.

Members discussed whether the practice of authorizing Committee of Supply to sit in two or three sections should be expanded or adapted. A global time limit for the Estimates, as is used by a number of other Canadian jurisdictions, could focus the Estimates debates. On the other hand, a global or specific ministry time limit could reduce the flexibility of the Assembly to respond to changing priorities of the Legislative Assembly.

Members observed that other jurisdictions with global time limits did not necessarily have a more effective or efficient Estimates process. In practice, global time limits may reduce a legislature's ability to scrutinize all government expenditures, and may constrain the capacity to provide time for Members' interests in focusing on new expenditure issues and priorities.

The fixed legislative calendar in British Columbia, in effect, imposes a global time limit on the Estimates process, requiring conclusion by the last week of May, in conjunction with the scheduled end of the spring session. It was also noted that at the end of the session, if there is no agreement as

to when debate on certain Estimates or bills will be concluded, government can use time allocation, which is a provision available under Standing Order 81.1.

On balance, Committee Members concluded that the Estimates process should remain flexible with the ability of the Government House Leader and Opposition House Leader to negotiate the details of the Estimates process, so that each year may reflect the evolving political priorities of the legislature, Members and their constituents. At the same time, Members affirmed that careful consideration should be given to improving the Estimates process in order to make it more efficient and effective for the opposition, government, and independent Members.

---

## Recommendation

The Committee recommends that the Legislative Assembly:

1. Consider limiting the number of hours of Committee of Supply debate to a maximum for each ministry, in order to provide more time and opportunity for Members to engage in parliamentary committee work.

---

## The Roles of Ministers, Public Servants, and Reporting of Estimates Information

Members shared the view that Ministers are central to the Estimates process, and the amount of time that they and senior officials currently invest in the process was a foremost topic of discussion. The key role of Ministers in the Estimates process supports the principle of ministerial accountability to the Legislative Assembly, and strengthens their knowledge of their portfolios, and the concerns of other Members. For a new Minister, the Estimates process provides an opportunity to assist the Minister with identifying areas of priority to Members and British Columbians, and can enhance relationships between Ministers and critics.

During the Estimates debates, many public servants are often required to provide regular support to the Minister, and by extension, Committee of Supply. While some Members voiced concern about the significant amount of staff time involved in the process, others noted that each ministry is only under review between 4 and 20 hours each fiscal year. Others commented that this may be the only opportunity when information from senior public servants is provided in a public forum, and therefore it is a good use of parliamentary time. Overall, Members recognized the important contribution of senior public servants, including Deputy Ministers, and felt consideration could be given to more effectively integrating their support into the Estimates process with respect to the provision of technical information.

The 1999 Final Report of the Budget Process Review Panel, *Credibility, Transparency & Accountability: Improving the B.C. Budget Process* recommended that “information provided



throughout the budget cycle [be] more useful and accessible by applying the Panel's principles of timeliness, consistency, comparability and transparency." A follow up 2009 *Report of the Budget Process Review Panel* acknowledged that while improvements to increase the transparency and efficacy of the budget and reporting systems had been implemented, further work was needed.

Members affirmed the importance of comprehensive reporting of Estimates information for the effectiveness and efficiency of the Estimates process. They discussed the format of the Estimates documents, including the information provided. For example, information regarding the number of employees in each ministry is no longer reported in the Estimates documents. If more information were provided as a matter of course, then less time may be required in seeking to obtain this material during the Estimates process, allowing for a fuller discussion of other matters. Briefings of a technical nature could be provided by senior public servants, or ministries could be required to answer questions set out in a standard template.

Members also supported recommendations set out in the 2016 Report of the Special Committee to Review the *Freedom of Information and Protection of Privacy Act* regarding proactive government disclosure. The process of making and responding to information requests can be costly and time consuming for individuals and public bodies. Government initiatives to push out information on a regular basis are more efficient and cost-effective, and support the principle that information that is in the public interest should be disclosed. Government's Open Information website is a significant proactive disclosure initiative, and provides a basis for further progress in the area of proactive disclosure.

Allowing Members of the Legislative Assembly to regularly access information throughout the year, and facilitating preliminary and technical exchanges of information from ministry officials in advance of, or during, the Estimates debates, may result in a more efficient use of time during the Estimates process.

---

## Recommendations

The Committee recommends to the Legislative Assembly that the provincial government:

2. Enhance the information provided to the Legislative Assembly in support of the Estimates process, including the provision of more detailed financial information at the program level.
  3. Strengthen the proactive disclosure of financial and program information in order to facilitate the Estimates process, including the development and implementation of a regular publication schedule of routine financial and program information.
-

## Enhanced Use of Existing Provisions

Members observed that the Legislative Assembly has a number of procedural provisions that are rarely used during the Estimates process. In the view of Members, greater use of these existing provisions could strengthen the work of Ministers and Members during the Estimates process.

Members discussed the provision in the Estimates process motion that permits a Minister to defer a question to a Deputy Minister for response in Section A and C (if applicable). Permitting a Deputy Minister or other specialized staff to respond to technical questions may save time and provide opportunities to Members to raise other questions. Increased use could also be made of other existing practices such as when a Minister, in response to a question, advises that staff will provide a response in writing at the earliest opportunity. A Minister may also choose to read a response into the record at a later date.

Committee Members noted that the Legislative Assembly's rules governing the use of electronic devices during debate in the Assembly also apply to Committee of Supply proceedings. Ministers and critics are currently permitted to refer to electronic devices, but may not do so once they have been recognized by the Speaker or Chair. The use of electronic devices should be permitted without restriction during Committee of Supply proceedings.

Standing Order 60A provides for consideration of a ministry's Estimates to be referred to a Select Standing Committee. As previously noted on page 3 of this Report, there is no record of this provision having ever been used.

---

## Recommendations

The Committee recommends to the Legislative Assembly that:

4. The use of the existing provision in the sessional order for the Estimates process which permits a Minister to defer a question to a Deputy Minister for response in Section A and C (if applicable) be enhanced. Consideration could also be given to expanding this provision to include other senior public servants.
  5. The use of electronic devices be permitted in Committee of Supply without restriction in order to facilitate and support the effectiveness of the Estimates proceedings.
-

## Establishment of Select Standing Committees for the Life of a Parliament

Committee Members considered the current procedural practice in British Columbia whereby permanent, Select Standing Committees are established on a sessional basis, and discussed the approach of other jurisdictions with respect to the establishment of permanent parliamentary committees for the life of a parliament.

Members acknowledged that the work of committees is often ongoing from one session to the next, and that whole-scale changes of committee membership from session to session may adversely affect the ability of committees to continue their work. The need for the Legislative Assembly to adopt motions each session in order to reconstitute the Select Standing Committees can result in important work being interrupted.

Members reviewed the benefits of establishing Select Standing Committees for the life of a Parliament, and felt that continuity and the building up of expertise would create more knowledgeable memberships and more effective committees. It was acknowledged that committee membership changes may be required from time to time, resulting from the appointment of Members as Ministers, changes in party critic roles, and the evolving changes and interests of Members. Current procedures and practices enable House Leaders to address such changes while the Legislative Assembly is sitting, or by way of informal agreements during adjournments.

They recognized that some committees in particular, such as the Select Standing Committee on Finance and Government Services, should be earmarked for regular review and some membership rotated, given the nature of the committee's important annual budget consultation mandate, extensive provincial travel schedule, and interest of Members. Standing Order 68(1) would have to be amended to enable the establishment of Select Standing Committees for the life of a parliament. Statutory amendments may be also be required, particularly with respect to Section 53 of the provincial *Constitution Act*, to ensure the Standing Orders and the *Constitution Act* are in alignment.

---

## Recommendation

The Committee recommends to the Legislative Assembly that:

6. Standing Order 68(1) be amended to allow for the establishment of Select Standing Committees for the life of a Parliament, and that the provincial *Constitution Act* be amended as required.

## Other Observations

Members recognized the important work of all-party parliamentary committees, and noted that these committees serve as good professional development for new Members, by allowing Members to get a sense of the magnitude of the province and its regional and policy issues. Members particularly appreciated the opportunity to directly consult with British Columbians through the travel and public engagement mechanisms available to parliamentary committees.

Members affirmed the value of parliamentary committees, and discussed their ability to examine issues that are critical to the province on an in-depth basis. It was noted that some Canadian jurisdictions set out the Terms of Reference for parliamentary committees in their Standing Orders, or, alternatively, receive broad Terms of Reference which provide committees with wide latitude and independence to initiate or undertake inquiries and studies. In this regard, the Terms of Reference of the Select Standing Committee on Health and the Select Standing Committee on Children and Youth were cited as possible benchmarks for other Select Standing Committees. For example, the Select Standing Committee on Children and Youth's Terms of Reference includes a broad referral that provides that committee with the ability to examine aspects of the child welfare system.

Increasing the scope of the Terms of Reference of Select Standing Committees to include the review of subject matter legislation and Private Members' Bills was also discussed. Standing Order 78A provides that, at any stage after the introduction, a Bill may be referred to a Select Standing Committee upon motion without notice by the Member in charge of the Bill.

Further review of the mandates of Select Standing Committees to determine how to enhance their effectiveness could be undertaken in the future.

The Select Standing Committee on Parliamentary Reform, Ethical Conduct, Standing Orders and Private Bills has undertaken numerous examinations of private bills, and has carried out periodic statutory reviews, including a 2012-13 review of the *Members' Conflict of Interest Act*. However, the last major Committee review of the Standing Orders of the Legislative Assembly of British Columbia was completed in 1985. Since the Assembly's procedures and practices must apply to all Members of the Legislative Assembly, Committee Members appreciated that the Committee's report on the Estimates process and the establishment of Select Standing Committees was the outcome of a collaborative process and reflected the unanimous views of Committee Members. Continued deliberations on ways to adapt and strengthen the Standing Orders will serve the interests of the Assembly's Members and further improve the efficacy of their work on behalf of British Columbians.

## Appendix 1 – Time Spent on Assembly Activities

### Legislative Assembly of British Columbia: Total Time Spent on Estimates, House Business and Bills, and in Parliamentary Committees

Year	Total Time Spent on Estimates	Total Time Spent on House Business and Bills	Total Time Spent in Parliamentary Committees*
2016	181 hrs, 59 min		
2015	170 hrs, 28 min	397 hrs, 21 min	205 hrs, 59 min
2014	164 hrs, 21 min	439 hrs, 30 min	176 hrs, 13 min
2013	144 hrs, 34 min	154 hrs, 51 min	140 hrs, 35 min
2012	163 hrs, 6 min	350 hrs, 40 min	285 hrs, 31 min
2011	124 hrs, 34 min	254 hrs, 1 min	136 hrs, 23 min
2010	148 hrs, 12 min	230 hrs, 23 min	154 hrs, 50 min
2009	140 hrs, 34 min	384 hrs, 6 min	81 hrs, 32 min
2008	153 hrs, 22 min	350 hrs, 41 min	124 hrs, 9 min
2007	212 hrs, 15 min	379 hrs, 21 min	131 hrs, 28 min
2006	194 hrs, 33 min	230 hrs, 16 min	317 hrs, 41 min
2005	153 hrs, 48 min		
2004	218 hrs, 40 min		
2003	131 hrs, 44 min		
2002	136 hrs, 22 min		
2001	30 hrs, 25 min		
2000	251 hrs, 26 min		
1999	228 hrs, 53 min		
1998	298 hrs, 24 min		
1997	438 hrs, 25 min		
1996	212 hrs, 20 min		
1995	245 hrs, 20 min		
1994	226 hrs, 55 min		
1993	248 hrs, 30 min		
<b>Average**</b>	<b>192 hours</b> <b>(1993-2016)</b>	<b>317 hours</b> <b>(2006-2015)</b>	<b>175 hours</b> <b>(2006-2015)</b>

\* Cabinet Ministers do not sit on parliamentary committees.

\*\* Note: average times are rounded to the nearest full hour.

## Legislative Assembly of British Columbia: Time Spent on Estimates by Ministry – 2013-16

Ministry	2013	2014	2015	2016
Aboriginal Relations and Reconciliation	4 hrs, 26 min	5 hrs, 43 min	4 hrs, 4 min	6 hrs, 29 min
Advanced Education	5 hrs, 13 min	7 hrs, 6 min	6 hrs, 24 min	4 hrs, 53 min
Agriculture	4 hrs, 58 min	7 hrs, 10 min	5 hrs, 34 min	5 hrs, 9 min
Children and Family Development	10 hrs, 1 min	10 hrs, 10 min	10 hrs, 42 min	8 hrs, 9 min
Community, Sport and Cultural Development	4 hrs, 22 min	5 hrs, 58 min	8 hrs, 2 min	7 hrs, 59 min
Education	8 hrs, 1 min	8 hrs, 6 min	8 hrs, 44 min	9 hrs, 0 min
Energy and Mines	10 hrs, 2 min	9 hrs, 31 min	11 hrs, 20 min	11 hrs, 58 min
Environment	7 hrs, 47 min	9 hrs, 50 min	8 hrs, 42 min	12 hrs, 32 min
Finance	5 hrs, 2 min	4 hrs, 14 min	5 hrs, 54 min	8 hrs, 33 min
Forests, Lands and Natural Resource Operations	9 hrs, 36 min	12 hrs, 10 min	12 hrs, 13 min	13 hrs, 28 min
Health	19 hrs, 27 min	16 hrs, 1 min	23 hrs, 48 min	20 hrs, 32 min
International Trade	5 hrs, 34 min	5 hrs, 25 min	4 hrs, 45 min	5 hrs, 47 min
Jobs, Tourism and Skills Training (and Small Business and Red Tape Reduction in 2016)	11 hrs, 40 min	13 hrs, 47 min	8 hrs, 30 min	16 hrs, 11 min
Justice (and Public Safety & Solicitor General in 2016)	7 hrs, 33 min	12 hrs, 20 min	15 hrs, 15 min	9 hrs, 37 min
Natural Gas Development	5 hrs, 26 min	6 hrs, 33 min	5 hrs, 29 min	9 hrs, 49 min
Premier	5 hrs, 4 min	3 hrs, 29 min	4 hrs, 3 min	3 hrs, 17 min
Social Development and Social Innovation	8 hrs, 47 min	9 hrs, 24 min	9 hrs, 18 min	8 hrs, 34 min
Technology, Innovation and Citizens' Services	4 hrs, 16 min	3 hrs, 40 min	3 hrs, 54 min	3 hrs, 39 min
Transportation and Infrastructure	9 hrs, 12 min	12 hrs, 6 min	13 hrs, 45 min	16 hrs, 20 min
<b>Total Time Spent on Estimates</b>	<b>144 hrs, 34 min</b>	<b>164 hrs, 21 min</b>	<b>170 hrs, 28 min</b>	<b>181 hrs, 59 min</b>

Vote 1 Estimates for the Legislative Assembly are considered separately by the Legislative Assembly Management Committee; Votes 2-9 Estimates for Legislative Officers are considered separately by the Select Standing Committee on Finance and Government Services.

## Appendix 2 – Sample Sessional Estimates Orders

### 2015 Motion to Authorize Committee of Supply to Sit in Two Sections

Be it resolved that this House hereby authorizes the Committee of Supply for this Session to sit in two sections designated Section A and Section B; Section A to sit in such Committee Room as may be appointed from time to time, and Section B to sit in the Chamber of the Assembly, subject to the following rules:

1. The Standing Orders applicable to the Committee of the Whole House shall be applicable in both Sections of the Committee of Supply save and except that in Section A, a Minister may defer to a Deputy Minister to permit such Deputy to reply to a question put to the Minister.

2. All Estimates shall stand referred to Section A, save and except those Estimates as shall be referred to Section B on motion without notice by the Government House Leader, which motion shall be decided without amendment or debate and be governed by Practice Recommendation #6 relating to Consultation.

3. Section A shall consist of 17 Members, being 10 Members of the B.C. Liberal Party and 6 Members of the New Democratic Party and one Independent. In addition, the Deputy Chair of the Committee of the Whole, or his or her nominee, shall preside over the debates in Section A. Substitution of Members will be permitted to Section A with the consent of that Member's Whip, where applicable, otherwise with the consent of the Member involved. For the second session of the Fortieth Parliament, the Members of Section A shall be as follows: the Minister whose Estimates are under consideration and, Messrs. Bernier, Hunt, Morris, Sturdy, Ashton, Hamilton, Plecas, Hogg, and Mme. Thornthwaite, and Messrs. Bains, Simpson, Farnworth, and Mmes. Karagianis, Hammell and Corrigan, and Ms. Huntington.

4. At fifteen minutes prior to the ordinary time fixed for adjournment of the House, the Chair of Section A will report to the House. In the event such report includes the last vote in a particular ministerial Estimate, after such report has been made to the House, the Government shall have a maximum of eight minutes, and the Official Opposition a maximum of five minutes, and all other Members (cumulatively) a maximum of three minutes to summarize the Committee debate on a particular ministerial Estimate completed, such summaries to be in the following order:

- (1) Other Members;
- (2) Opposition; and
- (3) Government.

5. Section B shall be composed of all Members of the House.

6. Divisions in Section A will be signalled by the ringing of the division bells four times.

7. Divisions in Section B will be signalled by the ringing of the division bells three times at which time proceedings in Section A will be suspended until completion of the division in Section B.

8. Section A is hereby authorized to consider Bills referred to Committee after second reading thereof and the Standing Orders applicable to Bills in Committee of the Whole shall be applicable to such Bills during consideration thereof in Section A, and for all purposes Section A shall be deemed to be a Committee of the Whole. Such referrals to Section A shall be made upon motion without notice by the Minister responsible for the Bill, and such motion shall be decided without amendment or debate. Practice Recommendation #6 relating to Consultation shall be applicable to all such referrals.

9. Bills or Estimates previously referred to a designated Committee may at any stage be subsequently referred to another designated Committee on motion of the Government House Leader or Minister responsible for the Bill as hereinbefore provided by Rule Nos. 2 and 8.

### **2015 Motion to Authorize Committee of Supply to Sit in a Third Section**

Further to the motion adopted on February 26, 2015, that this House hereby authorizes the Committee of Supply for this Session to sit in an additional third section designated Section C which will sit in the Birch Committee Room as may be appointed from time to time. All rules and provisions of the motion related to Committee of Supply, Section A shall apply to Section C. The Members of Committee of Supply, Section C shall be identical to the composition of Committee of Supply, Section A.





