



Legislative Assembly of Alberta

The 30th Legislature
Second Session

Select Special
Democratic Accountability
Committee

Recall Legislation
Stakeholder Presentations

Thursday, September 24, 2020
11 a.m.

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

Select Special Democratic Accountability Committee

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Select Special Democratic Accountability Committee

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Canadian Taxpayers Federation.....DA-75
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11 a.m. Thursday, September 24, 2020

[Mr. Schow in the chair]

The Chair: Okay. The time is now 11 o'clock, and I will call this meeting to order. It is great to have everyone here. It seems like it was just yesterday that I saw everyone. I'd like to welcome all members and staff in attendance to this 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 members that are joining the committee at the table to introduce themselves for the record, after which time we will then have those who are joining us on the telephone or by video conference introduce themselves. We'll start to my right. Please go ahead and introduce yourself.

Mr. Horner: Good morning. Nate Horner, MLA, Drumheller-Stettler.

Mr. Rutherford: Brad Rutherford, Leduc-Beaumont.

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

Ms Fir: Tanya Fir, Calgary-Peigan.

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

Ms Sweet: Good morning. Heather Sweet, Edmonton-Manning.

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

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

The Chair: Thank you.

We also have, I believe, four members joining us on the phone. Please go ahead and introduce yourselves.

Member Ceci: Sorry. Joe Ceci, Calgary-Buffalo.

Mr. Rowswell: Garth Rowswell, Vermilion-Lloydminster-Wainwright.

Ms Goodridge: Laila Goodridge, MLA, Fort McMurray-Lac La Biche.

Mr. Sigurdson: R.J. Sigurdson, MLA, Highwood.

Ms Pancholi: Rakhi Pancholi, Edmonton-Whitemud.

The Chair: Oh. So it's five of you. All right. Excellent.

I'd just like to recognize that we do have Mr. Garth Rowswell substituting for Mr. Smith, and Ms Fir is substituting for the hon. Mrs. Allard.

I note for the record 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*. Committee proceedings are being live audio- and video streamed on the World Wide Web and broadcast on Alberta Assembly TV. Please set your cellphones and other devices to silent for the duration of the meeting.

We'll begin with approval of the agenda. Does anyone want to make any changes to the agenda? Hearing none, can I get a member to please move a motion to approve our agenda? I see that Ms Sweet has moved that the agenda for the September 24, 2020, meeting of the Select Special Democratic Accountability Committee be adopted

as distributed. All those in favour, both in person and on the phone, please say aye. Any opposed, please say no. Thank you very much. That motion is carried.

We'll now move on to oral presentations for recall. The committee has invited several individuals and organizations to make oral presentations in relation to the committee's review of recall. Specifically, the committee is mandated to consider the questions posed in Sessional Paper 192/2020, as directed by Government Motion 25. The committee agreed to a subcommittee recommendation from July 28, 2020, in regard to the length of presentations and the question-and-answer period for each presenter. In accordance with the committee's decision each presenter will have five minutes to make their presentation. This will be followed by a 20-minute period of questions by committee members.

First up today is Dr. Amanda Zoch of the National Conference of State Legislatures. Dr. Zoch, are you on the phone?

Dr. Zoch: Yes, I'm here.

The Chair: Excellent. I do see that Mr. Roth to my left has your PowerPoint presentation cued up and ready to go. Whenever you begin, we will start the clock for your five-minute presentation.

National Conference of State Legislatures

Dr. Zoch: All right. Thank you. Second slide, please. I want to begin again by emphasizing that the National Conference of State Legislatures does not advocate for or against the recall process. We're a nonpartisan research organization governed by a bipartisan committee of state legislators, and we serve all legislators in the U.S. regardless of party affiliation. I work on the elections and redistricting team, and I focus on election issues, including recall elections though I will admit that it's not something we get to spend much time on.

Next slide and click, please. Here's the U.S. context: 19 states currently allow the recall of state officials. More than that allow the recall of local officials, but I'm really only able to speak to state-level recall efforts since NCSL does not conduct research on local elections or laws.

Click for the next three bullet points. About two-thirds of our states don't have the recall process, but another way to think about recall is that all states have it. The general election is the recall election. If you don't like your elected official, vote them out.

Again, 19 states have a formalized process for recalling officials before the end of their term, and that operates on a different timeline than normal elections. Each year a few states try to establish this process, but those bills routinely fail. Minnesota was the last state to institute provisions for recall, and that was in 1996.

Next slide, please. Recall processes vary by state, but the general process is to first file an application to circulate a recall petition, provide grounds for a recall if the state requires it – and I'll come back to that in a moment – then gather signatures to meet a certain threshold, submit and wait for approval or rejection of that petition, and then, if it's approved, a recall election will be held. Sometimes those happen with other regularly scheduled elections, and sometimes they are separate special elections.

Next slide. There are two types of recall. In some states recalls must be judicial recalls, and that's when the legislator can only be recalled if they commit a crime or fail to perform their official duties. When I mention that some states require grounds for recall, this is what I mean. But political recall is far more common, and that's when any registered voter can begin a recall campaign for any reason. These attempts at recall are, as the name suggests, politically motivated, and they're often in response to an elected official's policy decision, support for a particular bill or issue, something like that.

Next slide, please. NCSL doesn't really have a horse in this race, but these are the pros and cons that we have outlined in our materials for state legislators who are considering legislation on recalls. The pros are that a recall election or the threat of it can hold elected officials accountable and may provide citizens with a path for removing elected officials who ultimately end up not representing constituents' best interests, are unresponsive, or are in other ways incompetent.

The cons: the threat of recall can give elected officials less independence, it can undermine the principle of representative democracy in which elected officials are given a chance to govern and use their best judgment, and recalls can also be abused by special-interest groups with a whole lot of money. That gives them undue influence over the process.

Historically, recall attempts at the state level have been largely unsuccessful. There have been many, many attempts to recall governors throughout U.S. history, but only three have gathered enough petition signatures to trigger recall elections, and those were in 1921, 2003, and 2012. Two of those three recalls were successful.

Recall efforts against state legislators are more common, but they're still unusual. Recall attempts against legislators have gathered enough signatures to trigger an election just 39 times in U.S. history. Many more recall efforts are started and never make it to the election stage. They either end up abandoned by their sponsors, fail to gather enough valid petition signatures to trigger an election, or sometimes the official in question chooses to resign before the petition moves forward.

Next slide. I think that, with that, I will just wrap up and not go over my time today and take any questions you might have. My e-mail is on the screen for any follow-ups.

The Chair: Thank you, Dr. Zoch, for your presentation. Yeah, you definitely left us a little bit of time to spare, but we'll go directly now to questions and answers. Like yesterday's format, we have 20 minutes for questions for you from members of the committee. As standard, we will go back and forth, and each member will give a question and then a brief follow-up.

Would anybody like to go first? Ms Fir, please go ahead.

Ms Fir: Thank you very much for that presentation. You touched just briefly on reasons related to a recall. I'm curious if you could expand on that a little bit more, about the approach in the States. Does an official have to meet some criteria in order for a recall petition to be made against them?

Dr. Zoch: No. That's not the case in all states. A small handful have the judicial recall process, where a crime has to be committed or the official has to be found incompetent. Essentially, they're not doing their official duties. States with that process only have that process – they only have the judicial process – and there are certain grounds in statute that have to be met for a petition to be allowed to go to the signature-gathering process. More states have the political process, and that can have any reason. I can simply not like someone and try to pursue a recall against them, and I wouldn't need to provide any further justification than that.

Ms Fir: Thank you.

The Chair: I see Ms Pancholi. Please go ahead with a question and a follow-up.

11:10

Ms Pancholi: Thank you, Mr. Chair. Thank you, Dr. Zoch. I first want to apologize. Yesterday I didn't refer to you as Dr. Zoch. I

wanted to clarify because you've earned those credentials, so you should be referred to by your appropriate title.

Dr. Zoch, yesterday it was very helpful, when we were talking about citizen-led initiatives, when you talked about some guardrails that could be put in place to address some of the potential cons, as you've called them, or negatives, to a recall election. In particular, you've outlined today one of the potential cons, for example, that it can be taken over by a special-interest group. Do you have any suggestions of what guardrails might be appropriate to guard against that?

Dr. Zoch: Some potential guardrails might be having a judicial process instead of just a political process, so needing certain grounds to proceed forward with the gathering of signatures that might lead to a recall election. Another one has to do with the signatures that are required. Perhaps they could be higher. Recall elections do typically require a higher threshold of signatures than citizen initiatives, but that still could be changed. There's a lot of variability. Often it's 25 per cent of the votes cast in the last election for the office in question, but it can vary from 10 to 40, and the higher percentage certainly seems to represent the public's will a little bit more.

Another fact is whether or not the recall election, if the signatures are verified and there's cause to have the election, is held with other elections or as a special election. There tends to be higher voter turnout during the regularly scheduled election, and then the recall, if successful, may better represent the people's will in that way.

Those are kind of the main points that come to mind in terms of guardrails for this process.

Ms Pancholi: Thank you.

As a follow-up, in terms of, I guess, once enough signatures are gathered, is there any, for example, limit that should be put on how much money can be raised during campaigns? Is that a factor as well that you would consider as a guardrail?

Dr. Zoch: That's a good question. It's something that I meant to mention and did not. Campaign finance is not particularly within my wheelhouse, but, yes, campaign finance regulations in terms of spending on candidates is another potential guardrail, and it's one that the citizen initiative process just in the United States cannot have. There are limitations on how much can be spent on candidates.

The Chair: Thank you.

We'll go now to Mr. Rutherford.

Mr. Rutherford: Thank you, Chair, and thank you, Dr. Zoch, for the presentation. You mentioned that one of the guardrails is the number of signatures. Can you talk about sort of some of the averages amongst the states or how many signatures need to be collected and then how those are spread across counties? For instance, you mentioned yesterday not having an urban centre sort of take over a particular vote based on their density.

Dr. Zoch: The average is about 25 per cent of the votes cast in the last election for the particular office in question. To my knowledge, if I don't live in that district, then I can't sign that petition, but I am not one hundred per cent certain on it. It probably, as always, varies by state. Twenty-five per cent is pretty common for the percentage of votes cast for signatures, but it can be as low as 10 per cent, and it can be as high as 40 per cent. In fact, some states have different requirements for removing state legislators than they do for removing state-wide offices. More signatures might need to be gathered to successfully have an election to recall a governor than to recall a

state legislator just because more people voted for the governor than voted for that particular state legislator.

Mr. Rutherford: Just a follow-up on the reference to crime as one of the guardrails or one of the reasons to move forward: does that include, like, ethics violations amongst, I guess, politicians? Is that considered separate, or how is that looked at in the States?

Dr. Zoch: That's a good question. I'm not entirely certain. Of the few states that require grounds for recall, each has their own separate set of rules, and sometimes it's fairly open. It might just say: if the official is incompetent. Well, what does incompetence mean? That's not for me to decide, but a voter who is pursuing the recall would have to make that case. Some states are explicit that a felony conviction, for example, is grounds for recall. Other states may be explicit about ethics violations, but I am not one hundred per cent certain.

The Chair: Thank you.
Now Mr. Dang.

Mr. Dang: Thank you, Mr. Chair, and thank you, Dr. Zoch, again. I'll get right into it here. I guess that in other situations that are not exactly in the same wheelhouse – for example, when there's a recount at a general election – oftentimes in many jurisdictions the cost of that is borne by the campaign that is requesting the recount or whatever it is. Could you explain to me who bears the cost of this recall campaign and, if successful, the election itself?

Dr. Zoch: That is a good question, and I'm not sure I can entirely answer. I believe the election is paid for by the state by whatever jurisdiction is responsible for that election, but the campaigning would, of course, come from the candidates themselves.

Mr. Dang: I think you had mentioned a bit earlier that in some cases it would be associated with a regularly scheduled election or otherwise. I guess, for us, I mean, in Alberta here an election costs in the neighbourhood of \$20 million, \$25 million, right? So it's somewhere between \$100,000 to \$300,000 per riding, depending on the riding. What does that mean in terms of – what would you normally expect the process to be? Would it be during a general election, so it's just a vacant seat until the next election, or is there usually a snap election? What's the process there?

Dr. Zoch: To my knowledge it seems more likely that there are special elections, actually. I should note that the way the recall election works – again, it's different for each instance, but there are three main ways. If there are enough signatures and it goes to a recall election, some states run it so that the decision whether or not to recall the particular official is combined with the decision to appoint their successor, and some states do those as two separate processes, which would be more expensive. A third option is for the recall election to happen, and then if the official is successfully recalled, then that seat is appointed. The vacancy is filled by appointment although that's less common.

The Chair: Thank you.

Mr. Jeremy Nixon: Actually, you kind of touched on my question just in your last comment, there, Dr. Zoch. Thank you, again, for joining us here today. I'm curious about the process and if you have any advice or thoughts in regard to whether you have a petition that removes a member and then you have a by-election or you have a petition that calls a recall vote and then a by-election or tying in that recall vote with the by-election and kind of what you've seen down south and any advice for us.

Dr. Zoch: I'm not sure that I can advocate for any particular solution. There are likely pros and cons to both that I'm not always aware of. It does seem like running an election to decide whether or not to recall the official and then running an election, whether simultaneously or later, to fill that seat, is the more popular decision by states. It's more popular with legislators and voters precisely because it's more democratic than having the vacant seat filled although four or five states do fill the seats, either the governor appoints a replacement, who may or may not need to be the same party as the recalled official, or sometimes it goes down to the county level.

Mr. Jeremy Nixon: Okay. Then in the scenario where the recall petition is successful in triggering a recall election or by-election, is it common for the incumbent candidate to be able to run again, or are there differences there? Any feedback on that?

Dr. Zoch: Often when the attempt to recall an official and then the election to add a successor, institute the successor, are done simultaneously, the potentially recalled official's name is on the ballot, and in some states it is required or possible for the recalled official to be on the ballot even after they've been recalled. It can happen both ways.

Mr. Jeremy Nixon: Thank you.

The Chair: Thank you.
Next on the list is Mr. Ceci.

Member Ceci: Thank you, Mr. Chair. Thank you, Dr. Zoch, for being here again. I took the opportunity to do a little poll of local elected folks, town councillors, Reeves. It was with regard to the threshold of signatures, and their view was that higher is better; 40 per cent or more, almost all of them that responded, 26 of them felt that. That threshold is – I don't know if I heard you speak to whether that higher threshold has been met or if it's too high a barrier in place to actually recall.

Dr. Zoch: That is a good question. I would have to double-check. I think the state with 40 per cent is Kansas and maybe something else and Louisiana. To my knowledge those have not been met, but actually I have my document in front of me if you want me to look.

Member Ceci: Mmm-hmm.

Dr. Zoch: I don't think so. Higher thresholds, in my very quick googling while on Skype with you all, have not been met.

11:20

Member Ceci: Okay. Just a quick follow-up. When they're met – and maybe I'm getting this wrong – can they get overlaid onto an opportunity at the local levels where elections are taking place here in this province? We have local elections every four years on the same day all across the province for town councillors and Reeves and mayors, city councillors. Is that process used to facilitate in any way recall legislation from the state?

Dr. Zoch: Are you asking that if there were to be a recall election, if it would be aligned with local elections?

Member Ceci: Yeah. In parallel. That's right.

Dr. Zoch: In parallel: I don't see any reason why it couldn't be. I don't know of any specific examples where that tack has specifically been taken, but it's possible. Sometimes there are specific laws saying when a recall election has to happen – you know, X number of days after the signatures are verified – and maybe there's just no

way to align it with another election. But I think the general sense is that aligning it with a bigger election increases the turnout, and, depending on the elected official and the reasons for recall, that could either be a pro or a con.

Member Ceci: Great. Thank you.

The Chair: Thank you for that.

The next question will be coming from Mr. R.J. Sigurdson.

Mr. Sigurdson: Yeah. Thank you, Chair, and thank you again, Dr. Zoch, for spending another day with us discussing this issue.

I'm going to touch a little bit on the local level as well. I'm wondering if you can expand on that, just to be able to talk about maybe some of the states that have recall of local officials, more on a local level, and also what that looks like in comparison to maybe the recall of state legislators and so forth. If you can speak just a little bit more detail on that level of recall.

Dr. Zoch: Sure. I'll add that at the National Conference of State Legislatures, we don't do research on local recall, but about 30 to 36 have provisions for local recall, and it's squishy. We don't have a set number because of the way things are worded in state laws. It is much more common on the local level, and it tends to be much more successful on the local level. That's because signatures are easier to gather, it's a smaller group from which you are gathering them, and people often know those elected officials a little bit more so may have more strong feelings about them. It is more common, more successful, and just more widely used across local elections than on the state level. That's about where my knowledge on local recall ends.

The Chair: Do you have a follow-up, Mr. Sigurdson?

Mr. Sigurdson: Yeah. Just a quick follow-up. I apologize. I do understand that you've stated that you're not really doing research on that local level, but I'm hoping – and maybe it's a stretch – to have you comment just through your personal knowledge. You've stated that they're more successful, but are the thresholds very similar to what's mirrored up on the state level?

Dr. Zoch: I actually don't know the answer to that question. I haven't really perceived many local recall efforts in my personal life where I live now. There hasn't been one in recent history, so unfortunately, I don't know the answer to that.

The Chair: All right. Thank you.

Do we have anyone from the opposition side who would like to ask a question?

No. Okay. We'll go to Mr. Nixon then.

Mr. Jeremy Nixon: Thank you, Mr. Chair. Just a quick question about scrutinizing, specifically when it comes to petitions. Obviously, elections have well-defined procedures, but when it comes to petitions, I don't know, you know, if this is such a – it doesn't have the same established procedures and guidelines around it. I'm wondering if you can talk a bit about what you guys have learned in the States around petitions, the ability to scrutinize petitions, and if there are any legal implications that we should be aware of when it comes to petitions.

Dr. Zoch: Are you asking about the validity of petitions that are being circulated, or about the signature verification process?

Mr. Jeremy Nixon: Yeah. Well, I guess the validity piece would be helpful, but also, you know, in an election I can have scrutineers

that can observe the balloting counting. Is there an opportunity to be able to scrutinize the petitions from the public, or is this just left up to the elections office? Are there any guidelines or procedures that you would recommend? Is that helpful?

Dr. Zoch: Yes. Taking kind of a general view, to my knowledge the petition verification of signatures and processing those all fall within either the state's election division or the local election officials conducting that election. When it comes to ballots and voting, we have the same processes that allow for election observers or poll watchers to make sure that those processes are followed, that votes are not getting thrown out for any unknown reason, things like that. So that stays the same. It runs very similarly to a regular election, with all the same kind of guardrails for protection.

Mr. Jeremy Nixon: But currently no opportunity for the public or the incumbent to be able to scrutinize the petitions outside of the elections office.

And then have there been any legal ramifications to that process or push-back? Have there been any cases where that's been contested?

Dr. Zoch: I am not aware of any, but, like I said, I'm not a legal scholar, and we just deal with recall fairly infrequently. It's possible, but nothing that has been major or come to our attention as something that we have needed to respond to.

Mr. Jeremy Nixon: Thank you.

The Chair: Thank you.

Again not seeing anyone from the opposition side who would like to ask a question. We have about two minutes left. We'll go to Ms Goodridge.

Ms Goodridge: Thank you, Mr. Chair, and thank you, Dr. Zoch, for being here with us. I really appreciate the information on this. The question around recall is definitely a challenging one. I'm not sure if you are very familiar with the recall legislation that exists in British Columbia. No? All right. Then I guess I probably shouldn't be asking a whole bunch of questions about that. One of the big pieces is that there were thresholds for signatures, and they returned signatures but only about a couple thousand fewer that were found valid. Have you found the threshold limits and then the signatures matching up being a problem?

Dr. Zoch: I don't know that I would say it's a problem, but it is certainly something that happens. We could speculate that if the signatures don't match up, that that's an instance of fraud, but often sometimes the issue of a signature getting thrown out is that it's someone who signed the petition who really technically is not eligible to and perhaps misunderstood what they were signing, so they live out of district, or they're not a registered voter. Those signatures tend to get thrown out, but very frequently the petitions don't reach the number of signatures they need to trigger a recall election. It's far more common for petitions to be out and petitioners to be gathering signatures and then have that not materialize in an actual recall election.

Ms Goodridge: Fantastic. And then as a quick follow-up are all of the signature requirements that you're aware of in the United States physical signatures, or are there any electronic signatures allowed, or is there a hybrid system?

The Chair: Dr. Zoch, I apologize. The time has expired. I will let you just finish your thought on this question, but after that we will have to move on to the next presenter.

Dr. Zoch: Sure.

I'm fairly certain that they're all still physical, with the minor exception of Arizona, which allows electronic signatures on original candidate petition filings. It's possible they would allow those for recall elections, but I don't know that for certain. So, again, mostly physical.

The Chair: Did you have a question?

Ms Sweet: For you.

The Chair: Oh, certainly. Please go ahead.

Ms Sweet: You'll want to say thanks first if you want.

The Chair: Oh, yes. Thank you very much, Dr. Zoch, for joining us today and for yesterday as well. We really appreciate your time taken out of what I'm sure is a very busy schedule you have. I wish you all the best in your career, and thank you very much for being here. You're welcome to stay on the phone and join us for the rest of the meeting.

We will now go on to our next presenter, but before we do that, I believe Ms Sweet had a question.

Ms Sweet: Just a point of clarity, Mr. Chair. Some of the questions that have come up actually create questions to ask Elections Alberta, but we've never actually talked about how we may be able to refer to our experts in the room if we wanted clarity. Do we have a process for that? Do we wait till other business? How do we do that?

11:30

The Chair: That's an excellent question, and it's probably worth conferring with the gentleman to my left.

Dr. Massolin: Thank you, Mr. Chair. If I understand the question right, through you to Ms Sweet, you're asking how the officials that are participating in this review – and a motion has passed to that effect – sort of respond to questions and so forth and how the committee interacts with them. Well, that can happen at the committee's pleasure, I believe, and with the consent of those officials who are sitting at the back of the room, I see. You just invite them to the table and go from there. Usually it happens during the deliberation phase.

Thank you.

The Chair: Sure. I guess, with that in mind, it is at the will of the committee. I would be hesitant to invite officials to the table to give their input while a presenter is presenting or taking questions, kind of in that 20-minute mark, but I'm happy to have a conversation about how this looks going forward, whether it's under other business or whether we'd kind of write these questions down and ask members of Elections Alberta, you know, to be present during deliberations and bring them forth then.

Ms Sweet: Thank you, Mr. Chair. I think we can discuss this under other business to come up with a process. I do want to just flag to follow up with Ms Goodridge's question around validation of signatures. Maybe Elections Alberta would be able to give us information about what that looked like in Alberta in past elections and in the future.

The Chair: Certainly. That's a fair question. We'll push that to other business. I don't think we need a motion to bring that up.

With that in mind, then, we will move on to the next presenter, which is Mr. Franco Terrazzano, who is joining us from the Canadian Taxpayers Federation. Mr. Terrazzano, are you on the line?

Mr. Terrazzano: I am, yes.

The Chair: Excellent. Whenever you're ready, you can go ahead, and you have five minutes for the presentation.

Mr. Terrazzano: Perfect. And can you hear me okay?

The Chair: I can hear you great.

Canadian Taxpayers Federation

Mr. Terrazzano: Okay. Awesome. I'll begin now. My name is Franco Terrazzano. I'm the Alberta spokesperson for the Canadian Taxpayers Federation. I'll start right off the top by saying that we are very supportive of the government's promise to implement recall legislation. Our mandate is to push for lower taxes, less waste, and more accountable government, and recall legislation fits squarely within that pillar of more accountable government.

Recall legislation is really based on a fundamental principle that if politicians work for the people, then the people should be able to give them pink slips when they misbehave, more than just once every four years. Now, the first and most obvious benefit of recall legislation is that tool for accountability, and we have seen it be successful in British Columbia, where recall legislation helped the citizens of B.C. hold then MLA Paul Reitsma accountable when he got caught sending fake letters to the editor.

There have also been many cases or, I should say, at least a few cases in Alberta where recall legislation could have come in handy for the voters of Alberta. The first one that comes to mind is then Premier Alison Redford, who had large – very large – spending scandals. You know, it would have been much better and much more preferable for the voters to deal with that rather than having time spent on political backroom brokering. We believe that it's voters who give MLAs their seat, and it should be voters who take it away.

Another instance happened with a Lethbridge councillor who refused to step down initially after being charged with fabricating a stalker story. Surely, a recall process would have been much more useful, both for her voters and citizens and also for the Lethbridge councillor herself. Of course, recently we have been dealing in Calgary with an ongoing expense scandal of a city councillor there with large expenses that still seem to be unaccounted for completely.

These are just some recent stories that show that recall legislation could be helpful in Alberta. Now, I do want to make the point that we are in no way suggesting which way the recall process may end up, just that it's a successful tool for voters.

Now, the second and a very beneficial part of recall legislation, which may not be as obvious as the first, is that recall legislation can be used as a stick, so to speak, to discourage politicians from misbehaving in the first place. I mean, it really doesn't take a PhD in psychology to understand that politicians are more likely to keep a lid on their expenses and behave more properly if they could be eligible to be facing the voting public tomorrow rather than in four years.

Now, if we talk about recall legislation as it's been proposed, one of the key policies that we are looking for is that the recall legislation as it applies to MLAs is also extended to the local level. This is being done in at least 30 U.S. states, and we've also heard, in the February 2020 government throne speech, that this was promised, so we are looking for the government to fulfill that promise.

Now, I think, let's move into a very important part, which is the threshold for a petition. I have two minutes left, so I'll try to skip the high-level details on our point. B.C. has about a 40 per cent threshold of petition signatures to get within that district over 60

days. Now, the ideal threshold is a little bit difficult to come by. There will be some subjectivity that's involved with taking the correct threshold, but I think that if you look at the fact that there's only been one successful recall campaign in British Columbia over 25 years, it's clear that the threshold is a little bit too high.

When you look at the U.S. states, the most common threshold is the 25 per cent threshold. That's the most common among the U.S. states that have recall legislation, and we would recommend that that's where we should start in Alberta. It's very important to remember that it's just important to get recall legislation implemented, and this committee, within a few years following the implementation of recall legislation, can always go back to the drawing board and see if the threshold is too onerous or isn't strict enough.

Now, I would like to touch on a consideration for recall legislation or recall rules at the local level. For municipalities, you could use something similar to what is happening with Louisiana, where there are different thresholds, depending on the population size of the ward or of the voting area, with the lower the population, the greater the percentage of voters that you actually need to sign the petition.

I also just want to make one more point back to B.C.'s 40 per cent threshold. Now, that would be the highest threshold among its counterparts in the U.S. The only other, if I'm not mistaken, is Kansas, that has a 40 per cent threshold. The rest all have lower thresholds. Louisiana also has a top-end 40 per cent, but it also has lower thresholds, depending on population.

With that, I see I'm running up to my five-minute time limit, so happy to take questions.

The Chair: Thank you, Mr. Terrazzano.

Yeah, we will now go to questions and answers for 20 minutes. Members can ask a question and a short follow-up. I'd like to go first to Mr. Horner, who has a question.

Mr. Horner: Thank you. Mr. Terrazzano, thank you for being so available the last couple of days. In regard to thresholds you commented that B.C.'s is most likely too high. Did you have an idea where you thought we should land as far as a percentage? I know . . .

Mr. Terrazzano: I did.

Mr. Horner: Go ahead.

Mr. Terrazzano: Yes. Sorry to cut you off. Twenty-five per cent is likely a good starting point. It's lower than B.C.'s threshold, and it seems to be the most common threshold that is used among the U.S. states. So we would recommend 25 per cent. Again, it is a balancing act, and if you start with 25 per cent, you can review it in future years.

Mr. Horner: Just a follow-up, Chair. That would be 25 per cent of the electorate that voted in the applicable election, whether it be at the provincial level or the local level. Then what would you suggest for time?

Mr. Terrazzano: Correct. To your first comment, correct.

For time, B.C. is 60 days. We would suggest extending the timeline, and I think 90 days would be a more reasonable expectation.

The Chair: Okay. We'll now go to Ms Sweet.

Ms Sweet: Thank you, Mr. Chair. I just want to go back to the initial part of the presentation, around the role of the CTF and the accountability for taxpayer dollars and the fact that the CTF is an

advocate for that. When we look at recall legislation, there is a substantial cost associated to the taxpayer when it comes to having these elections, one, for the recall component, and then, additionally, for a potential by-election. Do you feel that that is in the best interests of taxpayers?

Mr. Terrazzano: Well, first, I'd just like to say thank you so much for bringing up that question. I'm so happy to hear that members in this room are looking out for or thinking about the cost to taxpayers. That really is music to my ears.

Now, I will start my answer with saying that there are needs and then there are wants, and more accountability is an absolute need when it comes to spending taxpayers' money. So this is a good use of taxpayer dollars. There is tons of spending that is going on what seems like every day that doesn't need to be spent, and if you're looking for cuts, like, let's start with the hundreds of millions of dollars in corporate welfare that has been spent not just by this government but by previous governments. That's the area, among many others, that we should look to for spending cuts. But when it comes to accountability, no, that is an absolute must.

11:40

Another thing I have to bring up is that when we're talking about recall legislation, at least when we're looking around at other jurisdictions, especially British Columbia, we're talking about very, very infrequent use of by-elections through the recall process. When we're also talking about recall legislation, we're talking about a by-election in one voting block, not an entire province-wide election.

But thank you again for raising the cost consideration, which is always important.

Ms Sweet: Thank you for the answer. I mean, I would say that a by-election is actually quite substantial in the cost analysis of how much by-elections do cost. We've seen that when we had to do it in Calgary-Foothills.

I guess another question would just be around the other abilities for elected officials to be held to account. We look at the abilities of MLAs to resign. We have seen that in the past with a Member for Innisfail-Sylvan Lake that resigned his seat, and we've seen it with other members. Do you not see, you know, that working within the systems of party politics would be something where you'd be able to also be handling some of these concerns?

Mr. Terrazzano: Well, I don't see them as being mutually exclusive. Certainly, an MLA is free to resign if they choose. I have no qualms with that. We're saying that you do need extra accountability, and this is such a good tool for accountability. I mean, outside of the regular election process, this is probably number 2. There have been times where it could have been useful in Alberta, there was a time where we saw it was useful in British Columbia, so I would absolutely say that this is a necessary, added accountability measure.

The Chair: Thank you.

Mr. Nixon.

Mr. Jeremy Nixon: Thank you, Mr. Chair, and thank you – I can't say your name – Mr. Terrazzano, for being here today. Sorry for butchering your name.

Just a quick question about procedure. Do you have any thoughts about the appropriateness of, say, just using a petition to remove a duly elected member, or would you prefer to see a petition that triggers an actual recall election to make sure that there are appropriate procedures that can be scrutinized or to do a petition

and then combine a recall election with a by-election? Do you have any opinions or thoughts on procedure?

Mr. Terrazzano: Well, I guess that traditionally I would just say to follow the law that is going on in British Columbia while reducing the threshold and increasing the number of days.

Mr. Jeremy Nixon: I might be wrong here, but my understanding is that in British Columbia the petition itself would be sufficient in removing a duly elected member.

Mr. Terrazzano: Sorry. To trigger a by-election.

Mr. Jeremy Nixon: To trigger the by-election. But in that time between the by-election and the petition the member is removed from office. I believe that's the case. Do you think that that's an appropriate process?

Mr. Terrazzano: Yeah. I don't see any issues with that.

The Chair: Mr. Ceci.

Member Ceci: Thanks very much, Mr. Chair. Thank you, Mr. Terrazzano. I just want to follow up on those two situations that you talked about at the local council level, one with the Lethbridge councillor fabricating stalker reports and, second, more recently the fabrication of expense reports by a Calgary city councillor. I'm thinking about taxpayers and costs to taxpayers, obviously, with regard to, in the Calgary situation, you know, paying for expenses that weren't properly achieved and thinking about the process of how to deal with those situations. I know we're talking about recall right now, but certainly if, in the case of Calgary, that individual resigned, that would be much cheaper for taxpayers and less drawn out. The elections every four years, that are coming up in October of '21, are another way to deal with that person. But recall probably is the most expensive way of dealing with that person between elections.

There is one other approach, and that is the relevant minister acting and using their accountabilities to dismiss the person from their position. I'm getting to the question. It's been done in the past in Calgary with a school board, with a whole school board being removed by a previous Education minister. Do you have any views about ministers who, you know, have an opportunity to save taxpayers money and to not have to go through a recall and don't act, I guess? Is that another vehicle? You haven't mentioned it, and I'm just wondering why.

Mr. Terrazzano: Okay. No. That's a fantastic question, and I am so happy that you brought that up. With respect to the question as it relates to the minister, quite frankly – and I think you're focusing on the Calgary councillor there – the boss of that Calgary councillor really, truly is his ward voters. So we want to see the ward voters have the say. We would like for them to have that tool, not so much the minister because the minister is in between a rock and a hard place. The other side is that he or she or the minister or whoever the minister may be at a particular time wants to maintain a degree of autonomy for the city and respect the rights of the voters of that councillor's ward. That's why we would prefer the tool of recall because the correct boss of that councillor really, truly is, at the end of the day, the voter.

Member Ceci: Yeah. No. That's helpful to hear your views about ministers and them not acting when the legislation gives them the ability to do that. Ultimately, I think what you're talking about is a more expensive approach for taxpayers to pony up the costs of

removing that person as opposed to a quicker, more expedient, cheaper way.

Mr. Terrazzano: Sorry. Was there a question there, or was that just a statement?

Member Ceci: No. Partly a statement and partly understanding that you're not seeing the role of the minister as being one with agency in this regard.

Mr. Terrazzano: I think that was a statement again, but I'm happy to repeat my views. First, I'd like to say that it is good to see that you're caring about costs to taxpayers because we've certainly seen massive costs to taxpayers escalate over the years. Again, what we have been advocating for the Alberta government to do in this particular situation or, really, in all situations to deal with an issue like this, whether it's happening right now or whether it happens in a few years' time or whenever, is to implement recall legislation extended to the local level. We want the voters, who really are the boss at the end of the day of the councillors, to be able to make that decision.

Member Ceci: Thank you.

The Chair: Thank you.
Mr. Rutherford.

Mr. Rutherford: Thank you, Mr. Chair. Just quickly, we've talked a lot about costs. Do you have any estimates of how much this process has cost in the past or any examples that are similar so that we can get an actual sense of the dollars that go into it?

Mr. Terrazzano: I do not have the costs, and I'd be interested to see any costs this committee might produce.

But I guess I'll say two things when it comes to that. I've already said this, but I'll say it again because it's very important, that there are nice-to-haves, there are need-to-haves. When it comes to accountability, that certainly isn't a nice-to-have; it is absolutely a must. It is a need-to-have, and this is one of those tools that is a must.

When we look at British Columbia, I mean, over 25 years we've only seen one successful recall campaign, and I believe that happened before the actual by-election, where the MLA at the time saw the writing on the wall and stepped down. So I don't foresee this massively increasing costs. Another thing that you have to consider is that this is a by-election; this is not a provincial election. At the end of the day, if we're talking about cutting costs, which we need to be, there are many other places that we should be talking before we talk about saving some money with recall legislation. This is an absolute must for accountability.

The Chair: Do you have a follow-up? Okay.

Anyone from the opposition side who would like to ask a question?
Seeing none, we'll then go to Ms Goodridge.

Ms Goodridge: Thank you, Mr. Chair, and thank you, Mr. Terrazzano, for coming to visit with us yet again here today. I just had some questions regarding British Columbia's process. I guess my biggest question is around the time period in B.C. where recall should be allowed. How long after the recall petition is triggered should an election exist or happen, in your opinion?

Mr. Terrazzano: You know, I don't have any specific recommendation there. The only thing I would say is to have it in a shorter time span rather than a later time span. But in terms of getting into details, I don't have a recommendation for the committee.

The Chair: Do you have a follow-up, Ms Goodridge?

Ms Goodridge: Fair enough.

I guess, then, Mr. Chair, I'm good on that one.

11:50

The Chair: Okay.

I will go to Mr. Nixon.

Mr. Jeremy Nixon: Thank you, Chair. Just a quick question. It's kind of a follow-up to my initial question about a petition basically being used to remove a duly elected member and if you have any thoughts in regard to the ability for that member or the general public to be able to scrutinize the petition process and the petitions themselves. I think currently it's done through the elections office. Again, I think with an election, there are fairly standardized procedures that allow for the proper scrutinization of that, and obviously I think that would be a concern for the MLA as well as the general public. Do you have any thoughts or feedback on that?

Mr. Terrazzano: I do have a specific recommendation on that note for the committee. I would suggest probably looking at what is done in British Columbia.

The Chair: Do you have a follow-up?

Mr. Jeremy Nixon: Sure. We'll take a look at that. Can you expand on that as to what they do that you like, that we should focus on?

Mr. Terrazzano: No. I'm not familiar, but I would suggest that British Columbia would be the starting point. From what I can tell, in the initial proposal to bring in recall legislation as was announced by the United Conservative Party in the lead-up to the election, British Columbia would be the jumping-off point, so to speak, and just for those same reasons. I mean, it's a neighbour next door, another Canadian jurisdiction. I would assume that it would be the most similar to Alberta's, I guess, system, so to speak, so that's why I would recommend looking into what British Columbia is doing.

Mr. Jeremy Nixon: Okay. Thank you.

The Chair: Thank you.

Mr. Dang.

Mr. Dang: Thank you, Mr. Chair. I guess I just have a question to go back to around costs here again. I think looking back at a couple of previous by-elections, we saw the Calgary-Foothills by-election cost around \$250,000. I believe the Calgary-Lougheed by-election cost about \$420,000. Using those numbers, and, let's say, based on what we heard from the NCSL, you'd have to run two votes, right? You'd have to run a recall vote and then an actual by-election, assuming it was successful. We're talking in the neighbourhood of \$840,000 to a million dollars potentially just for one of these recall campaigns. You're saying that there are no other means we should be exploring to save costs for taxpayers other than spending basically a million dollars on these campaigns? Is that what you're saying?

Mr. Terrazzano: I would never say that there are no other ways to look for saving money. I've said the exact opposite. We should be looking everywhere to save money, but first you have to look at what is a nice-to-have and what is a need-to-have. This is a need-to-have. This is an accountability tool. It is not a nice-to-have. It is absolutely crucial for taxpayers and for citizens to hold their politicians accountable when politicians get caught with their hands in the taxpayer cookie jar. This is a must. We should all be worried

about the \$24 billion deficit, the \$100 billion debt. But, look, there are many other items that we should be starting with first before we talk about accountability and recall. We look at British Columbia. They've only had one successful recall petition, so I don't foresee recall leading to by-election after by-election after by-election. That's not what the historical evidence suggests, that's for sure.

I think that would probably address your question, but I do want to add something else, right? It's not just about the recall legislation giving taxpayers the tool to hold their MLA or local official accountable after the fact. I mean, recall legislation can act as a stick, as a deterrent, to discourage bad behaviour in the first place, so I think that is also a reason why recall legislation could be a very good tool to actually save taxpayers money before politicians, for example, blow the lid on expenses.

Mr. Dang: Thank you, Mr. Chair, and thank you, Mr. Terrazzano. Just to be very clear, you're advocating to actually say that there is no other accountability mechanism that is more cost-effective that we should be looking at otherwise, but instead you believe that recall legislation, which you have just said is largely not successful, largely does not happen – you think we should invest a ton of money and resources into creating a nonsuccessful program that may or may not deter people instead of actually trying to invest money and look at cost-effective ways such as using the office of the Ethics Commissioner? Is that what you're saying?

Mr. Terrazzano: Well, thanks for that question. I'll actually make it very clear what I'm saying. We should look at all cost-effective measures to enhance accountability, and we should be looking across the board. When we're looking at ways to address that \$24 billion deficit in terms of spending cuts, we should be looking at everything, but when it comes to recall legislation, that is a must. This is money that we should be spending. This is a good use of taxpayers' money.

Also, I will correct what you just said as I have never said that recall was unsuccessful. If you can look at, actually, my speech, I said that recall was successful in British Columbia in holding their MLA accountable after he was caught sending fake letters to the editor. I have also noted that recall legislation can be a very successful stick to discourage politicians from dipping their hands in the taxpayer cookie jar in the first place. I think that I've been very clear on the record when it comes to that.

The Chair: Thank you, Mr. Dang and Mr. Terrazzano.

With about a minute and 45 seconds, we have Mr. Nixon.

Mr. Jeremy Nixon: Thank you, Chair. I appreciate this conversation about accountability and cost savings. You know, I've always said that if you spend a little money in the right places, it'll actually save you money in other areas in the long run. I think that this is one of those areas. Obviously, if we can increase the accountability of elected people to their constituents and to taxpayers, at the end of the day, and if there's a stick or a hook – obviously, I can think of numerous examples of where government, elected people have come in, campaigned on one thing and did another thing like, for example, implementing a carbon tax. I was wondering if you can give us some other examples where increased accountability would prevent and actually save taxpayer dollars in the long run.

Mr. Terrazzano: Well, first, I just thank you for that question and for bringing forward those important points. The way that I see it is that recall legislation has two very major ethics for taxpayers. The first one is the obvious – right? – to hold people accountable when they misbehave. I mean, people outside of politics, when we stink at our jobs, when we fail to listen to our boss, we get canned.

The same standards should be held to the people who represent us: our politicians, our MLAs, our local councillors and mayors. That's the obvious first benefit. I've gone through a few different scenarios, not just in British Columbia but in Alberta, where that would have been a successful tool for the taxpayer.

To the second point that you brought up, a very, very important point of recall legislation is that it could actually deter. It could deter politicians from wasting money on bad decisions . . .

The Chair: Mr. Terrazzano?

Mr. Terrazzano: Of course, recall legislation could be used to hold politicians accountable when they say one thing during the campaign and they do others. We talked about this yesterday with the citizens' initiative, about the costs – oh.

The Chair: Mr. Terrazzano. Yes. Sorry; you cut out there for a moment and probably didn't hear the timer. Just go ahead and finish your thought quickly, but your time has expired.

Mr. Terrazzano: Oh, apologies.

I'll just say that we talked yesterday about this cost savings and how these types of accountability tools actually can save taxpayers money in the long run and improve accountability. We talked about a citizens' initiative where taxpayers were able to smack down the billion-dollar potential Olympic bid boondoggle. We saw it in B.C. with the TransLink tax. Similar principles can apply to recall legislation as an accountability tool as well.

The Chair: Excellent. Thank you very much, Mr. Terrazzano, for joining us for the second day in a row. We greatly appreciate your presence and your input on this topic. You are welcome to stick on the line and be present for the remainder of today's proceedings, but we will now go on to our third and final presenter, which is Dr. Duane Bratt from Mount Royal University.

Dr. Bratt, are you on the line? Dr. Bratt, can you hear us?

Dr. Bratt: Yes, I am.

The Chair: Okay. All right. Sounds like we've got that sorted out.

Dr. Bratt: Can you see me, hear me?

The Chair: I can hear you, and it sounds like you can hear us. Okay. Whenever you're ready, you have five minutes.

Dr. Duane Bratt

Dr. Bratt: I caught the previous two presenters, and Mr. Terrazzano made a great case for why recall should be in there. I want to talk about some of the caveats around that as well as look in a lot more depth at the B.C. example.

Is this a problem that needs to be solved without using the regular election procedure or party measures or media pressure or public pressure? That's something for the committee to think about. In establishing the mechanics of recall, you need a high enough threshold/criteria to prevent the refighting of elections, but it cannot be so high that recall is a virtual impossibility.

Finally, you heard from Dr. Zoch, looking at the American context. Obviously, the Canadian context is very different than the U.S. system, and the only example we've got is the 20 years plus in British Columbia, unless you want to count Alberta back in the 1930s, so we need to focus on the Canadian context.

Looking at the B.C. law, B.C.'s law comes in in the early 1990s. It has been sustained ever since. People that have been recalled have been from all parties. It has been supported by all parties. It requires

a 40 per cent threshold of eligible voters within the constituency as well as a 60-day period. It can't be done in the first 18 months after an election and can't be done in the last six months before an election.

12:00

Now, that second part, about the six months before an election, is complicated because in Alberta, while we have a fixed election period, we don't have a fixed election date, so determining six months can be complicated. But even that fixed election period is no guarantee because of our parliamentary system. We saw the Prentice government go early in 2015. We're currently seeing the Horgan government going early now. So how you determine the last six months can be complicated.

It forces a by-election, and the recalled MLA could run in that by-election if they chose. There are no criteria to launch a petition. It could be anything as long as the individual who starts the petition provides a 200-word rationale. There have been multiple attempts, at least two dozen, at recall in B.C. since the 1990s. In two cases they withdrew the petition. In 19 cases they never submitted the petition. In four cases there were insufficient valid signatures either because there was a lack of the number or there were some invalid signatures included. Then the one case that's been cited a lot is that Paul Reitsma resigned while the signatures were being collected.

B.C. has a very high bar, but there are still reasons to have it. It provides a safety valve. If there is really egregious behaviour by an MLA, it still provides a deterrent for that behaviour. Even if the recall effort doesn't succeed, the very fact that people are mobilizing against you should be a real warning, and it's a real message that is given to the public about the importance of democracy.

How should Alberta make revisions to the B.C. legislation? I'll just give you a couple of examples. I believe that the threshold should be the same as what is in B.C., 60 days. After all, an election campaign is 30 days; having twice as long, I think, is sufficient if there are really strong grounds and a strong groundswell to remove an MLA. Forty per cent is, I think, a high threshold but not an impossible bar to reach, and it's still lower than traditional voter turnout.

Who is eligible to sign the petition? I think it should still be like B.C. You have to be registered to vote right now, but you also had to be registered to vote in that particular constituency at the time of the last election. You might want to consider adding that you still have to live in that constituency. After all, if you are removing an MLA as the representative of a riding, you should still be living in that riding yourself.

There should still be a by-election, and the MLA can decide on their own whether they choose to run in that by-election. We have by-elections all the time.

The Chair: Dr. Bratt, your time has expired. I will allow you just to finish your thought there, but we will want to get on to questions and answers in just a moment.

Dr. Bratt: Okay. I've got some thoughts on financing and about municipalities, but I'll leave that for the question-and-answer period if people would like to ask.

The Chair: Certainly.

Okay. Well, Dr. Bratt's five minutes have expired. We'll now go to questions and answers with him. Given that we started with the government side last time, I will go to the opposition and ask if they have anyone who wants to go first. Ms Sweet.

Ms Sweet: Thank you, Mr. Chair, and thank you, Dr. Bratt, for being here today. Since you've already mentioned it, you have some

thoughts around financing, and I would just like to give you an opportunity maybe to give us some information about that, please.

Dr. Bratt: Okay. A couple of thoughts. I think there should still be the ban on corporate and union donations, that this should be focused on individuals. I think there needs to be a separate standard set for spending and contribution limits beyond the regular donation limits because this is a very unique, special circumstance, so if you've already donated to a party and you've already donated to a candidate, that should not exclude you from donating in the case of a recall petition.

This is something that surrounds all financing right now: what do you do about third parties? There's been an explosion in third-party advertising, in third-party spending. We haven't seen those examples in British Columbia, but it could definitely happen in Alberta. I don't have any answers, but it's something to think about because money flows like water, and every time you put up a dam, it'll find a new place to penetrate.

I would also think that you would limit the contributions to the individuals in the riding. Right now in B.C. any individual in British Columbia can contribute to a recall. If this is about representation in a particular constituency, I think it should be limited to the people in that constituency.

Those are some thoughts I've got around the financing of the recall petition. By-elections: you've already got rules for those, that we don't need to discuss here.

The Chair: Okay.

Mr. Sigurdson: First, I want to thank you for coming and presenting, Dr. Bratt. My question is going to circle around – you commented a lot about B.C. And I guess what I'm going to ask here is – I guess you're kind of saying that if we're going to go down the road of recall, there are circumstances where you do support us having recall in place for certain elected officials. I guess if you could just comment on maybe – you know, when you're talking about the thresholds, a lot of them haven't been successful. Do you think there are certain circumstances in which the thresholds should be different for a recall of an official when it comes to their term in office?

Dr. Bratt: Do you mean a different threshold depending on what the criteria are for recall?

Mr. Sigurdson: Well, maybe on their actions; for example, an ethics violation or certain things like that. Do you think there should be a separate threshold in those circumstances, you know, that maybe the signatures or threshold shouldn't be as high?

Dr. Bratt: I think there should be the same threshold. You may decide that 40 per cent in 60 days is too high a threshold, and you could lower it. I heard Mr. Terrazzano talking about 25 per cent in 90 days. I wouldn't necessarily have a problem with 90 days; I think 25 per cent may be too low of a threshold. But I think it's up to the committee and the government of Alberta to determine what those thresholds are. What I wouldn't want to see is different thresholds depending on what the criteria are. I like the fact it's open ended. It could be whatever egregious behaviour – and, really, we're talking about egregious – that would lead to a recall petition. It could be personal behaviour, or it could be, you know, a policy decision or nondecision that comes out. I think it's up to the petitioners to make the case, but the threshold should be the same, whatever that threshold is.

Mr. Sigurdson: Just as a follow-up, Chair: Dr. Bratt, if we're discussing this on a provincial level, would you also agree that if

we're going to implement this for MLAs, local officials should be subject to recall in the same fair manner?

Dr. Bratt: Well, thank you for setting me up on that because that was in my notes that I didn't get time to speak. I'm used to lecturing for an hour; five minutes is pretty short for an academic. The B.C. law doesn't apply to municipal officials, and I would agree with that. Here's my rationale: there's a much lower voter turnout in trustee and municipal elections than we see provincially and greater volatility. For example, in Calgary in 2017 voter turnout was 58 per cent, but in 2013 it was 36 per cent. Imagine setting a threshold at 40 per cent when the actual number of people who voted in the election was below that.

The second component is that because municipalities, trustees are tools or creations of the province, there are other tools and mechanisms out there for this type of egregious behaviour. It was already cited about the Calgary public school board being removed in 1999 for some pretty poor behaviour. Other school districts, trustees have had the same thing, and under the municipal act even councillors can be removed following an investigation. So I think tools are already in existence there, that we don't need to craft new ones. The reason I focused on B.C. is because we have no other example in Canada.

12:10

The Chair: Thank you.

Mr. Ceci, please.

Member Ceci: Well, thank you. Mr. Sigurdson beat me to the punch. I was going to ask about local trustees and local elected folks and the accountability mechanisms and particularly, you know, what your views were about recall, and you've already shared those.

Can you speak to costs at all? I haven't heard you talk about that. I know Mr. Terrazzano thought it was a good use of money. Could you speak to how much these things cost?

Dr. Bratt: I don't see a huge cost during the petition phase of the process given that the two sides, either the yes for recall, the no for recall, are paid for by donations and contributions. There may be a small cost to Elections Alberta, but I think most of that would be in staffing, which is already an embedded cost. There could be an increased cost if they send the signatures for ratification. That may be a small cost but, I think, again, a very small cost.

By-elections are expensive, but I believe and support by-elections. The reason we have by-elections – and there are U.S. states that don't have by-elections. I favour by-elections to ensure that we have representation for that constituency either at a municipal or provincial or, for that matter, federal level. We have by-elections all the time. You know, if someone retires, if someone dies, if someone resigns, we don't say: well, the cost of having a by-election is too high. I think it's just the cost of democracy.

Member Ceci: Okay. Great. Thank you, Dr. Bratt.

The Chair: A follow-up, Mr. Ceci?

Member Ceci: No, thank you.

The Chair: Okay.

We'll go, then, next to Mr. Nixon.

Mr. Jeremy Nixon: Awesome. Thank you, Dr. Bratt, for joining us here today. I've always enjoyed your commentaries, so I appreciate you taking the time to spend with us this morning. A question a bit about procedure and what we've seen in B.C. and wondering about your opinion on the merits of using a petition to remove a duly

elected person from office – you may have heard me asking these questions earlier in regard to process in regard to a petition triggering an actual vote in regard to recall and then from there moving into a by-election – and if you have any thoughts or opinions on what the preferred procedure would be.

Dr. Bratt: I think the petition is a preferred procedure. There are other examples that you could use. You could have a special recall election and then a subsequent by-election, depending on the result of the recall election. I think the recall election would be more expensive than the petition option. The other is that if we're really talking egregious behaviour, then there should be a group capable of going out and mobilizing and gathering enough signatures from registered voters to force that by-election. I think a petition is a useful tool if you're going to have recall. I think it is cheaper than other options. Those would be my comments on using that as a mechanism.

Mr. Jeremy Nixon: I guess – good, Chair? My follow-up on that would be in regard to the petition and the percentage of voters that, for example, voted for the MLA, and then their voice wouldn't be heard during that petition process. Again I'm just wondering about the merits in regard to using a petition, that doesn't have the same defined procedures as an election, which would be used in a recall process or a recall election and kind of the accountability or, I guess, the ability for all voters to have a voice. I can think of a number of elected people, myself included, where over 50 per cent of my constituents didn't vote for me, but the majority did. Any thoughts kind of on that?

Dr. Bratt: A couple of things on that. I think ensuring that registered voters – we're not talking people who actually voted. They may have; they may not have. They may have voted for this MLA, they may have voted against him, or they may not have voted at all. We're talking registered voters. Where I would add an amendment to the B.C. law is that they have to be registered voters in the constituency at the time of that election, but they also have to still be in that constituency to show some of that accountability.

One idea that does circulate in the academic community is whether you base the threshold on what the voter turnout was in the previous election. So you would have a sliding scale. Instead of it being 40 per cent of registered voters, it might be 70 per cent or 80 per cent, the percentage of people who voted in that election.

I think that gets messy, and I understand the logic for that, but I prefer a simpler one that cuts right across the board.

The Chair: Thank you.

Mr. Dang.

Mr. Dang: Thank you, Mr. Chair, and thank you, Dr. Bratt, for joining us today. I just have a question around a conversation that sort of percolated here in Alberta a bit, which is the idea that if somebody wanted to, let's say, cross the floor or sit as an independent, whatever it may be: what's your view on having a by-election required around that or whether that's an effective use of the accountability measure? I think, as we know it in the Alberta system and the Westminster system, you elect the parliamentarian, not the party.

Dr. Bratt: That's a slightly different question than what we're here for, but I've got some thoughts on that. I think floor crossings are a common, normal feature of Westminster parliamentary systems, and there may be all sorts of reasons for that. If the voters don't like the decisions that have been made, they have an opportunity in the election to do so. We have seen cases where floor crossers are

rewarded and they are re-elected, and we have seen cases of floor crossers being punished and being defeated, either at the party level or in the general election.

Now, if people really feel that the floor crosser is wrong and you have a recall mechanism, that could very well be justification to launch a recall petition, and that would be a way of determining whether there is sufficient dissatisfaction with that individual's decision to force a by-election. But should there be an automatic by-election for floor crossing? I don't believe so.

Mr. Dang: Thank you. I guess just to follow up to that is sort of in the realm of that accountability idea and that parliamentarians should be accountable to their voters: would you have alternative measures that you'd talk about in terms of things like through the office of the Ethics Commissioner for accountability that would be perhaps more effective or more cost-effective than a recall system?

Dr. Bratt: Well, one is that you have the actual general election itself, which is the ultimate arbiter. But if you're talking about a party member, parties have those abilities to expel someone from caucus for that behaviour. You can also get, you know, public pressure, media pressure that's put on an MLA, that may have him or her rethink their behaviour and say: "Is it worth going through all of this? Maybe I should just resign." So there are other tools at the disposal. Recall is an additional tool, a tool that Alberta does not have, but it's a tool that many Albertans have liked and have liked for years. Operationalizing it: that can be very difficult.

The Chair: Thank you.

Mr. Rutherford.

Mr. Rutherford: Thank you, Mr. Chair and Dr. Bratt. I think you've touched on it just a few questions ago, but I just wanted to double-check the need to have lived in the constituency on the day the MLA was elected. Given that there's an 18-month period in which you can't hold a recall, does that take away someone's ability to recall their representative, someone who, say, moved into that riding a month later and maybe has had this representative for years? I just sort of want to expand on the rationale around that.

Dr. Bratt: I think it's about representation, and if you're making the concept of, you know: who are you accountable to? You're accountable to the people in your constituency. I mean, we could debate about whether you've got other accountabilities, but on this particular issue we're talking about accountability to the voters of that constituency. So I think you need to have been eligible to vote. You may not have voted – that's a different story – but you had to have been eligible for that person when they were elected. I think you still need to be there. I wouldn't want a situation where you have people moving into a riding, deciding that this person is not good for the riding when they were not there for the election, or leaving and forcing a recall for someone that no longer represents you. That's why I would make that amendment to the B.C. legislation, but I think it's got to be constituency-focused.

Mr. Rutherford: Okay. Thank you. There's no follow-up to that.

The Chair: No follow-up?

Do I have anyone from the opposition that would like to ask a question?

Seeing none, we'll go, then, to Ms Goodridge.

12:20

Ms Goodridge: Sorry. Thank you, Mr. Chair, and thank you, Dr. Bratt, for presenting to us here today. I have some questions. I really appreciated hearing regarding your suggestions about keeping it to

a constituency-based approach and keeping it within that more local area.

One of the questions I have is that across the province we have drastically different voter turnouts. I come from one of the areas that tends to have some of the lower voter turnout in the province. If we were to have, say, a standard threshold of 40 per cent, there are quite a few jurisdictions across this province that would probably never qualify because they typically don't have even 40 per cent show up to vote. I'm just wondering if you could expand upon that concept.

Dr. Bratt: With one of the previous questioners I mentioned that one of the options out there is a threshold linked to the voter turnout in the last election, and that's one option to use. I think that makes things complicated. I prefer things more simple, but that is an option to deal with constituencies that traditionally have a much lower voter turnout.

The second thing – and I'm sorry I didn't mention this earlier, and I'm hoping that this will not linger much longer – is the complications of gathering signatures in the time of a pandemic. You know, hopefully, this will be gone in a couple of months, but it does throw a whole new wrench into all sorts of our politics.

Ms Goodridge: Fantastic. Then as a follow-up to that, in British Columbia they require physical signatures with pen and ink, and we've heard that certain states such as Arizona require electronic signatures. I'm just hoping to hear your thoughts on that concept.

Dr. Bratt: At the moment I would prefer the pen and ink because you get that human contact. You've got the canvassers out there speaking and convincing people of the strength of their case and to sign on to that. If, however, we're still dealing with issues of pandemics that have led us to, you know, virtual calls and virtual classes, then maybe you make an adjustment to that to allow electronic signatures. You see online petitions. If I was a politician, I would put a lot more faith, either good or bad, on a pen-and-ink petition than if I got an electronic petition that was just being circulated via e-mail. It shows a higher degree of engagement.

Ms Goodridge: Fantastic.

Mr. Chair, could I give another follow-up, by chance?

The Chair: I'm going to go, first, to see if anyone else has any other questions, but I don't see any objections to that. So please, yeah, just a quick one if you would.

Ms Goodridge: Fantastic. Thank you so much. I've really appreciated this. Do you have any further thoughts regarding, like, whether a hybrid would be beneficial, electronic, pen and ink? Do you want to expand anything on that?

Dr. Bratt: Where I see the benefits of an electronic signature is that it's easier to do, but I think that takes away from the power of it, but in the context of not being able to gather petitions, how to regulate that, how to define that, that can be tough to put into legislation. Maybe you put that into a regulation and you allow Elections Alberta to determine that. There may be certain circumstances where an electronic petition may be achievable, but my preference still remains pen and ink.

The Chair: Thank you very much.

We have about 30 seconds left. I'm not seeing any other questions.

With that, I will say, Dr. Bratt, thank you very much for your time and for joining us in our committee today. Your input is greatly appreciated.

That concludes the stakeholder engagement portion of this meeting, and we'll go on to other business.

Dr. Bratt: Thank you, everybody.

The Chair: The subcommittee on committee business met on September 23, 2020, yesterday, to discuss the format of the virtual public meetings that the committee agreed to hold at our September 9, 2020, meeting, which directed the chair in consultation with members of the committee to set the dates for the public meetings after the committee has heard oral presentations on the four topics that have been under review. The committee has now heard oral presentations from stakeholders in relation to citizens' initiatives and recall, clearing the way for the first virtual public meeting to occur. The report of the September 23, 2020, meeting of the subcommittee was posted to the committee's internal website for members to review.

The subcommittee has proposed the following format for both virtual public meetings: that the meetings be held using the moderated teleconference option with toll-free numbers across Alberta, the participants preregister for the meetings and provisionally receive two minutes to make their presentations, with an additional two minutes for each caucus to ask questions of presenters. Once the total number of participants is known, the chair and the Official Opposition will finalize the presentation times as well as the question-and-answer time allotments. Both of the virtual public meetings, one in relation to citizens' initiatives and recall and the other in relation to the Election Act and the Election Finances and Contributions Disclosure Act, will each be two hours in length. The subcommittee also proposes that as much advertising notice be given for each meeting as possible, with the aim of providing two weeks' notice.

At this time I'd like to open the floor to members of the committee if they have any questions or comments on this matter.

Ms Pancholi: Mr. Chair, I just have one quick question about the subcommittee recommendation.

The Chair: Go ahead, Ms Pancholi.

Ms Pancholi: I just want to clarify that, with respect to each participant having an opportunity to make a presentation for two minutes and then an additional two minutes allocated to each caucus for questions and answers, that two minutes for caucuses to ask questions and answers is essentially one question for each; one for the government, one for the opposition, such that it's no more than four minutes total? Is that correct?

The Chair: That's a heck of a question. I suppose that's really up to our discretion as a committee. I would like to see as equitable a process as possible.

Mr. Horner: Could I comment, Chair?

The Chair: You know what? The chair of the subcommittee has something to say.

Mr. Horner.

Mr. Horner: Yeah. I would just comment for Member Pancholi's benefit. Some of the discussion around the timing: we were working backwards from the two-hour meeting as proposed, so we were trying to keep it equitable. We talked about working in a block, but we know there are some very wordy people amongst us, and we tend to drag on. So we thought that by splitting up the question time into each caucus, then it would be up to us to control ourselves and

leave as much time for the answers. That's some of the thought behind where we ended up.

Ms Pancholi: Yeah. Just to be clear, I'm in the interest of keeping it very concise as well and giving everybody an opportunity. I just wanted to make sure that it – just the wording of the recommendation, I wasn't sure if that meant an unlimited number of questions but just limited to two minutes each or if it was to try to be able to move on to the next participant to be able to provide their presentation. We're saying, basically, no more than one question from each side, just to keep things moving along.

The Chair: Mr. Dang, you had something to add to that?

Mr. Dang: Thank you, Mr. Chair. Perhaps to supplement Mr. Horner, and not to rehash what was said in the subcommittee there, my understanding of the intent was that it would be sort of as many as you could fit in the block that was allocated, similar to the estimates process but just a much shorter time period, right?

The Chair: Okay.

It sounds like there's a little bit of added clarity to that question. Ms Pancholi, does that suffice, or do you have anything else you want to ask?

Ms Pancholi: No. That's sufficient. Thank you.

The Chair: Okay.

Well, if that's the case, then, is there anyone else who'd like to add any other business to it bring to our attention? I see – oh, I apologize. Just a moment. I was ready to recognize you, though.

Oh, I apologize. Sorry. With no objection being raised to the matters contained in this report, I'd like to thank the subcommittee for its work on this matter and ask Legislative Assembly Office communications and research and committee services to commence preparations for these meetings.

Now, on to any other business. Ms Sweet, please go ahead.

Ms Sweet: Thank you, Mr. Chair. I did submit a couple of motions under other business that I would like to discuss with the committee. The first one is: the MLA to move that

the committee direct the committee clerk to post the following documents to the internal committee website so that they are available for each committee member's consideration . . .

I could go through it. Do you want me to read into the record the whole thing?

The Chair: Yes. If you would, please.

Ms Sweet: Okay.

- (a) Elections BC Summary of Recall Petitions;
- (b) Elections BC Summary of Initiative Petitions;
- (c) Elections BC Report of the Chief Electoral Officer on the Recall Petitions, November 15, 2010, to April 30, 2011;
- (d) Elections BC Report of the Chief Electoral Officer on the Recall Process in British Columbia, November 2003;
- (e) Elections BC Report of the Chief Electoral Officer on the Initiative Petition: "An Initiative to End the Harmonized Sales Tax (HST)," February 4 to August 23, 2010;
- (f) Elections BC Report of the Chief Electoral Officer on Recommendations for Legislative Change, May 2018;
- (g) Recall Initiative Act (British Columbia), RSBC 1996, c. 398.

12:30

A quick rationale behind this. Basically, I know that as a committee we had agreed that Elections BC would be invited to

attend. Obviously, we all know the election was called in B.C., so they're probably quite busy. I would like to request that the information that we've been able to research be available to all members of this committee just so that everybody has the same information as we move forward.

The Chair: Thank you for that.

Is there any other discussion? I see Mr. Rutherford.

Mr. Rutherford: Thank you, Mr. Chair. It was unfortunate that Elections British Columbia was not able to present to this committee, but I can understand given the current election that they're having themselves. I'd like to propose an amendment if I could.

The Chair: Is this an amendment that's been submitted 24 hours in advance?

Mr. Rutherford: Yes.

The Chair: Excellent. Please read your amendment.

Mr. Rutherford: I would like to add after the word "post":
and direct committee research services to prepare a summary of.

The Chair: Give us a moment while we get that up here. I guess, while that's being put up, do you have any rationale behind that?

Mr. Rutherford: Well, I support the original motion from MLA Sweet, and I think that this would just add some context, having a summary just for ease of reading and to have research services look into it as well.

The Chair: Okay. Is there anyone else who would like to add anything to that?

Ms Sweet: I have a response but not an addition to the motion.

The Chair: You're welcome to respond to that.

Ms Sweet: Okay. To the amendment, my only concern with the amendment is that we've already tasked research services to provide us a summary of other information prior to the deliberation on recall and citizens' initiatives. This would now add an addition to that. We have been notified that we may not be able to get the research information from research services until very, very close to when we are supposed to be deliberating and then recommending to the Legislature, so I'm concerned that we're adding more to the work of research services at a time when we are still waiting for the information that we requested in July.

The Chair: Sure. I would probably want to turn it over to research for a moment and see if there are any comments that Dr. Massolin might have.

Dr. Massolin: Thank you, Mr. Chair. Yes, I do have a few comments. I had the opportunity to open up each of these documents to take a quick look at them, and I can go through them systematically. I don't think anybody wants that, however. What I'll do instead is just indicate that for all of the documents – I mean, two of them are just half-page and three-quarter-page tables, so I don't think any summary is required there, and the remaining documents, save for one, all have summaries or executive summaries.

I'm hearkening back to my university days. I'm not trying to get out of work here, but I would say that, you know, perhaps the committee might just want to focus on those executive summaries, with the exception of item (c) on the motion there that's proposed to be amended to include a summary of that one. The first item

there, the Report of the Chief Electoral Officer on Recommendations for Legislative Change, April 2010: that one doesn't have a summary, but perhaps what we could do is just extract the recommendations from that and put that in a document for ease of use.

Of course, we're servants of the committee. We'll follow the committee's direction, but this is just for your consideration.

Thank you.

The Chair: If I understand this correctly, you're suggesting that either the reports are quite short or that they already have summaries of the reports except for one.

Dr. Massolin: That's what I'm saying.

The Chair: So would it be fair to suggest, not that I would, that we recommend that the committee prepare a summary of item (c)? I'm trying to understand. I don't want to duplicate work here, but I do understand that the member has moved a motion, maybe to try and help get a summary.

Dr. Massolin: Thank you, Mr. Chair. Of course, it's up to the committee what they want to do, but I would suggest that if the committee were to go that route, you could propose a subamendment to that effect.

The Chair: Ms Sweet, you had something you wanted to add?

Ms Sweet: Yes, Mr. Chair. I was actually going to recommend that we just do a subamendment to include a summary of (c) to be included in the research documents that will already be provided to the committee.

The Chair: Okay. A subamendment has been moved. Just give us a moment while we put that up here on the screen. But while it's getting up on the screen, I guess we could have a conversation. Does anyone want to add to that? Okay.

Okay. We have the motion moved by Ms Sweet, the amendment moved by Mr. Rutherford, and the subamendment moved by Ms Sweet. We'll have the first vote on the subamendment.

Dr. Massolin: Chair, can I just clarify?

The Chair: Certainly, Dr. Massolin.

Dr. Massolin: Yeah. Sorry to intervene so much here, but I just wanted to make it clear that under (c) there are two items there, right? There are two reports. I'm suggesting that it's just the first of those two, the 2010 report, that is in need of summarization, summary, because the other one has a summary on page 1. So just to clarify.

Mr. Rutherford: Should I subamend again?

Dr. Massolin: No, no. Just for the committee to understand that you've got – it says: November 15, 2010, to April . . .

The Chair: Of 2011.

Dr. Massolin: Yes. Sorry. Maybe there's some confusion here, because I think there are two reports. There's one in April 2010 and another one that includes that period, so there are two reports there. Anyway, I mean, maybe the simplest way is just to leave it to research services to figure this out and provide the summary, if that's acceptable to the committee. I think that's understood.

The Chair: Sure. Yeah.

We'll vote, then, first on the subamendment as proposed by Ms Sweet. All those in favour, both in person and on the phone, of the subamendment, please say aye. Any opposed, please say no.

That subamendment is carried.

We're now on the amendment by Mr. Rutherford as subamended by Ms Sweet. Is there any debate or discussion on that amendment?

Seeing none, all those in favour of the amendment as subamended by Ms Sweet, please say aye. Any opposed, please say no.

That amendment, subamended by Ms Sweet, is carried.

Moving on now to the original motion, moved by Ms Sweet, amended by Mr. Rutherford, subamended by Ms Sweet, is there any further discussion on that motion?

Hearing none, all those in favour, both in person and in teleconference, please say aye. Any opposed, please say no. There's no reason why we can't have fun here, ladies and gentlemen. Okay.

That motion is carried.

Is there any other business we'd like to discuss?

12:40

Ms Sweet: Mr. Chair, just to give you a heads-up, I have two more amendments that I have submitted to the committee, so I'll deal with the next one, and then we will have to deal with the third one.

The next one is that I move that

the committee meet to commence its deliberations on recall and citizens' initiatives only after such time as the research documents requested by the committee at its meetings on July 13 and 22, 2020, are received and made available to committee members.

I believe that's Motion 30.

The rationale, obviously, behind this, Mr. Chair, is that it's hard to deliberate if we don't have the information available to us to review and to be able to get clarity if we have any questions. We are fast approaching the deadline that was provided to the Legislature to report back, so I would request, respectfully, that we try to get the research documents as soon as possible so that we are able to spend time on them prior to deliberations.

The Chair: Ms Sweet, that motion is up on the screen.

Do we have anyone who wants to add to that conversation? Mr. Horner.

Mr. Horner: Yeah. I would just comment that I think research has always been able to provide all necessary docs before deliberations. I don't see this as being any different, and I don't think we want to micromanage their business. I think they've always done well by us. I would maybe ask for Dr. Massolin to comment, but I don't see this as being necessary at all.

The Chair: Dr. Massolin, do you have any comments?

Dr. Massolin: I would just sort of pick up the conversation from the meeting in late August, on August 26, where I outlined the expected deadlines and the times that the committee could expect the research documentation. In that, I outlined basically the two tracks, the recall and citizens' initiatives component and the four months and then the two statutes with the six-month deadline, indicating that all the research materials that have to do with recall and citizens' initiatives would be made available by the end of the month. We're on track to do that. The crossjurisdictional comparison with respect to recall will be posted later today, and the other crossjurisdictional comparison, with respect to citizens' initiatives, will be posted before the end of the month, as will all other documents that have to do with recall or citizens' initiatives. With respect to those two statutes, we'll also work with the committee to adhere to the deadlines, as we always have.

Thank you.

The Chair: Okay. Ms Sweet.

Ms Sweet: Thank you, Mr. Chair. Just a point of clarity. That was not directed at research services. It was directed at the chair as a request, respectfully, that you do not call a meeting for us to deliberate until the opposition has had time to review the documents provided by research. I am thankful that we are getting some of them today, but until we have been able to receive all the documents, I'm just requesting, respectfully, that you don't call a meeting to deliberate until we have that opportunity.

The Chair: If I understand this correctly, Dr. Massolin, you're suggesting that the documents will be made available by the end of the month.

Dr. Massolin: Mr. Chair, I'm suggesting that the documents that have to do with recall and citizens' initiatives, the four-month deadline, will all be available before the end of the month and that the other documents requested, that have to do with the two statutes, the Election Act and the election financing act, would be available, as I indicated in the August meeting, by mid-November. The deadline for that review, I believe, is – the committee clerk will correct me if I'm wrong – January 13. There'll be time after that for deliberations, I suspect.

Thank you.

The Chair: So the spirit of this motion, if I may, Ms Sweet, is that the chair does not call a meeting until the research documents have been provided so that both sides could review them, effectively, and then we could have fulsome deliberation based on all the information, both stakeholders' and research input.

Ms Sweet: Thank you, Mr. Chair. Yeah. And just to clarify, the motion only speaks to recall and citizen initiatives.

The Chair: Yeah. I understand that.

Ms Sweet: I recognize that the finance – like, we're not there yet. We're only having to have to report on those two pieces. But, yes, that would be my request.

The Chair: Would that actually require a motion, or is it more just discussion between the chair and the committee? That's kind of more the question, because my intention would not be to call a meeting until we have the requisite documents provided by the committee, but I'm not sure that that would require a motion. We have a motion on the floor, so we can deliberate that.

Are there any other comments or questions on this? Mr. Horner.

Mr. Horner: Yeah. I would just comment that the motion moved by myself on July 13 requested docs on the Election Act, so I really see this as being redundant and unnecessary.

Ms Sweet: Just in final comment, I think that this is just to ensure that all members of the committee are going to have access to the information prior to the deliberation of the committee, because obviously the meeting is at the will of the chair. I appreciate the chair indicating that there is no plan to have a deliberation prior to this information being available, but I think this provides certainty for all members of the committee that that, in fact, will not happen. This is just a goodwill, good-faith motion that we can all agree on.

The Chair: Sure.

Well, I will leave the decision of the motion to the will of the committee, but I can assure the committee that no meetings will be

called in deliberation without these documents that we've requested.

I don't really see anyone else who'd like to add.

Mr. Smith: I was going to say that I think that we can trust the chair to make sure that everybody has access to the information that's going to be available to the committee, and I'd call the question.

The Chair: Thank you, Mr. Smith.

Not hearing anything else, I'm prepared to call the question on the motion moved by Ms Sweet. All those in favour, both in person and on the phone, please say aye. Any opposed, please say no.

That motion is defeated.

Moving on now, any other business? Ms Sweet. A very vigorous hand up.

Ms Sweet: My last motion. I know. I'm trying to get us through the agenda.

The Chair: Certainly.

Ms Sweet: Number 31, which we see is on the screen. I move that the Select Special Democratic Accountability Committee

- (a) extend the deadline, set out in the motion approved by the committee at its August 26, 2020, meeting, for public submissions in relation to the committee's review pursuant to Government Motion 25 from September 25, 2020, to October 9, 2020, and
- (b) direct committee services to update the online public submission form to include links to the following:
 - (i) the Election Act,
 - (ii) the Election Finances and Contributions Disclosure Act, and
 - (iii) recommendations of the Chief Electoral Officer referenced in his presentation to the committee on August 26, 2020.

Just to clarify the reasoning behind this, Mr. Chair, I think it's pretty common sense that the committee hears from as many Albertans as possible in regard to the Election Act and the election financing act. The online submission indicates the acts and the reports that are relevant, but it doesn't actually provide a link to those acts, so it requires Albertans to have to try to find the information. As we clearly heard even from our presenters, sometimes that can be a confusing piece of legislation to work through. As legislators we know how to find them, but it doesn't mean that the average Albertan necessarily does. So I think a two-week extension would not impede the committee's ability to meet the deadline but, in fact, just supports the ability for Albertans to click on the link instead of having to have to research the information themselves.

The Chair: Good. Any other discussion on this? Mr. Horner.

Mr. Horner: Yeah. I would just comment that this seems agreeable. There does seem to be some public interest in the committee's work, so I see no problem with this motion.

The Chair: Okay. Thank you, Mr. Horner.

Any further discussion?

Hearing none, then I'll call the vote. All those in favour of this, in person and on teleconference, please say aye. Any opposed, please say nay.

That motion is carried.

Okay. Is there any other business? Mr. Dang.

Mr. Dang: Thank you, Mr. Chair. I don't have a motion, and I haven't submitted one. But just for clarity, I guess, perhaps to

research services, I'm just wondering if, perhaps after the recall initiative public consultation and when the summaries are completed, we will receive an issues document or a three-column document, something of that sort. Other times when committees have done work like this, we've received that in advance of deliberations.

12:50

The Chair: Go ahead.

Dr. Massolin: Thank you, Mr. Chair. Through you to Mr. Dang, as with a lot of these requests, it's up to the committee to decide whether or not they want to request from research services an issues document. However, having said that, it's a usual practice for a committee to request such a document to summarize the issues and recommendations, proposals from stakeholders, members of the public, and so on.

Thank you.

The Chair: Would something like that require a motion?

Dr. Massolin: It would, but I would imagine that it would happen at a subsequent meeting. I mean, you could do it now, but I'm sure it could happen at a subsequent meeting, perhaps after you hear

from the public and read the written submissions and we summarize those written submissions for the committee. Perhaps at that point and prior to the deliberations phase you could contemplate that motion.

Thank you.

The Chair: Sure.

Did you have something else you want to add, Mr. Dang?

Mr. Dang: Yeah. I'll just say thank you. I'll come back to that after the consultation.

The Chair: Sure.

Okay. Seeing no other business, we will move, then, to adjourn this meeting. Can I please get a member to move to adjourn? Not all at once, gentlemen. I saw Mr. Rutherford first. I think it was the beard that caught my attention. Mr. Rutherford moves that the September 24, 2020, meeting of the Select Special Democratic Accountability Committee be adjourned. All those in favour, please say aye. Opposed, say no. The motion is carried. This meeting is adjourned.

[The committee adjourned at 12:51 p.m.]

