



Legislative Assembly of Alberta

The 30th Legislature  
Third Session

Standing Committee  
on  
Alberta's Economic Future

Lobbyists Act Review

Wednesday, March 30, 2022  
9 a.m.

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

**Standing Committee on Alberta's Economic Future**

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\* substitution for Garth Rowswell

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9 a.m.

Wednesday, March 30, 2022

[Mr. Neudorf in the chair]

**The Chair:** Good morning, everyone. I will now call the meeting to order. Welcome to members and staff in attendance at this meeting of the Standing Committee on Alberta's Economic Future.

My name is Nathan Neudorf, and I'm the MLA for Lethbridge-East and the chair of this committee. I'd ask that members and those joining the committee at the table introduce themselves for the record, and then we will go to those who have joined us online. We will start to my right.

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

**Mrs. Frey:** Good morning. Michaela Frey, MLA, Brooks-Medicine Hat.

**Mr. van Dijken:** Glenn van Dijken, Athabasca-Barrhead-Westlock.

**Mr. Walker:** Good morning. Jordan Walker, Sherwood Park.

**Ms Rosin:** Miranda Rosin, MLA, Banff-Kananaskis.

**Mr. Barnes:** Drew Barnes, Cypress-Medicine Hat.

**Mr. Koenig:** Good morning. I'm Trafton Koenig with the Parliamentary Counsel office.

**Ms Robert:** Good morning. Nancy Robert, clerk of *Journals* and committees.

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

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

I will go to those online. As I call your name, I will ask you to introduce yourselves for the record, beginning with the deputy chair of this committee, Ms Goehring.

**Ms Goehring:** Good morning. Nicole Goehring, MLA for Edmonton-Castle Downs.

**The Chair:** Ms Irwin.

**Member Irwin:** Janis Irwin, Edmonton-Highlands-Norwood.

**The Chair:** Mr. Bilous.

**Mr. Bilous:** Good morning. Deron Bilous, Edmonton-Beverly-Clareview.

**The Chair:** Ms Armstrong-Homeniuk.

**Ms Armstrong-Homeniuk:** Good morning. Jackie Armstrong-Homeniuk, MLA, Fort Saskatchewan-Vegreville.

**The Chair:** Ms Sweet.

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

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

I would like to note for the record the following substitution: MLA Allard for MLA Rowswell.

A few housekeeping items to address before we turn to the business at hand. Please note that the microphones are operated by *Hansard* staff. Committee proceedings are live streamed on the Internet and broadcast on Alberta Assembly TV. The audio- and videostream and transcripts of meetings can be accessed via the

Legislative Assembly website. Those participating by videoconference are encouraged to please turn on your camera while speaking and to mute your microphone while not speaking. Also, feel free to turn your camera off when not actively speaking. Members participating virtually who wish to be placed on the speakers list are asked to e-mail or send a message in the group chat to the committee clerk, and members in the room are asked to please signal to the chair. Please set your cellphones and other devices to silent for the duration of this meeting.

Up next in the agenda is the approval of the agenda. Do I have someone willing to? Mrs. Frey, seconded by Mr. van Dijken. Moved by Mrs. Frey that the agenda for the March 30, 2022, meeting of the Standing Committee on Alberta's Economic Future be adopted as distributed. Any discussion on the motion?

Seeing none, all in the room in favour, please say aye. Anyone in the room opposed, please say no. Online, all those in favour, please say aye. Anyone online opposed, please say no. That motion is carried and so ordered. Thank you.

Approval of the minutes for the March 2, 2022, committee meeting is next on the agenda. Are there any errors or omissions to note?

Hearing none, would a member move the draft motion? Mr. van Dijken. Moved by Mr. van Dijken that the minutes of the March 2, 2022, meeting of the Standing Committee on Alberta's Economic Future be adopted as circulated. In the room, all those in favour, please say aye. In the room, anyone opposed, please say no. Online, all those in favour, please say aye. Online, anyone opposed, please say no. That motion is carried.

Lobbyists Act review, item 4 on the agenda, overview of issues and proposals document. Hon. members, at our March 2, 2022, meeting the committee tasked research services with preparing a summary of issues and proposals that the committee heard from the technical briefings, oral presentations, and written submissions received in relation to our review of the Lobbyists Act. The summary document was posted to the committee's internal website on March 24, 2022. I would now like to invite Dr. Melanie Niemi-Bohun from the Legislative Assembly Office, research services, to provide the committee with an overview of the issues and proposals summary.

Dr. Niemi-Bohun, please introduce yourself for the record online. I did see you there earlier, but if you would please introduce yourself once again and then begin your presentation. Thank you very much.

**Dr. Niemi-Bohun:** Good morning, everyone. My name is Melanie Niemi-Bohun, and I am a research officer with the Legislative Assembly Office. It's good to be here with all of you today. Thank you for the opportunity to present research services' summary of issues and proposals for the committee's comprehensive review of the Lobbyists Act. This document along with the submissions summary and crossjurisdictional review, as mentioned by the chair, are available on the committee's internal website. I hope that you have a copy of the summary of issues and proposals with you today.

This document is prepared by research services with an aim to assist the committee with its deliberations by bringing together all of the proposed recommendations from stakeholders and the public into a single, user-friendly document. However, we would also like to remind the committee that you are in no way constrained by this document. It really is simply a guide for your review. The committee is welcome to consider issues that are not included in the document.

Before I dive into how to use this document, I want to make a quick apology for an unfortunate typo that was missed at the bottom of page 1 of the introduction. The date in the last paragraph should

read February 23, 2022, and not 2021. I apologize to the committee for that error.

If I could please draw your attention to the executive summary on page 2, you will find a list of nine themes in bold text, with brief explanations and subthemes in regular text. The issues from the stakeholder and public submissions to the committee have been grouped as follows: reporting requirements for lobbyists, minimum time threshold for organization lobbyists, gifts, exemptions, powers of the lobbyist registrar, other recommendations, then into technical amendments, followed by just general comments regarding the Lobbyists Act and, finally, additional issues that were raised in public submissions.

If you could please turn to page 4 of the document, you will see in the red heading the first theme, reporting requirements for lobbyists. These headings are also provided in the table of contents of this document, at the beginning, for your convenience. If you do happen to be viewing the document on your computer, you should be able to just click on the issue of interest to you in the table of contents and then be taken directly to that section in the document.

Now, in blue you will see four column headings. The issue column provides a brief description of the proposal. The proposal column, next to it, provides the proposed recommendation with an abbreviated reference to inform the committee who is making that recommendation. In the proposals column there may be a single recommendation, two or more contrasting recommendations, or even several options provided by a particular submission. Next we have the relevant sections of the Lobbyists Act, that are provided when possible.

Then, finally, the notes column. This column provides the committee with supportive and contextual information for the proposed recommendation under consideration. In some instances references to sections of the Lobbyists Act are provided. Abbreviations are, again, used to identify the stakeholders and members of the public who made submissions to the committee, and each is listed in section 5.0 of this document, which starts on page 24. So if you would like the full reference, just flip to that end section.

I hope you will find this document helpful for your comprehensive review of the Lobbyists Act. Thank you very much for your time this morning.

**The Chair:** Thank you, Dr. Niemi-Bohun. I deeply appreciate your time and explanation in this matter.

I will now open it up to the committee for any questions or comments for the doctor to answer while we have her available though I'm sure she will stay online for some of the discussion. Thank you very much for your time this morning.

Member Irwin, I believe you have some questions. Why don't you begin, and we'll see how the order goes from there. Please proceed.

**Member Irwin:** Thank you. Actually, you know what? I don't have a question per se. I know it's a very busy time, and I just want to thank all of you in research services because this was undoubtedly a lot of work. We just wanted to get it on the record that we very much appreciate your efforts, and we will be supporting that the ministry receive all of the recommendations.

Thanks, Dr. Niemi-Bohun, for your work.

**Dr. Niemi-Bohun:** Thank you.

**The Chair:** Thank you, Member Irwin. I appreciate the kind remarks made.

Any questions for the doctor from within the room? MLA Barnes, please proceed.

**Mr. Barnes:** Thank you, Mr. Chair, and thanks to the doctor. I just wonder if this is the appropriate time to ask for some clarification on some of the proposals that I'm a little uncertain of.

**The Chair:** I believe this would be a good time for that, yes. Please proceed.

9:10

**Mr. Barnes:** Okay. Thank you.

To the doctor, please. On page 6, the issue of removal of semiannual renewal returns requirement: I'm just not clear, in my mind, how it would change the impact on consultant lobbyists compared to organizational lobbyists if we accepted the amendment to file semiannually. Of course, when Suncor was here and gave their presentation, they recommended that Alberta change the act to align with both British Columbia and the federal legislation to increase transparency and efficiency. Can I get a reminder of exactly what that is, please?

**Dr. Niemi-Bohun:** I think this is probably a question that is best directed at the lobbyist registrar, because that is a fairly technical question. I don't feel I quite have the expertise to be able to answer that one. I apologize.

**Mr. Barnes:** Okay.

**The Chair:** Okay. That's fine.

So this is the research part. There were some technical – and we will introduce a number of individuals here to help with some of those questions. We could direct some to Parliamentary Counsel for clarity on some of these. I don't know if either one of you would like to weigh in at this point.

Okay. We will get back to that question in our deliberation and, hopefully, be able to answer that more fully at that time. I think Dr. Niemi-Bohun is more for the research aspect and how it's presented to us rather than actual technical answering of some of these.

**Mr. Barnes:** Okay. Thank you, Mr. Chair. Do you anticipate that today or at a future meeting?

**The Chair:** Some of it will be today, for sure, although we are anticipating having additional meetings as we work through the recommendations as put forward. So there will be time for that as well.

**Mr. Barnes:** Okay. Perfect. Thank you.

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

Any other questions from anybody for the doctor at this time?

Thank you very much again, Dr. Niemi-Bohun. We appreciate your work and the thoroughness with which you and your staff have put this forward for us. I believe you will be remaining online for the meeting?

**Dr. Niemi-Bohun:** That is correct.

**The Chair:** Thank you. So at such point in time that we may need to reach out to you for further clarifications that are within the scope of the work that you've done, we look forward to having you there to answer those. Thank you very much for your time.

**Dr. Niemi-Bohun:** Great. Thank you so much.

**The Chair:** Deliberations and recommendations. Hon. members, the time has arrived to begin discussing what we have heard as a committee in our review of the Lobbyists Act and to propose recommendations that would serve as the foundation of our report

to the Legislative Assembly. As a reminder to members, at its first meeting on September 13, 2021, the committee invited the Ethics Commissioner and officials from the Ministry of Justice and Solicitor General to attend meetings of the committee and to participate when requested. Today the hon. Marguerite Trussler, Ethics Commissioner, and Ms Joan Neatby, barrister and solicitor with the Ministry of Justice and Solicitor General, are here should the committee ask them to participate in the proceedings.

At this time I would like to open the floor to any discussion and motions that the members may wish to bring forward, and if there are questions that those two hon. individuals would be able to ask, we would invite them to come and sit at the table at that time, as appropriate, so that their remarks would be more easily recorded into the record through the microphones and for ease of conversation.

At this point we will proceed to that discussion, and we'll begin a speakers list. Is there anybody willing to begin the deliberations? Mrs. Frey.

**Mrs. Frey:** Thank you, Mr. Chair. You know, I sat, of course, through the presentations, I believe, a couple of weeks ago. We started talking about the recommendations made to the committee for the Lobbyists Act. I will admit that many of them are very technical, and I would need more input from the department on a lot of these. I wouldn't presuppose the outcome of this committee, but I feel like there might be some need for a consultation from Justice and Solicitor General on many of these.

However, what I did hear pretty resoundingly was that recommendation 4(a) not be adopted. I think this has to do with nonprofit organizations. I know many stakeholders were adamant against changing exemption requirements. We had some very sensible not-for-profits as well as charitable organizations. I think it would just add red tape and, quite honestly, be creating a solution to a problem that doesn't really exist.

Secondly, I would recommend that we reject recommendation 2(a), which is the minimum hourly threshold for organization lobbyists. For smaller lobbying organizations, this could put them at a disadvantage. I mean, we heard from the Graduate Students' Association at the University of Calgary. They actually wanted the opposite. They wanted to increase the threshold from 50 to 100 hours. I believe that changing that threshold down to anything lower than 50 would make us the most restrictive in the country, which I don't really think we need to be. I think that being the same as everyone else is pretty okay in this regard.

Of course, we know that we need to make sure that people are following the proper rules and make sure that people are following the guidelines that are set out and the law that is set out in the Lobbyists Act, but I don't think that further restricting that – once again, I think we're finding a solution to a problem that doesn't necessarily exist.

So my recommendation – and I would be anxious to hear the opinions of the rest of the committee – would be that recommendations 2(a) and 4(a) be rejected but that we actually recommend the rest of the recommendations to Justice and Solicitor General for further review.

Thank you.

**The Chair:** Thank you, Mrs. Frey.

I apologize to the committee. I should have made the committee aware that myself and Deputy Chair Goehring sat down at a subcommittee meeting to discuss a little bit of the procedures for today. We did sit down and discuss that if both government and opposition members were able to put forward recommendations that we generally agreed upon, we could move those through more expediently, and then those that had particular interest to all

members, including the independent member, would be highlighted today for discussion either today or in the next meeting just as a way to efficiently work through that.

I do have a list. Deputy Chair Goehring has a question, and we will then follow that up with MLA Bilous for his comments as well. MLA Goehring.

**Ms Goehring:** Thank you, Mr. Chair, and thank you to the previous member, Member Frey, for her comments. I would have to say that I agree. I absolutely am so pleased with the process to listen to the stakeholders and receive the written submissions and then to review the document report from research services. I think it was a very extensive process, and being able to go over all the recommendations was wonderful, to be able to do that.

Thank you, Mr. Chair, for highlighting kind of the process that we previously discussed. I think it's important for the committee to note.

One of the things that I also heard loud and clear was regarding the nonprofits, and I completely agree that it was the most important issue that seemed to be emphasized during this process. I know there were some concerns that the exemption would be removed, so I think emphasizing this in the report, that it is the opinion of the committee that the current exemption continue, is very important. Yeah. I just wanted to really agree there, that that's something that I believe is essential to be a part of the report.

Thank you.

**The Chair:** Thank you very much, MLA Goehring.

We will go to MLA Bilous.

**Mr. Bilous:** Yeah. Thank you, Chair. I, too, want to just echo the comments that MLA Frey made. I think that when we're looking at the issue of the threshold of hours – I know that in Alberta we used to have 100 hours. The previous committee – I believe that was five years ago – had heard from a lot of different stakeholders and had made the recommendation, which was then implemented, to reduce the hours to 50. As MLA Frey pointed out, a number of organizations have indicated that lowering it beyond 50 would put them at a disadvantage, especially, you know, the smaller firms and considering we're counting all of the prep time as part of that 50 hours. I do think it is important that every organization follow the guidelines set out explicitly within the 50 hours.

Also, I wanted to recognize that there were some organizations we heard from that did want it reduced, like, lower than the 50, but I agree with MLA Frey that I think we should keep it at 50. It strikes the right balance. Alberta, I think, is still a leader when it comes to transparency regarding lobbying, and therefore I echo her comments.

9:20

**The Chair:** Thank you very much, MLA Bilous.

We are seeing and hearing, in my opinion, a little bit of a consensus on two recommendations not being put forward. Are there any other issues or recommendations that any members of this committee would like to discuss more fully?

Seeing none, I would like to put forward one consideration for the committee to consider as I manage multiple screens. I would like for this committee to consider – one stakeholder put forward the request that since the act was developed in 1998 or put forward in 1998, there have been changes in terms of costs and inflation, that kind of thing. Their request was that AGMs, events, and conferences for stakeholder and government relations – that the registration fees for those not be considered as gifts. I wonder if this committee would be willing to debate that topic: as opposed to a

prescriptive dollar amount change but just as a consideration for the ministry going forward, that they recognize the increase of costs over that 24-year period and that the intent of those kinds of meetings – AGMs, events, and conferences – is not gifts but more government relations. I would put that forward to the committee for some consideration.

MLA Frey. Sorry. I just want to double-check. MLA Barnes, did you hope to jump in again at this time?

**Mr. Barnes:** I do at some point. I just want to hear the rest of your thought, please.

**The Chair:** Sure. Thank you.

I will leave it there, and I'll provide clarification if needed, but we'll go to MLA Frey.

**Mrs. Frey:** This is just a clarifying question. Maybe Parliamentary Counsel could answer it. What is the act currently as far as gifts? Is it \$200? Am I wrong on that? What is the threshold?

**The Chair:** Okay. Dr. Niemi-Bohun, are you still available to answer that question?

**Mrs. Frey:** Just the details of your question, Chair.

**The Chair:** Yeah.

**Dr. Niemi-Bohun:** Hi. Just let me double-check here. I believe it was \$200. I'm just trying to find the section here. I believe it is \$400 in a calendar year. Again, that's a technical question. I wonder if we could just get confirmation of that.

**The Chair:** Sure. At this time I think it would be appropriate to invite the Ethics Commissioner and Ms Joan Neatby to the table, and they could provide some comments as we get a little further into our deliberations.

**Ms Trussler:** Yes. I believe I can answer that question. It's not in the Lobbyists Act. One of the problems with the Lobbyists Act is that it makes the lobbyists actually go into the code of conduct for every group to find out what their limits are. With respect to MLAs the limits are \$200 for a tangible gift and then \$400 – and it's cumulative for the year – for an event, but that doesn't include events where there are nonprofits. If a charity invites you to one of their big galas, usually you ask me for approval, but in fact they're exempt from the act. That was last changed in 2014, I think, that it's \$200 for just a tangible gift and \$400 to go to an event.

I think the problem with the conferences – and there's a way around this – is that with conferences they always give you a free registration. Well, those registrations are often \$600 and \$700, which is way over the limit. If they just invite you to one event, say a round-table or something, and then give you lunch afterwards, that's way below the limit. That's where the problem comes, when they offer you the whole registration. Well, no cabinet minister and no busy MLA is going to be able to go to a whole conference.

**The Chair:** Would it, then, be appropriate for this committee to highlight to the ministry that there is this overlap in the two acts that can possibly be clarified and just leave it as that?

**Ms Trussler:** It was one of my recommendations that, in fact, it be standardized so that the lobbyists don't have to go into every code of conduct of an ABC, go into the political staff code of conduct, and go into the Conflicts of Interest Act, because I think that's too onerous for them to do.

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

**Mrs. Frey:** I guess just another question to the Ethics Commissioner if you don't mind, Mr. Chair. It's my understanding that while we're talking about lobbyists – but while we're on the same vein, in that code of conduct there's also a code of conduct for political staff in which they cannot accept a ticket to an event even if they are staffing, say, their minister, their MLA, whatever. Am I correct in that, or am I mistaken?

**Ms Trussler:** You are absolutely correct. I have recommended many times that that be changed, that if a political staffer – it's staff to the Premier and the ministers, but it could include others – is needed, and they often are, to accompany a minister, as long as it's approved by my office – and we can do that pretty instantly – they be allowed to go. So there would be an exception to that \$200, because I don't think it's practical, and I never have.

**Mrs. Frey:** Thank you.

**The Chair:** Members of the opposition or independent, would you like to provide comment on this issue at all?

**Mr. Barnes:** If I could.

**The Chair:** MLA Barnes.

**Mr. Barnes:** Thank you very much, Mr. Chair and to the Ethics Commissioner. I appreciate that the \$200 is a figure from quite a while ago, but also I'm concerned about the value that's included in some of these functions and special events that are conferences and that kind of thing and the appropriateness. I wonder. Your thoughts: should we index the \$200 for inflation? Should we come up with a new number? Is this something that your position would like to review quite a bit? I'm quite concerned about – I recall one of the groups mentioning that it was a problem for them when they invited MLAs and elected officials and now staffers, as just suggested, to these conferences. I'm quite concerned about: like, how many conferences? Would we dare want to make them exempt? I think it's the kind of thing that – you know, lobbying needs more transparency, not less, so I'd like to hear your thoughts on that, please.

**Ms Trussler:** I think that the \$200 as a tangible gift is probably okay. The \$400 as an event might be a little low these days. When I was at AGLC, I got lobbied lots, so I know what these conferences are like. We would be invited to conferences at the Jasper Park Lodge for three days – accommodation, meals, all these sorts of things – and there was only really one session for us to go to, so it was really just a big holiday. I know we stopped going to them at AGLC, at least I did, and we started to at least pay for our own accommodation.

I think that allowing people sort of an open book on these conferences to invite people, particularly when they're out of town, when they're, say, in Banff or Jasper, is really open to abuse. You know, if someone gives you a nice holiday, you're going to sort of feel disposed towards them whereas if they invited you, say, for an evening and provided maybe your hotel for that evening and then that was all – it was just a part of it, without a conference registration – then that's manageable, and it actually is below the \$400 right now. It just is how they manage it in terms of their invitation.

Now, conferences out of the province I've got discretion on. If it's outside the province, normally I actually, if it's over the amount – and I've done this for all the political parties – exercise my

discretion and allow them to go. Inside the province I'm fairly careful about how far I exercise my discretion, just to sort of keep a level playing field.

Oh, the other thing, too, is that I've got discretion with respect to the MLAs; there's no discretion, no exemptions with respect to the political staff.

9:30

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

MLA Barnes, any further questions?

**Mr. Barnes:** Any thoughts on the number of conferences that are allowed? Like, is annual enough? Do some groups, you know – is the tendency there to stray into two or three a year and seek favour that way?

**Ms Trussler:** Well, the urban municipalities and the rural municipalities: they have two a year. Because they invite every MLA and because they're an association of another government, I just give a blanket for them. I don't think there's anybody else that has two a year. There might be. Normally it's cumulative, and I think that probably once a year is enough.

**Mr. Barnes:** If I could, one more question, please, Mr. Chair?

**The Chair:** In just a moment.

We just have to be very careful. We have to be careful of naming any individual stakeholder groups or organizations and try to keep this to the Lobbyists Act. We're sort of straying around a little bit. I understand that we're trying to get clarity on that, but just so that there's some context for that.

Go ahead, MLA Barnes.

**Mr. Barnes:** Okay. Thank you. Madam Commissioner, should there ever be any discrepancy or differences if there's a different expectation on the elected official or the staff? Like, say you're asked to speak versus just attend? Does that ever enter into your judgment, and should that be a consideration for change?

**Ms Trussler:** If I'm asked to exercise my discretion, I do take that into account, if you're asked to speak or if you're just attending.

**The Chair:** All right. Thank you, MLAs. Any other questions or comments for either the ministry or the Ethics Commissioner? One last question, Mr. Barnes?

**Mr. Barnes:** Please, Mr. Chair. Thank you, again, Commissioner. I'm still unclear on exactly what the current difference is now between a staffer and an elected official and what you think it should be going forward. In your earlier statement you mentioned conflict of interest and concern over that. Does the current act go far enough to protect the public tax dollar for full transparency for all of our conflicts of interest?

**Ms Trussler:** Well, I don't ask to talk about the Conflicts of Interest Act, because I think it's up next year.

**The Chair:** Sorry, Commissioner. I just have to interject momentarily. We have to be very careful. The Ethics Commissioner wears two hats. One is as a stakeholder, and one is a technical adviser to this committee. I would ask the Ethics Commissioner to be very careful in her answering of this as she is being put in a somewhat challenging position. At this point in time we are not talking about stakeholder input; we are seeking technical clarity only.

**Ms Trussler:** In terms of technical clarity right now the Lobbyists Act says that lobbyists cannot offer gifts in excess of what that person is allowed to accept. So with an MLA, say it's to an event, it's \$400; to a political staffer it's \$200. The codes of conduct are all over the place because as long as – they were allowed to put whatever limit they thought was best in it when they did the code of conduct, so all of those are different. From a technical point of view, it's difficult to administer.

**The Chair:** Thank you.

Any further questions?

At this time I would like to thank both the hon. Marguerite Trussler, the Ethics Commissioner, and Ms Joan Neatby, barrister and solicitor for the Ministry of Justice and Solicitor General, for being available, for being here. I would ask that they again seek seats in the gallery as the committee will now move to deliberations on the report of the committee to the Assembly.

Just before we get to that conversation, are there any other recommendations or motions that any of the parties would like to make at this time? MLA Barnes.

**Mr. Barnes:** Thank you, Mr. Chair. Recommendations as to what should potentially go into the report, what we should further look at? What are you thinking of?

**The Chair:** Yes. Exactly. We did begin with MLA Frey presenting, basically, a recommendation to put forward those recommendations that were there with the exception of two. I added another thought for consideration that could be worded into a recommendation, so we're wondering if there are any others at this time.

**Mr. Barnes:** Could I just ask for some clarification again, please?

**The Chair:** Absolutely.

**Mr. Barnes:** Thank you. It did just go a little fast for me at the start, and I appreciate MLA Frey starting it. What were those two again?

**Mrs. Frey:** It's 2(a) and 4(a).

**Mr. Barnes:** It's 2(a) and 4(a). Okay.

**The Chair:** Mrs. Frey, you can speak to that a little bit further and provide any other thoughts at this time.

**Mrs. Frey:** Mr. Chair, I just have a clarification for Mr. Barnes: 2(a) was the minimum hourly threshold for organizational lobbyists, and 4(a) was the exemptions for nonprofit organizations. Both of those had received quite a bit of feedback from their relative organizations that they affect.

Mr. Chair, I was wondering if I could actually move a motion. I have a motion prepared based on this discussion, if that's okay.

**The Chair:** That would be helpful at this time.

**Mrs. Frey:** Okay. I would move that

the Standing Committee on Alberta's Economic Future direct the committee clerk to provide the Ministry of Justice and Solicitor General with a copy of written stakeholder submissions received by the committee with respect to its review of the Lobbyists Act.

The rationale for this would be that I know that we can't make a motion that basically preserves the status quo; motions have to make substantive change. I think we should probably recommend that all recommendations go to Justice and Solicitor General but that they take into consideration our rigorous discussion and the very strange unanimous agreement from all parties on

recommendations 2(a) and 4(a). That would be my recommendation to Justice and Solicitor General.

**The Chair:** Here we go. We've got that. Would you, Mrs. Frey, just review that and confirm that that language captures the essence of the motion. Mrs. Frey?

**Mrs. Frey:** Pardon me?

**The Chair:** Could you please review the motion and make sure that that captures the essence of what you've put forward.

**Mrs. Frey:** Yes. Sorry. Not enough coffee this morning. Yeah. That looks great.

**The Chair:** Thank you.  
We will go for discussion. MLA Sweet, please, for comment.

**Ms Sweet:** Thank you, Mr. Chair. I support this motion. I think that, you know, through conversations we've been able to come to a place where there is agreement in relation to the sections that Member Frey just mentioned, so I believe that this would be the most appropriate way to move forward on our actions on the committee.

**The Chair:** Thank you very much.  
Any other members wishing to comment or debate this motion? MLA Allard.

**Mrs. Allard:** Thank you, Mr. Chair. Admittedly, I'm joining as a sub, so I'm joining this conversation midstream. But based on the discussion this morning and my review of the information on the website, I just wanted to concur and go on the record concurring with other speakers today. I just wanted to – you know, we don't want to add red tape. To the Ethics Commissioner's point, sometimes we make things more complicated than they have to be, so I really believe that this would be best served sitting with Justice and Solicitor General and that they would have the context of our conversation this morning regarding 2(a) and 4(a).

I also just wanted to point out in our discussions that as we prepared for this meeting, sometimes lobbyists – there's a connotation that comes with that, but they're often a grassroots movement that brings forward positive change for communities across the province. I don't have the drug name in mind, but I know that there was a drug recently added that's helping young children.

**Mrs. Frey:** Zolgensma.

**Mrs. Allard:** Yes, that drug.  
That was a result of some lobbying work that was done, and I think it's an important support for families in Alberta that are struggling with children that are ill. You know, just to paint some context, it's not always a bad thing to be lobbying. Anyway, those are my comments.

Thank you, Chair.

**The Chair:** Thank you, MLA Allard.  
I believe MLA Goehring wishes to add some comments at this time.

9:40

**Ms Goehring:** Yes. Thank you so much, Mr. Chair, and thank you to Mrs. Frey for bringing forward this motion. I agree that this is a great way for us to move forward with our recommendations. I know that there were very many valuable recommendations of change brought forward to the committee, and the ministry should

be aware of all of them. We did this review process, and they should have the information for their own purposes.

I know that the Ethics Commissioner and the lobbyist registrar indicated that they would want their recommendations also reviewed by the ministry, and I want the ministry to be able to see all of the recommendations that were also brought forward by the stakeholders.

So I agree with this, and I think that it's a wonderful way to keep the politics out of it and a way that we can agree as a committee to move forward to have the recommendations reviewed. So, yes, I agree with this motion.

Thank you.

**The Chair:** Thank you very much, Ms Goehring.  
MLA Barnes.

**Mr. Barnes:** Thank you, Mr. Chair. I'm just concerned about the process and the opportunity. There are some areas that I'd like to talk about and make some recommendations on. Will this allow that to happen later?

**The Chair:** This will allow for that to happen. Yes. Just for the functioning of this committee, at your earliest convenience provide any specific areas that you would like to address. We can keep this committee open to hear that and have that debate. I will be making a call for any further recommendations beyond this motion, and then we'll be going to the point of making a report. So depending on how and to what extent your recommendations would be, we may have to put off that reporting, or we could proceed with it either way.

Yes. The answer to your question is yes. We will provide further opportunity for you to make comments and recommendations to put forward for discussion at the committee.

**Mr. Barnes:** Okay. Thank you.

**Mr. van Dijken:** Just for clarification on that point, the motion is going to submit the documents to the Ministry of Justice and Solicitor General. Are we expecting a report back from them to the committee on what they've seen, what they recommend?

**The Chair:** I do not believe that they are required to, nor have we asked them to.

**Mr. van Dijken:** So is there an action item included in this motion? Essentially, to me, it looks like there is no action item here. It's just bringing forward information and left in their hands.

**The Chair:** Well, the action is for the clerk to provide a summary of what we've discussed and put it forward to the ministry for them to review. That would be the appropriate process in any case. This committee is not able to create legislation or regulation. This committee only recommends to the appurtenant ministry to look at those actions, but it's not binding.

Parliamentary Counsel, do you want to . . .

**Mr. Koenig:** Thank you, Mr. Chair. I mean, I can offer my comments as a trained lawyer just on how I read this. The motion is fairly narrow. The only action item is to provide a copy of the stakeholder submissions to the ministry. There is nothing else. Once that happens, there is no further action item. What the ministry does with it is really up to them. I would imagine that Member Frey might want to just confirm sort of again her intention here, but of course the committee doesn't have the power to direct the ministry to do anything. The other thing to keep in mind is section 21 of the act, which deals with the mandate of the committee.



In terms of even asking the ministry to do anything, that might fall outside of the mandate of the committee just in terms of reporting back to the Assembly. This may just be a first step to make them aware of some of the discussion points that have occurred in the committee, and then should the government wish to, for example, bring forward amendments to the act, they could do so if they wished, but that wouldn't be required, as I read this motion.

**The Chair:** Would you like to follow that up, MLA van Dijken?

**Mr. van Dijken:** Yes. So with that, if it's just based off discussion that we've had here and that's been presented to our committee, you know, I want to highlight the letter we received from the Ethics Commissioner on February 25 with regard to clarification on the current exemption on not-for-profits. I think it's important to recognize that the office of the Ethics Commissioner – is that the right title? I believe so – is highlighting the need to possibly narrow the scope of the exemption, and I think that there should be some consideration made with regard to that. Whether it results in any kind of decisions, that's another story, but at the end of the day I think it's important to highlight that letter on top of the report that has been developed and will be forwarded to the ministry. It's not like they're saying: well, remove the exemption. What they are recommending is that the current exemption be narrowed.

**The Chair:** Thank you. Just for clarification once we get to the report of this committee, which is assembled, and we table it in the Assembly, there is full latitude for this committee to highlight specific topics, like the one the member just addressed, for the specific review of the ministry. That would not be comprised in this motion or be dealt with here. It would be dealt with at the report, and we can highlight specific items at the will of the committee.

Now, I do have a little bit of a list, probably clarifying a few of these items. We'll go to MLA Rosin, then MLA Sweet, and then MLA Frey.

**Ms Rosin:** Thank you, Chair. I think you may have just clarified what I was going to ask, but from my understanding and from previous deliberations through other committees when we've reviewed legislation, typically we have recommended for and against specific policy changes for the minister to consider. This motion more so just directs JSG to look at what we've received but is not necessarily prescriptive to recommending against 2(a) and 4(a) or for the rest of the recommendations. I was just wondering if this motion was prescriptive enough, but it sounds like, from what I believe you've just said, that will be handled at a later time, when we actually get to the reporting process.

**The Chair:** That's my understanding.

Do any one of the three want to – Ms Robert.

**Ms Robert:** Thank you, Mr. Chair. Yes, Ms Rosin. I believe I've heard committee members say today that they wish that the report contain contextual information with respect to the committee's views with respect to maintaining the status quo on recommendations 2(a) and 4(a). Because the committee has asked for that to be in the report, that will be in the report. If that helps.

**Ms Rosin:** Just to clarify, the way we've done it in the past – I guess an example would be when we reviewed the Public Sector Compensation Transparency Act in Resource Stewardship. For the recommendations that we did want to recommend that the government adopt, we made a motion saying such, saying that we recommend the government adopt such-and-such policy. Because we're ruling against 2(a) and 4(a), do we then want to make a

motion recommending in favour of the rest, or can we just leave that up to discussion, to be included in the report without a more prescriptive motion?

**The Chair:** Mr. Koenig.

**Mr. Koenig:** Thank you, Mr. Chair. I hope I've got an understanding of the question, I think. Just to start off, it's always, you know, the will of the committee, how it wants to proceed through these deliberations, but just to underline a few points, this is one motion of potentially several. There could certainly be more, let's call them, prescriptive motions that sort of zero in on specific changes that the committee wishes to make. That is entirely possible.

The other thing, if I'm understanding correctly the discussion around the threshold items – I believe it was 2(a) and 4(a). If the committee doesn't wish to have any changes made to those provisions, in my opinion, you don't need a motion to not do something. If you wish to just leave them the way they are, then there's no recommendation; however, if the committee wishes to actually make a change or make a clear recommendation, "We want X, Y, Z to be done," then you can make a motion to do that. Once the committee dispenses with this motion either in favour or against, then subsequent motions could be moved to make, let's say, more specific recommendations with respect to different sections of the act.

9:50

**The Chair:** Thank you.

MLA Sweet, for comment.

**Ms Sweet:** Thank you, Mr. Chair. I guess, for me, I'm feeling like we've gotten a little bit off of the motion. The motion specifically speaks to just providing the ministry written stakeholder submissions received by the committee, not recommendations, not anything past that at this point. I appreciate the discussion that the committee is having, but I would appreciate it if maybe we go back to the motion, decide what we're going to do in relation to stakeholder submissions and whether we will be providing those to the Ministry of Justice, and then maybe move on to other matters of business. If we could maybe do a vote on this motion, please.

**The Chair:** Thank you. I think that is helpful.

I do want to provide opportunity for MLA Frey to just ask or comment, or we can defer. Okay. Thank you.

If we have no further conversation on this motion – seeing none, and none raised by anyone online – I will ask the question for those in the room. All in favour of this motion, please say aye. Any opposed in the room, please say no. Online all those in favour of this motion, please say aye. Online anyone opposed, please say no.

That motion is carried.

Thank you very much.

We will ask one last time. Notwithstanding anything future put to the committee, are there any other recommendations to be put forward to the committee at this time for consideration? MLA Barnes.

**Mr. Barnes:** Okay. Mr. Chair, if I could, I'd like to point out five of them. Okay. First of all, to establish a communications registry of separate filings that discloses direct lobbying communications with senior public office holders within the last 30 days. Again, I think that it's important, more transparency rather than less. The Alberta government is spending \$62 billion a year, and I think that that needs to be thought about.

Secondly, I put the act should be amended to reduce the organizational lobbyists' threshold from 50 to 20 annually, which

is a contradiction to what we just talked about in 2(a). Again, I think that as we go forward, we should have a chance to talk about that again as well.

Thirdly, the act should be amended to give the lobbyist registrar the power to compel information or documents to determine if there was a breach and what enforcement action is appropriate to promote compliance in the circumstances without having to commence an investigation that results in the report tabled in the Legislative Assembly. Again, I think it's going to need some teeth. Investigations are onerous and long and expensive. You know, that may provide some better oversight.

I also think we should have the opportunity at this committee to talk about: the act should be revised to state that the lobbyist registrar may issue advisory opinions and interpretation bulletins with respect to enforcement, interpretation, or application of the act or any regulations under the act. In my time here, my 10 years, I'm very, very grateful for our current Ethics Commissioner and her predecessor for how fast and stuff they can get back to us when we have questions, but it's not always the case. Sometimes it's nice to have an interpretation bulletin that people can go to.

And then, lastly, the act should be revised to state that the lobbyist registrar may issue advisory opinions and interpretations bulletins with respect to that. I'm sorry. That's the same one. Okay. Those four.

**The Chair:** Thank you, MLA Barnes. Just as a point of clarification it's my understanding that in raising those specific areas, you would like those areas highlighted in our report. Or are you suggesting that you're moving a motion for debate, a motion for recommendation that those items be addressed? There are two ways forward of doing that. One is moving a motion, like we just did, for recommendation to the ministry. The other is highlighting those areas of concern within our report so that the ministry takes those under special advisement when they receive that from the committee.

**Mr. Barnes:** If I could ask our advisers. Mr. Koenig.

**The Chair:** Parliamentary Counsel.

**Mr. Barnes:** Yeah. Any thoughts on the best way to go forward? We've got lots of things here. It's always rocky to get started, but let's get started.

**Mr. Koenig:** Yeah. I have no thoughts on the best way forward. I'll leave that up to the committee. I mean, it really is whether the committee wishes to make a particular recommendation or if this is more something that is better captured in the discussion in the report, so sort of information or items of consideration rather than a specific recommendation. I mean, I think those would be the two options. If it is a motion, though, we would need some, I guess, specific wording for members to consider.

**The Chair:** I will open this to members of the committee for comment, but in my understanding a motion would be required for voting on and debate about the validity, which would take some time, which we could do either now or in a future meeting. Or I believe it could be possible to capture the member's intent on raising these as specific items for the ministry to review if we just highlight them in the report. So there are options, depending on how far down the line of debate you would like to proceed.

**Mr. Barnes:** Thank you. If we, you know, put them forward and debate them, I think that would be advantageous to us to help understand these issues. I mean, it's obviously complicated and not something we deal with daily. Secondly, it also may be very, very

important information to the cabinet as to what the overall wishes and the overall trend of thinking is from this committee. It may actually help some of these have impact and actually get passed, or it may help clarity as to why the status quo is okay.

**The Chair:** All right. If you are wanting to proceed with a motion, are you prepared to table a motion at this time, or would you prefer to have that moved to the next meeting?

**Mr. Barnes:** Thank you, Mr. Chair. I think, you know, I find this meeting at this point in time very, very valuable. It's helping us get started, it's really helping me understand the process, but I think that for the best use of everybody's time and the best opportunity to put the best information forward, the next meeting would be the best way to do that.

**The Chair:** All right. Thank you very much for that.

Any other comments from any members of the committee on allowing Mr. Barnes to bring forward a motion at the next meeting?

All right. I've just been advised that in accepting the comments from Member Barnes for more substantive discussion and a future motion, we are therefore not at the place where we can request counsel and the clerk to begin to create a report. We can either continue to have discussion at this point in time, but we will be holding off on the report to the Assembly until that motion has been tabled and voted on.

MLA van Dijken, I believe you had a comment.

**Mr. van Dijken:** Yes. Just a request for clarification on the timeline that we have for reporting back to the Legislature. I'm not sure what timeline was identified for us to be able to complete this work.

**The Chair:** We have until September 13 of this year.

**Mr. van Dijken:** Okay. Thank you.

**The Chair:** So we have lots of time.

Any other questions? Any other wish to raise other items for debate in review of the Lobbyists Act at this time?

Seeing none, we will therefore put off the work to prepare the report of the committee to the Assembly. If that is the will of the committee, we will move on to the next agenda item. I don't see any other comments there.

**10:00**

The next agenda item is the request from Health Cities to present to the committee. Hon. members, as you may recall, the committee received a request from Health Cities on November 29, 2021, to make a presentation to the committee at an upcoming meeting. The request was posted to the committee's internal website for members to review.

I would now like to open the floor to a discussion as to whether the committee would like to hear a presentation from Health Cities. MLA Sweet.

**Ms Sweet:** Thank you, Mr. Chair. I believe that any time a stakeholder asks to meet with a committee to do a presentation and it's relevant to the mandate of the committee, we should be welcoming and open to hearing from those presentations. I would like to – I don't know if it needs to be a motion or if we can just agree. I will move the motion maybe – I don't know if we have one drafted – that would support the invitation. Here we go. Moved by Ms Sweet that the Standing Committee on Alberta's Economic Future invite Health Cities to present to the committee at a future meeting in accordance with the request of the chair.

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

I will provide just a little bit of context. This group did make a request to bring a presentation to this committee. At that time we had decided that it would be more appropriate to the Committee on Families and Communities. That was reviewed there, and I believe they reworked their presentation and then resubmitted the request to come back to Alberta's Economic Future. Just in case anybody was wondering on that context.

Any other comments or questions on this motion? Mr. van Dijken.

**Mr. van Dijken:** Yeah. With regard to the work at hand and how we fit the meeting into our schedule, I'm just wondering on the logistics of it. Is there anything standing in the way of moving to a future meeting with Health Cities during a time when we're deliberating on the act?

**The Chair:** There's nothing in the way. It's at the discretion of the chair, and as long as the priority is to continue the work on the Lobbyists Act, we can schedule that at whatever time the chair requires. It is understood that the chair is under the advisement of the committee to make the appropriate arrangements at the appropriate time, so that will be done without problem.

Any other questions, comments on this motion?

Seeing none, I will call the question. Moved by MLA Sweet that

the Standing Committee on Alberta's Economic Future invite Health Cities to present at the committee at a future meeting in accordance with the request of the chair.

In the room, all those in favour, please say aye. In the room, anyone opposed, please say no. Online, all those in favour, please say aye. Anyone online opposed, please say no.

That motion is carried.

Thank you very much, MLA Sweet.

Other business. Is there any other business that the members wish to discuss at this time? Online?

Seeing none, the date of the next meeting will be at the call of the chair.

With no other comments or concerns being raised, I call this meeting – sorry. I call for a motion of adjournment.

**Mrs. Allard:** So moved.

**The Chair:** Thank you. Moved by MLA Allard that the March 30, 2022, meeting of the Standing Committee on Alberta's Economic Future be adjourned. All those in favour, please say aye. Any opposed, please say no. Online, all those in favour, please say aye. Online, anyone opposed, please say no.

Thank you very much. This meeting is now adjourned.

[The committee adjourned at 10:04 a.m.]









