

**Title: Tuesday, May 9, 2006**

Date: 06/05/09

Time: 8:09 a.m.

[Dr. Brown in the chair]

**The Chair:** Good morning, ladies and gentlemen. We'll call the meeting to order. The purpose of the meeting today is, hopefully, to finalize the report that we've been working on over the last number of months. In order to promote some efficiency, what I propose to do is go through and point out substantive changes and even small changes where they are contained in the text of the recommendations themselves. Then we'll briefly go through the body of the text to point out any substantial changes from the previous draft that you had a week ago.

On recommendation 13 you'll recall that we had some lively discussion regarding the appropriate wording, and our Parliamentary Counsel and Ms Dafoe, I believe, worked together with Ms South on drafting a revised version. That's the one dealing with the acceptance of gifts. So if you'll direct your attention to that, recommendation 13, I'll give you a minute to review it, and then we'll have a motion to approve the revision as printed.

I think the recommendation captures the essence of what the committee was deciding last time, and it provides a general exception for tickets and noncash benefits to fundraising and political events. It also incorporates the recommendation that the \$200 limit on fees, gifts, and benefits from the same source be increased to \$400.

So are there any questions or comments?

**Mr. Oberle:** Nothing serious, no. It's just that in the second paragraph you're talking about events provided by political parties, constituency associations, and charitable organizations. You could strike constituency associations; they are political parties. You could just say political parties and charitable organizations.

**The Chair:** Mr. Reynolds, do you want to comment on that?

**Mr. Reynolds:** Just briefly. I know that there's a great similarity, but for other purposes, for instance, like under the Election Finances and Contributions Disclosure Act, constituency associations are actually separate from registered political parties in terms of what they can do and how you can contribute to them.

**The Chair:** Yeah, I would agree with that. The Peace River Progressive Conservative Association is a different legal body from the Progressive Conservative Association of Alberta. So I think there is some utility in having that distinction.

Any other questions or comments?

If not, could I have a motion to accept the revised recommendation 13? Mr. Martin. Any discussion? All in favour? That's unanimous. It's carried.

8:15

Next revision. I will turn your attention to recommendation 33. The chair has made some minor adjustments to that in response to some suggestions from Mr. Reynolds or Ms Dafoe; I'm not sure which at this time of the morning. What we did is that in the last sentence we changed the wording slightly to make it clear that "public disclosure statements should be made publicly available by the Clerk's office during the period of their retention." Then we added the words "for two years after the Member's departure from the Assembly." That was to fit in with the time period for their retention. In other words, there is no right of disclosure to the disclosure statements that are made to the Ethics Commissioner. It's

the public disclosure documents that we're talking about there, the ones that are nonspecific.

Everyone okay with that recommendation?

**Ms DeLong:** Can I just think about that for a bit?

**The Chair:** Well, we haven't changed the essence of it. We're just restricting it to make it very clear that the publicly available documents are only those documents that are held in the Clerk's office.

**Mr. Oberle:** Does the member have to continue to file public disclosure statements during that two-year period, or are the disclosures that are being made public the most recent ones while they were still a member?

**The Chair:** Yeah. That's my understanding. Perhaps Mr. Hamilton could clarify it if I'm incorrect, but my understanding is that you only make the statements up to the time that you cease to be a member and that those public disclosure documents, then, are simply retained for two years for public availability.

**Mr. Hamilton:** Yes.

**The Chair:** If there are no further questions or comments, we'll move on, then, to recommendation 36. It simply changed the word in the second line to the word "recommends." It formerly said: the report of the Ethics Commissioner that "contains" sanctions. The distinction there is that the Ethics Commissioner does not actually make the sanctions. It's the duty of the commissioner to recommend sanctions, so we put the word "recommend" in there.

I believe that those are all of the changes to the actual body of the recommendations. Ms Mackenzie, are there any others that I've overlooked?

**Ms Mackenzie:** No.

**The Chair:** I'll just go briefly through the text here, and if anyone has any comments – the text that we have is largely the text that you had before you a week ago in the earlier draft. There have been some editorial changes to it. They're too numerous probably to mention, but they were in response to the five submissions that were given to me as a result of my request for members to review the text. I want to thank the Parliamentary Counsel, Ms Dafoe from Justice, and Ms South for giving us some very useful and constructive comments on the commentary that follows each of the recommendations.

**Mr. Lukaszuk:** Mr. Chairman, I note that on page 1 under the header of Mandate, your report still features Ms Bridget Pastoor, MLA for Lethbridge-East, as a member of the committee and Mr. Mo Elsalhy. Will that be removed? Will Ms Pastoor be removed, or she remains?

**The Chair:** The intention would be to keep her on there. It clearly states that she was replaced in November of 2005.

**Mr. Lukaszuk:** Okay.

**The Chair:** It was sort of a split shift, I guess.

**Mr. Lukaszuk:** Okay.

**The Chair:** So both of them will be recognized in the report as contributors.

I'll just point out a couple of things regarding the formatting. One of the comments that I received was with respect to the references to the various question numbers in the left-hand margin in the previous draft. I agreed with that comment that those references probably are a bit redundant at this point.

We haven't, however, put the full list of questions that were asked as an appendix to the report. Many of the recommendations don't conform exactly to the questions that were asked, and some of the questions, of course, were asked in the negative so that they appear in two different places, some of them in the recommendations for no change and some of them in the recommendations for change.

I'm just going through the editorial changes here very briefly to see whether or not there's anything substantive that the committee may want to comment on. On recommendation 17 the commentary was changed in order to clarify the fact that disclosure of litigation or benefits from government programs would be only made to the Commissioner and would not form part of the public disclosure statement. Currently the disclosure of the litigation, as it states, to the Ethics Commissioner is not required, so we just wanted to point out what the status quo was.

There were a number of editorial changes to trim down the text somewhat and to reduce some of the redundancy in the commentary on various recommendations.

**Ms Dafoe:** Just a quick question. I have a number of editorial comments, but I'm not sure that you want to have those on the record. Will there be an opportunity to make those sort of changes before the final report is made? Or would you prefer that we raise them now?

**The Chair:** Are you referring to ones that you passed on to me earlier or ones that you haven't?

**Ms Dafoe:** These are ones that were not passed on to you in my e-mail but are editorial comments about some redundancies and just some style issues, not substantive issues.

**The Chair:** Well, I'll put it to the committee. Do you want to discuss that paragraph by paragraph?

**Mr. Oberle:** We could just forward them to you.

**The Chair:** I find it an appropriate way to deal with it, to make small proofreading or editorial changes to the text as long as they don't change the essence of what's there.

**Ms Dafoe:** Okay.

**The Chair:** Any comments in a general sense about our procedure here? I'm going to ask Mr. Reynolds to give us a suggestion as to how we should go about putting on the record the option of the report as it's now being finalized.

8:25

**Mr. Reynolds:** Yes. I've just been working with Louise Kamuchik and Liz Sim to try and get a motion together.

As it appears that we're rapidly coming to the conclusion of the committee, I just wanted to say what a pleasure it's been to work with the committee members on this, and I wanted to comment on the great amount of work that the chair has undertaken by himself to

work on this report. I also wanted to extend thanks, as I know the chair and members will, to Karen Sawchuk, who has been a tremendous force in keeping the committee on track and certainly keeping me on track.

In any event, I have a motion that you may wish to consider. Essentially, the motion would read that the committee approves the draft report dated May 9, 2006, subject to changes agreed to at the May 9 meeting – I'm not sure that there have been any yet – and instructs the chair to proceed with the printing of the report as approved, subject to any typographical or grammatical changes that may be made in editing.

**The Chair:** Well, perhaps you could pass that on.

**Mr. Reynolds:** Yes. I was going to.

**Mr. Lukaszuk:** I'll carry that motion forward. I thought you were a lawyer, not a doctor.

Mr. Chair, I move that

the committee approves the draft report dated May 9, 2006, subject to changes agreed to at the May 9 meeting and instructs the chair to proceed with the printing of the report as approved subject to any typographical or grammatical changes that may be made in editing.

**The Chair:** Any discussion?

Are you ready for the question then? All in favour? That is carried unanimously.

I think that as Mr. Reynolds has stated, the committee's work is drawing to a close, and I want to state that as the chair it certainly has been a pleasure for me to be involved in the work of this committee. I think that we've done some excellent work. I think it's been a fine example of co-operation between all of parties in the House and representatives on the committee.

I want to say particularly that the support staff have been a great help to me, especially Ms South in the commissioner's office and Mr. Hamilton. They have been great resources to the committee, made very helpful suggestions along the way. I hope that we have satisfied most, if not all, of your concerns that you had regarding the working of the present act.

To Ms Dafoe in the Justice department, you have been exemplary in the work that you've done in doing all the background papers and giving us a tremendous resource that we could draw upon as we went through the various recommendations throughout the early work of the committee.

Mr. Reynolds, you've been a great resource from the Parliamentary Counsel's office in keeping us on track and providing us with legal advice from time to time, which we required.

Ms Mackenzie, I do apologize again for putting you under a lot of pressure to generate drafts from time to time as the mandate of the committee drew to an end. I know that you spent a lot of hours yesterday doing final editorial changes on this in response to the various changes that I made as chair and that were recommended by the other five individuals that gave us some feedback on the earlier drafts. So thank you very much.

Mrs. Sawchuk, thank you for your role in providing the logistic support to the committee. I think that we've benefited from your excellent organization of all of our meetings and keeping us well fed and watered. So thank you.

I think that concludes the work of the committee.

Mr. Hamilton, you have a few words you want to say?

**Mr. Hamilton:** I think that we are very blessed to have such a good

chairman. I congratulate you on that. The *Journal* has a wonderful article this morning about this committee and how you worked together to success.

I want to thank the members – nobody beat up any other member – and the staff, that did most of the work, I guess. I thank Karen because she tells me what I have to do. So congratulations to the committee.

Now we have to sell it.

**The Chair:** I should also mention Rhonda Sorensen, our communications co-ordinator. I guess that much of the important work she has to do is still ahead. We look forward to looking at the final report when it's produced. Thank you for your assistance throughout.

Also, I should mention Sandra Croll, from the personnel administration office, who has been with us on many of our deliberations and has been a great help.

Does anyone else have any comments that they want to make before we accept a motion to adjourn?

**Mr. Rogers:** Great work, Mr. Chairman. As you can tell, I was gearing up for an 8:30 meeting. I'm sure that wonderful work was done by the exceptional members who are probably less tardy than I am. They got here at 8 o'clock.

I do agree that it was a very good process and good co-operation from all members. I'm looking forward to a positive outcome of these recommendations. They'll make serving this province both from a policy and administrative side that much better.

Thank you.

I move to adjourn.

**The Chair:** All in favour? The motion is carried.

[The committee adjourned at 8:33 a.m.]

