



Legislative Assembly of Alberta

The 30th Legislature  
Second Session

Select Special  
Democratic Accountability  
Committee

Monday, July 13, 2020  
10:30 a.m.

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**Legislative Assembly of Alberta  
The 30th Legislature  
Second Session**

**Select Special Democratic Accountability Committee**

Schow, Joseph R., Cardston-Siksika (UCP), Chair  
Horner, Nate S., Drumheller-Stettler (UCP), Deputy Chair

Allard, Tracy L., Grande Prairie (UCP)  
Ceci, Joe, Calgary-Buffalo (NDP)  
Dang, Thomas, Edmonton-South (NDP)  
Goodridge, Laila, Fort McMurray-Lac La Biche (UCP)  
Nixon, Jeremy P., Calgary-Klein (UCP)  
Pancholi, Rakhi, Edmonton-Whitemud (NDP)  
Rutherford, Brad, Leduc-Beaumont (UCP)  
Sigurdson, R.J., Highwood (UCP)  
Smith, Mark W., Drayton Valley-Devon (UCP)  
Sweet, Heather, Edmonton-Manning (NDP)

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10:30 a.m.

Monday, July 13, 2020

[Mr. Schow in the chair]

**The Chair:** I'd like to call this meeting to order. Welcome to members and staff in attendance for the orientation meeting of the Select Special Democratic Accountability Committee.

My name is Joseph Schow. I'm the MLA for Cardston-Siksika and chair of this committee. I'm going to ask that members and those joining the committee at the table introduce themselves for the record, starting on my right.

**Mr. Horner:** Nate Horner, MLA for Drumheller-Stettler and deputy chair.

**Mrs. Allard:** Good morning. Tracy Allard, MLA for Grande Prairie.

**Mr. Sigurdson:** Good morning. R.J. Sigurdson, MLA for Highwood.

**Ms Goodridge:** Good morning. Laila Goodridge, MLA for Fort McMurray-Lac La Biche.

**Mr. Jeremy Nixon:** Jeremy Nixon, Calgary-Klein.

**Mr. Rutherford:** Brad Rutherford, Leduc-Beaumont.

**Mr. Smith:** Good morning. Mark Smith, MLA, Drayton Valley-Devon.

**Ms Pancholi:** Good morning. Rakhi Pancholi, MLA, Edmonton-Whitemud.

**Ms Sweet:** Good morning. Heather Sweet, MLA for Edmonton-Manning.

**Mr. Dang:** Good morning. Thomas Dang, Edmonton-South.

**Member Ceci:** Hi. Joe Ceci, Calgary-Buffalo.

**Ms Cherkewich:** Teri Cherkewich, office of Parliamentary Counsel.

**Ms Robert:** Good morning. Nancy Robert, research officer.

**Dr. Massolin:** Good morning. Philip Massolin, clerk of committees and research services.

**Mr. Roth:** Good morning. Aaron Roth, committee clerk.

**The Chair:** Wonderful. Great to have you all here this morning.

I don't believe we're joined by anyone on the telephone or by video conference, and I don't believe that we have any substitutions today.

I'd like to say that based on the recommendations from Dr. Deena Hinshaw regarding physical distancing, attendees at today's committee meeting are advised to leave the appropriate distance between themselves and other meeting participants. Please note that the microphones are operated by *Hansard*, so members do not need to turn them on and off. Committee proceedings are being audiostreamed on the Internet. Please set your cellphones and other devices to silent for the duration of the meeting.

Participation in a committee by teleconference and video conference. Section 6 of the Legislative Assembly Act permits participation in a committee "by means of telephone or other communication facilities that permit all Members participating in the meeting to hear each other if all the members of the committee consent." For members' information, the committee rooms are

equipped to facilitate meeting participation via teleconference, and we have recently started using video conferencing as well. For members to participate at this meeting using one of these methods, the committee must either pass a motion unanimously to allow for teleconferencing and video conferencing today, or members may instead pass a motion to approve meeting attendance by telephone and video conference for the duration of our mandate. This would not preclude the committee from determining that members' attendance in person at specific committee meetings is required.

Does anybody have any questions on that issue?

Seeing none, does anybody want to move a motion to that effect?

I see that it is moved by Member Tracy Allard that

for the duration of its mandate, the Select Special Democratic Accountability Committee permit committee members to participate by teleconference or video conference subject to the proviso that the committee may require members' attendance in person at a particular meeting upon passage at a previous meeting of a motion to that effect.

Let's open that to discussion. Does anybody have anything to say on that matter?

Seeing none, all in favour of that motion, please say aye. Any opposed?

That motion is carried.

We'll move on to section 2 of the agenda, the approval of the agenda. Does anybody have any changes to make?

**Mr. Horner:** Mr. Chair, if I could.

**The Chair:** I see Mr. Horner first.

**Mr. Horner:** Yes. I would suggest, after discussion by the committee, of course, that we entertain switching items 4 and 5 in the order on the agenda, putting subcommittee before scope of review. I think it will help with the flow of the motions and amendments and kind of serve our purpose here in a timely fashion a little better. I'd move a motion as such after discussion.

**The Chair:** Okay. Having heard the motion, does anybody have anything? Mr. Dang, please.

**Mr. Dang:** Thank you, Mr. Chair. I'm just wondering what the intent of the amendment is. I mean, we obviously have a flow that was agreed to in advance on the agenda in terms of these matters, and I believe that things like subjecting this committee's scope and understanding, where the research should be done – if it happens in advance of the subcommittee, we then have a framework for what we want the subcommittee to do.

I'm just wondering why this would be brought up, why it wasn't brought to the attention of the opposition in advance, and what the actual intent is here.

**The Chair:** Does anybody have anything else to add on that?

**Mr. Horner:** I would just add that I think the subcommittee is going to determine a lot of the scope. If it were to come first, I think that would serve us all in a more timely fashion in a short meeting.

**The Chair:** Mr. Dang.

**Mr. Dang:** Thank you, Mr. Chair. I'm sorry. Did Mr. Horner just say that the subcommittee will determine a lot of the scope? I don't believe that's actually been agreed to by this committee yet, and I believe that will come at a later point for subsequent debate.

**The Chair:** For clarification, if I could, I'm going to go to Ms Goodridge, please.

**Ms Goodridge:** Thank you, Mr. Chair. Upon my review, I do believe that there could be definitely a good argument for moving the subcommittee to be discussed ahead of the review of committee, based on some of the substantive amendments that were provided to the committee within the time frame. So I would recommend supporting Mr. Horner's motion.

**The Chair:** Anybody else have anything to add on that?

**Ms Pancholi:** I'd like to just clarify the process. If we're changing the agenda, does there have to be a motion to change the agenda? I'm just seeking advice from the committee clerk. Is that a motion to change the agenda?

**The Chair:** That would be a motion to amend the agenda.

**Ms Pancholi:** Pursuant to the standing order weren't all of those motions required to be provided ahead of time?

**The Chair:** This is not a substantive motion. Therefore, it does not require to be.

**Ms Pancholi:** It is a substantive . . .

**The Chair:** The memo also referred to sections 4, 5, 6, and 7. This is section 2.

**Ms Pancholi:** But the changes affect sections 4, 5, 6, and 7, which would make it substantive.

**The Chair:** It's also not considered a substantive motion. It's a procedural motion.

Anything else to add on this?

**Member Ceci:** Isn't it the role of this committee to talk about the issues that we want to see going forward? Notwithstanding that it would be simpler if it was a subcommittee, we've been charged with doing this work together. I just think that it's wrong to kind of change the order without getting the full benefit of everybody's views on the issue on the table, so I wouldn't agree.

**The Chair:** Okay.

Anyone from this side again? Mr. Dang.

**Mr. Dang:** Thank you, Mr. Chair. I would vehemently disagree with what Ms Goodridge said. I would actually contend that she is only speaking to UCP motions that were filed with this committee ahead of time. NDP motions would not support the flow that they are suggesting, that this government is suggesting. I would suggest that Mr. Horner has already suggested that they have presupposed decisions of this committee, and I would suggest that that is offensive to this entire committee and Legislature. I would suggest that Ms Goodridge has also presupposed decisions of this committee, and I would suggest that is also offensive to this Legislature.

I would say that we should continue with the agenda as set, and indeed we should move forward with our motions that have been filed properly in advance and not change the flow of this committee to further the agenda of the government.

**The Chair:** Thank you.

I will say that we are starting to again get a bit repetitive, so if we have new things to add, please feel free to do so. Otherwise, we'll . . .

**Mr. Jeremy Nixon:** I'll be quick, too. Just to address Member Dang and Member Ceci's concerns in regard to discussing the number of issues and what the scope of the committee is going to

be, we will still be discussing all of the agenda items. We're not removing any agenda items from the agenda; we're simply just changing the order. I'm in favour of moving the subcommittee.

**The Chair:** I believe I saw Member Sweet.

**Ms Sweet:** Thank you, Mr. Chair. Just a point of clarity, with the changing of the order for the subcommittee, some of the amendments that are very clearly in here are in the order that they are because of the fact that they are addressing certain parts, like our NDP amendments, so if there is a change to the flow of the agenda, how does that impact the amendments that are currently proposed and provided to the committee ahead of time?

**The Chair:** Those amendments are all still on notice. They will come up in order as the agenda is amended. Nothing happens to those amendments. They're still there.

All right. Seeing no one else who would like to add to this discussion, we'll call this to a vote. Can we get a draft motion, then?

10:40

**Mr. Dang:** Mr. Chair, I request a recorded vote.

**The Chair:** Certainly. We'll get to the voice vote first, if we could, please.

Mr. Horner has moved that

the agenda be amended by moving item 5 before item 4.

Having heard this motion, all those in favour, please say aye. All those opposed, please say no. Is it nay or no? No. We'll get there.

A recorded vote has been asked for by Mr. Dang. For the recorded vote all those in favour will be asked to raise their hand, following which all those opposed will be asked to raise their hand, and those names will be recorded on the record.

All those in favour of the motion moved by Mr. Horner, please raise your hand. That is Mr. Horner, Mrs. Allard, Mr. Sigurdson, Ms Goodridge, Mr. Nixon, Mr. Rutherford, Mr. Smith. All those opposed, please raise your hand: Mr. Ceci, Mr. Dang, Ms Sweet, Ms Pancholi.

**Mr. Roth:** Mr. Chair, total for the motion, seven; total against, four.

**The Chair:** Thank you.

That motion is carried.

Moving on to item 3.

**Mr. Dang:** Mr. Chair, we're not finished with amendments to the agenda.

**The Chair:** Sorry. I apologize.

Ms Pancholi.

**Ms Pancholi:** Thank you, Mr. Chair. I'd like to propose that we add to the agenda a discussion about future scheduling of meetings under Other Business.

**The Chair:** Okay. Ms Pancholi, it is my understanding that that can be raised at other business, not raised now.

**Ms Pancholi:** That's correct.

**The Chair:** Yeah. Thank you for that.

**Ms Goodridge:** I would like to move that we approve the agenda as amended.

**The Chair:** A motion that we approve the agenda as amended. All those in favour of approving the agenda as amended, please say aye. All those opposed? That is carried.

All right. Committee orientation. Since this is our first meeting, an exciting time, I would like to provide you with an overview of this committee's mandate and process.

First, the mandate. The mandate of this Select Special Democratic Accountability Committee is outlined in Government Motion 25. It tasks us with reviewing the questions listed in Sessional Paper 192/2020 pertaining to citizen initiatives and recall as well as a review of the Election Act and the Election Finances and Contributions Disclosure Act. For the convenience of committee members a copy of the government motion is posted on the main page of the internal committee website as is a copy of the questions listed in the sessional paper. The committee has four months to review the questions pertaining to the citizen initiatives and recall and report to the Assembly.

It is important to note that our committee's mandate does not require a comprehensive review of the Election Act and Election Finances and Contributions Disclosure Act. Instead, the motion empowers the committee to determine our focus with regard to the statutes. This is particularly significant as we have been given a six-month time period to complete our review of these statutes and report to the Assembly.

Committee support and administrative matters. As we conduct our review, we have the nonpartisan support of the Legislative Assembly Office, including Dr. Philip Massolin, clerk of committees and research services, who oversees committee operations and attends meetings to receive research assignments from the committee and co-ordinate the work of the research team to ensure completion of research requests. Aaron Roth, to my left, is the committee clerk assigned to this committee and is available to provide administrative and procedural assistance. Teri Cherkewich – did I get that right? – is the Law Clerk, and Stephanie LeBlanc is the Clerk Assistant and Senior Parliamentary Counsel with the office of Parliamentary Counsel. Nancy Robert and Dr. Sarah Amato are our research officers assigned to this committee, and we also request assistance from corporate communications if we need their expertise.

In addition to the staff that often join us at this table, there are staff from other Legislative Assembly branches who support our meetings, including committee operations staff, members of the Legislative Assembly security services, the Alberta *Hansard* staff, who record and transcribe the proceedings, and we have experts from ITS who are working hard with us behind the scenes.

We now go to line item 5, as amended in the agenda: subcommittee. Many members of the Assembly are required to appoint a subcommittee to assist in managing the work of the committee. We are not required to establish a subcommittee, but it may be beneficial to set up one to help us define the scope of our review and, more generally, to ensure that we set out an efficient review process. In most cases, unless otherwise directed by the committee, subcommittees meet off the record and with the support of the committee clerk, research and committee services, and Parliamentary Counsel as required. Does anyone have any thoughts specifically related to whether the committee would wish to establish a subcommittee in terms of reference and how it should be composed?

**Mr. Horner:** Chair, if I could.

**The Chair:** I see Mr. Horner.

**Mr. Horner:** Yeah. I think this would be the appropriate time to move motion 1 that was presubmitted to the clerk and committee. I could read it at this time if you'd like.

**The Chair:** Mr. Horner, if you could read that motion, and we'll get it on the screen, please.

**Mr. Horner:** Yes. That

the Select Special Democratic Accountability Committee appoint a subcommittee on committee business to meet from time to time at the call of the chair to, among other things, define the focus of its review of the Election Act and Election Finances and Contributions Disclosure Act and to, among other things, organize the review process on behalf of the committee, and:

- that the presence of two-thirds of the subcommittee is necessary to constitute a quorum; and
- that the subcommittee be composed of the following members: the chair, three members of the government caucus, and two members of the Official Opposition; and
- that substitutions from the membership of the committee be permitted on the subcommittee.

**The Chair:** Give us a moment as we get that motion up on the screen.

Okay. Mr. Horner has read out his motion. We can open this up for discussion. For those of you who have not been to committees before, as I'm sure you all have, if you have a question or would like to add something please get my attention or Mr. Roth's.

Given that this is a government motion, we'll start with a member from the opposition, with Ms Pancholi.

**10:50**

**Ms Pancholi:** Thank you, Mr. Chair. I have significant concerns about this motion, particularly in light of the amended agenda today, because essentially this motion is now giving all authority to the subcommittee to decide, really, the scope of the review, which is the mandate of this entire committee and all of the members here. It's basically giving this authority to determine the scope of the review of this committee to a select number of committee members, who are also going to be conducting their work and making these decisions and determinations outside the light that is normally shone on committee meetings. Subcommittee meetings are not subject to *Hansard*. They are not recorded. There's no transmission, video or audio. Really, Albertans have no idea what subcommittee work is happening, what's happening in those meetings.

It's very concerning because, of course, the intent of this entire committee is apparently about democratic accountability, but here we have a motion where the substantive work of this committee will be done in the shadows by a select group of the subcommittee. I have significant concerns about that and for Albertans to know what the work of this committee is.

I think we have a lot of questions as well about who is going to be the chair of this subcommittee? How will decisions be made? I think Albertans should be very concerned that this is how this government seems to be wanting to do business, which is outside the light of day being shone on the work that this committee is doing. That's precisely why I believe that government went forward with trying to establish a subcommittee before we even talked about the scope of review that is properly the work of this committee.

I have significant concerns, and I will not support this motion.

**The Chair:** Thank you.

Ms Goodridge.

**Ms Goodridge:** Thank you, Mr. Chair. I want to thank the Member for Drumheller-Stettler for bringing forward this motion. I really think that a subcommittee is one of the better ways to be able to establish this, and I would argue that this doesn't bring the decisions into the darkness, as is being brought forward by members opposite. It will be brought back to this committee to vote on. Therefore, if the committee does not like the direction that the subcommittee is going in, we will have that opportunity to have that discussion here. I believe that is a very good way considering that we have a four-

month timeline to bring this forward and get this very important piece of discovery put forward.

**The Chair:** Thank you.

I probably should have said this at the beginning, but this meeting is set to adjourn at 12 o'clock. I understand that there are a lot of items to address today, so if we could try to keep our comments on both sides as concise as possible, that would be preferable. Otherwise, we'll have to push whatever we don't get to to another meeting.

Moving forward is Ms Sweet.

**Ms Sweet:** Thank you, Mr. Chair. Just to respond to Member Goodridge in regard to being able to bring back the decisions for a vote by the committee, this actual amendment does not speak to that, so there's nothing in this that mandates the subcommittee to come back to this committee for the final decision. I would be more than open to hear from the government side that they feel that that's appropriate, that this be amended to make sure that the vote then has to come back to the full committee for transparency purposes.

In saying that, the other concern that I have is that there is no requirement in this motion as well to ensure that an opposition member is present during these subcommittee meetings, so I would like to propose an amendment.

**The Chair:** Okay. I'm hearing that an amendment is being proposed. Just for clarification, Ms Sweet, is this an amendment that has been previously submitted, or is this an amendment – okay. Could you please go ahead and read that amendment out?

**Ms Sweet:** This amendment was submitted last week. It states: MLA Sweet to move that the motion be amended (a) in the first clause by striking out "two-thirds of the subcommittee" and substituting "three members of the subcommittee with at least one of those members being a member of the Official Opposition" and (b) by striking out the second clause and substituting the following: "that the subcommittee be composed of four members of the government caucus and two members of the Official Opposition."

**The Chair:** Having heard the motion, I will open this up to discussion. Given that it is an opposition amendment, is there anyone from the government side that would like to go first? Mr. Sigurdson.

**Mr. Sigurdson:** Thank you, Chair. I see this amendment coming through, but I just don't really see the purpose of it. I mean, we've established that the presence of two-thirds of the committee is necessary. I would hope that everybody is taking this subcommittee on this important work incredibly seriously and that they would make the time, as we all do, to be able to attend these meetings. It's a requirement of us as MLAs to make sure that we show up and that we attend these meetings and that we represent. I just am not sure that this really makes any sense to have this amendment. I think it's a little bit redundant. I would hope that we get full presence at every meeting, and I think it's the responsibility of both the government side and the opposition side to make sure that they're going to make sure that they attend these meetings. I'm not really seeing how they would be against this motion at this time because of that.

**The Chair:** Mr. Dang has deferred his question to Ms Sweet.

**Ms Sweet:** Thank you, Mr. Chair. Just in response to that, there are a couple of things. First off, this committee has been approved to meet during session, so many members are going to be balancing a schedule between being in the Legislature doing our jobs for debate on bills plus being here. What we have seen already – and I look

forward to discussing this in the future – is that this meeting was called at 10 o'clock at night on Thursday night. Our members weren't told until 10 p.m. Thursday that we were even meeting today. Plus, we had to get motions and things prepared.

Although I appreciate what the hon. member is saying in regard to participation and the opposition being available for the subcommittee – I one hundred per cent agree if the government is willing to give us appropriate notice and make sure that we have the ability to be able to be present and not letting us know at 10 o'clock at night that we have to have motions in by 5 p.m. the next day, and: oh, by the way, we're meeting Monday. There was no polling, nothing done. If the government is willing to poll and willing to work with the opposition on setting these dates, then absolutely I think that's appropriate, which is why I'm asking that at least one member of the opposition be present at this subcommittee meeting so that the government actually is willing to work and poll the opposition on dates instead of just dictating when we meet.

**The Chair:** Mr. Smith.

**Mr. Smith:** Thank you. I'll speak to that comment. Listen, subcommittees operate all the time on various committees. It's up to the subcommittee and the chair and the subcommittee members to have the conversation about when they're going to meet and to set the dates, just as we do here. I don't understand where the problem is.

**Ms Pancholi:** That didn't happen.

**Mr. Dang:** You told us at 10 o'clock. We didn't even get 48 hours.

**Mr. Smith:** You still made it.

**The Chair:** Who's next here? Ms Pancholi.

**Ms Pancholi:** Thank you, Mr. Chair. I thank the member opposite for his comments, but it's precisely the point that there was no coordination or conversation around scheduling of this meeting. Furthermore, I'd like to point out that the original motion brought forward by the member for the subcommittee composition indicated that the subcommittee would require two-thirds of five members to be present at a subcommittee meeting. That's roughly 3.3 people. It could ostensibly happen without even inviting an opposition member because – it's a funny kind of math, but, apparently, really, a subcommittee meeting could be held with just government members, and that would constitute quorum under what has been proposed by this motion.

As well, I'd like to remind all committee members that several members of this committee are also members of the Private Bills and Private Members' Public Bills Committee, which also established a subcommittee. Contrary to what the government has stated, that there's no precedent for quorum requiring an opposition member at a subcommittee meeting, that's actually substantively false because the private members' bills committee established a subcommittee process which did require that an opposition member be present for subcommittee meetings. In fact, a government member during the discussion in that committee, Member Neudorf, mentioned: yeah; that seems like a very reasonable requirement, that an opposition member of the subcommittee be present for any meeting of the subcommittee in order for there to be quorum. I simply think we should be following the precedent and practice that has already been established by this Legislature with respect to subcommittee meetings. I think that it's a very reasonable – in the words of Member Neudorf – amendment, and I look forward to the government accepting that amendment.

11:00

**The Chair:** Mr. Nixon.

**Mr. Jeremy Nixon:** I'm good.

**The Chair:** Okay. Anyone else on the government side? Opposition side? Mr. Dang.

**Mr. Dang:** Thank you, Mr. Chair. Speaking again to precedents, I know many of the members opposite here are new to this place and have not been here for more than one term, but I would speak to – I actually chaired a subcommittee in the previous Legislature, in the 29th Legislature, in the Members' Services Committee – that we had a subcommittee that indeed did allow substitutions, did allow for a quorum to consist of including the opposition members. Indeed, it was Mr. Nixon's brother here that was on that committee and received substitutions from members who weren't even on the committee multiple times throughout that subcommittee.

I think it's very clear that Mr. Sigurdson is unaware of the precedent here. He's unaware that we are able to sit during the Legislature, and the reality is that many members have many duties in this place, whether it's in committees, whether it's in the legislative Chamber, or whether it's other duties regarding their work. It's important to have the background to say no. While every member strives to be at every committee meeting in person, it's not always possible. Opposition members often in the previous Legislature came to the subcommittee virtually, often had a virtual substitution that wasn't even from the main committee, and in all of those cases that was accommodated. I can say confidently that not a single time did our subcommittee meet without two representatives from the opposition, the UCP caucus at that time.

I think it's very reasonable, I think it's fair, and I think that if this government wants to show that they are being transparent and are being open to working with Albertans and the opposition, then they should at least just have a single opposition member present at every subcommittee meeting.

**The Chair:** Thank you.

Do you have a question, Ms Goodridge, or a comment?

**Ms Goodridge:** Thank you, Mr. Chair. As someone that has recently celebrated my second year of being an MLA – so this is not my first term here in this Chamber – I am familiar with the committee process. I know I have always endeavoured to be at every committee meeting that I am part of and every subcommittee meeting that I am part of. I'm aware that that is typically the case with most members of this House if not all, so I would suggest that this motion as written is sufficient, the original motion by Mr. Horner, I will clarify.

**The Chair:** Anyone else have anything else to add to that? Mr. Ceci, I will say that we're starting to do that circle, so if we could.

**Member Ceci:** With regard to the original motion and just following up from the previous speaker, what is the reason we're doing this off record if the subcommittee is formed in the way it is?

**The Chair:** That question actually pertained to the original motion. We're talking about the amendment right now, Mr. Ceci.

**Member Ceci:** Sure. I think it was brought up by Member Sigurdson that we're all here to represent our constituents. I don't see how that can be done if we're doing it in secret, but I'll raise it again when we go to the original motion.

Thank you very much.

**Mr. Jeremy Nixon:** Just one quick comment, Chair.

**The Chair:** Sure. Quick.

**Mr. Jeremy Nixon:** I think there's still some confusion here. "That substitutions from the membership of the committee be permitted on the subcommittee." If a member can't make it, they can find one of their colleagues on the committee to attend the meeting, so there's an opportunity to transfer in and out amongst the members of the committee.

**The Chair:** Dang.

**Mr. Dang:** Thank you, Mr. Chair. In previous subcommittees, including the one that I chaired, it was permitted for members from the entire caucus. That was the point, that the member's brother indeed did utilize taking substitutions from the caucus rather than from the committee multiple times. I think that is something that shows, again, that this government caucus, with their motion and seemingly not wanting to accept an amendment to even have representation from one opposition member, is not actually open to debate and is not actually open to collaboration on this file.

**The Chair:** Thank you.

I'm prepared to call the question on the amendment. All those in favour of the amendment, please say aye. All those opposed, please say no. That amendment is defeated.

**Ms Sweet:** Recorded vote, please.

**The Chair:** A recorded vote has been requested. All those in favour of the amendment, please raise your hand: Mr. Ceci, Mr. Dang, Ms Sweet, Ms Pancholi. All those opposed, please raise your hand: Mr. Horner, Mrs. Allard, Mr. Sigurdson, Ms Goodridge, Mr. Nixon, Mr. Rutherford, and Mr. Smith.

**Mr. Roth:** Mr. Chair, total for the amendment, four; total against, seven.

**The Chair:**

That amendment is defeated.

We are now back on the main motion. Are there any other comments to the main motion? Mr. Ceci, please.

**Member Ceci:** Yeah. I brought it up just a second ago. I'm not sure if it's a typical thing, but it doesn't sound like it's a way for a democratic accountability subcommittee to act in a way that's behind closed doors and to make decisions and then to bring those forward for ratification. MLA Goodridge talked about how the decision-making body is this group here and would just take recommendations. But let's be clear. There's a majority of government MLAs on this body. There will never be an opportunity for opposition MLAs to overturn the decisions of the subcommittee because there's a majority of MLAs who are government there.

No one will know what the discussions of that subcommittee are. I don't even know if there are minutes taken. We know that there's no *Hansard* taken, and we know that it's not public in any way, shape, or form. Like, don't you want the public to know what we're doing? Why would we endorse no record here? It just doesn't make sense, Mr. Chair. It doesn't make sense to be dealing with a very basic issue of democracy and to say that there's no way that anyone can find out what that subcommittee is doing on an argument-by-argument basis. I don't see how our constituents would know that we're representing them adequately if there's no record.

Mr. Chair, I would implore you to make sure that things are on the record, and if we need to make a motion to make that happen, I'll make that.

**The Chair:** Thank you.

Any other comments?

**Mr. Sigurdson:** Well, I just want to point out that, I mean, subcommittees are pretty standard. I've already been on another one. There were never these issues brought up with that subcommittee. Subcommittees have been struck quite regularly to be able to discuss this. I think the unavowed motives that they think are going to happen is not the case at all. There's a broad review to be done here, and we can work collaboratively together between opposition and government to be able to get through this in a subcommittee in a far more effective manner.

I just find it strange. I mean, when the NDP was government, they struck many subcommittees, and it's not because they're trying to run behind the veil of being public with things. It's just a very efficient way to be able to get through some of these, especially when we have such an incredible – you know, a lot of information to get through.

I'm in support of getting this subcommittee struck so we can get down to work and be able to start getting through this, which I think is very important work. And to say that, you know, your constituents may not have the faith in you if it's not public – but they have faith in me. They know, whether it's here or on a TV or whether it's anywhere else, that I'm representing them in the best manner possible. So I would be in support of the motion as originally proposed by Nate Horner.

**The Chair:** Thank you, Mr. Sigurdson.

I have Mr. Dang next on our question list.

**Mr. Dang:** Thank you, Mr. Chair. I'd like to circle back to a couple of things. First, to address Ms Goodridge's earlier comment that this subcommittee would report back and that the decisions would be voted on by this committee here at this place. My reading of this motion does not actually include that. It says that the subcommittee will "define the focus . . . and . . . among other things, organize the review process on behalf of the committee." My reading of this motion is that the subcommittee would make decisions on behalf of this committee.

If that is not the intent of the government, if that is not the intent of Mr. Horner and the UCP caucus, then I would happily move a motion, with the consent of this committee, that

instead of using those words, we say that this subcommittee would report back to this committee, and this committee would have the approval process over that.

11:10

**The Chair:** Anyone else from the government side?

Seeing none, I am prepared to call the question.

**Mr. Dang:** Mr. Chair, if there's no objection from the government, then I would move that motion.

**The Chair:** A substantive motion has been moved by Mr. Thomas Dang. In order for this to be in scope, it would have to be approved by the committee to allow him to introduce that motion. Given that this motion was not introduced before in the initial time frame as a substantive motion, it would have to be approved by the committee, which means, Mr. Dang, that you'd have to propose your motion, and then the committee would have to vote on whether or not to allow it. If you'd be so kind as to read out the wording of the motion

that you'd like to move, please do so, and then we'll have a vote on it.

**Mr. Dang:** Sure, Mr. Chair. Perhaps Parliamentary Counsel can help me a little bit here, but generally speaking, I would like to strike out the words "organize the review process on behalf of the committee" and instead substitute something along the lines of "would report and recommend back to the committee on its findings." I believe that captures the intent of what Ms Goodridge had said earlier in this committee, that the subcommittee would indeed report back to the committee and would be allowed to have a fulsome debate at this committee and debate the issues that were determined by the subcommittee or recommended by the subcommittee. My intent is to create a motion that actually captures what this government has said here today.

**The Chair:** We're working on the amendment here just for a moment. I ask for your patience.

We have a draft amendment on the screen. Mr. Dang, if you could please review that amendment and let us know if that is within the scope of what you had intended.

**Mr. Dang:** Yeah. Thank you, Mr. Chair. I think this captures the intent.

**The Chair:** Okay. At this time, then, we will put a vote to the committee as to whether or not to allow this motion. My understanding is that if the committee's will is to allow the motion, then we will debate it. But before we do that, I will put the vote to the committee. All those in favour of the motion put forth by Mr. Dang, please say aye. All those opposed, please say no. That motion is defeated.

**Mr. Dang:** Recorded vote.

**The Chair:** Mr. Dang has requested a recorded vote. Just a moment as we prepare for that.

All those in favour of this motion, please raise your hand: Mr. Ceci, Mr. Dang, Ms Sweet, Ms Pancholi. All those opposed, please raise your hand: Mr. Horner, Mrs. Allard, Mr. Sigurdson, Ms Goodridge, Mr. Nixon, Mr. Rutherford, and Mr. Smith.

**Mr. Roth:** Mr. Chair, total for the motion, four; total against, seven.

**The Chair:**

That motion is defeated.

We are now back on the main motion. I'd like to recognize Ms Pancholi. Also, I would like to recognize that we are now with 45 minutes remaining on our first set of motions. Please, if we can, keep our comments brief.

Ms Pancholi.

**Ms Pancholi:** Thank you, Mr. Chair. Yes, I'll be brief.

I just want to give the opportunity to Member Goodridge to bring forward an amendment to this motion to achieve the objectives that she laid out earlier in her comments. I think if she could propose her own amendment that would satisfy herself with the wording to address the fact that the subcommittee is only making recommendations to this committee for a vote. I'm certain that if it's a reasonable amendment, the members on this side would be happy to support it, so I want to give this opportunity to Member Goodridge to provide that amendment if she so seeks.

**The Chair:** Before I do that, actually, I'd turn the time over to Dr. Philip Massolin. He had some comments he'd like to add to this discussion.



**Dr. Massolin:** Yeah. Thank you, Mr. Chair. Just for the clarity of the committee, an understanding perhaps of the subcommittee process. As we've seen with other subcommittees for other committees – for instance, the subcommittee that was struck by the Private Bills Committee – what happens there is typically that it's a committee process whereby the subcommittee is struck and the subcommittee, on substantive and items that need to be approved by the committee, will report back on its activities through the mechanism of a subcommittee report. That subcommittee report is then accepted or not by the committee.

Thank you.

**The Chair:** Okay. If there are no other comments, then we're prepared to vote on the main motion as moved by Mr. Horner.

**Member Ceci:** Could Parliamentary Counsel or you tell me what the difference is between on the record like we are here today and off the record and what gets recorded? I've never been part of an off-the-record subcommittee. When I was minister, I didn't attend any subcommittee meetings that were off the record; everything was on the record. I need to understand what the difference is.

**The Chair:** I'm going to have to defer that.

**Dr. Massolin:** Thank you, Mr. Chair. Well, off the record means, as I think members have indicated, that it's not recorded by *Hansard*; the audio recording or the video or a transcript is not produced. The decisions of the meeting, however, are recorded in that subcommittee report that I just mentioned. The subcommittee, after all, is a creature of the committee, and therefore it reports back to the committee, in much the same way as Committee of the Whole or Committee of Supply reports to the Assembly.

Thank you.

11:20

**Member Ceci:** Just one follow-up.

**The Chair:** Very quickly.

**Member Ceci:** Is there a clerk, and is there a record of the information that's brought forward?

**Dr. Massolin:** Well, not as such. Again, the report is the record of the committee decision, so you're recording decisions. That is what is happening at that subcommittee meeting.

**Member Ceci:** Then if I can make a motion – I don't know if it's substantive or not, Mr. Chair – that the work of the subcommittee be on the record as opposed to off.

**The Chair:** Okay. The process for that would be similar to the process we have just seen from Mr. Dang, where you would have a draft motion, at which point we would hear that motion and then we'd vote on it. If you could maybe give us a bit of a verbal idea of what your motion is, then they can work on that draft.

**Member Ceci:** If Mr. Roth didn't hear me, I'll say it again, that the work of the subcommittee be held on the record, as I understand what record means.

**Mr. Rutherford:** Mr. Chair, just a quick question.

**The Chair:** Yes.

**Mr. Rutherford:** We're voting on the ability to put a motion forward. Do we need to have the motion completed? In the spirit of time, are we simply not just going to be saying yes or no, let's look

at what the amendment is? Would we only need the amendment if the committee decides to move forward with allowing a substantive motion to amend?

**The Chair:** There is no requirement to hear the full wording that's put up on the screen – to see it; obviously, we should hear it. I apologize. I should clarify. You should obviously hear the motion, but there is no requirement to put it on the screen. We'll complete this one, but moving forward, we'll do a verbal motion, and then we can decide whether or not the scope of that motion will be allowed by the committee.

Okay. Seeing the motion on the screen as moved by Mr. Ceci, all those in favour of allowing the amendment to be debated, say aye. All those opposed, say no. That motion is defeated.

**Ms Sweet:** Recorded vote, please.

**The Chair:** Ms Sweet has requested a recorded vote. All those in favour of hearing the amendment, put your hand up, please: Mr. Ceci, Mr. Dang, Ms Sweet, Ms Pancholi. All those opposed: Mr. Horner, Ms Allard, Mr. Sigurdson, Ms Goodridge, Mr. Nixon, Mr. Rutherford, and Mr. Smith.

**Mr. Roth:** Mr. Chair, total for the motion, four; total against, seven.

**The Chair:**

That motion is defeated.

We are now back on the main motion. I am prepared to call the question. As it pertains to the motion moved by Mr. Horner regarding striking a subcommittee, I'd like to ask all those in favour of that motion to please say aye. All those opposed, please say no. That motion is carried.

**Mr. Dang:** Recorded vote, please.

**The Chair:** Mr. Dang has asked for a recorded vote. All those in favour of the motion moved by Mr. Horner, please raise your hand: Mr. Horner, Mrs. Allard, Mr. Sigurdson, Ms Goodridge, Mr. Nixon, Mr. Rutherford, Mr. Smith. All those opposed, please raise your hand: Mr. Ceci, Mr. Dang, Ms Sweet, Ms Pancholi.

I'm going to get to know your names real well.

**Mr. Roth:** Mr. Chair, total for the motion, seven; total against, four.

**The Chair:**

That motion is carried.

I'd like to recognize Mr. Horner.

**Mr. Horner:** Yeah. If it was the appropriate time, I'd like to move another motion in regard to the subcommittee, and I'd read it aloud if that was appropriate. Number 2.

**The Chair:** Thank you again, everyone, for your patience. Is there any other business pertaining to number 5? Member Pancholi, please.

**Ms Pancholi:** Thank you, Mr. Chair. I'd like to move the motion that was originally introduced. I believe it was motion 14, just so the clerk can get that up on the screen. I can read it out loud if you'd like. It relates to the subcommittee.

**The Chair:** Yes, please.

**Ms Pancholi:** I move that the Select Special Democratic . . .

**The Chair:** Hold on, Ms Pancholi. Just a moment. I apologize. I've been informed by Parliamentary Counsel that the motion regarding the subcommittee has already been passed by Mr. Horner, which

means that your motion 14 is actually – we’re still on subcommittee. That motion would come forward under scope of review, not under subcommittee.

**Ms Pancholi:** It’s specifically related to the work of the subcommittee.

**The Chair:** I understand that. It is related to the scope of the review, so that would come up during scope of review.

**Ms Pancholi:** I’ll raise it under the next agenda item.

**The Chair:** Thank you.

Any other business pertaining to subcommittees?

Hearing none, we’ll move on now to scope of review. I’m just going back through my notes here.

**11:30**

Okay. Time limit on review. As noted in our mandate discussion, the Assembly has given us four months to complete our review of the questions in the Sessional Paper 192/2020 and six months to complete our review of the two statutes. The time period for these reviews starts with this meeting today.

Determining focus issues. Hon. members, Government Motion 25 specifically references questions that the committee is asked to consider with respect to the topics of citizen initiative and recall. However, part 3 of the motion specifically refers to the committee’s ability to define sections of the Election Act and the Election Finances and Contributions Disclosure Act that it may wish to review. While the committee has four months to look at the questions posed in Sessional Paper 192/2020, it also has six months to review the two statutes referred in Government Motion 25. As noted, it will be very important for the committee to define the scope of this review in relation to the two election statutes.

I would like to remind all hon. members that today’s meeting is, first, meant to open the discussion of what the committee needs to do to fulfill the requirements of Government Motion 25 and, second, to discuss how the committee might address these requirements, not necessarily to decide today the specific actions it wishes to take.

This brings us to agenda item 5, which we’ve already addressed.

Is there any discussion regarding nature and scope of review? I believe Ms Pancholi would love to move her motion at this point in time.

**Ms Pancholi:** Yes. Thank you, Mr. Chair. I will now move motion 14 under this section, and I will read it out for the benefit of the members of the committee. I move that

the Select Special Democratic Accountability Committee direct the subcommittee on committee business to consider in its determination of the focus of the committee’s review the amendments to the Election Act and Election Finances and Contributions Disclosure Act that would be made if Bill 26, Constitutional Referendum Amendment Act, 2020, and Bill 27, Alberta Senate Election Amendment Act, 2020, become law and that the subcommittee postpone delivering its report to the committee until the Assembly completes its consideration of these bills.

Mr. Chair, the purpose of this is simply to say that we currently have before us in the Legislative Assembly two bills – I would actually, then, also argue three bills, but two bills specifically – which make changes to the very acts that are under consideration right now by this committee. This motion is simply to state that when considering a review of those two pieces of legislation that are within the mandate of this committee, we consider in addition

to the existing provisions of the act those changes that will be made should Bill 26 and Bill 27 be passed so that it also considers those changes, considering that passage could take place potentially within the next couple of weeks, and the mandate of this committee continues on for several months. So it’s a straightforward, I believe, motion to consider those amendments as well.

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

Having heard the motion, are there any others that would like to add to the discussion? Mrs. Allard.

**Mrs. Allard:** Thank you, Chair. While I understand the reason for the motion, I feel that it would just delay the work of the committee, and our timeline is so tight that that could be added in once – I wouldn’t presuppose what the House will decide, but assuming that those bills do pass, it could be added in at that time. But I believe that, you know, what we have before us is some very important work that the government has asked us to undertake, and I don’t think we want to tie the hands of the committee or delay that work.

**The Chair:** I’d like to recognize Ms Sweet.

**Ms Sweet:** Thank you, Mr. Chair. I’ll be really quick. I agree that the work of the committee is extremely important, but I will say that specifically Bill 27, the Alberta Senate Election Amendment Act, 2020, has actually already been in the House not only once but now twice because the government has to keep changing it and fixing things. Although I appreciate that, this may be an opportunity for us to help the government in not having to now bring this bill back a third time.

**Mr. Jeremy Nixon:** That doesn’t sound like the scope of this committee. Again, I’d like to echo my colleague’s words here. We need to get at this, a lot of important work to do. I don’t support this motion. I think we need to get to work.

**The Chair:** Thank you, Mr. Nixon.

Mr. Dang.

**Mr. Dang:** Thank you, Mr. Chair. I would vehemently disagree with Mr. Nixon. I believe that certainly if we’re looking at things like the Constitutional Referendum Act, that one hundred per cent falls under the scope of this committee. This committee is tasked to deal with things such as citizen-led initiatives, and as the Premier has spoken to many times and as members opposite have spoken to many times, those include things such as the issues that are raised under Government Motion 25. I believe very strongly that if we are to effectively do the work of this committee and to effectively actually try and report back with changes that are recommended that will effectively represent our constituents, we need to be able to understand every piece of legislation as they move forward and be able to review every piece of legislation as we move forward.

**The Chair:** Thank you.

Anyone else?

**Mr. Sigurdson:** Just really quickly. We can’t presuppose the outcome of any bill on any timeline, and we can’t put a timeline to this, so this committee could sit idle for an indeterminate period of time. So I would be against this. I do agree with my colleagues. We need to get to work now on this.

Thank you, Chair.

**The Chair:** Seeing no one else wants to add to the discussion, I am prepared to call the question.

**Ms Pancholi:** Mr. Chair, I mean, we have before us these two bills. I can't even recall what stage of the reading they're in. They've already been – Committee of the Whole, I believe. Thank you to my colleague for Edmonton-Manning. We've got six months to produce a report under this committee on certain aspects of our mandate. I think it's not about presupposing the outcome although it's pretty obvious, I think, what's going to be happening. I know we can't presuppose the outcome, but it's pretty clear. Certainly, we're talking about – our current sitting is expected to end in two to three weeks. Certainly, I don't imagine we will get that much substantive work done on this that we can't postpone. We're not going to get a committee report done in the next two or three weeks.

Certainly, if the members are not willing to agree to this now, I would anticipate and hold them accountable in a few weeks from now when we meet as this committee again that they would then say, once these two bills have passed, that they will be willing to consider the content of those bills under this committee's mandate because it certainly seems to be that that's what they're suggesting, that it's just a timing issue. If that's the case, if these bills pass in a timely fashion, we should be able to consider them under this committee, and I'll hold them to account for that, Mr. Chair.

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

Seeing no one else, I'm prepared to call the question. On the motion moved by Ms Pancholi, motion 14, all those in favour of this motion, please say aye. All those opposed, please say no. That motion is defeated.

**Ms Pancholi:** Recorded vote.

**The Chair:** A recorded vote has been requested by Ms Pancholi. All those in favour of this motion, please raise your hand: Mr. Ceci, Mr. Dang, Ms Sweet, Ms Pancholi. All those opposed, same sign: Mr. Horner, Mrs. Allard, Mr. Sigurdson, Ms Goodridge, Mr. Nixon, Mr. Rutherford, and Mr. Smith.

**Mr. Roth:** Total for the motion, Mr. Chair, four; total against, seven.

**The Chair:** That motion is defeated.

Any other discussion with regard to scope of review? Mr. Dang.

**Mr. Dang:** Thank you, Mr. Chair. I would like to move a motion that we have filed. I'm just going to clip the exact number here, but I believe it's number 13. I would move that

the Select Special Democratic Accountability Committee focus its review of the Election Finances and Contributions Disclosure Act on parts 3 through 7 of that act and that the committee consider the Election Act in its entirety.

Just to give a little bit of justification, Mr. Chair, I don't think we can omit too much from the scope of our review. I think that Government Motion 25 does address many issues throughout both the EFCDA and the Election Act, and I think that we need to make sure that we keep the scope as broad as possible at this time. I know the subcommittee will be doing some work to try and make recommendations on how we should proceed with that work, but I think that certainly we should be allowing this committee the broadest possible scope and waiting until we see other things such as crossjurisdictional analysis to see how other jurisdictions address these types of initiatives. Until we know that, I think we need to keep our ability wide open.

Thank you.

**The Chair:** Having heard the motion from Mr. Dang, is there anybody else that would like to weigh in to this discussion? Anybody from the government side or opposition side?

Seeing none, I'm prepared to call the question. All those in favour of this motion as moved by Mr. Dang, please say aye. All those opposed, please say no. That motion is defeated.

**Mr. Dang:** Recorded vote, please.

**The Chair:** A recorded vote has been requested by Mr. Dang. All those in favour, please raise your hand: Mr. Ceci, Mr. Dang, Ms Sweet, Ms Pancholi. All those opposed, please raise your hand: Mr. Horner, Mrs. Allard, Mr. Sigurdson, Ms Goodridge, Mr. Nixon, Mr. Rutherford, Mr. Smith.

**Mr. Roth:** Mr. Chair, total for the motion, four; total against, seven.

**The Chair:** That motion is defeated.

Is there any other discussion pertaining to scope of review?

11:40

Seeing none, we will now move on to section 6 of this, briefings and research. Invite technical briefing. Although the subcommittee will provide further direction regarding the focus of our review, there are some initial steps the committee could consider today to begin the review process. One of the first steps commonly taken by committees during the review process is to invite a technical briefing on the topic before them from the appropriate ministry and other relevant entities. In the case of the mandate given to this committee by the Legislative Assembly, the Ministry of Justice and Solicitor General and Elections Alberta might be two bodies that the committee may wish to seek a technical briefing from. Does anyone wish to discuss such an invitation to the Ministry of Justice and Solicitor General and Elections Alberta? I'll open that up for any discussion.

Seeing none, I have a draft motion here. I'll read this out. The draft motion reads that

the Select Special Democratic Accountability Committee invite officials from the Ministry of Justice and Solicitor General and Elections Alberta to provide a briefing on the focus issues determined by the committee respecting the Election Act and the Election Finances and Contributions Disclosure Act at the next committee meeting.

Is there anybody who would like to move that motion?

**Mr. Sigurdson:** So moved.

**The Chair:** Mr. Sigurdson has moved that motion. We're going to get it up on the screen in just a moment. I'll let everyone take a moment to read that out to yourselves.

All those in favour of that motion, please say aye. All those opposed, please say no. Hearing none, that motion is carried.

Now research requests. Our committee has the benefit of being supported by research services staff, who are available to conduct nonpartisan research as required to conduct our review. This is another initial step of the review that this committee could consider. Ms Robert would like to make a few remarks about the services that research makes available to this committee.

**Ms Robert:** Thank you, Mr. Chair. Yeah. I'll just quickly go over that for you, as the chair indicated. Research services is available to the committee to conduct nonpartisan research on behalf of the committee. I'll emphasize that: on behalf of the committee as a whole. Generally the research requests come by a general motion

or consensus of the committee. We don't do research requests from individual members.

Some examples of the types of research we might do for a committee such as this would be a cross-jurisdictional survey on certain issues, certain statutes. If the committee were to solicit written submissions from stakeholders or members of the public, we would be available to produce a summary of those submissions for the committee. As the committee gets further on and gets ready to start to deliberate its recommendations, we can produce an issues and recommendations document, which lists all of the different issues and recommendations that have been raised during the course of the submissions and any presentations that you hear. Finally, we are also available to draft a final report for the committee's review and approval.

I'd be happy to take any questions if you have any. Thanks.

**The Chair:** Does anyone have any research requests they'd like to put forward at this time? Ms Pancholi.

**Ms Pancholi:** Thank you, Mr. Chair. I'd like to move a motion. I believe it was number 5 on the list of motions that was provided. Now I'll read it out.

**The Chair:** Yeah. Just a moment while we get it on the screen as well, if you don't mind, Ms Pancholi. Got it up. Okay. Please proceed.

**Ms Pancholi:** I'd like to move that

the committee request for review at its next meeting a cross-jurisdictional survey of all legislation that has been enacted and is currently in force in all Canadian jurisdictions and any other jurisdiction governed by a Westminster parliamentary system in respect of the following subject matters: (a) elections and election financing, (b) referendums, (c) recalling of elected representatives.

This is really about making sure that we have a fulsome basis of research and evidence to guide our discussions and debate in this committee and to determine our focus areas and organization of our review. I think it's just simply that we all begin from the same basis of information and understanding and should guide thoughtful discussion and deliberation in this committee.

**The Chair:** Having heard the motion from Ms Pancholi, any other discussion to add to that?

Ms Sweet, please.

**Ms Sweet:** I'd actually just like to amend the motion and add (d) legislative measures prohibiting or designed to prevent citizen initiatives that could advance separatist objectives or erode constitutional norms, democratic fairness, and transparency.

**The Chair:** Just for clarification's sake, this is motion 19, correct?

**Ms Sweet:** Yes, it is.

**The Chair:** Okay. Having heard the motion to amend by Ms Sweet, is there any discussion on that amendment?

Mr. Dang, I'll let you proceed. But when I ask that question, in the name of time, if I could get everyone to kind of get their hands ready to go because I'm prepared to call the question. Mr. Dang, please proceed.

**Mr. Dang:** Thank you, Mr. Chair. I would just like to say that I wholeheartedly support this amendment. I believe it allows us to have a debate that doesn't begin to stray into some of the areas that this Assembly has no place talking about. It allows us to ensure that we have a debate that allows us to support our Constitution in our

province in a way that will provide this government with the best possible recommendations.

**The Chair:** Thank you.

**Mr. Rutherford:** I just want to clarify, Mr. Chair, before we vote what we're voting on. Are we voting on the ability to amend a substantive motion? I just want to double check. I just want to make sure what we're voting on.

**The Chair:** Certainly. Ms Pancholi moved a motion. On your committee reports it's motion 5. Then a motion was moved to amend that, which is motion 19. So we're currently on the amendment to the motion. Yes. Thank you.

Ms Sweet.

**Ms Sweet:** Yeah. Just really quickly, just to give a little bit of context, I mean, the reason that I feel like this is important to the committee is that obviously there is a conversation happening in the province around this very issue. It would be of benefit for the public as well as the committee to understand what financial implications, how this would work if a referendum were to be called on a separatist vote, and to ensure that all Albertans are aware and the committee and members of the Legislature are aware of what the potential ramifications will be in relation to separatism as well as now election financing referendums and recalling an elected representative.

**The Chair:** Thank you for that.

Any other comments?

Seeing none, I will call the question on the amendment moved by Ms Sweet. All those in favour of the amendment, please say aye. All those opposed, please say no. That amendment is defeated.

**Ms Sweet:** Recorded vote.

**The Chair:** A recorded vote has been requested by Ms Sweet. All those in favour of that amendment, please raise your hand: Mr. Ceci, Mr. Dang, Ms Sweet, Ms Pancholi. All those opposed, please raise your hand: Mr. Horner, Mrs. Allard, Mr. Sigurdson, Ms Goodridge, Mr. Nixon, Mr. Rutherford, Mr. Smith.

**Mr. Roth:** Mr. Chair, total for the amendment, 4; total against, 7.

**The Chair:** Thank you.

That amendment is defeated.

We are now back on the main motion as moved by Ms Pancholi. Is there any further discussion on this motion?

Seeing none, I'm prepared to call the question. All those in favour of the motion moved by Ms Pancholi, please say aye. All those opposed, please say no. That motion is defeated.

**Mr. Dang:** Recorded vote.

**The Chair:** Mr. Dang has requested a recorded vote. All those in favour of the motion, please put your hand up: Mr. Ceci, Mr. Dang, Ms Sweet, Ms Pancholi. All those opposed, please raise your hand: Mr. Horner, Mrs. Allard, Mr. Sigurdson, Ms Goodridge, Mr. Nixon, Mr. Rutherford, Mr. Smith.

**Mr. Roth:** Mr. Chair, total for the motion, 4; total against, 7.

**The Chair:** That

motion is defeated.

I'd like to recognize Mr. Horner.

**Mr. Horner:** Yes. Mr. Chair, I'd like to move motion 2 of the presubmitted motions. If we're at the appropriate time, I would read it aloud.

**The Chair:** Please.

**Mr. Horner:** I move that the Select Special Democratic Accountability Committee direct committee research services to prepare a crossjurisdictional comparison regarding the sections of the Election Act and Election Finances and Contributions Disclosure Act identified by the subcommittee.

11:50

**The Chair:** Having heard the motion, is there any other discussion? Ms Pancholi.

**Ms Pancholi:** Mr. Chair, I'll simply indicate that this is a substantively similar motion to the one that I raised earlier. I mean, there's a little bit of different language used, but certainly the motion that I moved was as well to do a crossjurisdictional survey looking at elections and election financing, looking at things. My motion had a little bit more detail as to which jurisdictions and some other topics, but, really, this is raising the same motion that I just raised. Certainly within that discussion Member Horner could have had some debate and discussion on my motion as to what limit; therefore, I believe that this is actually out of order.

**Mr. Dang:** Mr. Chair, I'd actually raise a point of order at this time.

**The Chair:** A point of order has been called.

**Mr. Dang:** I believe under 23(f), "A Member will be called to order by the Speaker if, in the Speaker's opinion, that Member . . . debates any previous vote of the Assembly unless it is that Member's intention to move that it be rescinded."

**The Chair:** Thank you for that point of order.

Having consulted with Parliamentary Counsel, it is my belief that the motions are not similar enough for one to rule out of order the other. So I do not find a point of order in this case, and we will proceed.

**Mr. Dang:** Point of order under 13(2).

**The Chair:** Proceed.

**Mr. Dang:** Mr. Chair, I would like you to clarify for me. Under 13(2) the Speaker must clarify the decisions of his rulings. Specifically, what is substantively different between the two motions? I believe that the motions substantively ask for this type of analysis, and I would like to know what the actual difference seen by the chair is.

**The Chair:** Just a moment.

Are you commenting on 13(2), the point of order? Please.

**Ms Goodridge:** On this I believe that they are quite substantively different, Mr. Chair, due to the fact that the one limits us to simply Westminster parliamentary systems. In the research I've done in preparation for this committee, I've found that a vast majority of the legislation that exists when it comes to referendums and the like actually exist in our neighbours to the south, in the United States, which is not a parliamentary democracy. Therefore, I wouldn't want to limit us to not seeing all of the potential and only limiting ourselves to Westminster democracies.

**The Chair:** Thank you. We're going to actually limit that here.

I'm prepared to rule on that 13(2). Again, I don't find a point of order here. Where the difference is in the two motions is as it pertains to doing a crossjurisdictional comparison regarding sections of the Election Act identified by the subcommittee. There is a difference in these two motions, and I do believe that motion 2 is in order, and I'd like to proceed to discussion on that.

Member Sweet, please proceed.

**Ms Sweet:** Thank you, Mr. Chair. I just need a point of clarity from the member that moved the motion. One of the directions that we do have from the Minister of Justice is specifically to look at referendums, and I'm not sure where this motion actually speaks to a crossjurisdictional analysis in referendums, so we won't be able to, based on that, meet the expectations of the request from the Minister of Justice.

I do have an amendment, which I believe might help address this issue.

**The Chair:** What number is the amendment?

**Ms Sweet:** I knew you were going to ask me the number. I don't know it.

**The Chair:** Actually, I believe there's only one left. I believe it's 18. Yeah, it's 18.

Please proceed.

**Ms Sweet:** Does the member want to respond first before I amend? I can just amend.

**Mr. Horner:** I can listen to your amendment.

**The Chair:** Listening to your amendment is fine.

**Ms Sweet:** Thank you, Member.

MLA Sweet to move that the motion be amended by adding "and prepare a summary of legislative provisions in Alberta statutes or regulations that provide for direct democracy, including through petitions or citizen initiatives and a crossjurisdictional comparison regarding legislative provisions that provide for direct democracy, including through petitions or citizen initiatives" after "subcommittee."

Am I on the right one? I think so.

**The Chair:** That amendment has been moved by Ms Sweet. Is there anyone who has any comments about the amendment? Mr. Horner.

**Mr. Horner:** Yeah. I would just say that I think we're putting the cart before the horse in the work of the subcommittee, would be my only comment. I don't think that this amendment is necessary, but I guess we'll see what the room decides.

**The Chair:** Thank you.

Ms Pancholi.

**Ms Pancholi:** Thank you. In response to that I simply want to indicate, again, going back to Member Sweet's comments, that it is part of the motion that we have been mandated to consider by the minister. One of the questions was – the Sessional Paper 192/2020 specifically asked about constitutional referendums and, basically, citizen-led initiatives. It is absolutely within the scope. We've been mandated by this sessional paper to consider referendums. It's set out right there, so I don't think it is actually putting the cart before the horse at all. In fact, if we did not address that – simply, here we're talking about research, crossjurisdictional research on this

issue, which is part of our mandate. Certainly, we would not be fulfilling our responsibilities under this committee if we didn't address that and have the proper evidence and research to base it on.

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

Before proceeding with any other comments, I just need to recognize that there are three minutes remaining in the committee, and in order to proceed past 12 o'clock, we need consent from the committee. At this time I will ask that question if I can get consent. I would need unanimous consent from the committee to proceed past 12 o'clock. I will ask only one question: is there anybody opposed to moving past 12 o'clock? Unanimous consent is denied. We will proceed, and at 12 o'clock we will adjourn.

Mr. Ceci.

**Member Ceci:** Yeah. I'm just fully in support of the amendment brought forward by my colleague, but, you know, in a previous committee where I was here, Dr. Massolin said that the cross-jurisdictional would just focus for the most part, unless directed, on Canadian jurisdictions. I heard a member opposite talk about the United States, and that's not evident in this motion that's put forward by Mr. Horner. I just need some clarification. How do we get the full scope of crossjurisdictional when the practice of parliamentary research is to look at Canada?

**The Chair:** Thank you, Mr. Ceci.

Any other questions or comments on the amendment moved by Ms Sweet?

Seeing none, I am prepared to call the question. All those in favour of the amendment moved by Ms Sweet, please say aye. All those opposed, please say no.

That motion is carried.

We are now back on the main motion as moved by Mr. Horner. I'm prepared to call the question. All those in favour of the motion moved by Mr. Horner as amended by Ms Sweet, please say aye. All those opposed, please say no.

That motion is carried.

Any comments or questions with regard to research?

Seeing none, we'll move on to stakeholder and other input.

**Mr. Dang:** Mr. Chair, a question.

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

**Mr. Dang:** Thank you, Mr. Chair. I'd like to move the motion that was filed as number 6. Mr. Dang to move that

the Committee invite written submissions for the purpose of assisting in determining the focus issues for its review from the following: (a) members of the public and (b) stakeholders.

I believe it's very reasonable that we hear from the public and we hear from our stakeholders as we move forward with this legislation.

**The Chair:** Thank you, Mr. Dang. I appreciate the motion.

Is there any discussion on that motion? That was motion 6. Any other comments or questions on that?

Hearing none, I'm prepared to call the question on motion 6 moved by Mr. Dang. All those in favour, please say aye. All those opposed, please say no.

**Mr. Dang:** Recorded vote.

**The Chair:** A recorded vote has been asked for by Mr. Dang. All those in favour of the motion, please raise your hand: Mr. Ceci, Mr. Dang, Ms Sweet, Ms Pancholi. All those opposed, please raise your hand: Mr. Horner, Mrs. Allard, Mr. Sigurdson, Ms Goodridge, Mr. Nixon, Mr. Rutherford, and Mr. Smith.

**Mr. Roth:** Mr. Chair, total for the motion, four; total against, seven.  
*12:00*

**The Chair:** That motion is defeated.

With that, committee members, it is now 12 o'clock. I need a motion to adjourn.

Mrs. Allard has moved a motion to adjourn. All those in favour of the motion, please say aye. All those opposed? That motion is carried and so ordered.

**Mr. Dang:** Recorded vote, please.

**The Chair:** A recorded motion has been requested by Mr. Dang. All those in favour of the motion to adjourn, please raise your hand: Mr. Horner, Mrs. Allard, Mr. Sigurdson, Ms Goodridge, Mr. Nixon, Mr. Rutherford, and Mr. Smith. All those against: Mr. Ceci, Mr. Dang, Ms Sweet, Ms Pancholi.

**Mr. Roth:** Mr. Chair, total for the motion, seven; total against, four.

**The Chair:** That motion is carried and so ordered.

[The committee adjourned at 12:01 p.m.]



