



Legislative Assembly of Alberta

The 28th Legislature  
First Session

Select Special  
Conflicts of Interest Act  
Review Committee

Tuesday, November 27, 2012  
9:05 a.m.

Transcript No. 28-1-1

**Legislative Assembly of Alberta  
The 28th Legislature  
First Session**

**Select Special Conflicts of Interest Act Review Committee**

Allen, Mike, Fort McMurray-Wood Buffalo (PC), Chair  
Luan, Jason, Calgary-Hawkwood (PC), Deputy Chair

Blakeman, Laurie, Edmonton-Centre (AL)  
Casey, Ron, Banff-Cochrane (PC) \*  
Dorward, David C., Edmonton-Gold Bar (PC)  
Fenske, Jacquie, Fort Saskatchewan-Vegreville (PC)  
Johnson, Linda, Calgary-Glenmore (PC)  
McDonald, Everett, Grande Prairie-Smoky (PC)  
Notley, Rachel, Edmonton-Strathcona (ND)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W)  
Wilson, Jeff, Calgary-Shaw (W)  
Young, Steve, Edmonton-Riverview (PC)

\* substitution for David Dorward

**Office of the Ethics Commissioner Participants**

Neil R. Wilkinson	Ethics Commissioner
Brad Odsen, QC	Registrar, Lobbyists Act, and General Counsel

**Ministry of Justice and Solicitor General Participant**

Joan Neatby	Solicitor, Legislative Reform
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**Support Staff**

W.J. David McNeil	Clerk
Robert H. Reynolds, QC	Law Clerk/Director of Interparliamentary Relations
Shannon Dean	Senior Parliamentary Counsel/ Director of House Services
Philip Massolin	Manager of Research Services
Stephanie LeBlanc	Legal Research Officer
Nancy Zhang	Legislative Research Officer
Nancy Robert	Research Officer
Corinne Dacyshyn	Committee Clerk
Jody Rempel	Committee Clerk
Karen Sawchuk	Committee Clerk
Christopher Tyrell	Committee Clerk
Rhonda Sorensen	Manager of Corporate Communications and Broadcast Services
Jeanette Dotimas	Communications Consultant
Tracey Sales	Communications Consultant
Liz Sim	Managing Editor of <i>Alberta Hansard</i>

9:05 a.m.

Tuesday, November 27, 2012

[Mr. Allen in the chair]

**The Chair:** Good morning, everybody, and welcome to the first meeting of the Select Special Conflicts of Interest Act Review Committee. I'd like to start, first, by asking all the members here and those that are joining the committee at the table to introduce themselves for the record. Why don't we start over on my right?

**Dr. Massolin:** Good morning. Philip Massolin, manager of research services.

**Ms Sorensen:** Rhonda Sorensen, manager of corporate communications and broadcast services.

**Ms Dean:** Shannon Dean, Senior Parliamentary Counsel and director of House services.

**Ms Fenske:** Jacquie Fenske, MLA, Fort Saskatchewan-Vegreville.

**Mr. McDonald:** Everett McDonald, Grande Prairie-Smoky, MLA.

**Mr. Casey:** Ron Casey, MLA, Banff-Cochrane, here on behalf of David Dorward for Edmonton-Gold Bar.

**Mr. Wilson:** Jeff Wilson, Calgary-Shaw.

**Mr. Saskiw:** Shayne Saskiw, Lac La Biche-St. Paul-Two Hills.

**Mrs. Dacyshyn:** Corinne Dacyshyn, committee clerk.

**Mr. Luan:** Jason Luan, Calgary-Hawkwood. Apologies. I'm trying to catch my breath.

**The Chair:** Of course, Jason is also the deputy chair of this committee.

As you know and as was circulated by e-mail, meeting materials were circulated and posted to the committee's internal website. If anyone requires any additional copies of these documents, if you could let our committee clerk know, we can see if we can provide those for you now. Seeing nobody mention anything, that's good.

Before we turn to the business at hand, we've got a couple of operational items. Obviously, these microphone consoles here are operated by the *Hansard* staff. You don't need to push any buttons. In regard to cellphones and BlackBerrys, they can interfere with the audio feed, so we ask that you leave them off the table and in your pocket, either turned off or on vibrate. The audio of the committee proceedings is streamed live on the Internet and recorded by *Alberta Hansard*. Audio access and meeting transcripts are obtained via the Legislative Assembly website.

If we move on, you have your agenda in front of you. Could we have a motion, please, that the November 27, 2012, agenda of the Select Special Conflicts of Interest Act Review Committee be adopted as circulated? Moved by Jacquie Fenske. Anyone for the motion? Anyone opposed? Then that is carried.

Next, if there is anyone wanting to participate by teleconference at these meetings, we do have section 6 of the Legislative Assembly Act, which permits participation in a committee "by means of telephone or other communication facilities." We'll all be able to hear anyone and any member that is going to dial in. Committee rooms are equipped to facilitate meeting participation by telephone.

A select special committee may choose to pass a motion, which needs to be passed unanimously, to approve meeting attendance by telephone for the duration of the committee. A motion to

approve teleconference attendance for the duration of the committee does not preclude the committee from determining that personal attendance at specific meetings is required. In those cases, a motion would be moved at the end of a particular meeting requesting the personal attendance of all members at a subsequent meeting.

We do have a motion here. We haven't circulated this, but it's fairly simple. If I could get a member to move that

for the life of the Select Special Conflicts of Interest Act Review Committee the committee permit members to participate by teleconference subject to the provision that the committee may require members' attendance at a particular meeting upon passage of a motion at a previous meeting to that effect.

Mr. Wilson. All in favour? That is carried.

Temporary substitutions. I'm sure, as well, you're all aware of Standing Order 56(2.1), which outlines the process for substitution of committee members. The committee clerk has a template available upon request. When substitutions occur, it is the responsibility of the original committee member to ensure the substitute has been provided with all the necessary meeting materials. You are reminded that Members of the Legislative Assembly who are not committee members or official substitutions may attend and participate in the meetings, but they may not move motions or vote. This is just an information item. It doesn't require a motion or a vote.

Our next phase is item 5, the committee orientation. First, there's a review of our mandate for the review of the Conflicts of Interest Act. There was a Government Motion 13 establishing this committee, and it was agreed to by the Assembly on October 23 and then posted to the internal website. At the direction of the Assembly the committee will be undertaking a comprehensive review of the Conflicts of Interest Act, which sets the standard of conduct by which we as elected Members of the Legislative Assembly are governed.

Section 48 of the act states:

By December 1, 2012 and every five years after that, a special committee established by the Legislative Assembly must begin a comprehensive review of this Act and must submit to the Legislative Assembly, within one year after beginning the review, a report that includes any amendments recommended by the committee.

It's been determined that the time period concludes a year from the first meeting date, which would be November 27, 2013. Once we've completed our review, we will submit our report, including recommended amendments, to the Assembly for consideration.

Now, by way of history the Conflicts of Interest Act was passed in 1991 and was fully enforced by the spring of 1993. At the request of the then Minister of Justice the act was reviewed in 1995 by a review panel. The result was a report entitled *Integrity in Government in Alberta: Towards the Twenty First Century*, Report of the Conflicts of Interest Act Review Panel, known as the Tupper report, 1996. Following the Tupper report, amendments to the act were made which included a provision requiring a comprehensive review of the act every five years. The authors of the Tupper report stated that a mandatory review would acknowledge the importance of the act and recognize the need to assess it regularly in light of changing public expectations, alterations to the role of government, and the changes in the responsibilities of members.

The first mandated review saw the establishment of a Select Special Conflicts of Interest Act Review Committee, which reported to the Legislative Assembly in May 2006. This report was posted to the internal website. There were 36 substantive

recommendations, including a recommendation for the establishment of a lobbyist registry in Alberta, a recommendation to amend the act to extend the cooling-off period for former ministers to 12 months, a recommendation that a cooling-off period imposing postemployment opportunity restrictions for select senior policy officials be implemented, and a recommendation that the section of the act dealing with the contracts with the Crown should be expanded to apply to direct associates of a member's spouse or adult interdependent partner.

As a result of those recommendations, Bill 1, the Lobbyists Act, was referred to the Standing Committee on Government Services, a policy field committee, after second reading in May of 2007. That committee's report was also posted on the internal website. The Lobbyists Act received royal assent on December 7, 2007, and was proclaimed in force on September 28, 2009. Further to the provisions of the act it was reviewed again by the Legislative Assembly committee within two years, in November of 2011.

Another result of the 2005 to 2006 review committee's recommendations, Bill 2, the Conflicts of Interest Amendment Act, 2007, was referred to the Standing Committee on Government Services on May 30, 2007, following second reading. That committee reported to the Assembly in November 2007, and following debate the act received royal assent on December 7, 2007. That report was also posted to this committee's internal site for members' information.

Moving on here, we do have our committee support. Corinne Dacyshyn is filling in right now for Jody Rempel, who is currently on maternity leave. She'll be returning in December. Jody then will be providing administrative, procedural, and general assistance as required.

As we go through, did you want to tell us a little bit more about your role with the committee, Dr. Philip Massolin?

**Dr. Massolin:** Sure, I can if you'd like, Mr. Chair. Research services is available to this committee to support the committee and its research requirements throughout the course of its review. Maybe I can just tell you a little bit about what we can provide. We have provided services for similar reviews of the Lobbyists Act, as one example, a recent example. What we've done is that we've assisted in the consultation process, which means helping the committee derive a stakeholders list. Summarizing submissions is another example. We also provide sort of more substantive research in terms of discussion papers or guides and other research that the committee may require, as needed. Ultimately, we will help the committee draft its final report.

Thank you.

9:15

**The Chair:** Thank you, Dr. Massolin.

Of course, next we have Rhonda Sorensen.

**Ms Sorensen:** Thank you, Mr. Chair. As manager of corporate communications and broadcast services we're here to provide communications support to the committee. Today I'm hoping to get some sort of idea what the committee hopes to achieve throughout their review so that we can come back with some recommendations on how to engage the public in that process if that is, in fact, something the committee wants to do. I was involved in the 2005-2006 review. We did do province-wide advertising inviting the public to look at the discussion guide as well as advertising any public meetings. However, our recommendations would correlate directly with what the committee chooses to do during this particular review.

**The Chair:** Thank you very much, Rhonda.

On the law side assigned to this committee is actually Robert Reynolds, but in his place today is Shannon Dean.

**Ms Dean:** Thank you, Mr. Chair. Yes, I'm substituting this morning for Mr. Reynolds, who's tied up with another meeting.

Briefly, Parliamentary Counsel is here to assist the committee, in particular with drafting or any procedural assistance that they might require, typically further down the road once you're ready to put your report together. Of course, if there are any interpretive questions associated with the legislation, we're available to assist.

**The Chair:** Good. Thanks very much, Shannon.

I should actually also recognize that we have a number of people that are here to witness this first meeting, and that includes several people from the office of the Ethics Commissioner. Of course, there's the Ethics Commissioner himself, Mr. Neil Wilkinson; the CAO of the office of the Ethics Commissioner, Glen Resler; and we have as well Bradley Odsen, who's here as the... I'm sorry. What is your title again, if you could remind me?

**Mr. Wilkinson:** Corporate counsel. He's also the lobbyist registrar.

**The Chair:** Corporate counsel and the lobbyist registrar. That's right.

We may as a committee wish to invite the input and technical support of the office of the Ethics Commissioner. I personally believe that his hands-on familiarity with the act would be very beneficial to this committee. In that vein, we have created a motion. If I could get a member to move it, and we can discuss. The motion reads that

the Special Conflicts of Interest Act Review Committee invite officials from the office of the Ethics Commissioner to attend committee meetings and participate, when requested, to provide technical expertise and request that these officials work in conjunction with the Legislative Assembly staff, if required, to support the committee during the review of the Conflicts of Interest Act.

**Mr. McDonald:** So moved, Mr. Chair.

**The Chair:** The motion is on the floor. Is there any discussion? Seeing none, then I'll call for the vote. All in favour? That was carried unanimously. There we go, so that has been carried.

If you would care to, I'd like to invite the office of the Ethics Commissioner to join us at the table as well. Thank you. Welcome for joining us.

We have one more motion. Then we'll move into other business. Staff from Alberta Justice and Solicitor General are also very familiar with this act, and their support may be beneficial when it comes time to draft any potential amendments that this committee wishes to recommend. Is this committee interested in inviting support from the department as well? If so, I have another motion here. If we could have a member move that

the Select Special Conflicts of Interest Act Review Committee invite officials from Alberta Justice and Solicitor General to attend committee meetings and participate, when requested, to provide technical expertise and request that department officials work in conjunction with the Legislative Assembly staff, if required, to support the committee during the review of the Conflicts of Interest Act.

If I could just have someone put that motion on the floor. Ms Fenske.

Is there any discussion? This is going through very quickly. Then I will call the motion. All in favour? That was carried unanimously as well.

We do have someone from the office.

**Ms Neatby:** Yes. I'm Joan Neatby. I work with legislative reform, Alberta Justice and Solicitor General.

**The Chair:** Legislative reform. Great. Welcome, Joan.

**Ms Neatby:** Thank you.

**The Chair:** Okay. Item (c). We have the approved committee budget for 2012-13. That was posted on the website, and you should all have a copy of it. This is just for information purposes, but to review, the budget is at \$69,000 for the current fiscal year. Are there any comments or discussion there?

**Mr. Saskiw:** I guess just on the advertising. This is just a budget. Do we eventually make a decision on whether or not we want to do, you know, provincial-wide advertising later on?

**The Chair:** Yes. We're going to get into that a little bit later in the agenda here, but there will be a motion for us to advise the staff to put together a marketing plan for review by the committee.

Okay. Item 6 is the consultation process. The office of the Ethics Commissioner is primarily responsible for the administration of this act. As such, they're both the technical experts and the stakeholder in this review. Would the committee be interested in receiving a presentation from the office of the Ethics Commissioner at the next committee meeting? I'm just going to open that up to discussion right now. Mr. Saskiw.

**Mr. Saskiw:** Yeah. I guess from our perspective I think it would be very important to get the Ethics Commissioner to provide a presentation to us as he's got the most experience in this whole room dealing with it, so I'd like that.

**The Chair:** Certainly.

You know, for the benefit of all the members here we're all brand new committee members, brand new MLAs for that matter, and most of the materials are on the website right now. We are looking back at what has worked well in the past, and we're trying to bring forward some of those suggestions for this committee from the last review of this act. I think there's a great deal of value there as well. If that's the case, I'd also have another motion here that we would like to move. If someone would move that

the Select Special Conflicts of Interest Act Review Committee will invite the office of the Ethics Commissioner to make a presentation of the Conflicts of Interest Act at the next committee meeting.

**Mr. Saskiw:** I so move.

**The Chair:** Mr. Saskiw moved it.

Any discussion there?

Seeing none, I will call for the motion. All in favour? That is carried unanimously.

Item (b), our committee document requests. The May 2006 report of the Select Special Conflicts of Interest Act Review Committee outlines the approach taken by that committee, including the questions in the discussion guide, which was prepared to focus that review. Our committee should have a discussion and possibly make some decisions about how it would like to engage the public in our statute review. In the past review a stakeholders list was prepared. There was a discussion guide

drafted for stakeholder input, and advertisements were placed in order to recruit submissions from the public.

Rhonda, would you like to speak to the issue of advertising?

**Ms Sorensen:** Certainly, Mr. Chair. As I mentioned a little bit earlier, we can do any number of advertising strategies depending on the scope of the review that the committee chooses to take. Previously there was a discussion guide, and the committee at that time had chosen to involve the public by letting them know through a province-wide ad campaign that the discussion guide was available. It is a fairly limited audience, though, so the committee may choose to take another route and focus on the stakeholders. We can use any number of news releases, social media. There are a number of strategies that we can take, so I guess I'd be looking to the committee to kind of guide me on the scope of the review they'd like to take if they know at this point what that might be.

9:25

**The Chair:** Is there any discussion there? Anyone have some thoughts? Mr. Saskiw.

**Mr. Saskiw:** Yeah. Just on this particular issue I'm assuming that in the past that was when the lobbyist registry was first introduced, when you did a province-wide campaign. As this is just potentially some minor tweaks and amendments, I think ideally we just focus on stakeholders who have the expertise in it and use social media in other things and not spend, you know, \$60,000 on province-wide advertising for this particular section. We saw with the budget consultations that the meetings were very poorly attended even with a massive amount of advertising, and I think there'd be even fewer people, in my opinion, interested in some of this.

**The Chair:** Well, as you say from the past history, when the appointments to this committee were made, there was a provision there to even go on the road and have the committee meet in different communities. Past history has shown that has been less than effective. It's probably not the best use of taxpayers' dollars. The traditional forms of advertising and permitting both – and I would just throw out there a suggestion of written submissions, oral submissions. If we get written submissions that we would like to invite someone to present to the committee in one of our formal meetings, that option is also open to us.

We're not limited to strictly traditional forms of advertising. We can use social media as well.

Good morning. One more attendee has just arrived. I welcome Ms Rachel Notley.

**Ms Notley:** Hello.

**The Chair:** Good morning and welcome.

Committee research services is also available to assist the committee with research required to conduct its review. I'd like to suggest that we ask them to prepare a stakeholder list identifying those who have expertise in and those who may be affected by the Conflicts of Interest Act in Alberta. This is something that may or may not already be in existence, but if we could move that as well.

**Dr. Massolin:** Yes, Mr. Chair. I would say that, of course, it's a committee decision, but I think a stakeholders list would probably be appropriate at this point in terms of the consultations, so what we would do is identify the appropriate stakeholders for the committee and for the committee's approval at a subsequent

meeting, and at that point the process of consultation can commence.

**The Chair:** Okay. Good. Thank you. Then we also may want to look at one other item, and I'll just throw this out there. This was part of the last committee's structure as well, where we had an actual timeline put together.

Oh, and also welcome to another new attendee.

**Ms L. Johnson:** My apologies for being late. Linda Johnson, Calgary-Glenmore.

**The Chair:** Thank you, Ms Johnson.

The timeline was just a way for us to help organize our work. It involved everything from review of the stakeholders list, review of the communications plan, and setting a meeting structure and meeting schedule. My suggestion is that we would have something like that prepared by the staff for the next meeting.

As we're looking forward at meeting schedules and I've just been talking to a few members, it's been suggested that December, Christmastime, and after in January is likely not the best time for us to have to come back from our constituencies and meet. So I would like to recommend that we meet in February for our next meeting and at that point have a timeline to review, a communications strategy, a stakeholders list, and the documents we need to move forward. I'll just throw that out there. Does anyone have any thoughts or comments on that process?

**Ms Notley:** Well, of course, I appreciate that I live in Edmonton, so it's easier for me to say January is fine in that I think that we can get a lot done during those times when we're not juggling around the legislative session and the legislative calendar. Ultimately, I'm more than willing to go with the majority will of the committee, but I will say, as I'd indicated to someone who was, I think, scheduling this meeting, that during session the mornings for opposition members are very difficult. If we choose to not do it outside session, then I think we need to have some more consideration about what is doable in terms of the times during session because I will not be able to participate if we're having meetings at 9 o'clock or 11:30 in the morning or anything like that.

**The Chair:** So any time in the morning would be difficult?

**Ms Notley:** From 9:30 to 10:30 is probably an option, but quite frankly even then it's difficult. Opposition members spend a lot of time preparing for question period. It's a slightly different dynamic than what occurs for government members, and typically we try to avoid agreeing to those meetings as a matter of course. So if we're going to have to have more lengthy meetings, which will be the case once we get into deliberating these things in more detail, they can't be in the mornings. That's why I would suggest that, at least periodically, we could do it out of session. Fridays are always good, too.

**The Chair:** I don't think that there's any challenge with us doing them outside of session. As other committees are meeting as well, we would want to just be careful to structure those in such a way that we're not all making a special trip in from out of town and be sensitive to the travel requirements of all the rest of the committee members. We have committee members from all over the province: Calgary, Grande Prairie, Fort Saskatchewan, Fort McMurray, and St. Paul. There, again, we just had that discussion on the budget and where we're going to go with that. I think what

we would be able to do is put out a request for the next meeting, and I do have one more handout.

Ms Johnson.

**Ms L. Johnson:** Thank you, Mr. Chair. What about the last week of January, starting the week of the 28th?

**The Chair:** We're getting close to session. I think committee members or committees are starting to get to work, and some of us are starting to come back to the offices for work. Does that present a challenge for anybody?

**Mr. Luan:** Of course, the other option I can think of is during the evening hours, like 6:15 to 7:15-ish.

**The Chair:** Yes, Mr. Wilson.

**Mr. Wilson:** Thank you, Mr. Chair. I certainly don't have an issue with the last couple of weeks of January. I don't see any reason why not, especially if we're going to have a substantive meeting with presentations from the Ethics Commissioner. I see value in having that done in advance of session starting, and then we can get into the meat of it during session as opposed to having a lengthy committee meeting right in the heart of session.

**The Chair:** I think as well that once we get into it, the first couple of meetings will probably be a little bit longer than later on, and having a one-hour meeting scheduled may not be allowing enough time for this committee until we get a feel for what the committee work is going to entail. As well, we'll always try to circulate the meeting materials well in advance for committee members to be prepared.

Yes, Mr. Wilkinson.

**Mr. Wilkinson:** Yeah. Mr. Chair and members of the committee, thank you for allowing us to sit around the table. First of all, this is a privilege that is not held in every province. The acts are not reviewed automatically like ours are. To bring a skilled group of people like you together and invite us I think really speaks well of the interest in conflict of interest, and we can see the ways MLAs deal with us and our offices as well.

If you want a submission from us, we're more than happy to do that because we're here to help you in whatever you'd like and whatever you decide. In the end it's fine with us. We're not going to be pounding the table and saying that you should do this or should do that. We realize it's up to you. We really want to spend a lot of time thinking about our submission to you. We're discussing our timelines here. You'd like that at the next meeting. Is that what I heard?

**The Chair:** If that was possible. Can you maybe just indicate how much time you think would be required to put a preliminary submission forward?

**Mr. Wilkinson:** With the Christmas holidays coming along – let's face it. We'll do it and get it when you need it, but it might be a little better to do it in January, maybe for February. That is what the staff is thinking.

**The Chair:** Right. Yeah, we're talking about having it for late January or early February. We wouldn't be having another meeting before that time.

9:35

**Mr. Wilkinson:** Okay. February would be best for us, about mid-February if that suits you.

**The Chair:** Certainly, I think it would be improper for us to expect that you would put that type of review together that would be a meaningful review in a very short period of time. We're certainly here to work with you as well. If there's any consideration that we can give you or that is needed, if you could just advise the clerk or myself, we'd be happy to work with you as well as the office of the Solicitor General.

**Mr. Wilkinson:** Thank you so much.

**The Chair:** Any thoughts, as well, as to how you'd like to proceed with respect to the advertising and potential discussion guide?

**Mr. Wilson:** Specific to the budget?

**The Chair:** Not specific to the budget but just specific to how we're going to move forward, how we're developing the action plan and the go-forward plan.

**Mr. Casey:** Mr. Chair, I think that until you know who your stakeholders are here, it's going to be very difficult to go out and advertise and try to get that input. I mean, I think you're dealing with a very narrow scope of people that have an interest in the act, so until you've identified those stakeholders and have an opportunity to contact them, you know, I'm not sure that your time is well spent going out and doing global advertising because, to be quite honest, I don't see that the average Albertan is going to be terribly engaged in this.

**The Chair:** It's not the most riveting discussion in some cases.

**Mr. Casey:** Well, it is actually riveting legislation. It's just simply the fact that there aren't a lot of people that deem themselves to be directly affected by it or that have an interest in it. Until you can identify those interest groups or those parties that may have an interest, I think you're maybe wasting your time a bit trying to get out and advertise prematurely.

**The Chair:** I think the intent is not to do any advertising until such time as the committee has a chance to review the stakeholder list and an advertising strategy. Then we would move forward after we have that strategy presented.

**Ms Notley:** In my experience with these things, there's usually a little bit of discussion of who the stakeholders are, around the breadth of the advertising, and also around the timeline itself. Once people have a bit of a sense of what it is they're dealing with, then the timeline starts to be a little bit more meaningful. Without asking, necessarily, the commissioner's office to have a report prepared for us, I think we could still in January meet quite effectively around the timeline and the communications plan and the stakeholder list and get that work done, anyway.

**The Chair:** I think that's most important. I think, as identified, our mandate says that we need to have the final report submitted to the Legislative Assembly by November 27 of next year. I would almost hope that based on our timelines that we have, we should be able to have a draft done sometime by the summer or certainly early fall and that we can review and get whatever consultation phases need to be completed so that we can prepare that final report. That's something we can discuss at our next meeting.

It sounds like everybody is rather amenable to late January for a meeting date. We could ask the committee clerk to establish a couple of suggested times, circulate among the members, and we'll establish the time then. Or would we like to set something

right now? Based on experience, it's best to poll by e-mail. You probably all overheard that little whisper here. So we'll ask that that happen here very shortly.

Any other thoughts on timelines or stakeholders? Any recommended stakeholders that you want to even put out there right now?

**Mr. Saskiw:** I think there is a Canada-wide group – I've talked with the Ethics Commissioner – that meets and discusses this specific type of legislation. Of course, we'd want to see if there are any individuals from that group – I can't remember what the exact name was – so that they could provide it to us and then also stakeholders in other jurisdictions, other provinces to see what the best practices are there.

**The Chair:** Ms Fenske.

**Ms Fenske:** Thank you, Mr. Chair. Just based on the timeline, I would, from the discussion that's gone around, assume that the next meeting is not a lengthy meeting. It's a meeting to determine who is a stakeholder, who isn't, based on what Dr. Massolin can prepare for us, and also on where to go from here. Would it not be beneficial to do that before the Christmas break, to identify who our stakeholders are? If we are going to be asking them to appear before us at some point in time, I think more notice for them is better than less. I mean, I'm throwing that out there. I guess Dr. Massolin would have to say whether or not that's practical.

**The Chair:** Well, I do have another motion that we're going to put on the floor regarding the draft of the stakeholders list. I think it would probably not be improper for us to identify who you believe may be potential stakeholders to Dr. Massolin, and if you can advance those through the clerk, then that will be ready for our discussion at the next meeting.

**Ms Fenske:** Well, I guess my comment is based on: when is that next meeting, and is it possible to have that meeting before the Christmas break as far as narrowing the list at that point in time instead of waiting till the end of January for that?

**The Chair:** I guess, first of all: is it possible to compile a stakeholder list before the Christmas break? That would put us into meeting next week sometime or possibly in two weeks, before the 13th.

**Dr. Massolin:** Mr. Chair, yes, I think that's very possible. Within a couple of weeks we could get something for the committee.

**The Chair:** It's not a long period of time, but it would be a short meeting. It would not require a lot of time to discuss stakeholders.

Another thought for committee members. I'll let you know right now, too, I did have an opportunity to have a good visit with Mr. Wilkinson and his staff at the office of the Ethics Commissioner to just get a feel for how things went in the past. One of the things we chatted about was looking at other jurisdictions as well and whether we look at best practice or – I think I threw out there best practice, and he said: yes or other practice. Are there things that other jurisdictions are doing that we're not? Are there things that we can do to improve our practices? Maybe you'd like to comment on that, Mr. Wilkinson.

**Mr. Wilkinson:** Sure, Mr. Chair. I'd be happy to do that. Last time at the Conflicts of Interest Act meeting, as a matter of fact, Dr. Massolin produced a list from across the country and did a comparison. I hope I'm not speaking out of turn. He did a great job of it. We're more than happy to provide, obviously, names,

introductions, whatever it takes. We also have a list of stakeholders, too, that we think we would like to submit to you for your consideration.

**The Chair:** It would be very valuable if we could have that list. Certainly, we value that your office is the one that deals with this directly on a day-to-day basis. That would be very helpful.

**Mr. Odsen:** If I may, Mr. Chair, just for a point of clarification. You previously passed a motion requesting that we present at your next meeting, and you're now about to schedule your next meeting in two weeks. I don't think it's possible for us to be able to comply with that request.

**The Chair:** Yeah, that is the motion. What I will do is probably put a motion on the floor now that amends the motion we made to suggest that it is a subsequent meeting as opposed to the next meeting.

**Mr. Odsen:** If I may make a further comment since we are sort of moving now, I guess, in kind of a different direction, the commissioner is away on vacation in January but will be back after the 12th of February. If you would want his participation in that presentation, then we're talking mid-February or later for a presentation.

**The Chair:** Then, clearly, in the wording of an amendment it would be very beneficial to use the word "subsequent" as opposed to "next." If I could have any member suggest a motion that we could pass on that? Thank you, Mr. Casey. This is going to be a friendly amendment. I think we're all friendly here.

9:45

**Mr. Casey:** Thank you. I would suggest that the previous motion be amended to reference "subsequent" meeting instead of "next" meeting.

**The Chair:** Good. Thank you for that. I'm just going to call the question. All in favour? Any opposed? That is carried unanimously. Thank you.

Thank you very much for pointing that out as well, Mr. Odsen.

Great. Well, we have one more motion. It's regarding what we had already discussed, but we do need a motion that

the committee research services complete a draft stakeholders list identifying persons or organizations with expertise in the Conflicts of Interest Act for review and approval at the next committee meeting.

Can I have someone make that motion, please? Mr. Wilson.

A comment, Mr. Casey?

**Mr. Casey:** I was just wondering if I could ask a question around that one. I wonder if the draft stakeholders list – there doesn't appear to be a stakeholders list from the last time in our binder. Maybe there is one buried somewhere, and I just can't find it. If there isn't one there, is there any chance that that stakeholders list could be circulated earlier so that if people have comments back, then for your next meeting you're not getting proposals put on the table without any background? It gives staff time to in fact research.

**The Chair:** We could have that out with our agenda, perhaps, in advance.

**Dr. Massolin:** Yes, Mr. Chair. We can get that previous stakeholders list out quite expeditiously and then provide our list in addition to that quite soon thereafter.

**The Chair:** Okay. Then I would ask the office of the Ethics Commissioner: is there a good potential we may be able to have a suggested list from your office in time for the next meeting?

**Mr. Wilkinson:** Yes.

**The Chair:** Okay. That's great. Thank you very much.

I've just been advised that Justice is able to also make a presentation.

**Ms Neatby:** That's correct, Mr. Chair.

**The Chair:** That would be the same day as the office of the Ethics Commissioner?

**Ms Neatby:** If that suits the committee. My suggestion would be that I provide a presentation giving the committee members an outline, or an overview, of the act. That can happen whenever it suits the committee.

**The Chair:** I'm going to ask the clerk: do we require a motion for that as well?

**Mrs. Dacyshyn:** We should.

**The Chair:** We should have a motion for that as well, requesting that

the office of Justice do a presentation at a subsequent meeting.

Mr. McDonald is moving that. All in favour? I don't see any opposed, so we'll say that that was carried unanimously as well.

Of course, if you have your own stakeholders list or any recommendations, if you could please get that through the clerk right away.

**Ms Notley:** Mr. Chair, I'm not sure where we ended up on the December versus January meeting question, but I'm just wondering, again to try and avoid the need for lengthy meetings during the time when session is on because that's a very, very busy time already, depending on the ability of the folks from Justice, if it's possible to combine our timeline meeting and our communications plan meeting with the presentation from Justice, if I'm not putting too much pressure on you to do that too early. It sounds like you kind of, maybe, have done overviews of the act already in some cases.

**Ms Neatby:** I have the benefit of a previous colleague having provided a presentation to the previous review committee.

**Ms Notley:** Thank you. I'm just thinking it might give us – if we have more time outside of session to have a longer meeting, then the more stuff that we can do in that period would be useful. Just a suggestion, not a motion or anything.

**The Chair:** Of course. So what we have is a meeting. We did say subsequent, so it really wouldn't matter if it was at the next meeting or at the same meeting as the office of the Ethics Commissioner.

**Ms Notley:** Except that the office of the Ethics Commissioner now looks like it might interfere with session, which means that we're going to be really pressed to have properly lengthened meetings in that time. So the more we can do outside of that period, the better.

**The Chair:** Yeah. It doesn't necessarily have to be together at the same time.

The next meeting really is primarily to discuss the stakeholders list and potentially whatever we can have for communications thoughts. I'm going to suggest the week of the 10th is probably the best. Most of us are going to be still engaged in the capital at some level, and we're not, of course, scheduled for session. We'll assume that the legislative session will be over by the 6th of December, so if we could suggest perhaps sometime during the day of the 11th or 12th. We'll send some suggested times out and poll the members. I'm not seeing any thoughts there, so we'll send that out right away.

We do have another motion here, that  
the committee research services complete a draft discussion  
guide for review and approval at a subsequent committee  
meeting.

Could I have someone put that motion on the floor, please?

**Ms Fenske:** So moved.

**The Chair:** Ms Fenske. Thank you very much. All in favour? Don't get your hands up too fast. That is carried unanimously as well.

I have one more motion, that  
communications services prepare a draft communications plan  
for review and approval by the committee at a subsequent  
meeting.

Moved by Ms Johnson. All in favour? Any opposed? That is carried unanimously as well.

Any other business that any members would like to table today?

**Ms Notley:** It's not to table; it's a question. I'm sure you covered it before I was able to get here, but I just have a quick question. I see that there is a very fulsome report that was prepared in 2007 on the review of the act. Do we know if all of those recommendations were accepted and subsequently put into the act?

**The Chair:** Yes. Certainly it will be in the *Hansard* document as well, but I'd be happy to share with you offline some of my notes on what was actually implemented. Those were all implemented at different times. Of course, the registry, or the Lobbyists Act, was implemented. Then it was reviewed again in 2011. So items like that. But I'll share my notes with you offline here.

**Ms Notley:** Okay.

**The Chair:** Well, then, we will canvass the members for the next meeting date the second week of December, the week of December 10. Then we'll have some dates as well for you either at the end of January or in early February, but we can set that based on our next meeting.

I have nothing else on the agenda, and nobody has suggested that they have something else to bring up, so I'd ask for a motion to adjourn. Mr. Saskiw. All in favour? So moved.

Thank you very much. We'll see you at the next meeting, the week of the 10th.

[The committee adjourned at 9:53 a.m.]





