



Legislative Assembly of Alberta

The 30th Legislature  
Second Session

Select Special  
Democratic Accountability  
Committee

Election Act Review  
Election Finances and Contributions Disclosure Act Review

Tuesday, December 15, 2020  
1 p.m.

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

**Select Special Democratic Accountability Committee**

Schow, Joseph R., Cardston-Siksika (UCP), Chair  
 Horner, Nate S., Drumheller-Stettler (UCP), Deputy Chair  
 Armstrong-Homeniuk, Jackie, Fort Saskatchewan-Vegreville (UCP)\*  
 Ceci, Joe, Calgary-Buffalo (NDP)  
 Dang, Thomas, Edmonton-South (NDP)  
 Fir, Tanya, Calgary-Peigan (UCP)  
 Goodridge, Laila, Fort McMurray-Lac La Biche (UCP)  
 Nixon, Jeremy P., Calgary-Klein (UCP)  
 Pancholi, Rakhi, Edmonton-Whitemud (NDP)  
 Rutherford, Brad, Leduc-Beaumont (UCP)  
 Sigurdson, R.J., Highwood (UCP)  
 Smith, Mark W., Drayton Valley-Devon (UCP)  
 Sweet, Heather, Edmonton-Manning (NDP)

\* substitution for Tanya Fir

**Office of the Chief Electoral Officer Participant**

Glen Resler                                  Chief Electoral Officer, Election Commissioner

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**1 p.m.**

**Tuesday, December 15, 2020**

[Mr. Schow in the chair]

**The Chair:** Good afternoon and welcome back, everybody. I'd like to call this meeting to order and welcome members and staff in attendance for this meeting of the Select Special Democratic Accountability Committee.

My name is Joseph Schow. I am the MLA for Cardston-Siksika and chair of this committee. I'm going to ask that members and those joining the committee at the table introduce themselves for the record. Then we'll go to members on the phone.

**Mr. Horner:** Nate Horner, MLA, Drumheller-Stettler.

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

**Ms Govindarajan:** Vani Govindarajan from the office of Parliamentary Counsel.

**Ms Robert:** Good afternoon. Nancy Robert, research officer with the Legislative Assembly Office.

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

**The Chair:** Excellent. Thank you very much.

I'll now go on to the phone.

**Ms Fir:** Tanya Fir, MLA, Calgary-Peigan.

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

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

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

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

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

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

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

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

**The Chair:** Thank you, everyone.

I'd also like to note for the record that we are joined by the Chief Electoral Officer, Mr. Glen Resler, from Elections Alberta and a number of his staff as well as representatives from Justice and Solicitor General, Corinne Carlson, barrister and solicitor, and Joan Neatby, barrister and solicitor.

As I stated earlier in the previous meeting this morning, pursuant to the November 16, 2020, memo from the hon. Speaker Cooper I'd like to remind everyone of the updated room protocols that require that those attending committee meetings in person must wear a mask at all times unless they're speaking. Based on the recommendations of the chief medical officer of health, please respect physical distancing and use the appropriate space between you and others.

Microphones are operated by *Hansard*, and the committee proceedings are being live streamed on the Internet and broadcast on Alberta Assembly TV. Please put your phones and other devices to silent.

We now have the approval of the agenda, which is the first item of business. Does anyone have any changes they'd like to make to that agenda?

Hearing none, can I get someone to move to adopt the agenda for the afternoon meeting? Mr. Horner moved that the agenda for the December 15, 2020, afternoon meeting of the Select Special Democratic Accountability Committee be adopted as distributed. All those in favour, please say aye. Any opposed, please say no. That motion is carried.

We'll now go to the committee's review, pursuant to Government Motion 25, of the Election Act and the Election Finances and Contributions Disclosure Act, deliberations and recommendations. As we continue to deliberate in relation to the Election Act and the election finances and contributions act, I will remind members that we are considering the recommendations that we would like to include in our report to the Assembly.

I'll now open the floor to continue deliberations, which we adjourned on an amendment moved by Mr. Ceci, which is amendment 162, looking to amend motion 149, which was moved by Ms Laila Goodridge. Immediately after we adjourned, it was brought to my attention by the table that amendment 162 is actually out of order because it repeats wording from motion 148 with respect to election advertising as it pertains to Alberta and Canada. With that in mind, this amendment, amendment 162, has been ruled out of order.

With that said, we will now go on then to the main motion, which is motion 149, moved by Ms Goodridge. Are there any further comments or remarks on this motion? We'll start with the government side as the initial amendment proposed by Mr. Ceci was an opposition amendment. Are there any comments from the government side?

Hearing none, I'm prepared to call the question on motion 149, moved by Ms Goodridge. All those in favour, please say aye. Any opposed, please say no.

That motion is carried.

We do not have any further motions proposed by the opposition caucus for third-party advertising contributions, but we do have a number of motions left. Would anyone like to propose any other motions in this discussion?

**Mr. Jeremy Nixon:** Mr. Chair, I'd like to.

**The Chair:** Mr. Nixon.

**Mr. Jeremy Nixon:** Yeah. Thank you, Mr. Chair. I'd like to move motion 150, that

the Select Special Democratic Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended to remove prewrit period restrictions on third-party advertising that takes a position on an issue with which a registered party or its leader, a registered nomination contestant, registered leadership contestant, or a registered candidate is associated but that does not directly promote or oppose that party, leader, contestant, or candidate.

This is based off the recommendations of the Chief Electoral Officer to remove issue advertising restrictions from the definition of political advertising in prewrit periods.

Thank you, Mr. Chair.

**The Chair:** Thank you.

Anyone from the opposition?

**Ms Sweet:** Mr. Chair.

**The Chair:** Yes.

**Ms Sweet:** Mr. Chair, although I appreciate this, I do have a subamendment, which is amendment 163, which is basically adding "particularly" immediately after "is."

So it would read: "... registered leadership contestant, or a registered candidate is particularly associated but that does not directly promote or oppose that party, leader, contestant, or candidate."

Basically, my rationale for this is that this amendment will tighten the scope of the proposed legislation change to more than just a passing association but will actually strengthen it to say that it is particularly associated with an individual.

**The Chair:** Sounds good. Thank you very much.

Just to be clear, this is an amendment, not a subamendment.

**Ms Sweet:** Sorry. Yeah, it's an amendment.

**The Chair:** Not a problem. I'll just make sure we're all clear here. Mr. Nixon.

**Mr. Jeremy Nixon:** Thank you, Mr. Chair. I don't think that this amendment is necessary. Our objective is to remove potentially unconstitutional restrictions on third-party advertising. Our motion is more about the content of the advertisement generally and not about the association with a leader.

Thank you, Mr. Chair.

**The Chair:** Thank you.

Any further comments?

**Ms Sweet:** Yeah, Mr. Chair. If I can just respond to that.

**The Chair:** Yes.

**Ms Sweet:** Just in response to that piece, I think that the concern here is that what we're trying to say is that it isn't about promoting or opposing a party, a leader, a contestant, or a candidate, but if we know that there is a direct affiliation or association with a party, a leader, or a contestant, then that does become a struggle around how it is that we're saying that they are not promoting a particular party, leader, or contestant. I think that if we strengthen it, then there is a very clear distinction between an actual, like, particular association versus just an association.

**The Chair:** Okay. Anyone else from the government caucus?

Hearing none, anyone else generally who would like to add to this?

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

That amendment is defeated.

We are now back on the main motion, motion 150. Any further discussion to this motion?

Hearing none, I'm prepared to call the question on motion 150. All those in favour, please say aye. Any opposed, please say no.

That motion is carried.

Are there any other motions to bring to the floor at this time? Mr. Rutherford.

**Mr. Rutherford:** Thank you, Mr. Chair. I'd like to move motion 151, that

the Select Special Democratic Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended to authorize the Chief Electoral Officer to deny an application for registration as a third-party advertiser by a third party that is formally affiliated with a political party.

I think that that's fairly straightforward, Mr. Chair. We want to prevent parties from being used as an avenue from which political parties can skirt spending limits.

Thank you.

**The Chair:** Any further comments?

1:10

**Ms Pancholi:** Mr. Chair, if I may.

**The Chair:** Yes.

**Ms Pancholi:** I'd like to move an amendment to this motion. It'll be amendment 164, please. The amendment reads: I move that the motion be amended by adding "or informally" immediately after "formally" and by adding "or candidate" immediately after "political party."

If I may, Mr. Chair, speak to the amendment?

**The Chair:** Please do.

**Ms Pancholi:** I think the intent here is that because it's not clear from the original motion that's been presented by Mr. Rutherford as to what would be considered a formal affiliation with a political party – the idea here is an intent to deny registration for a third-party advertiser who is formally affiliated, but it's not clear what a formal affiliation would mean. But I did hear Mr. Rutherford speak to a concern that I share, which is that we do want to ensure that third-party advertisers are not able to circumvent the law. Therefore, this amendment includes the denial of a registration of a third-party advertiser who is also informally affiliated with a political party. It's, again, to prevent getting them around what I think the intent is of the motion that's brought forward. It also allows adding candidates, allows for restriction of third parties. It's simply to, I think, clarify and to avoid the pitfalls that Mr. Rutherford had identified when moving his motion, and I think it's something we can all support.

**The Chair:** Mr. Rutherford.

**Mr. Rutherford:** Thank you, Mr. Chair. In regard to the language of "informally," I think it's too vague, personally, and would allow quite a wide swath of opinions as to what "informally associated" might cover off. Because of that, I won't be supporting this amendment personally. I do think that collusion should be prevented, just to highlight that as well.

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

**Ms Pancholi:** Mr. Chair, if I may respond.

**The Chair:** Yes, of course.

**Ms Pancholi:** Actually, if I might – if Mr. Resler is still available, I wouldn't mind his input as to how he thinks it would be determined or if there's some precedent for determining what a formal affiliation would look like. Perhaps that would provide some clarity, if we all understood what a formal affiliation might be. I'm not sure if Mr. Resler is available to speak to that.

**The Chair:** Mr. Resler is on the line.

Mr. Resler, if you would, sir.

**Mr. Resler:** We were just discussing the same thing on how to define "affiliation." That would be one of the questions I would raise.

**The Chair:** Okay. Any further discussion on this?

**Ms Sweet:** Mr. Chair.

**The Chair:** Yep.

**Ms Sweet:** Just something I want to put on the record and to flag is that when I look at this motion, my only question that comes up is that we've spent a lot of time talking about freedom of speech and the right for people to be able to exercise their freedom of speech. Also, under the Constitution there's a very clear – and many legal opinions around it – freedom of association. My only question around this motion and this recommendation would be whether or not this actually would be considered unconstitutional when it speaks to freedom of association as well as freedom of speech. I'm just putting that on the record as something that needs to be considered if this is going to be legislated, that a legal opinion around freedom of association should be considered.

**The Chair:** Okay. Thank you.

Are there any further comments on the amendment moved by Ms Pancholi?

**Ms Goodridge:** Mr. Chair.

**The Chair:** Ms Goodridge.

**Ms Goodridge:** Thank you, Mr. Chair. I just wanted to weigh in a little bit here. It's worth noting that in our initial motion where we said "formally affiliated with a political party," there are some groups such as the AFL, the Alberta Federation of Labour, that are formally mentioned in a political party's constitution, giving them votes at the table in that particular political party, so I think that it is worth making this. That's why I would urge all of my colleagues to vote against this motion, because I think that it creates some confusion, and it doesn't add to the amendment.

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

The opposition?

**Member Ceci:** Oh, sorry. I'll go first, then. You know, I think there's wisdom in Member Pancholi's amendment that she's bringing forward because with the informal affiliations, as I recall – I think they were a PAC or a third-party advertiser – the used car dealers, it was clear that they were in cahoots with the UCP in supporting them. I think that it would have been helpful for, obviously, the NDP if that didn't take place. I think that giving the power to the Chief Electoral Officer to make that final decision about informal affiliation to a political party or a candidate, as my colleague had said, would be in the best interests of democracy for all Albertans.

**The Chair:** Any further comments?

**Mr. Rutherford:** Mr. Chair, sorry. I'm a little thrown off by the comments of Member Ceci as he described that it would be in the best interests of the NDP when he was talking there. We're talking about the parameters by which citizens can organize for third-party advertising and let their opinion and voice be known. It's not about whether or not it directly benefits a particular political party, but it's the parameters that we are setting by which we can do this.

Thank you.

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

Any further comments?

**Ms Sweet:** Mr. Chair.

**The Chair:** Yeah, Ms Sweet.

**Ms Sweet:** I'll just be really quick. I think that as much as I appreciate Mr. Rutherford's comments, one of his colleagues just prior to that

started to speak to the AFL and how that relates to a political party. I think it's clear that there are motivations in this motion that have been spoken to by members of the government. Again, I just think we need to go back to the fact that we need to focus on freedom of speech and the right to freedom of association. If the government doesn't want to speak to who they are connected to, that is their prerogative, but, I mean, the minute we start talking about who supports who, then the dialogue deteriorates very quickly. I think that it would be just for both sides, including the government, to maybe consider who they also are referencing in this committee.

**The Chair:** Your voice of caution has been noted, and I hope that all members of the committee take that into consideration.

Do we have any other comments on motion 164, moved by Ms Pancholi?

Hearing none, I will call the question.

**Mr. Rutherford:** On the motion or the amendment?

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

On amendment 164, moved by Ms Pancholi, all those in favour of the motion, please say aye. Any opposed, please say no. That amendment is defeated.

**Member Ceci:** A recorded vote, please.

**The Chair:** Mr. Ceci has requested a recorded vote. We'll go through the list here, the roll call.

**Mr. Horner:** No.

**Ms Fir:** No.

**Member Ceci:** Yes.

**Mr. Dang:** Yes.

**Mr. Jeremy Nixon:** No.

**Ms Pancholi:** Yes.

**Mr. Rutherford:** No.

**Mr. Sigurdson:** No.

**Mr. Smith:** No.

**Ms Sweet:** Aye.

**The Chair:** Is there anyone else who did not get a chance to vote? I do have one person on the list.

**Ms Goodridge:** Hi, Mr. Chair. Sorry; my mute button wasn't working. I vote against this amendment.

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

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

**The Chair:**

That amendment is defeated.

We are now back on the main motion, 151, moved by Mr. Rutherford. Are there any further comments?

Hearing none, I will call the question. All those in favour of the motion moved by Mr. Rutherford, please say aye. Any opposed, please say no.

That motion is carried.

Mr. Sigurdson, I understand that you'd like to join the conversation.

1:20

**Mr. Sigurdson:** Yes. Thank you, Mr. Chair. I would like to propose motion 152, to move that

the Select Special Democratic Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended to prohibit political parties, candidates, and constituency associations from making contributions to third-party advertisers.

Just as a little bit of background on why to support this motion, I think we want to prevent third parties from being used, I guess, as an avenue for political parties to skirt around spending limits. Also, this is a platform commitment by our government to implement.

Thank you, Chair.

**The Chair:** Thank you.

Any further comments?

**Ms Sweet:** Mr. Chair.

**The Chair:** Yes. Go ahead.

**Ms Sweet:** I'm a little bit confused around this motion, and the only reason for that is that, again, we've spent days talking about the rights to freedom of speech, the rights for people to have the rights of association, all of those things, and now to say that as an individual, individuals cannot – I am an individual whether or not I'm a candidate or whether or not I am a leader of a party or any of the things. I find it interesting that we would be saying that as individuals we don't have the right to donate to organizations that we may support. I'm not sure. At what point do we acknowledge what a third-party advertiser is? I could as a candidate or as an individual donate to an organization, let's say, next month, and then in a year from now they may decide that they are going to register as a third-party advertiser. The question that I have is: what is the intent behind this, and then what would the consequences be when we may or may not know whether an organization is going to register as a third-party advertiser?

I guess I need some clarity from the member in regard to what that would look like, because we don't always know whether or not an organization is going to be considered a third-party advertiser closer to the election.

**The Chair:** Thank you.

Mr. Sigurdson.

**Mr. Sigurdson:** Thank you, Mr. Chair. Just in response, I guess this just really plays into the fact that, you know, we've talked a lot about collusion; we heard a lot about it from the stakeholders that presented. The concern for me, when it comes to this amendment, is that we want to make sure that political parties or candidates or constituency associations aren't using this as an avenue to skirt spending limits that are put in place. I think that right now this is just about filling a gap and putting barriers in place to make sure that that's not possible.

Thank you.

**The Chair:** Thank you.

Yes. Go ahead.

**Ms Sweet:** Mr. Chair, just to clarify, then, I don't have any concern around the fact that we want to put safeguards in place when it comes to political parties in that sense, and I think that we can all agree that political parties and constituency associations are

political beings within themselves. They are set up that way. They are set up to be political organizations. I think that when you say candidates as individuals, that becomes an issue. I would like to ask if the member would be willing to do a friendly amendment on the floor and remove "candidates," because they are individuals, and they have a right to a voice. They may or may not be candidates even in the election at some point. "Candidates" becomes very much about the individuals, which are not political beings, whereas constituency associations and political parties are very much political beings. I support that, but would the member be willing to remove the word "candidates" from his motion?

**The Chair:** If you have an amendment or an amendment from the floor, Ms Sweet, I'm happy to let you work with the table here quickly to propose a draft to meet what you're looking for to do with that.

**Ms Sweet:** Just off the top of my head, it would be: Ms Sweet to move that "candidates" be struck out and that the rest remain the same.

**The Chair:** Okay.

**Ms Sweet:** I'm sure the table can make it sound better than that.

**The Chair:** I see Mr. Roth typing away vigorously, so we'll just give him a moment. And it is up. Moved by Ms Sweet that the motion be amended by striking out "candidates."

Does that meet the intent of your motion from the floor?

**Ms Sweet:** Yes, sir.

**The Chair:** Okay. We'll now put it to a vote of the committee on whether or not to accept this motion from the floor. I will ask the question. All those in favour of accepting this amendment from the floor moved by Ms Sweet, please say aye. Any opposed to accepting this motion, please say no.

That amendment is defeated.

We are now back on the main motion moved by Mr. Sigurdson, motion 152. Are there any further comments?

**Mr. Dang:** If I may, Mr. Chair.

**The Chair:** Mr. Dang.

**Mr. Dang:** I suppose I just have a question for someone from Elections Alberta, perhaps. I'm wondering. If the EFCDA is to be amended in this way to prohibit candidates from making contributions to third-party advertisers, administratively when somebody is not yet a candidate but is seeking a nomination, would they be prohibited from making contributions to third-party advertisers? Let's say that they are seeking the nomination with a political party or otherwise and that they've announced their intentions to do so. Further to that, I guess, if an individual who is a candidate or even is not yet a candidate makes a contribution to an organization that is not a registered third-party advertiser but subsequently registers as a third-party advertiser, what would the interpretation of that be as well? I guess there are two questions there.

**The Chair:** Mr. Resler, you're free to answer that.

**Mr. Resler:** For the initial part, as far as "candidate," it would be the definition of candidate under the legislation. So once that person is registered, that would determine the timeline for that.

I didn't catch the second part, as far as the TPA relationship.

**Mr. Dang:** If a candidate makes a contribution to somebody who subsequently registers as a third-party advertiser, would they be in contravention of this?

**Mr. Resler:** Again, that would fall within the timelines: when was that contribution made, right? If it's prior to being registered as a candidate, then that's you as an individual. Once you're registered as a candidate, then – I think the key, too, is that part of the restriction is using any funds that are made to political entities. You know, that's the money that you're restricting, any funds transferring from a political entity to the TPA.

**Mr. Dang:** Sorry. Just to clarify, if an organization – let's hypothetically just say that a corporation that's been recently registered is not yet registered as a TPA but then subsequently registers. Would a contribution count as being made against a TPA? Does that make sense?

**Mr. Resler:** Yeah. Part of the distinction is whether it's a political or election advertising contribution and not just a contribution to, so we'd have to look at that. But you can make a contribution to a charity. I guess a charity can't be a TPA. We'd have to look at the timelines and how the definitions look as far as the society.

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

Any further comments?

Hearing none, I will call the question on motion 152, moved by Mr. Sigurdson. All those in favour, please say aye. Any opposed, please say no.

That motion is carried.

I see Mr. Smith.

**Mr. Smith:** Thank you, Mr. Chair. I would like to put forward motion 153.

**The Chair:** Okay.

**Mr. Smith:** It reads: to move that

the Select Special Democratic Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended to authorize the Chief Electoral Officer to cancel the registration of a third-party advertiser if at any time the third-party advertiser becomes formally affiliated with a political party.

*1:30*

Just as a rationale, you know, this is about trying to prevent third parties from being able to be used as an avenue for political parties to skirt the spending limits. It is a part of the United Conservative Party platform.

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

Anyone from the opposition caucus?

**Ms Pancholi:** Yes, Mr. Chair.

**The Chair:** Go ahead.

**Ms Pancholi:** I'd like to move amendment 165, which states that I move that

the motion be amended by adding "or informally" immediately after "formally" and by adding "or candidate" immediately after "political party".

This is a similar amendment to the one that I proposed earlier on, motion 151. Once again, I still feel like we have a very unsatisfactory idea, and I worry, too, about the lack of direction here

for the Chief Electoral Officer to understand what an affiliation would be, what a formal and informal affiliation would be.

I believe that we need to be capturing – if we're true to the intent of this, of trying to avoid third-party advertisers from circumventing the intent of this, we need to include informal because I believe that there will be measures taken to skirt around formal affiliations that we should be deeply concerned about. If we're trying to limit those connections between third-party advertisers and political parties, I think we need to be capturing informal affiliations as well, and I have yet to hear clarification from the government side as to who would really be captured by their motion. I think because of that, we need to be clear that we're covering all angles here to meet the intent of avoiding those overinfluential forms of expression and support from third-party political advertisers into political parties.

Thank you, Mr. Chair.

**The Chair:** Thank you.

We have an amendment on the floor moved by Member Pancholi. Is there any further discussion for this amendment?

**Mr. Smith:** Mr. Chair, if I could address that, please?

**The Chair:** Yes. Go ahead.

**Mr. Smith:** Thank you. You know, we're coming back, I think, to a debate and a discussion that we've already had. You can define formal affiliation, but I think it's a much harder thing if not impossible to define informal. It's overly broad. It's hard to interpret. It would be therefore hard to enforce. Adding the words "informal affiliation": it could really almost mean anything. In the process it would restrict the, I believe, legitimate political engagement of an endless number of Albertans. I mean, would you consider affiliated to be a person that you work with? Would it be someone that you play recreational sports with? It could be just about anything, so any number of other affiliations could fall outside of the intent of this motion.

The original motion was about closing a loophole in existing legislation, not about capturing and further restricting the many – I think we would all agree – genuinely independent groups from exercising their right to political expression because one of their organizers plays on the same rec league hockey team. It's far too informal. It's far too broad, far too general. I think it would capture too many people trying to legitimately express a political position or a position on a particular issue.

Thank you.

**The Chair:** Thank you, Mr. Smith. Any further comments?

Hearing none, I'll call the question on amendment 165, moved by Ms Pancholi. All those in favour of this amendment, please say aye. Any opposed, please say no.

That amendment is defeated.

We're now back on the main motion, 153. Any further comments or questions?

Hearing none, I will call the question. All those in favour of motion 153, moved by Mr. Smith, please say aye. Any opposed, please say no.

That motion is carried.

I do see one final motion on this section. Mr. Nixon.

**Mr. Jeremy Nixon:** Thank you, Mr. Chair. I'd like to move motion 157. I'd like to move that

the Select Special Democratic Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended to prohibit advertising contributions

to a registered third party during the election period that exceeds \$30,000 in the aggregate.

I believe that there should be contribution limits for third parties; \$30,000 is the limit that we saw in Bill 45, so this would create a limit in the Election Finances and Contributions Disclosure Act that matches what we see in Bill 45 for consistency.

Thank you, Mr. Chair.

**The Chair:** Thank you, Mr. Nixon.  
Any further comments?

**Member Ceci:** Mr. Chair, I have an amendment to motion 157.

**The Chair:** Yes. Go ahead.

**Member Ceci:** Thanks. I'll argue, as I tried to do in Bill 45, that that \$30,000 aggregate is far too high. We had testimony before us from, I think, for sure Dr. Thomas, who argued for even a lesser amount than I'm proposing, that the NDP put forward with the bill debate in the Legislature. Money shouldn't decide – perhaps I'll read the amendment first, and then I'll argue it.

Member Ceci to move that the motion be amended by striking out “\$30,000” and substituting “\$5,000.”

That's the amendment. I would argue that money shouldn't decide elections; ideas should at all levels of government. Placing a lesser amount for a donation limit to third-party advertisers is a reasonable cap to impose while still encouraging political participation and free speech. I recognize that this is a lot less than what existed prior to the bill that we debated, but I think this is going in the right direction and certainly is in the direction that expert testimony before us suggested when we held hearings on this matter.

Thank you.

**The Chair:** Thank you.  
Any further comments?

**Ms Pancholi:** Mr. Chair, if I may.

**The Chair:** Yes. Go ahead.

**Ms Pancholi:** I just want to speak in favour of my colleague's amendment. I think limits are required on donations or supports, contributions to third-party advertisers, but I believe that \$30,000 is far too high. I believe that having these very high contribution limits just further, I guess – it gives a disadvantage to those who don't have the ability to make that kind of donation. It really overamplifies the voices of those who have more wealth and have more access to those kinds of resources, and I believe it just puts big money back into politics. I think we're hearing loud and clear from Albertans that that's not what they're looking for. They don't want to see big money back in politics. I feel like this \$30,000 limit is far too high. It far exceeds what an individual may donate to a political party, and I think at the very least that we should try to limit it to what is a more similar amount to donations to political parties. Therefore, I support my colleague's amendment.

**The Chair:** Thank you, Ms Pancholi.  
Any further comments?

Okay. Hearing none, I'll call the question on amendment 167, moved by Mr. Ceci. All those in favour, please say aye. Any opposed, please say no.

That amendment is defeated.

We are now back on the main motion moved by Mr. Nixon, motion 157. Any further comments or questions?

Hearing none, I will call the question. Oh, Mr. Resler has something he'd like to add.

**1:40**

**Mr. Resler:** I just had one question on the motion. The intention is in the aggregate, so it's all contributions to all third-party advertisers in that time period. One person: multiple contributions to multiple TPAs. The TPAs wouldn't have any knowledge of what contributions are being made to other TPAs.

**The Chair:** Any comments on this?

**Mr. Jeremy Nixon:** Yeah. That would be the intention, Mr. Resler.

**The Chair:** Okay. I am prepared to call the question, then, on 157. All those in favour, please say aye. Any opposed, please say no.

That motion is carried.

That concludes the section on third-party advertising and contributions. We are now going on to contributions, expenses, and transfers. We have seen quite a few motions coming from the government caucus in recent memory, so we'll now begin with a motion from the opposition caucus.

**Mr. Dang:** Mr. Chair, if I may.

**The Chair:** Mr. Dang, you may.

**Mr. Dang:** Thank you, Mr. Chair. At this time I believe it's the appropriate time to move motion 127. I move that the . . .

**The Chair:** Mr. Dang, I probably should have mentioned this at the beginning, but motion 127 was ruled out of order when we voted on motion 134.

**Mr. Dang:** In that case I will let my colleague Ms Pancholi speak.

**The Chair:** Just before we continue on, I'm just going to flip through my paper here and make sure there are no other motions. No, there are no other motions remaining on the list that are out of order, just for everyone's edification.

Ms Pancholi, please go ahead.

**Ms Pancholi:** Thank you, Mr. Chair. I'll go ahead and move motion 132, which reads that I move that

the Select Special Democratic Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended in section 25 to provide that (a) the fee paid for the purchase by an individual of a party membership is not a contribution for the purposes of the act and (b) the fee paid for the purchase by an individual of a party membership on behalf of another individual is a contribution by the purchaser for the purposes of the act.

Mr. Chair, this is based off of a recommendation coming from the Chief Electoral Officer. It's intended to provide some clarity in the current legislation on how party membership fees factor into contribution limits. It clarifies that if you purchase it yourself, it's not considered a contribution, but if another individual purchases it for you, then that is considered a contribution. This is intended to provide clarity and certainty around these membership fees as part of contributions.

**The Chair:** Thank you.

Ms Goodridge.

**Ms Goodridge:** Thank you, Mr. Chair. I really believe that – the current provisions under section 25 state that when the fees spent on membership exceed \$50, then the amount over \$50 counts as a



contribution. Generally when memberships are bought in bulk, it is a household wishing to participate in a political process like a nomination, a leadership contest, or just otherwise wanting to get involved in the political process, and the relatively low threshold of \$50 is intended to support households buying memberships to participate in party politics but at the same time preventing membership sales from acting as a back door to raise one's contribution.

I would just urge all of my colleagues to vote against this motion.

**The Chair:** Thank you.

Any further comments?

**Ms Pancholi:** Thank you. If I may, Mr. Chair.

**The Chair:** Yeah. Go ahead.

**Ms Pancholi:** You know, I actually think that the intent that both myself and Member Goodridge have are the same, but I think the concern is that I don't know that that is the case, that when party memberships are bought in bulk it's because it's one household buying for each individual member of the household. I think the concern is that it could be bought in bulk for various other purposes, in which case that would really be considered a contribution. I think that we're both trying to avoid bulk membership purchases being waived off as not part of a contribution when certainly we know there are instances where party memberships are bought in bulk by individuals, and it's not solely because it's to represent each member of the household. So I think that if we're trying to be true to the intent of what is considered a contribution and what is not, the clarity here is needed. This is, again, in line with the recommendations brought forward by the Chief Electoral Officer.

**The Chair:** Thank you.

Any further comments?

Hearing none, I will call the question on motion 132, moved by Ms Pancholi. All those in favour of that motion, please say aye. Any opposed, please say no.

**Ms Pancholi:** A recorded vote, Mr. Chair.

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

A recorded vote has been requested by Ms Pancholi and shall happen.

**Mr. Horner:** No.

**Ms Fir:** No.

**Member Ceci:** Yes. Yes.

**The Chair:** Is that two votes, Mr. Ceci?

**Member Ceci:** Yes, yes, yes.

**Mr. Dang:** Yes.

**Ms Goodridge:** No.

**Mr. Jeremy Nixon:** No.

**Ms Pancholi:** Yes.

**Mr. Rutherford:** No.

**Mr. Sigurdson:** No.

**Mr. Smith:** No.

**Ms Sweet:** Yes.

**Ms Fir:** Chair, I am stepping off now till 3:15. MLA Armstrong-Homeniuk is substituting for me now.

Thank you.

**The Chair:** Okay.

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

**The Chair:**

That motion is defeated.

We'll now go to the government caucus. Do you have any motions or other comments for this conversation?

**Mr. Horner:** Yeah. I'll move a motion.

**The Chair:** Mr. Horner.

**Mr. Horner:** Sorry there, Chair. Yes. I'd like to move motion 147 – I'll read it into the record – to move that

the Select Special Democratic Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended to provide that if contribution limits are adjusted annually for inflation, the adjusted amounts are rounded to the nearest \$100.

I guess some of the background: I think rounding to the nearest \$100 will make it easier for individuals who donate regularly to plan their donations while still being in compliance. In federal politics I believe they increase by \$25 per year to end at a round number whereas we – I forget where we're at right now, but it's 42, 32, or something. It's maybe a little confusing for the public, and this will just make it a little neater. This is coming from some of the written responses that we received in the summary of written responses for the EFCDA, page 8.

That's all.

**The Chair:** Thank you.

Any further comments?

**Ms Sweet:** Mr. Chair.

**The Chair:** Yep.

**Ms Sweet:** Thank you, Mr. Chair. I think that this is a reasonable motion. It makes it easier for contributors to know how much money they're at, and from an accounting perspective it probably makes life a little bit easier as well. In saying that, I think that this is reasonable.

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

Anyone else?

Hearing none, I will call the question. All those in favour of motion 147, moved by Mr. Horner, please say aye. Any opposed, please say no.

That motion is carried.

I don't have any further motions on my sheet here from the opposition caucus. So if there are any other motions to be moved, please do so at this time. Mr. Horner.

**Mr. Horner:** Yes. Thank you, Chair. I'd like to move motion 154 at this time – I'll read it into the record – to move that

the Select Special Democratic Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended to require a registered constituency association to file with the Chief Electoral Officer all records of contributions that it receives on an annual, instead of quarterly, basis.

I guess some of the background on this is just trying to remove some red tape and administrative burden for the constituency associations. I know that constituency associations federally file once a year, so this would be in line with that and in line with part of our mandate about reducing red tape and making democracy just a little easier to navigate both for volunteers and the people that work in our constituency associations.

That's all, Chair.

1:50

**The Chair:** Thank you.

**Ms Sweet:** Mr. Chair, I have to strongly disagree with this motion. I find it interesting because it kind of contradicts the motion that we just all agreed to passing in the sense that to only be reporting annually, there may be individuals that actually contribute to more than one constituency association. So what could potentially happen if there is only an annual report instead of a quarterly report is that individuals may overdonate to a group of different constituency associations and could potentially find themselves in a little bit of an issue with the Chief Electoral Officer because they may overcontribute.

I also think that this actually reduces transparency around what is happening with the third-party advertising, well, with the constituency associations, specifically, I guess. The reason quarterly happens is so that there is openness and transparency for all Albertans that are interested to see who is involved with political engagement and what that looks like. It removes the transparency around seeing who is engaged in that political process, but it also creates potential for people to overdonate at any given period of time, which is counter to everything that we've been talking about in regard to ensuring that people are following the recommendations and the requirements from the Chief Electoral Officer.

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

Mr. Horner.

**Mr. Horner:** Yeah. Thank you, Chair, and thanks to the member for the concern. I guess the main idea and point here is just aligning with the federal rules to make it easier for our volunteers. That was part of what we set out to do, to make our democracy easier to navigate for regular, everyday Albertans that like to help out in constituency associations. That's the intent here.

Thanks.

**Ms Pancholi:** Thanks. If I may, Mr. Chair.

**The Chair:** Yes.

**Ms Pancholi:** Thank you. I understand what Member Horner just said about making it easier for volunteers. Certainly, we're all part of constituency associations who rely on the great work of volunteers, and we appreciate that very much. I think the vast bulk of Albertans probably are not actively involved, necessarily, as volunteers but actually in terms of donations. I think that Member Sweet has made a very good point about how one of the best ways that somebody who is making a donation can keep track of their donations and know whether or not they've gone over the limit, which we've all agreed to and believe is an important part of this process, is setting those limits. We need to be able to communicate effectively to them as to how close they are to reaching those donation limits. We don't want average Albertans, who are most likely to be active by donating rather than volunteering, to be penalized and to be subject to the sanctions of the act because they inadvertently overdonated.

I think this level of transparency is deeply important to Albertans who make donations to political parties, and it is a level of transparency. I do support wanting to make life a little bit easier for our volunteers as well, but I think we have to be conscious of all those Albertans who make donations and do not want to be on the wrong side of the donation limits in the act.

**The Chair:** Thank you.

Any further comments?

**Member Ceci:** Just me, briefly.

**The Chair:** Ms Goodridge.

**Ms Goodridge:** Thank you, Mr. Chair. While I appreciate the comments that are being made by the opposition, I really do think that it is so critical to stress – and we heard it from numerous stakeholders – the idea of having rules that were more closely aligned with some of the federal rules to make it easier for our volunteers. This particular change, I believe, would be a very good step in aligning it with the federal rules as well as very clearly reducing the administrative burden on our constituency associations.

We have amazing volunteers. I've chatted with my CFO on numerous occasions, and this is one of things that he highlighted that is quite burdensome. Removing this to make it annual rather than quarterly, I think, would be in the benefit of democracy, so I would urge everyone to support this.

**The Chair:** Thank you.

I believe I heard Mr. Ceci, who wanted to jump into this.

**Member Ceci:** Yeah.

**The Chair:** Yeah. Go ahead.

**Member Ceci:** Yeah. Thanks. You know, I will support – well, I think Member Pancholi raises several good questions about all of this. I don't see this as trying to better democracy, just to Member Goodridge's point. I see this as – well, the concern I have is that we're bringing the federal government into this. At some point, you know, we've proposed alignments to the federal government legislation, and it's been turned down. The argument that Member Horner is using in this instance is that it aligns with the federal government. I'm confused why some things that we bring forward that align with the federal government are turned down and the things that you're trying to get through, that you say align with the federal government, you're supporting. It just seems wholly inconsistent.

I don't want to reduce the transparency that Albertans have come to expect with the quarterly reporting and seeing who actually is donating to respective CAs or parties once it's rolled up. I think that there is good rationale in being able to see that on a regular basis from the perspective of Albertans who are interested and who want to search that out and from the perspective of Albertans who donate and want to kind of keep track of where they're at with regard to the total donations that they make.

Thank you.

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

Any further comments?

Hearing none, I will call the question on motion 154, moved by Mr. Horner. All those in favour of motion 154, please say aye. Any opposed to motion 154, please say nay.

That motion is carried.

You have one final motion in this section remaining of the contributions, expenses, and transfers. I see Mr. Rutherford.

**Mr. Rutherford:** Thank you, Mr. Chair. I'd like to move motion 158, that

the Select Special Democratic Accountability Committee recommend that the limit on election expenses under the Election Finances and Contributions Disclosure Act that apply to a registered candidate be determined by a calculation that may consider, but is not limited to, the following criteria: (a) the number or registered electors in the electoral district that the candidate is contesting, (b) any geographic or demographic peculiarities, (c) the population density of the electoral district that the candidate is contesting, (d) inflation based on percentage increases in the consumer price index, and (e) dollar amounts per registered elector comparable to amounts used in other Canadian jurisdictions.

Basically, I think that we are the only province that has uniform spending limits across the country, Mr. Chair. I think that doesn't recognize some of the difficulties some of our rural ridings may have, and we need to be taking into consideration the points (a) through (e) that I just mentioned in terms of spending limits. I think that there are other jurisdictions that utilize a formula or calculation within their legislation in order to determine spending limits per riding. Some of this came up in the cross-jurisdictional analysis of the EFCDA, from pages 41 and 42.

Thank you.

**The Chair:** Thank you.

Just for a point of clarification I do recognize there will be a member from the opposition to speak in just a moment. Reading (a) "the number or registered electors", can we just make a clarification that that is supposed to be "or," or should it be "of"? Mr. Rutherford, is it meant to be "of," or is it meant to be "or"?

**Mr. Rutherford:** Of. I apologize.

**The Chair:** Okay. We'll just make that clarification.

Then I believe it's Ms Pancholi.

**Ms Pancholi:** Well, actually, I wouldn't mind. I do have an amendment to this, but I think before we get to the amendment, I just want some clarification from the mover of the motion. You know, I do recall that this has come up before in terms of having these variable amounts that can be expended in different ridings. In your mind – I wouldn't mind a little bit of clarification around what would determine geographic or demographic peculiarities and how that would be weighed. Would that be something that would increase the amount of spending that would be permitted or decrease it? I'm just a little unclear as to what's meant by that phrase: geographic or demographic peculiarities. I'd love some feedback on that.

2:00

**The Chair:** Yup. Go ahead.

**Mr. Rutherford:** Thank you, Mr. Chair. I look at this as, really, talking about characteristics and features in terms of geography and populations. It's really trying to understand that there are situations in which populations can be really densely located. That does not mean that I want it to lower or increase. I'm simply making the recommendation that it should be considered as part of the amount of money that you're able to spend in your riding and understanding that there are portions of Alberta where there are pockets of people that are really widely spread out. We should be able to take into consideration that in rural Alberta you can't reach everybody by

Facebook. There are different ways that you have to communicate. There are different ways in which people would be able to acquire information around a political party or candidate. I just want that to be sort of what frames some of the consideration around spending limits.

**Ms Pancholi:** If I may, Mr. Chair.

**The Chair:** Yes, please.

**Ms Pancholi:** Thank you. I appreciate that. I'm just a little bit curious as to how that would have to be reassessed every election period. My concern around that is around some certainty, right? As we know, fundraising and planning for elections happens between elections, so I'm a little concerned about the uncertainty that would be created for each riding in terms of: well, how much are they allowed to spend during the election period? Would that need to be assessed and determined before every election, or would it stand for a few elections? What degree of change would be required before it would be reassessed? Again, I would appreciate if the mover would comment on that.

**Mr. Rutherford:** Thank you, Mr. Chair. Well, frankly, I think we should start off with the motion as it is to try to get some information put in for consideration that is going to touch on how much money can be spent per riding. I think that if you have some preference on the frequency, we can either add that in for context or not. That's my only comment on that.

**Ms Pancholi:** Okay. One more time, Mr. Chair.

**The Chair:** Yes. Go ahead.

**Ms Pancholi:** Okay. I will leave it to the Chief Electoral Officer, perhaps, if he wants to comment on that piece, but maybe while he's thinking about that, I will move my amendment 174.

**The Chair:** Go ahead.

**Ms Pancholi:** The amendment reads that I move that

the motion be amended by adding "provided that any adjustment to the election expenses limit may not result in an increase of more than 5 per cent to the limit in effect immediately prior to the adjustment" immediately after "the following criteria."

This is just to, I guess, allow for, yes, that there might be a recognition that there would be some variability, but in order to kind of place a cap to ensure some consistency and fairness in expense limits so there's not a huge disparity, I think, between ridings – we know that there are challenges in some ridings; density, for example. Population density might make some things less expensive but might make other things more expensive. Therefore, there's some level of, I guess, stability across the system, recognizing some differences between ridings, and this amendment proposes a 5 per cent cap on that.

**The Chair:** Thank you.

Any comments? Ms Goodridge.

**Ms Goodridge:** Thank you, Mr. Chair. I would urge my colleagues to vote against this amendment. I represent, as you guys are well aware, the riding of Fort McMurray-Lac La Biche, but in the previous Legislature I represented the riding of Fort McMurray-Conklin, which was an even larger rural riding that had multiple communities that were fly-in only. The expense of trying to get up into those communities and being able to connect with those voters – and many of those households had limited access to Internet – was

substantially higher than what it would be in downtown Edmonton or downtown Calgary. I believe that it is critically important that we have some ability to have criteria that are applied for this, and a 5 per cent cap could actually create some challenges.

I think about how in the previous election, prior to the boundaries changing, Calgary-South East was the largest riding by population. The members' services budget reflected the fact that there were a large number of voters, but the spending cap per riding didn't necessarily adjust to the fact that there were a much higher number of voters. Because our ridings are assessed every 10 years, approximately, it's critically important that we have some flexibility as certain parts of the province tend to grow at a different rate than others, and we want to make sure that we are equipping our candidates and our political parties to be able to communicate directly with voters in a way that is reasonable. A 5 per cent cap might not be the most reasonable option, so I would just urge everyone to vote against this amendment and vote in favour of motion 158 from Mr. Rutherford.

**The Chair:** Thank you.

Any further comments?

**Ms Sweet:** Mr. Chair, if I could just jump in, please.

**The Chair:** Yes.

**Ms Sweet:** I'm looking at the federal amounts, and I think something that we need to look at in consideration of the discrepancies between the different federal ridings is that many of these federal ridings, if we just look at the context of Alberta, have two to two and a half of a provincial riding. Although we can speak to the fact that – like, I'll just take an example here. Calgary Nose Hill, the federal riding right now, was allowed to spend \$112,000 for their federal seat. The reality of that is that that riding in itself has two provincial seats in it. Right now the cap provincially is \$50,000 for expenditures, so the discrepancy is actually not that much between what the feds are already doing versus what is happening within the provincial context. You can do the same if you look at some of these rural seats, where, again, you have two to three provincial seats within that federal jurisdiction, and the numbers, again, align with what is already aligned with the provincial spending caps for the province.

I mean, if the government would like to put this motion forward and they would like to look at adjusting, you may want to do the math and look at the fact that probably what's going to happen is that you're not actually going to get any more money. In fact, if you align it with the federal numbers, some of these rural seats may actually get less, which is why, when the cap was put in at \$50,000, it was consistent across every single provincial riding, one, for the ability of Elections Alberta to not have to renegotiate and look at what would be more criteria for more spending but also the fact that it is more equitable over the long run. I would encourage the members to go back and look at the federal context and maybe think about the fact that although there are discrepancies between spending caps between provincial ridings federally, if you add it up in comparison to what can be spent provincially for provincial elections, it isn't actually a better system. I would encourage everyone to look at that.

At this point I will be supporting the amendment if we put a 5 per cent cap as is, but in general I don't think that this is going to achieve what the member is actually trying to achieve when it comes to the motion specifically.

**Ms Goodridge:** Mr. Chair, if I may.

**The Chair:** Yes.

**Ms Goodridge:** I'll pull up the federal riding that I live within, Fort McMurray-Cold Lake, as an example. Their spending limit is \$135,945.79. The boundaries don't quite line up perfectly, but there are three and a half MLAs within that space. I think it's critically important. If you look at Grande Prairie-Mackenzie, \$140,000 and change, I believe there are approximately four MLAs. Again, the boundaries don't quite add up. I think it's really important to not just use Calgary or Edmonton examples but to look more broadly.

It is critically important to realize that we have many communities in our northern areas that have fly-in-only options or the only driving option is available for a short window in the winter. It's worth noting that the winter road up to Fort Chip still isn't open, and any travel to get up to Fort Chip is more than \$1,000 return per person. I think it's critically important. I know that in my by-election, when we were looking at the option of going up to Fort Chip to do some campaigning, it was very cost prohibitive. I think that it's critically important that we have the geographic and demographic particularities and not be limited to a 5 per cent limit, because it will not serve the voters as well as it needs to.

2:10

**Ms Sweet:** Mr. Chair, if I could jump back in.

**The Chair:** Yes.

**Ms Sweet:** Well, thank you for the comments around Fort McMurray as well as Grande Prairie. I think that actually just validated my point. When we look at Fort McMurray federally, the member I believe listed off \$132,000 but also indicated that there are three ridings that MLAs represent in that area. If they were each allowed to spend \$50,000, that's \$150,000, which is more than what the federal jurisdiction allows. Again, that is my point, that you can put the motion forward and those are the choices, but I think that your outcome may not be what is going to be achieved.

Actually, \$50,000 is consistent for all ridings. It is equitable because, in fact, with that example that was just used, the \$150,000 for three MLAs per riding in the same area where \$130,000 federally is given is actually more provincially. Then if we look at Medicine Hat-Cardston-Warner, it's four provincial ridings. Then, again, that's almost \$200,000, and right now federally it's only \$123,000. I think, again, that I just encourage all the members to – I mean, that's fine. We can look at adjusting this, but the reality of it is that I think it's actually counter to supporting rural Albertans and getting the access to their candidates as we think it is because the math actually doesn't add up between the federal area and the provincial.

**The Chair:** Okay. Any further comments?

Hearing none, I'm prepared to call the question on the amendment moved by Ms Pancholi. All those in favour of that amendment, please say aye. Any opposed, please say no.

That amendment is defeated.

We're back on the main motion, moved by Mr. Rutherford, number 158. Are there any further comments or questions?

Hearing none, I will call the question on 158. All those in favour of that motion, please say aye. Any opposed, please say no. That motion is carried.

**Mr. Horner:** Recorded vote.

**The Chair:** A recorded vote has been requested by Mr. Horner. It should be noted at this point in time that Ms Jackie Armstrong-

Homeniuk has substituted for Ms Fir, so I'll be calling on her for a vote rather than Ms Fir.

**Mr. Horner:** Yes.

**Ms Armstrong-Homeniuk:** Yes.

**Member Ceci:** No.

**Mr. Dang:** No.

**Ms Goodridge:** Yes.

**Mr. Jeremy Nixon:** Yes.

**Ms Pancholi:** No.

**Mr. Rutherford:** Yes.

**Mr. Sigurdson:** Yes.

**Mr. Smith:** Yes.

**Ms Sweet:** No.

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

**The Chair:**

That motion is carried.

Are there any other motions to bring to the floor at this time?

We have now the section on advertising. I should say that with that previous motion concluded, our section on contribution expenses and transfers, we are now on advertising. I have two motions for this section, none of which are coming from the opposition side, so I will go, then, to the government side. Ms Goodridge.

**Ms Goodridge:** Thank you, Mr. Chair. I would like to move motion 155 on behalf of MLA Fir, that

the Select Special Democratic Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended to (a) require the Auditor General to review and approve any advertising message that the government of Alberta proposes to transmit during an election period to the public to ensure that the advertising complies with requirements of the Act, (b) prohibit the government from transmitting an advertising message to the public during an election period unless it has obtained the approval from the Auditor General referred to in clause (a), and (c) prohibit the government from including any content in the type of advertising referred to in clause (a) that is partisan.

I think that it's critically important that we put this forward. It's very much mirroring the rules that exist in Ontario, which can prevent political gamesmanship and prevents the incumbents from using government advertising as free advertising in the election. I believe that this is something that all members should be interested in supporting.

With that, I conclude my remarks.

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

**Member Ceci:** Can I ask a question?

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

**Member Ceci:** Just a question about: why the AG? Of course, the CEO is an independent officer of the Legislature as well, but why the AG? That would be my question to Member Goodridge.

If I could ask a question to Mr. Resler before I pose that, that would be helpful.

**The Chair:** Sure. Go ahead.

**Member Ceci:** Mr. Resler, is this something that you have done in the past as an independent officer?

**Mr. Resler:** Yes. In previous elections we have provided advice to government and agencies of the government.

**Member Ceci:** And the AG wasn't involved that time? Is that what you're implying?

**Mr. Resler:** Correct. The Auditor General wasn't involved. I can state that in other jurisdictions – in Ontario it is the responsibility of Ontario's Auditor General to review this.

**Member Ceci:** Thank you, Mr. Resler.

I'll just ask the mover if they can explain why the AG in this case.

**Ms Goodridge:** Hello. Mr. Chair?

**The Chair:** Yes, go ahead.

**Ms Goodridge:** Thank you. Again, it is mirroring the Ontario rules. In doing some crossjurisdictional analysis, I really do think that the balance of power that Ontario has reached in their rules and the way that it's played out looks like it has really achieved that right balance. That's why that was recommended, that it be the Auditor General. It is no disrespect in any capacity to Elections Alberta, but I just think that the Auditor General is better suited for this.

**The Chair:** Any further comments?

**Ms Pancholi:** Sorry.

**The Chair:** Go ahead.

**Ms Pancholi:** I don't disagree. It would have been, I guess, helpful to know if the AG has – I don't recall if they've provided any input on this and their role in doing this. I mean, certainly, I suppose it's within government's mandate to direct the AG to do this. It's just in terms of capacity and skill set of the AG if that fits within their mandate. I'm just wondering if there's been any discussion or feedback from them. I don't see any, but I could be wrong.

**The Chair:** Thank you.

Any other comments?

Hearing none, I will call the question on motion 155, moved by Ms Goodridge. All those in favour of this motion, please say aye. Any opposed, please say no.

That motion is carried.

The last motion for advertising would be also a government motion. Ms Goodridge.

**Ms Goodridge:** Thank you, Mr. Chair. I would like to move that the Select Special Democratic Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended to provide that the period in which election period advertising restrictions for a fixed-date general election apply commences on January 1 of the year of the fixed-date general election.

I think that we want to make it clear in legislation that we are recommending a fixed-date election.

**The Chair:** Any comments?

**Ms Sweet:** Mr. Chair?

**The Chair:** Go ahead.

**Ms Sweet:** Thank you, Mr. Chair. I guess I'm a little bit confused about this in the sense that right now January 1 is slightly arbitrary, because currently the fixed-election dates are March 1 to May 31, meaning that the election period could run from three months or potentially to six months if we agree that January 1 is the set date.

2:20

I appreciate that there are conversations happening around an actual fixed date for elections, but because that hasn't been set yet, to have a fixed date of January 1, I think, doesn't make sense at this point. I would like to have an amendment, which is amendment 166, which basically says that I move that

the motion be amended by striking out "on January 1 of the year of the fixed-date general election" and substituting "six months prior to the fixed election date."

I think that once the fixed election date is determined, if there is going to be an actual fixed election date – I mean, this conversation has been going on in the province around fixed election dates for many, many election cycles, so we'll see if this actually happens. But if it does, then sticking with the six months prior to the election date, I think, is the most appropriate. If all of a sudden we agree that January 1 is the date and then the fixed election date isn't until June or October, then what has happened here is that it's become a 10-month election date and not a six-month election date. I would encourage all members to consider that six months has historically always been the way that the legislation is read and that we should be keeping with that instead of picking an arbitrary date when we don't know what the fixed election date is going to be.

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

Any further comments?

**Ms Goodridge:** Mr. Chair, I think that I would urge all my colleagues to vote in favour of this amendment. It's clearly very consistent with our intent, so I appreciate the opposition for working so diligently to put forward a thoughtful amendment.

**The Chair:** Any further comments?

Hearing none, I will call the question on amendment 166, moved by Ms Sweet. All those in favour of this amendment, moved by Ms Sweet, please say aye. Any opposed, please say no.

That amendment is carried.

We are now back on the main motion, moved by Ms Goodridge, motion 156. Any further comments or questions on this motion?

Hearing none, I will call the question on motion 156. All those in favour, please say aye. Any opposed, please say no.

That motion is carried.

That concludes the advertising portion of these deliberations. We now have one final section with one final – that actually does conclude the deliberations for this meeting, so I would like to thank all the members for their diligent work in this effort.

I will now go on to instructions for drafting a report. With the committee having concluded its deliberations, we can now proceed to direct research services to prepare a draft report containing the recommendations that the committee has approved today. At this time I would ask Ms Robert to provide us with a brief overview of this process and what the draft report will contain.

Before I go to you, Ms Robert, I understand Mr. Dang has a question.

**Mr. Dang:** Oh, thank you, Mr. Chair. Perhaps I'll wait till after Ms Robert.

**The Chair:** Certainly.

Ms Robert.

**Ms Robert:** Thank you, Mr. Chair. I'll just give you a high-level summary of what the draft final reports typically look like. As you've suggested and as we've experienced before in this committee, it is quite typical to direct research services to prepare a draft final report that reflects the recommendations that were agreed to by the committee. I'll just give you a brief overview of what a typical report would look like, and you'll recall it from the one we just did with respect to citizen initiatives and recall.

The report will include an executive summary, which lists all the recommendations that were agreed to. It will include some information about the committee's mandate, a bit of an introduction, and some acknowledgements. It would typically include the consultation and review process: who the committee reached out to, what the focus issues were, who the committee heard from, how many meetings were held, that type of thing. Then, of course, the biggest section is the committee's recommendations, which include not only the actual recommendation that was agreed to but the information that informed that decision, whether it was stakeholder input, Chief Electoral Officer recommendations, other different information the committee may have heard, and then, of course, what the committee discussed when it was making the different recommendations.

That's basically it. Thank you.

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

Mr. Dang, did you have any questions now?

**Mr. Dang:** Yes, Mr. Chair. Thank you. I guess just briefly before my colleague makes a potential motion here, just for timelines – and I know we had discussed a similar thing last time this committee made a report. Seeing that we're in sort of a weird December-January phase here, when would we anticipate a report being made, and if there was a minority report, what would the deadline be for submitting that addendum?

**The Chair:** Just give me one moment, Mr. Dang.

Ms Robert, you could answer that question probably better than I could.

**Ms Robert:** Sure. Thanks, Mr. Chair. I've had a little look at the calendar. Yes, the report date I believe is January 13, and yes, we are headed into the Christmas holidays. What I would suggest is that I can commit to having the draft report to the committee by December 23, and I think discussions perhaps have been suggested that, if any minority reports were being prepared, if they could possibly be into the committee by January 8. I don't know what the committee thinks of those sorts of dates, if that will work for you.

Thank you.

**The Chair:** Does anybody have any comments or questions about Ms Robert's remarks?

**Mr. Dang:** I think that sounds like a very reasonable timeline. Thank you.

**The Chair:** Okay. Excellent.

Any other comments or questions?

**Ms Sweet:** Mr. Chair.

**The Chair:** Yes. Go ahead.

**Ms Sweet:** Thank you, Mr. Chair. Now that we've talked about when the reports are due, I think we have to provide direction that we actually have a report. I would like to put a motion, main motion 125, to move that

the Select Special Democratic Accountability Committee direct research services to prepare a draft report on the committee's review of the Election Act and the Election Finances and Contributions Disclosure Act containing the recommendations approved by the committee and authorizing the chair and the deputy chair to approve the report after making it available to committee members for review.

I think this is pretty standard practice that we have done in the past, so if, at the will of the committee, they agree, then I will propose this motion.

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

The motion is on the screen. We can open this up for any comments or questions.

Hearing none, I can call the question on that motion, moved by Ms Sweet. All those in favour, please say aye. Any opposed, please say no.

That motion is carried.

It's always good to end with some consensus. We have already outlined when minority reports would be asked for, so item 4 would be approval of minutes after deliberations. Hon. members, as this may well be the final meeting of this committee, whose mandate expires on January 13, 2021, or when the final report is provided to the Legislative Assembly, the practice in similar circumstances has been to authorize the chair and deputy chair to approve the minutes of the final meetings after members have had an opportunity to review them for the records of the Assembly. I'd like to open the floor to discussion on this matter if there is any.

Hearing none, I would need someone to move a motion to that effect. Mr. Rutherford has moved that

the Select Special Democratic Accountability Committee authorize the chair and the deputy chair to approve the minutes of the December 15, 2020, meetings of the committee after they have been circulated to the committee members for review.

All those in favour, please say aye. Any opposed, please say no. That motion is carried.

Is there any other business to bring to the committee at this time?

**2:30**

Hearing none, I will just take a quick liberty as chair to thank research services, the Clerk's office, Parliamentary Counsel, security, *Hansard*, IT, those who have prepared food, all our LAO services, the general public for your meaningful contributions, and, of course, all members of this committee. I recognize that members of this committee might disagree, but I do appreciate all your diligent work that you put in this committee, including staff on behalf of members as well.

This committee: having completed our deliberations and provided instruction for the draft of the final report in relation to the Election Act and the Election Finances and Contributions Disclosure Act, once the report is provided to the Assembly, that will conclude the mandate of this committee. Therefore, no further meetings of the committee are anticipated.

Can I please ask someone to move to adjourn this meeting? I see Mr. Rutherford has moved that the December 15, 2020, meeting of the afternoon of the Select Special Democratic Accountability Committee be adjourned. All those in favour, please say aye. Any opposed, please say no. That motion is carried. This meeting is adjourned.

Thank you, everyone. Have a Merry Christmas and a Happy New Year.

[The committee adjourned at 2:31 p.m.]











