

**Title: Tuesday, October 2, 2007 Community Services Committee**

Date: 07/10/02

Time: 9:30 a.m.

[Mr. Marz in the chair]

**The Chair:** Good morning, everyone. I'd like to call the meeting to order. We'll begin this morning by introducing ourselves around the table. I'm Richard Marz, MLA for Olds-Didsbury-Three Hills and the acting chair of the Standing Committee on Community Services.

We'll start with the deputy chair.

**Mrs. Mather:** Weslyn Mather, MLA for Edmonton-Mill Woods.

**Mr. Lougheed:** Rob Lougheed, MLA, Strathcona.

**Mr. Johnston:** Art Johnston, Calgary-Hays.

**Mr. Backs:** Giovanni Caboto from the port of Bristol. Oh, no. Dan Backs, Edmonton-Manning.

**Dr. Massolin:** Good morning. Philip Massolin, committee research co-ordinator, Legislative Assembly Office.

**Ms Dean:** Shannon Dean, Senior Parliamentary Counsel.

**Ms Roth von Szepesbela:** Good morning. Katrin Roth von Szepesbela, legal research officer, Legislative Assembly Office.

**Mrs. Kamuchik:** Louise Kamuchik, Clerk Assistant, director of House services.

**Mr. Flaherty:** Jack Flaherty, MLA for St. Albert.

**Dr. Pannu:** Raj Pannu, Edmonton-Strathcona.

**Rev. Abbott:** Hi there. Tony Abbott, MLA for Drayton Valley-Calmar.

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

**The Chair:** I would like to have the committee welcome Katrin Roth von Szepesbela as well. She is a lawyer who holds a bachelor of law through the University of Manitoba and is currently pursuing her master of law through Osgoode Hall law school in York University. She'll be working with Philip Massolin in providing research assistance to the committee and everything we need to know surrounding the bills, regulations, and other matters that we're considering. Welcome, Katrin, and we're looking forward to working with you.

We also have with us today some people from the Department of Health and Wellness – maybe just raise your hand as I introduce you – Ms Annette Trimbee, Acting Deputy Minister of Health and Wellness; Mr. Martin Chamberlain, corporate counsel; Ms Denise Perret; and Ms Karel Bennett. Good morning and welcome.

I'd like to direct the committee members' attention to the process that we now have ahead of us. The policy field committees, including this one, are new to our Legislature. As such, this committee is not only able to direct its own procedures; we find ourselves doing so today for the first time.

It's important that all members are able to participate freely in discussions to determine the reporting process for this committee. In order to help create a less formal environment for this discussion, it may be beneficial for the committee to consider having discussions in camera. This may provide a more effective forum to focus

on discussions on particular issues, interacting formally with officials who will assist the committee, and to receive legal advice. Also, if there are any comments pertaining to some of the more personal submissions, it respects the privacy of those individuals and the people that they may have referred to.

Are there any comments or questions or anyone wishing to make a motion in that regard?

**Dr. Pannu:** Mr. Chairman, I must express my reservation to it. We had to face the same problem in the Committee on Government Services, where I substituted for Brian Mason, and we had to deal with this question there as well. I am in principle against committees such as this, that represent the Legislature, going in camera unless there are compelling reasons. However, you have mentioned that there may be personal references and information that may come up in the informal discussion, and I'm cognizant of that. But I want to register my concern of going in camera.

**The Chair:** So noted.

Anyone else?

**Mr. Backs:** I echo that concern, although I pretty much say the same thing as Raj said, that we must be as open and as public as possible. But if there are matters of personal privacy that do come to the fore here, I think we have to respect that as well.

**The Chair:** Anyone else?

Anyone wishing to make a motion that the Standing Committee on Community Services now meet in camera and that the designated committee support staff, including the Parliamentary Counsel and the committee research co-ordinator, other committee staff, and departmental officials as required, be invited to remain in attendance? Apparently not.

So what are your wishes?

**Some Hon. Members:** Carry on.

**The Chair:** Carry on? Okay.

We have the staff here from the ministry of health. Do you wish to invite them to the table for part of these discussions? A little more formal if we want to ask them questions than to have them sit way back there. I would ask you to maybe occupy a seat up at the table.

I'll ask Shannon Dean to offer some comments on what the committee needs to consider in planning its review of the public input received in its reporting process.

**Ms Dean:** Thank you, Mr. Chairman. I thought I would focus my comments on the Standing Order requirements with respect to the reports that this committee is responsible for with respect to bills 31 and 41. Given that the public hearings have been completed for both bills, it's important to look at the different Standing Order requirements for the different bills because one bill was referred to you after first reading, Bill 41, and Bill 31 was referred to you after second reading.

I would like to start first with the Standing Order requirements for a bill that's been referred after second reading. The issue here is your report on Bill 31. Now, as the chair has noted on numerous occasions, the fact that the Assembly has already approved the principle of the bill means that this committee's scope of review is narrower than it would be for a bill that's been referred after first reading. The relevant Standing Order is temporary Standing Order 78.3. It reads as follows:

A Policy Field Committee to which a Bill has been referred by the Assembly after second reading shall be empowered to report the same with or without amendments or to report that the Bill not proceed.

In other words, the Standing Order contemplates three options for this committee with respect to a bill referred after second reading: first option, that the bill proceed in the form that it was introduced; second option, that the bill proceed with amendments; or the third option, that the bill not proceed. Now, this may sound familiar to those members who have participated on the Private Bills Committee because those are the same three options that are available to that committee when it reviews bills.

Moving on to the form of the report, if one were to describe what the report would look like, and assuming that this committee is going down the path that amendments might be contemplated, the report would, strictly speaking, be very narrow in the sense that it would indicate what the committee's decision is, and if amendments are contemplated, it would focus on amendments. This form of report would be different than that which a select special committee would prepare, such as the committee that's looking at the Personal Information Protection Act, because they are preparing a more substantive report. By comparison, this committee is part of the legislative process, so your report is narrower, especially with respect to a bill that's been referred after second reading.

Now, again, this is new to all of us. We are trying to interpret the Standing Orders based on the intention that we understand the House leaders had when they put together their agreement. We've also looked at the practices in other jurisdictions, in particular Saskatchewan, which probably most closely follows our Standing Orders with respect to the policy field committees. The practice in Saskatchewan with respect to a committee report where the bill's been referred after second reading is actually just an oral report, and where amendments are recommended, then they are included. By comparison, in Saskatchewan when a committee is looking at a bill after first reading, it's more of a substantive report, similar to what you're accustomed to, such as a report coming from a select special committee.

What's the next step after this committee reports to the Assembly in early November? Under these temporary Standing Orders the bill will be considered committed to Committee of the Whole, assuming that the report recommends that the bill proceed or proceed with amendments. In the case that the committee recommends that the bill not proceed, then the process is specifically: a motion is moved immediately in the House as to whether the Assembly will concur in the report, and if that motion to concur is adopted, then the bill is dropped from the Order Paper. If the motion is defeated, then the bill stands referred to Committee of the Whole. The reference there is temporary Standing Order 78.4.

So that's the process with respect to Bill 31 as the Standing Orders are laid out.

**9:40**

With respect to Bill 41 Standing Order 74.2 is the operative provision, and it states as follows:

When a Bill is referred to a Policy Field Committee after first reading, the committee may conduct public hearings on the subject matter of the Bill,

which was done here,

and report its observations, opinions and recommendations with respect to the Bill to the Assembly.

Given this wording, it's evident that the intent here is that the committee has a wider latitude with respect to the form of its report.

I would submit that, certainly, the committee could recommend specific amendments, but they could also have broader policy

recommendations as a part of that report. It's also important to note that the scope of the amendments that the committee may wish to recommend with respect to a bill that has been referred after first reading is broader, as you know, because the House has not yet approved the principle of the bill. So you've got more latitude in that area.

Finally, the next step in the process, once this committee reports on Bill 41, is laid out in Standing Order 74.2(2), and it states that where the committee reports that a bill proceed and the Assembly concurs in that report, then the bill is placed on the Order Paper for second reading.

Essentially, Mr. Chairman, those conclude my comments as a brief summary with respect to the temporary Standing Orders.

**The Chair:** Any questions of Shannon at this time?

**Rev. Abbott:** Sorry, just for clarification. We can actually propose and pass amendments here, and we would then introduce the bill at Committee of the Whole with these amendments already in? Or did I hear you say that, like Saskatchewan, we can only recommend amendments to the Legislative Assembly?

**Ms Dean:** You are empowered to recommend amendments.

**Rev. Abbott:** To recommend them, not to actually pass amendments.

**Ms Dean:** Correct.

When the committee is going through its deliberations and voting on possible amendments, again, it's going to form part of a report, but it's ultimately a recommendation to the House, who must approve the report before the bill stands committed to Committee of the Whole, and the bill can actually only be amended in Committee of the Whole, not through this committee.

**Rev. Abbott:** Okay.

**The Chair:** Any other questions?

Thank you very much, Shannon.

On the reports where the presentations were given yesterday, are there any instructions that any members would like to give the support staff to bring back any clarifications on? Any questions? Reverend Abbott.

**Rev. Abbott:** Yeah. What I would like to see if it's possible, Chair, is a list of the amendments that have been proposed or recommended by the different groups, especially on Bill 31 – I think on Bill 41 it's pretty clear – but I mean for both of them. We need just sort of a very clear, simplistic listing of all the amendments. There were quite a number for Bill 31. Everybody that came in had suggestions on how to improve it or change it pretty much whereas with Bill 41, it was one or two minor things. I think it would be great if we could have a very clear list compiled, say, on one or two pages, and then we could, maybe, you know, debate each of those as we would in the House on any amendment that's proposed.

**The Chair:** Anyone else? Dr. Pannu.

**Dr. Pannu:** Yes. Mr. Chairman, I think it's true that the research staff needs to have some direction from us. Bill 31: we know that there were lots of groups that made some recommendations that overlap with each other, so I hope that we won't get each group's recommendations listed separately but perhaps categorized as

belonging to a certain homogeneous set. That way it's easier to deal with them. There were some controversial ones. Particularly, Mrs. Adria's presentation to us last night raised some issues which specifically focus on older people. So, first of all – and I presume that you might agree with me – we need to know whether or not the issues that she raised in fact fall within the purview of Bill 31; secondly, if so, what particular amendments we might want to recommend to the Assembly.

**Mr. Loughheed:** Several comments were made about other jurisdictions and Supreme Court rulings, I think one from Alaska. I'm thinking of the one where the Supreme Court in Alaska essentially said no to CTOs. I was questioning some of the other comments that have been made by – I think two individuals made that statement. I just wonder if staff could check to see if in fact that was the Supreme Court decision and what the status of it is. That's the one that sticks in my mind, but there were some other things. Maybe if there was an opportunity to do a review of some of that, I would appreciate it.

**The Chair:** Anyone else?

I would also like some information. A number of the presentations listed various alternative therapies and gave some references. If staff could perhaps find some research on those alternative therapies, I'd like to know whether there's any scientific basis that would show the validity of those, which treatments would be valid and which ones aren't, to substantiate the various claims that were made in the submissions. I know that it might be fairly extensive to do that, but we're getting conflicting reports from what works and what doesn't from two different patients. You know, it concerns me that what works for one may or may not work for another, and I'd like a little more substantive background on some of these therapies and the scientific basis for them.

**Dr. Pannu:** Mr. Chairman, thank you for raising that issue. It reminds me about the fact that my own research staff drew my attention to Newfoundland's mental health care and treatment act 2006. I asked questions about it from some people who presented before us yesterday. None had looked at it. I think we need to have some information made available to us as part of the report.

**The Chair:** Mr. Backs.

**Mr. Backs:** Yeah. I'd like to see if we could have some understanding of the conflicting information that we've seen from the United States. Some of the presenters said that the New York information was very positive on CTOs. The experience on, you know, reducing incarceration and all those types of things was quite positive, but some of the other presenters said that some of the states were rejecting CTOs. If we could have some sense of that.

**Dr. Pannu:** The Newfoundland legislation seems to address to some degree the civil liberties side of the issue specifically. I think that's the reference that I am trying to make here.

**The Chair:** The one interesting thing that I found was that in a couple of instances when the question was asked, "Comparing our proposed legislation to some existing legislation, who has it closest to the best?" the answer was "Alberta," even though we're in the process of working on it. I think we need to try to find out how we can tweak this to make it even better.

I'm still concerned about how some of these proposed treatments affect people in so vastly different ways.

**Mr. Flaherty:** When you talk about treatments or therapies that are used, are you also including in that the drugs involved? There was one particular presentation here last night – I think it was human rights. He used a lot of evidence. I think he talked about the big firm Lilly and about a society getting dollars from specific drug organizations. So are you talking about drugs that are used in therapy? That would be of interest to me because sometimes when you hear that, you wonder if that's an effective drug being used and that's why it's so popular or if what's really happening is that it's more or less a drug that's being overused, if you will, not supported by evidence that it's worth while using.

9:50

**The Chair:** I was referring to alternative therapies, but you raise a very good point. On the one hand, one individual made claims that his life was normal if he had the drugs administered regularly, whereas others had a totally adverse reaction. I think we need to know as a committee what drugs work. Perhaps that one individual is taking different drugs than the ones that other people were taking. You raise a good point. We need to have the background on the various treatments.

**Mr. Flaherty:** And the whole question of methadone was very interesting to me as well. Hopefully, that would be included in this review.

**Mrs. Mather:** I'd like to have some more information on the mental health review process that is already in place versus what would be suggested by Bill 31. I need to know that we're covering as much as we should in terms of opportunities for appeal and so forth. We did have a statement yesterday by one of our presenters that it's already there in our Mental Health Act, that there's already enough. Can we get some more information on that?

**The Chair:** Okay.

**Rev. Abbott:** A tremendous amount of work to do given the time. What do we have – about a month? – to pull this all together?

**The Chair:** Well, our next meeting is on October 11.

**Rev. Abbott:** So we have nine days. It just seems like a tremendous amount of work. Perhaps we could narrow that down a little bit. I don't know how we're going to get that done.

**Dr. Pannu:** Mr. Chairman, that does raise an important issue. You know, this is a very important bill. Most of the presenters before us have emphasized that we must get it right, not get it in a hurry. If time's an issue, I think we need to make sure that our staff, our researchers, have the time to do the work that we expect them to do and that Albertans expect us to do before we proceed with legislation.

**The Chair:** Well, perhaps we should hear from the ministry officials to see what's doable and in what time frames.

Do you have any comments? Maybe we'll have Shannon comment first on this.

**Rev. Abbott:** Just one quick comment, Mr. Chair. It could be a possibility that we, you know, proceed with Bill 41, which would require a lot less research, and then perhaps delay Bill 31 to give the researchers some more time. That may be an option.

**The Chair:** Shannon, do you have any comments?

**Ms Dean:** Mr. Chairman, just for clarity in terms of the support that the Legislative Assembly Office is going to be providing for this committee. We have Dr. Massolin and Katrin to assist the committee with respect to outstanding questions that it has. The purpose of department officials being here is to assist if the committee members have follow-up questions and also to make sure that they're aware of what's transpiring in terms of discussions in the event that amendments are possibly contemplated, or perhaps there are very technical questions that the committee has with respect to specific provisions in the bill that the department officials might be in a better position to answer. I just provide this clarification because it's the Legislative Assembly Office staff that will be undertaking to provide the briefing for the committee.

**The Chair:** Philip, do you have any comments on how much research you could do on this?

**Dr. Massolin:** Yes, I do, actually. Just to answer your question, Mr. Chair, I appreciate the suggestion that it's quite a heavy load here. If it's possible to prioritize some of these tasks, I think that would be very helpful. I mean, I understand the importance of all of these questions that are put before us, but to do a good job in terms of ascertaining the effectiveness of alternative therapies versus traditional or sort of drug therapies, that is a very important question but a very difficult one to answer in a brief time. A lot of material out there. Just one example.

**The Chair:** Okay. Any other questions? I don't think that at this stage we should be contemplating delaying any bill. I mean, our mandate is to proceed, and we should work towards getting both bills back to the Legislature in the time frame we've been given and see how we progress on that. I don't know how much information you can have for us by October 11 on some of the points that have been brought up, Philip, but perhaps you could have enough to satisfy a lot of the questions of the committee by that time. I guess we won't know until the time arrives.

**Dr. Massolin:** Is there any way we can say, "these are the things we have to have"? I mean, I would propose sort of this list of amendments that were put before the committee by the submitters – I mean, that seems very reasonable – but beyond that, other things that, you know, you'd really prefer having, and then we can do our best effort to provide a complete job of it by the next meeting. Is that a viable way of proceeding?

**The Chair:** Do you have a list of the proposed amendments? I don't have any in front of me.

**Dr. Massolin:** Oh, I could prepare that, for sure. I'm just saying that that's one example of what I could certainly do for the next meeting, but are there other examples of the types of things that were mentioned just now that you must have versus sort of nice to have?

**The Chair:** Any comments from the committee on that?

**Mr. Backs:** I think it's important to have some sense of the U.S. experience. You mentioned the Supreme Court decision of Alaska, you know, and the differing experiences in New York and some of the other states that we heard about. They seem to be conflicting. Just have some sense of that.

**Dr. Massolin:** Okay.

**Mrs. Mather:** We need to know what's happening in Newfoundland, I think, a civil liberties point of view.

**The Chair:** Perhaps it's important to maybe ask the ministry officials if the minister is contemplating any amendments at this time. That may help the committee a lot and shorten our workload, if any amendments are contemplated, if the committee would like to consider them as part of their report.

**Mr. Chamberlain:** I can address that, Mr. Chair. There are some technical House amendments that I actually referenced when we did the technical briefing a few months ago, and we've got those drafted by Leg. Counsel. Those are purely technical. There are a couple of sections where changes were missed in the original bill. Those were originally being proposed by the ministry as Committee of the Whole minor House amendments to come forward. We can certainly provide those to the committee.

The minister has also had an internal cross-ministry group looking at regulation development and stuff so that we are ready to start implementing this. As part of that process they've identified a few issues that may require some House amendments. Those haven't been considered by the minister yet. Some recommendations have been made to him, and he's going to be considering them in the next few days.

I'm certainly happy to take back to the minister that the committee would like to see what he's proposing from the respective House amendments. I can't comment on them specifically because the minister hasn't given me any instructions on them yet, but I know that some of them are similar to some of the issues that were raised yesterday and, quite frankly, I think are mostly consistent with many of the things you heard yesterday.

**The Chair:** I guess that to make it official, does the committee wish to have the chair request any of those contemplated amendments to be brought back to the committee?

**Dr. Pannu:** I would like some advice from our legal experts there in terms of the procedure if that's an appropriate thing to do.

**Ms Dean:** Mr. Chamberlain and I have had some discussions. Again, we're in a new process here, but it is thought that if amendments that are going to be put forward in Committee of the Whole could be considered at this stage and, if approved by this committee, then presented in the report as a package and then moved in Committee of the Whole as a package, it would just make more logical sense, and it would eradicate the risk for any complications if some of those House amendments that are coming forward might be conflicting with what this committee is proposing. It's a counsel of caution in the sense that if you have the amendments at this stage, perhaps it'll be better once we get to Committee of the Whole, so that any amendments aren't going to conflict. Is that clear?

**Dr. Pannu:** Well, obviously, it's tentative.

**Ms Dean:** I mean, I can just give you an example, Dr. Pannu. For example, the ministry might have an amendment to section 9.1 of the community treatment orders, and it might be a very benign amendment. However, this committee might have amendments, too, to that same provision. For them to be coming forward separately sometimes is complicated just from a procedural standpoint. Ideally, if those amendments could be combined at this stage, then it would just be easier for the House, I believe, when it's considering the bill. Again, though, it's entirely up to this committee what it wants to do

with amendments being contemplated by the ministry. The decision as to whether or not it wants to recommend those amendments rests with this committee.

10:00

**The Chair:** Mrs. Mather is prepared to make a motion that the chair be directed to write a letter to the Minister of Health and Wellness to determine whether the government plans to amend Bill 31 and Bill 41 and provide that to us. Any discussion on that?

Mr. Lukaszuk.

**Mr. Lukaszuk:** No. I just wanted to second the motion.

**The Chair:** A seconder is not required.

Reverend Abbott.

**Rev. Abbott:** Yeah. It just seems like we're duplicating ourselves in doing the same work twice. I understood that the bill was sent to us to do that work. Then when we've done our work, we would send it back to the department to have a look before it goes on the floor. I'm just not sure why we would both be proposing amendments at this stage.

**The Chair:** Well, it would give us an opportunity to look at any proposed amendments the department is making, and the department is entitled to propose amendments as well. We would have an opportunity to influence that.

**Rev. Abbott:** I understand that, Mr. Chair, but my thought is that the way this process works: this is an all-party committee; we're bringing forward a package of recommendations, whether it's to proceed as is or proceed with amendments or not proceed. Then those would be debated on the floor of the House. At that time it would be appropriate for the department to bring forward any amendments because I don't think it's normal practice – again, I know we're new here – for the government departments to be vetting their amendments through these all-party committees. We went out to seek amendments from the public. They do their amendments within-house and with their own experts, et cetera. It seems to me that there are two different processes here, and if we try to do them at the same time, all we're doing is the same work twice.

**Dr. Pannu:** I agree with the Reverend Abbott on that, Mr. Chairman, after listening. We are a committee of the Legislature, an all-party committee. We have been given a job to do, and we must do it in our own right. We have the benefit of receiving submissions, considering them, asking questions. Our work must be the result of that process, whereas the Department of Justice is on the minister's office side. They have a different procedure, some technical issues, maybe some substantive changes, but they may or may not reflect what we have heard. I think we have the benefit of having heard from Albertans. We gave them the undertaking that we'll take seriously what they have to tell us and proceed on that basis, so I think we shouldn't mix the two.

**Mr. Lukaszuk:** What Reverend Abbott and Dr. Pannu say makes a great deal of sense. The only question I would have, I guess, for both of them – and maybe we should discuss whether we should stray from that in cases where we are contemplating an amendment. In order to table an amendment, a great deal of research will be required on our behalf, so we'll have to put this committee's researchers from ground zero to work and come up with all the underlying factual information for our amendment. Then to learn

that the department will be tabling the very same amendment for the very same reason and has already done their research and has it available: in cases like that would we then withhold tabling our amendment and ask the department to provide us with their amendment and the reasoning for it so that we can look at it and not have to duplicate all that work within our own means?

**Mr. Lougheed:** I feel similar to Mr. Lukaszuk. I would like to see what the department is proposing, and I would view them as just another one of the – we had many proposals for changes put forward yesterday. We can concur with the department, or we can reject. The department's recommendations don't have to go forward from this committee, but if in fact we do have a look at their proposed amendments, it may confirm what we're thinking or be another source of discussion.

**Mr. Backs:** I agree with Messrs. Lukaszuk and Lougheed that we should have the information from the department although there may be some technical amendments that may come forward later to enable correctly the legislation. I think that if there's anything substantive – they have heard the presenters yesterday, which they may not have heard before, and a lot of the presenters may have prepared more for this committee than they may have for the department – we should see anything that the department may be coming forward with in terms of having heard those presentations.

**The Chair:** It is a government bill that we have been charged with evaluating and making recommendations on. Any proposed amendments from the department I see as an opportunity for this committee to also influence and evaluate and be a part of, perhaps even improving if the committee sees fit to do that. I would hate to see us miss that opportunity to influence that part of the legislative process.

**Dr. Pannu:** Mr. Chairman, obviously we're trying to tread carefully and find our way in this new process, but it seems to me that any amendments that come from the minister's office on the minister's behalf will rightly be put before the House, and the House will determine whether the amendments are appropriate or not. Our recommendations that we send forward as part of our report will be available to the minister, and the minister will have the opportunity to determine whether some of our amendments, in fact, can be either incorporated into the work that the department has done or that he's willing to make changes in what his department is working on now.

We should keep the two streams separate. That's why I think this committee has been struck, as a matter of fact: to independently work on behalf of the Legislature and make recommendations. Then the minister will have the opportunity to look at our recommendations, and if they're the same, if they're identical, then there's not a problem. The minister will, obviously, be more than happy to accept and will also have the opportunity to turn down the amendments and see how it will work.

**The Chair:** Do you not see the huge possibility of a lot of duplication of work?

**Dr. Pannu:** I think process is important. As I said, this is our experimental stage. We are learning to move forward, and I suggest that we maintain a certain degree of, sort of, parallel work. It will require work, there's no doubt. I mean, what we are doing is additional work, never been done before, but there is a logic to it. There's a merit to it. That's why we're engaged in it.

**The Chair:** Well, I still see this as an opportunity for an all-party committee to be part of what the department may be wanting to do and an opportunity to influence that process.

**Mr. Johnson:** Listening to the discussion here, it seems to me that, yeah, process is important, but to me the product is probably more important. I think we'd get the better product by having more input or all input, so I agree with Mr. Lougheed there. I think it would be good to have that input from the department at this point because I think we would actually have a better product in the end.

**Mrs. Mather:** I'd like to basically support what was just said. I think that this isn't about process or the work so much as about the information that we need to do a good job. I believe the more information that we have, the better job we're going to do. It's such an important bill, especially Bill 31. I think that it's crucial that we do a comprehensive study, and that means getting all the information we possibly can.

10:10

**The Chair:** Anyone else?

Are you ready for the question? Those in favour of the motion?

**Hon. Members:** Can you read the motion?

**The Chair:** Okay. I'll read the motion. Mrs. Mather moved that the chair be directed to write a letter to the Minister of Health and Wellness to determine whether government amendments to bills 31 and 41 are planned.

**Mr. Lukaszuk:** You may very well receive a one-word answer saying yes. I suggest that your letter extrapolate a little and say: what are they, and what are the underlying reasons for them?

**The Chair:** And provide the information.

**Mr. Lukaszuk:** Uh-huh.

**The Chair:** Okay. Are we clear on the motion now? Those in favour, stretch them out. Opposed? That's carried.

**Dr. Pannu:** I'd like it to be noted, Mr. Chairman.

**The Chair:** Mr. Pannu is recorded as opposed.

Okay. If we can move on to the other order of business, the committee received two late submissions last Friday and yesterday from two private citizens. Does the committee wish to accept these late submissions as part of their committee deliberations and record?

Now, there are two. If there were 20, if there were 100 – they came in after the deadline. I think we have to consider what would happen if we accept more. Are we going to accept more that come in now? I mean, it was advertised, so it was fair to all, to have your submissions in by a certain time. We can accept and possibly open the door for many more requests. Then the question is: what's the committee going to do at that stage? The advertising, as we stated, was fair process. Because it's two, it's easy to accept. But if it's 100, how long do we open it up for?

I'll throw that out for discussion if there are any comments before I accept a motion.

**Mr. Lougheed:** Mr. Chair, as MLAs we have people speaking to us every hour of every day, offering us suggestions and advice and

comments about different things. Perhaps if somebody has a burning desire to offer information that they think is important to the committee and the committee is no longer hearing and receiving formally that information, they can talk to their MLA and get the message through to us, or they can even contact individuals. I'm sure all of us have received information here and there along the way about these things over the past many years or short period of time, depending on how long we've been elected. That's an informal mechanism. As individuals we can evaluate that: receive it or, if we don't have time, not receive it and make those decisions. That's always open to the public, to Albertans, to let us know what they're thinking.

**The Chair:** Reverend Abbott.

**Rev. Abbott:** Yeah. I guess my vote was going to be to say that we accept it in light of the fact that, again, it was a little bit of short timelines. It's our first time. It's our first process that we're going through. I think, perhaps, the public hearings did probably generate some new thought and some new ideas, perhaps some new awareness of what we were doing. I think that in this case we should definitely accept those written submissions and include them as part of the summary documents.

**Mr. Johnston:** I agree with Reverend Abbott that we should accept them, but it would have to be weighed individually in future in terms of, Chair, as you said, if we got 100 or 50 or whatever. But I think we should accept the two.

**Dr. Pannu:** Mr. Chairman, in our discussion very early on, before we set up the process of public hearings and deadlines for submissions, our discussion anticipated that this may be a problem because of the short time and the summer intervening in between. I'm certainly in favour of receiving those things, but there would still have to be some sort of deadline, you know, if the work has to be done. If we are going to pay attention to what's presented to us, we'll have to have some timelines. There's the issue of feasibility. If it can't be done given the time before us, I think it's clear that it's a problem. So I don't know. I want to ask you: have you already received some requests about submissions, or have you received some more submissions?

**The Chair:** We have two late submissions before us right now that have requested to be included.

**Dr. Pannu:** It seems to me that at least those two are something that I think we should consider, but beyond that, I'm not sure.

**The Chair:** Mr. Lukaszuk.

**Mr. Lukaszuk:** Thank you. I'm a little concerned. I can see where Dr. Pannu is coming from, but I'm afraid that we may be setting a bit of a precedent. Really, what if an envelope with 50 inside came in? Would you make a different decision then? I think Mr. Lougheed has offered us a bit of an out because whatever amendments we will be tabling, they will go to the Committee of the Whole, and they will be fully debated in the Legislature. So I wonder if from an administrative perspective it is possible, if after a deadline written submissions come in, to simply pass them on to the appropriate MLA from where they came, and that MLA, if he chooses it appropriate, can voice his constituent's opinion when the bill is properly debated in the House. For instance, if that submits

sion came from Dr. Pannu's riding, pass it on to Dr. Pannu. He can consider it and perhaps argue accordingly in the House when the debate arises.

**Dr. Pannu:** I think there's some sort of merit in the suggestion that has just been made. I think that rather than limiting the availability of these to only the particular MLA, if these could be made available to members of the committee but not considered as part of the report, that would be fine. Then all of us would have the information. Whether we represent that particular person as their MLA, I think we still want to have the information before us for debate later on in the House.

**The Chair:** I'm not sure how the committee can receive information and not consider it ending up as part of the report. I think we have to anticipate that acceptance at this stage will probably and possibly trigger more requests from those that would say: "If I knew it was going to be open-ended, I would have submitted. Therefore, I need to submit now and request that it be also considered, the same as the committee considered these."

**Mr. Backs:** Mr. Chair, there was a deadline that was advertised, I think, in August for written submissions. There was an understanding in the committee that we would accept written submissions with the appearances at the hearings. I think it would be appropriate to accept the two late submissions but to cut it off and to refer any further ones to the MLAs, as suggested by Mr. Lukaszuk, and to get on with the work of the committee.

**The Chair:** Okay. Well, I think we should have a motion to do whatever the committee wishes with these late submissions, so the floor is open for that.

**Mr. Backs:** I'll move a motion for what I just said.

**The Chair:** Correct me if I'm wrong, but Mr. Backs moves that we accept the two late submissions, by Ms Janine Sakowicz and Ms Carol Wodak, and that they be considered as part of the submissions for the committee to consider and that no further submissions will be accepted from this point on but referred to the appropriate MLA.

**Mr. Backs:** So moved.

**The Chair:** Any discussion on that motion? Those in favour? Opposed? That's carried.

Unless there's anything else that anyone wishes to raise at this point in time, that concludes the business on the agenda. A reminder that the next meeting is scheduled for 1:30 p.m. on Thursday, October 11.

*10:20*

**Mr. Johnson:** Are there any other meetings scheduled if necessary?

**The Chair:** Yes, there are. Corinne, would you point those out?

**Mrs. Dacyshyn:** Right. For the meetings that the committee agreed to, the dates are Thursday, October 11, from 1:30 to 4:30; Thursday, October 25, from 1:30 to 4:30; and Wednesday, October 31, from 1:30 to 4:30. That's the schedule. All of those dates are advertised, already posted on the committee's internal and external websites.

**The Chair:** The chair would like to note that if the committee feels that the 1:30 starting time is too late in the day, the chair would be open to changing that to 7:30 a.m. With no motions forthcoming, I'll assume that the committee is not in concurrence with that.

I guess we're ready for a motion to adjourn. Mr. Art Johnston moves that the committee now adjourn. Those in favour? That's carried. Thank you very much.

[The committee adjourned at 10:22 a.m.]

