



Legislative Assembly of Alberta

The 29th Legislature
Fourth Session

Standing Committee
on
Privileges and Elections,
Standing Orders and Printing

Monday, June 11, 2018
1 p.m.

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**Legislative Assembly of Alberta
The 29th Legislature
Fourth Session**

**Standing Committee on Privileges and Elections,
Standing Orders and Printing**

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1 p.m.

Monday, June 11, 2018

[Ms Fitzpatrick in the chair]

The Chair: Good afternoon, everyone. I'd like to call this meeting of the Standing Committee on Privileges and Elections, Standing Orders and Printing to order.

I'm Maria Fitzpatrick, the MLA for Lethbridge-East and chair of the committee. I would ask that members and those joining the committee at the table introduce themselves for the record, beginning to my right.

Ms Goehring: Good afternoon. I'm Nicole Goehring, MLA for Edmonton-Castle Downs.

Mr. Dach: Lorne Dach, MLA for Edmonton-McClung.

Mr. Carson: Good afternoon. Jon Carson, MLA for Edmonton-Meadowlark.

Mr. Horne: Good afternoon. Trevor Horne, MLA for Spruce Grove-St. Albert.

Mrs. Littlewood: Good afternoon. Jessica Littlewood, representing the beautiful rural constituency of Fort Saskatchewan-Vegreville.

Loyola: Good afternoon. Rod Loyola, Edmonton-Ellerslie.

Mr. Nielsen: Good afternoon, everyone. Chris Nielsen, MLA for Edmonton-Decore.

Dr. Massolin: Hello. Philip Massolin, manager of research and committee services.

Ms LeBlanc: Stephanie LeBlanc, Senior Parliamentary Counsel.

Ms Dean: Shannon Dean, Law Clerk and director of House services.

Mrs. Sawchuk: Karen Sawchuk, committee clerk.

The Chair: Now I'll call on the members on the phone, via teleconference, to introduce themselves, please.

Ms Kazim: Anam Kazim, MLA for Calgary-Glenmore.

Mr. Gotfried: Richard Gotfried, MLA, Calgary-Fish Creek.

Mr. van Dijken: Glenn van Dijken, MLA, Barrhead-Morinville-Westlock.

Mr. Nixon: Jason Nixon, MLA, Rimbey-Rocky Mountain House-Sundre.

Mr. Hanson: David Hanson, MLA, Lac La Biche-St. Paul-Two Hills.

The Chair: Thank you, Mr. Hanson.

Mr. Hunter, if you would introduce yourself, please.

Mr. Hunter: Yes. Grant Hunter, MLA, Cardston-Taber-Warner.

The Chair: Thank you.

For the record I would note the following substitutions: Mr. Horne for Mr. Coolahan, Mrs. Littlewood for Ms Miller, Mr. Hunter for Mrs. Pitt. Ms Goehring is the designated acting deputy chair for this meeting, and Mr. Dach is substituting for Ms Babcock at the table.

Before we turn to the business at hand, a few operational items. Please note that the microphones are operated by *Hansard*, and the committee proceedings are being live streamed on the Internet and broadcast on Alberta Assembly TV. Please set your cellphones and other devices to silent for the duration of the meeting.

Now to the agenda. Would a member move adoption of our meeting agenda?

Loyola: I so move, Madam Chair.

The Chair: Mr. Loyola moved that the agenda for the June 11, 2018, meeting of the Standing Committee on Privileges and Elections, Standing Orders and Printing be adopted as circulated. All in favour? Opposed? Members on the phone? Anybody opposed? Hearing none, the agenda is accepted as presented.

We're moving on to the minutes from our last meeting. Are there any errors or omissions to note?

If not, would a member move adoption of the May 9, 2018, minutes?

Mr. Nielsen: So moved, Madam Chair.

The Chair: Moved by Member Nielsen that the minutes of the May 9, 2018, meeting of the Standing Committee on Privileges and Elections, Standing Orders and Printing be adopted as circulated. All in favour? Anyone opposed? On the phone, all those in favour? Anyone opposed? Okay. The motion is carried.

Motion Other than Government Motion 501 review process: review of written submissions from Mr. W. Anderson, MLA, and House leaders. Hon. members, at our May 9, 2018, meeting the committee invited submissions from Mr. W. Anderson, who moved Motion 501, the House leaders, and the committee clerks. The committee received written submissions from Mr. W. Anderson and from Mr. Clark of the Alberta Party caucus. These were posted to the committee's internal website on June 4 and June 5 respectively. The written submission of the committee clerks is included as part of the Research Concerning the Review of Motion Other than a Government Motion 501 document. This was posted to the committee's internal website on May 31, 2018.

Is there any discussion in the room in relation to the written submissions? Ms Goehring.

Ms Goehring: Thank you, Madam Chair. I have two questions, both for Mr. W. Anderson, regarding his letter as well as his motion. In his letter he references "some groups," and I'm curious about what those "some groups" are, if anyone has any idea of what he's referring to, and how many "some" is. It would be great if that could be answered.

The Chair: Is there anybody on the phone who is able to answer those questions since Mr. Anderson isn't present in the room?

Mr. Hanson: Yeah. I could take a stab at it.

The Chair: Okay. Thank you. Continue, Mr. Hanson.

Mr. Hanson: Okay. This came from the Resource Stewardship Committee meetings where we were given assignments. For the last three years now the AAMD and C, which has now changed their acronym, as well as the recycled oil group and another recycle group that does recycling here in Alberta have been trying to meet with the Resource Stewardship Committee. All three of those specifically are ones that I know of that have been trying to meet with the Resource Stewardship Committee but have never been able to because we've been in assignment.

Ms Goehring: Thank you.

If I may, Madam Chair, one more question.

The Chair: Yes. Please continue.

Ms Goehring: It's regarding the motion itself. I just want to get some clarity around the wording that was used by Mr. W. Anderson regarding "hearing" and "inquiry." The terms seem to be used interchangeably, and I'd just like some clarification on whether there is a difference between the two terms or what the intention is with those words.

The Chair: Can anyone on the phone clarify?

Hearing nothing, we don't have an answer for that question.

Ms Goehring: Thank you, Madam Chair.

The Chair: Research briefings. Also posted . . .

Mr. Nixon: Madam Chair, I'm sorry. I was on mute but trying to talk. Can I answer that question?

The Chair: Okay. I'm sorry. Who just spoke on the phone?

Mr. Nixon: Jason Nixon.

The Chair: Okay. Mr. Nixon, could you speak up just a little bit, please?

Mr. Nixon: Can you hear me now?

The Chair: That's a little better. Thank you.

Mr. Nixon: Okay. To answer the last question, there's no difference between those two words, and it was the language that was suggested by Parliamentary Counsel.

Ms Goehring: Thank you.

The Chair: Okay. Were there any other questions?

Research briefings. Also posted to the internal website on May 31, 2018, research and committee services provided a cross-jurisdictional comparison, which the committee requested at our May 9, 2018, meeting. The committee had requested additional research in relation to the review of Motion 501, which is found in the Research Concerning the Review of Motion Other than a Government Motion 501 document.

At this time I would like to invite Dr. Massolin to speak to both the crossjurisdictional comparison and the Research Concerning the Review of Motion Other than a Government Motion 501 document.

1:10

Dr. Massolin: Thank you, Madam Chair. As you noted, the committee last time tasked us with a number of research assignments. I'll start with the crossjurisdictional survey of the standing order that is the subject of Motion Other than Government Motion 501. That's the Cross-Jurisdictional Comparison Concerning the Review of Motion Other than a Government Motion 501 document. If members would like to turn to that, I can take you through what we did there.

Basically, we surveyed all the provincial jurisdictions, the House of Commons, and the Senate of Canada. Just for the committee's information, no information was available from the territorial Assemblies in this regard because they didn't have a comparable standing order.

What are our basic findings? Well, we could categorize our findings into three categories, and those are set out starting on page 3.

The first is that there are a number of jurisdictions which do not permit their committees to initiate inquiries or hearings. Those are listed under 3.1, and they are British Columbia, Manitoba, Newfoundland and Labrador, and New Brunswick. Those are the four provincial jurisdictions that do not permit their committees to initiate hearings or inquiries; rather, those are initiated through their Assembly. In other words, the Assembly will pass a motion to refer a matter to one of the committees. The Senate of Canada is similar in that regard.

Subsection 3.2 of this briefing talks about the next category to categorize the jurisdictions, and that is the jurisdictions that permit committee-initiated inquiries or hearings but with restrictions. Now, Alberta, of course, falls under that category, as does Saskatchewan. Here, as you know, as is set out in Standing Order 52.04, we can do that, but the committee would have to consider whether or not the Assembly has referred a matter to it.

At the House of Commons priority is given, during sitting hours of the House, to meetings of committees considering proposed legislation, i.e. bills, or estimates. In other words, when the House in Ottawa is sitting, bills and estimates are giving priority at committee. Outside of session there it is the whips who organize the committee business in consultation with the other parties.

Ontario and Quebec also fall into this category. It's a very interesting situation in Ontario, I think, and you can probably best understand it by looking at page 6 in the appendix. There you can see the two standing orders which are relevant, Standing Order 111 and Standing Order 126.

For matters from the Assembly in Toronto referred to a committee in accordance with Standing Order 111, in those instances, unless the matter is a time allocation matter, the committee is free to organize or prioritize its matters according to the way it wishes. If the matter is referred under Standing Order 126, that would mean that it's referring a bill, and that would take priority, so the committee would not be able to undertake any self-initiated study when a bill is being referred under Standing Order 126. I know it's a bit complicated, but it really depends on what the matter is and under what standing order.

In Quebec it's a little bit more permissive in the sense that committees are able to study matters and prioritize matters according to the way that they wish, with the one exception of matters specifically referred by the Assembly, that gives it priority. In other words, if the Assembly refers a matter, let's say a bill, and wants to meet on a certain day and the committee had already scheduled a meeting on its own inquiry on that same day, that issue would take precedence. That's kind of the way it works in Quebec.

Section 3.3, then, deals with the final category. Those are the jurisdictions for which there are no restrictions, and those are Prince Edward Island and Nova Scotia. However, the one caveat there is the fact that in Nova Scotia bills are not referred to committees, so it's a bit of a different situation and not quite comparable. In Prince Edward Island it looks as though it's wide open for their committees.

That's basically the overview of this document, and I can take questions at this point if the committee has any. Thank you.

The Chair: Okay. I've seen a couple of hands up here. I'm going to go to one comment here from MLA Dach, and then I'll go to the phones to see if there's a question there.

Mr. Dach: Quickly, just a point to touch upon a phrase mentioned by Mr. Hanson in an earlier response. He indicated that "inquiry" and "hearing" were synonymous terms for the purposes of this motion, so I wanted to know how research services interprets these terms. Can they tell us if they feel that there's a distinction between the two that they'd like to highlight?

The Chair: Dr. Massolin.

Dr. Massolin: Thank you, Madam Chair. For the purposes of this exercise it really wasn't relevant because we took them to mean sort of a self-initiated committee study in comparison to or under the circumstances where the Assembly actually referred something. It could have been either a hearing or an inquiry – it didn't really matter – so it wasn't relevant for the purposes of this exercise.

Mr. Dach: All right. I've got other questions, but I'll relay them to the chair.

The Chair: Okay. Go ahead, MLA Dach, if you have another question right now.

Mr. Dach: Sure. I did want to ask, related directly to the research documents – I found that at least a few of the stand-alone meetings to meet with constituents were conducted under Standing Order 52.08(1), yet the letter from Mr. Anderson suggests that the standing orders prevent us from meeting with constituents. So there seems to be a discrepancy here. On the one hand, there's a provision in the standing orders that would let committees do exactly what this motion is proposing and that has been used in the past, but we still have the opposition claiming that this is an issue. So are the standing orders really a barrier to having the committees meet with stakeholders?

The Chair: Dr. Massolin.

Ms Dean: I can respond to that, Madam Chair.

Mr. Gotfried: Chair, could you put me on this list, please?

Ms Dean: There is a standing order that provides that where a matter has been referred to a committee by the Assembly, that matter takes precedence over any other activity by the committee. In the history of the various meetings that have been held that Philip and his team put together, you will note that there was no instance where a public meeting was held with a stakeholder group if, in fact, something had been referred by the Assembly. That's how the standing orders have been interpreted.

The Chair: Thank you, Ms Dean.
Okay. To the phone. Mr. Gotfried.

Mr. Gotfried: Thank you, Madam Chair. I just wanted to mention something here, and it's just as a modest exception. I think that Member Dach said that this was an opposition thing. I'd like to point out that this is a private member's motion from Member Anderson. This is not an opposition party motion. This is a private member's motion. I'd like that to be noted, please.

The Chair: Thank you very much, Mr. Gotfried.
Are there any other questions on the phone?

Mr. Nixon: I've got a question.

The Chair: Okay. Mr. Nixon.

Mr. Nixon: My question is to Parliamentary Counsel. This is my question. If the standing order change was passed, would they still categorize Alberta as falling into the second category, that it currently resides in? What I'm trying to understand is – from what I understand here, the committee would still have to prioritize matters from the Assembly but then would have a little more discretion to handle matters outside of the Assembly. Is that correct?

1:20

Ms Dean: I would agree with that.

Mr. Nixon: Okay. Thank you.

The Chair: Okay. Thank you.
MLA Carson.

Mr. Carson: Thank you very much. I have quite a few questions. I noticed that the total number of meetings that were solely devoted to meeting with stakeholder groups has been quite small. Only about six meetings were held over the last 10 years. To Dr. Massolin: do you know if there was any resulting policy change or legislation that was passed as a result of these meetings? From my briefing, looking at *Hansard*, it seemed that only a few summary reports were issued and sent back to the House, and there was little to no evidence that these meetings were actually leading to any kind of policy changes.

Dr. Massolin: Well, I can go on to this next document, where I outline all that material, if you wish, or I can respond to that question right now. I thought we'd do the crossjurisdictional first and then go on to the other document, but, I mean, it's entirely up to you, Madam Chair.

Mr. Carson: Sure. I'm happy to wait and have that question answered as well as the rest of my questions after we look through the rest of the research document.
Thank you.

The Chair: Okay. Are there any other questions on the phone?
Hearing none, are there any other questions on the research briefings?
Okay. Dr. Massolin, let's move on to your other document.

Dr. Massolin: Okay. Thank you very much, Madam Chair. I'll move on to some of the other topics that have been broached to this point. The second of the two research documents compiles the remaining research requests in its various sections, so I'll go through them in sequence.

The first research request is basically a request to itemize the so-called stand-alone meetings that policy committees have undertaken since 2007, since their inception. Just a little historical note there: in 2007 the policy committees were called policy field committees, and in 2012 the name changed to legislative policy committees, so I'll refer to them as the policy committees to incorporate both.

As is noted on page 3 of this document, there were six occasions on which a policy committee scheduled a meeting to hear from individual organizations that requested to make a presentation, and all those meetings are itemized in appendix A of this document for your edification. The other thing to note: you can see all the other information about the total number of individuals and stakeholders.

I think the question from Member Carson had to do with the reporting process and the subsequent issues. I can only speak to the fact that in every case except, I think, one there was a report that was drafted by the committee that was submitted to the Assembly and recommendations made. All those reports are available on the website. I cannot speak exactly to the outcome of the reports in terms of whether or not policy was changed or implemented as a result of those reports.

Section 3.0 on page 4 of the document deals with the second of the research requests, and that had to do with whether or not two reviews or inquiries occurred concurrently. The information specifies exactly when that happened. There were six policy committees where there was an overlap of matters, you know, whether it was a

committee-initiated inquiry or another matter. But I hasten to note, as Ms Dean pointed out earlier, that in each of those cases there was no violation of the Standing Order 52.04 rule, basically, where the committee initiated an inquiry while it had a matter referred to it by the Assembly. You can see in appendix B those situations where it did have concurrent matters. In some cases there were two bills that were referred to it by the Assembly. For instance, in 2007 the Standing Committee on Community Services looked at both Bill 31 and Bill 41. You can see the rest of the information there. That's the list. In no cases, as I said, was there was a committee-initiated inquiry in the midst of an Assembly-referred matter.

Section 4.0 deals with the next inquiry, and that had to do with the costing associated with additional or extended committee meetings. Now, we undertook this task on an hourly-cost basis. Basically, we arrived at a number for the cost per hour of holding additional committee meetings and/or extending committee meetings on the assumption that there would be more meetings held. The first thing to note about this is that in doing this task, we dealt with the variable costs. By variable I mean the staffing costs predominantly, and those are set out on page 4: the staffing costs associated with the staff for *Alberta Hansard*, broadcast services, and the Legislative Assembly security staff and, in addition to that, the other variable costs such as hosting, teleconferencing, video conferencing if that's relevant.

Also, I should add something that's not here, and that would be member travel and mileage charges. Those would all be variable costs that would add to the overall hourly cost of a committee meeting should additional committee meetings be held.

What are the findings? If you look on page 5, figure 1, you can see what the variable staffing costs per hour totalled up to. You can see the total numbers there for the meetings during session and outside of session, and I'll come back to the distinction there in a second. You can see that it's about \$2,100 per hour for a committee meeting that would be held during session and about \$1,500 per hour for a meeting outside of session. The difference really comes down to *Hansard's* costs, which are reduced because staffing requirements are a little bit easier to figure out. Costs go down as a result of that because there's no pressure in terms of the House requirements, you know, preparing *Hansard* for the House sittings.

If you turn to page 6, you can see the itemization in the first full paragraph on the costs for things like hosting and teleconferencing charges and video conferencing charges. All of those would have to be considered as well if they applied. In other words, if you had a meeting that would go over lunch or if you needed video conferencing, you'd add those to the hourly costs or work that in.

The final research task was a task that was for the committee clerks, the first time, I think, that they have ever had to do something like this. It's the written submission there, and I don't really have a lot to offer there because I think it's pretty well set out in written form.

We'd be happy to answer questions if there are any. That's it. Thank you.

The Chair: Thank you very much, Dr. Massolin.

Mr. Carson, if you'd continue with your questions.

Mr. Carson: Thank you very much. In regard to page 7 here, or appendix A, it shows that the November 2010 meeting of the Resources and Environment Committee shows a list of five stakeholders that are groups that had presented almost exactly a year earlier than that. I'm wondering if we have any insight as to why the same groups were reinvented, especially if, in fact, there was a long list of stakeholders looking to meet with the committees.

Dr. Massolin: Thank you, Madam Chair. I just think that the committee wanted to follow up with these groups. I'm not so sure, you know, what the demand was from other groups to meet with the committee at that time.

Mr. Carson: Thank you very much.

I have a few more here if that's okay, Chair.

The Chair: Yes. Please continue, Mr. Carson.

Mr. Carson: Thank you. Just moving on to the crossjurisdictional, I noticed that most jurisdictions across Canada do not allow these types of meetings, as you had mentioned, when work is referred to the committees by the Assembly. As you stated, in B.C., Manitoba, Newfoundland and Labrador, New Brunswick, and at the Senate level these types of committees are limited to only dealing with matters referred to them. In other jurisdictions there are restrictions in place on the committees. My interpretation is that if we are looking to other jurisdictions for guidance, the majority of the legislative bodies across the country have a provision that limits or restricts the work of policy committees. Is that a fair assessment?

1:30

Dr. Massolin: I would say, as I said before, that for the jurisdictions that don't allow committee-initiated inquiries, they don't do so because it's the Assembly that refers matters to them. I would basically say that, yes, the minority of jurisdictions, with or without restrictions, allow the committees to manage their business in the way that they see fit.

Mr. Carson: Okay. Thank you.

The Chair: Okay. Member Carson, I want you to finish your questions so I can go to the phones.

Mr. Carson: I believe that is all. Thank you, Chair.

Mr. Nixon: Chair, I have a question.

The Chair: Yes. I have your name. Thank you.

Mr. Carson, I'm sorry. Did you have any more?

Mr. Carson: No. That's it. Thank you.

The Chair: All right. Mr. Gotfried.

Mr. Nixon: Chair, you might have thought I said, "Mr. Gotfried." It's Jason Nixon, actually.

The Chair: Okay. Sorry, Mr. Nixon.

Mr. Nixon: That's okay. I don't know why my phones cause you guys trouble. I apologize.

Just to go back to that last question that was asked by the last member, it's very similar to the question that I asked Parliamentary Counsel just a few moments ago. Just to reconfirm, what I heard from Ms Dean was that, again, even if this motion was passed, we would still be within the majority of jurisdictions. Is that not true? Let me even clarify more. In terms of having restrictions on committee activity, we would still remain in the majority, not the minority.

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

Dr. Massolin: Well, I don't quite understand what's being asked here, but I think I can take a stab at it anyway. What I'll just say is that the bigger jurisdictions – and we're talking about population and seats here – are the ones that are a little bit more permissive,

I'll say, when it comes to the committee organizing their own business. Those are Quebec, Ontario, and to a limited degree the House of Commons.

Thank you.

The Chair: Thank you.

Mr. Nixon, does that answer your question?

Mr. Nixon: Madam Chair, if I can try again, I'll try it in a different way. What I'm trying to understand: even if this motion is passed, committees would still have to prioritize matters from the Assembly, correct? They would have a little more discretion on how they would handle matters outside of matters from the Assembly, but it does not change the prioritization of matters from the Assembly, correct?

The Chair: We'll have an answer for you in a moment.

Ms Dean: I believe that in the way the motion is worded, it's structured so that the committee would have some discretion to conduct other business provided that the work that was referred by the Assembly was not unduly interfered with.

Mr. Nixon: Perfect. Thank you. That was my question.

The Chair: Okay.

Mr. Nielsen: In just seeking clarification, as far as I understand how committees work right now, as long as we do not have work that has been assigned to us by the Assembly, if that's not there, committees can pretty much make work however they see fit.

Ms Dean: That's correct provided that it's within their mandate.

Mr. Nielsen: Yeah. Sorry.

The Chair: Okay. Thank you.

Any other question on Dr. Massolin's reports?

Mr. Gotfried: Yes.

The Chair: Okay, Mr. Gotfried.

Mr. Gotfried: Again, I think that, just to follow up on the question from MLA Nixon, it says in the motion: "does not interfere with." So even if we have a responsibility or an inquiry or a hearing of sorts that is put to us by the Assembly, we are saying here that we would not undertake anything if it interfered with it. We're saying that we would only undertake it if it does not interfere with that work. You know, I guess my question is to Dr. Massolin. The interpretation of "does not interfere with": how would you view that? Would that be a determination of the committee, or would we have recommendations from counsel on that?

Thank you.

The Chair: Just a moment, please.

Ms Dean: Madam Chair, it would be a decision of the committee.

The Chair: Thank you very much, Ms Dean.

Okay. Mr. Carson, you have another question?

Mr. Carson: Yes, just one final follow-up. I'm just wondering if perhaps through your cross-jurisdictional analysis or your research you were able to find any discussions along similar lines of our motion before us today.

The Chair: Dr. Massolin.

Dr. Massolin: Thank you, Madam Chair. No, we didn't come across anything of this kind.

The Chair: Okay. Thank you.

Mr. Hanson: If I could get in.

The Chair: Yes, MLA Hanson. Go ahead.

Mr. Hanson: Thank you very much. Just to clarify, where this came up was when we were doing the review with the Ethics Commissioner. There were times when the Resource Stewardship Committee had to wait for up to four months between meetings for reports to come in. The request from some of the committee members was to address some of the outstanding issues of the stakeholders that wanted to meet with us during that time when we were waiting for reports and the committee couldn't do any other business. My question to the good doctor is: do you think that that is the intent of the current standing orders, to hold up that type of activity in the committee?

Dr. Massolin: Well, I think that the standing order has been interpreted in that way.

The Chair: Any further questions?

Mr. Hanson: Yes. Do you think that that's an effective use of the committee's time?

Dr. Massolin: I can't comment on that. The committee would be able to comment on that.

Mr. Hanson: Sorry for putting you on the spot.

The Chair: Any further questions?

Okay. We're going to take a 20-minute break, and then we'll come back for deliberations. On the phones, if you'd like to call back in again or leave your phones on mute, it's up to you.

[The committee adjourned from 1:38 p.m. to 2 p.m.]

The Chair: Okay. Welcome back.

I have on the list for a question or a comment Mr. Gotfried.

Mrs. Sawchuk: He hasn't called back in yet.

The Chair: Okay. The next person on the list that I have is Mrs. Littlewood.

Mrs. Littlewood: Thank you, Chair. I have a question for research services. The motion as it stands, if it was to be adopted and passed: what category would it then fit into as compared to where it is currently?

Ms Dean: I'm not sure what the question is, but the way the motion is crafted, it would be an amendment to Standing Order 52.04. It would be a new suborder (2).

Loyola: Could you repeat that? There was an interruption, and I couldn't hear.

The Chair: Ms Dean.

Ms Dean: Thank you, Madam Chair. I believe the question is: if this was approved, where would this fit within the scheme of the standing orders?

Mrs. Littlewood: No, no. Research services has it broken down into groupings of where the different provinces fall with what each

province's standing orders are. If we were to pass this, then where would Alberta land with the other jurisdictions? Like, what section would it end up in? I mean, currently you have it broken up into three categories, so I'm just wondering what category it would end up in in the crossjurisdictional.

The Chair: Okay. Dr. Massolin.

But before you start, there seems to be some interference. If members could mute their phones on the line, please.

Dr. Massolin.

Dr. Massolin: Thank you, Madam Chair. Yes, there would be no change. Alberta would still fall under 3.2 there, jurisdictions where you'd have committee-initiated . . .

Mr. Gotfried: Madam Chair, we're still getting that static on the line. It's very hard to understand anything.

Dr. Massolin: . . . inquiries, but there would be restrictions still.

The Chair: Okay. Just a moment, please. I'm going to ask all the members who are on the phone if you would hang up and dial back in again. We're getting static, and I believe you're getting static on your phones, so please hang up and dial back.

Okay. We're still missing one, but we're going to continue. Okay. Everybody is back on, and no static so far.

Dr. Massolin: I'll just repeat what I just said. The question, I think, from Mrs. Littlewood was basically: what category, according to the scheme that was developed for the crossjurisdictional, would Alberta fall into assuming that the amendment to that standing order were adopted? The answer is that it would remain in that same section, 3.2, jurisdictions that permit committee-initiated inquiries or hearings with restrictions, because there would still be restrictions.

Thank you.

The Chair: Thank you, Dr. Massolin.

Mrs. Littlewood, did you have a follow-up?

Mrs. Littlewood: What exactly would the restrictions be, then?

Dr. Massolin: Well, I assume that the restrictions would have to do with the "does not interfere with the work of the Committee on the matter referred to it" portion.

Mrs. Littlewood: Okay. Thank you.

The Chair: Member Loyola.

Loyola: Thank you. Speaking from the experience of being the chair of the Resource Stewardship Committee and based on information given to me during meetings on the interpretation of the standing orders, I understand the current restriction and how it applies, right? By reading the motion, it would seem that we'd still have to do the business, but if the committee deems that we can still meet about other issues that pertain to the standing committee, then it seems as if there would be no restriction.

I'm not too sure if we just have differing opinions on the interpretation of the motion itself and the way that the standing orders – right now this is my understanding and how it's been communicated to me before, specifically by Ms Dean in prior meetings. Committees can still meet about other issues as long as business that has been referred by the Assembly to the standing committee has been completed, essentially. How would you state

that? I don't want to put words in your mouth, so if you could refresh my memory, Ms Dean.

Ms Dean: When there is something that's been referred to a committee that's under way and the committee has not finished its work, that standing order has been interpreted to mean that the committee cannot delve into other issues. What this proposed amendment does is provide some discretion to the committee if there is a gap in the work of a committee. For example, you might be looking for public input on something, so there might be a number of weeks where the committee is not meeting per se on a particular matter. This amendment would bring some discretion to the committee to do other work during that period.

The Chair: Is there a follow-up, Member Loyola?

Loyola: No. I'm good with that.

The Chair: Thank you.
Mr. Gotfried.

Mr. Gotfried: Thank you, Madam Chair. Thank you for your explanation, Shannon. It's very helpful. I think that the key issue here is that right in the motion it says "does not interfere with," and as instructed to us by counsel and the committee clerk, that decision on whether it interferes is going to still remain with the committee. We are the sole arbiters of whether we can allow something, but what this does is allow us to make that decision in committee so that we can continue the good work of the committee and not be pushing off other interested stakeholders who may wish to present to us or any other business that we may address. I see this as a great opportunity for us to show some committee strength and latitude.

Yet it does not commit us to doing something. What it does is that it gives us latitude, as mentioned by Ms Dean. I think that that is a good thing for us to have at the committee level, and I think it's something that all committees would be very thankful to have, particularly those that tend to get more information and referrals from the Assembly, that we can still continue and not be holding up important business on behalf of Albertans.

Thank you.

2:10

The Chair: Okay. Now we move to deliberations. Hon. members, the committee has now received information via written submissions and research briefings from research and committee services in relation to the committee's review of Motion 501. With this information the committee is now ready to begin its deliberations, and I would like to open the floor to discussion.

As a reminder, our LAO staff are here to assist us, including answering any questions the committee may have with respect to process as well as with the drafting of any motions.

Mr. Nixon: Madam Chair, can I get on the speakers list?

The Chair: Mr. Nixon, go ahead.

Mr. Nixon: Okay. I'd like to move a motion. I will move the motion, and then I think some staff are present that can give wording to the clerk so everybody can see it. Then I would like to speak to the motion once I've confirmed you have it if that's okay, Madam Chair. I will move that the Standing Committee on Privileges and Elections, Standing Orders and Printing recommend to the Assembly that the amendment to Standing Order 52.04 proposed by Motion Other than Government Motion 501 be implemented in the upcoming fall sitting.

I'd like to speak to the motion, but I'll just make sure you have it first, Madam Chair.

The Chair: Yes, Mr. Nixon. Go ahead, but could you speak up just a little bit? I'm having difficulty hearing you.

Mr. Nixon: Is that better? Can you hear me now?

The Chair: Yes.

Mr. Nixon: Okay. This is a very simple change that Mr. Anderson has proposed to the standing orders. It would allow a legislative policy committee to consider other items at their discretion while they simultaneously deal with something referred to it by the Assembly. I think it's important to note that only legislative policy committees are limited by a standing order not to do that. For example, when the review of the Child and Youth Advocate Act was referred to the Standing Committee on Legislative Offices, that committee still did all of the budget preparations for the independent officers of the Legislature.

I also think it's important to state that the intention behind the change isn't for legislative policy committees to entertain multiple reviews at the same time but merely to add a little flexibility should the need arise; for example, to hold meetings with stakeholders. It's also important to consider that legislative policy committees can already do multiple reviews at the same time provided that those reviews have been referred to them by the Assembly. This occurred with the Resource Stewardship Committee when reviewing the Lobbyists Act. They had to review the annual report for the office of the Property Rights Advocate at the same time.

This is a minor change, and I think we've heard the answers from Parliamentary Counsel. I'm not really sure if there's that much more to deliberate on.

The Chair: Okay. I'm going to have Karen read the motion again so we're all clear on it.

Mrs. Sawchuk: Thank you, Madam Chair. We do have copies being printed off right now. The motion by Mr. Nixon: that the Standing Committee on Privileges and Elections, Standing Orders and Printing recommend to the Assembly that the amendment to Standing Order 52.04 proposed by Motion Other than Government Motion 501 be implemented in the upcoming fall sitting.

The Chair: A copy of that motion is now being distributed. I have Mrs. Littlewood to speak.

Mrs. Littlewood: I'm just going to wait for the motion to be passed out. Thank you.

The Chair: Okay. It's being e-mailed to those on the phone.

Mrs. Littlewood: Thank you, Madam Chair. I'm just wondering how exactly this change would work functionally. You know, if there are stakeholders that want to meet with the committee as opposed to with their individual MLAs or something like that, how would that prioritization happen? Would that be at the discretion solely of the chair? Would each of the parties be able to choose a stakeholder or a set of stakeholders? How exactly would that work?

Mr. Nixon: I'm not sure if I'm fully understanding the question, but I think it's already been answered before by Parliamentary Counsel, and that is that it would be at the discretion of the committee.

Mrs. Littlewood: Okay. What would you say is an estimated workload for your members that are also members of the legislative

committees that we have for the work that they're currently undertaking? Would it be 20 per cent of their time, 40 per cent of their time? Is there a percentage of their time that you would be able to assign to that?

Mr. Nixon: No. I don't think I could say that right off the top of my head at this exact moment. With that said, I can tell you that what's extraordinarily frustrating for our members is when they can't do policy committee work because the committee is on hold while waiting for something like research, et cetera. Then the committee can't continue to do work, and thus it has to get piled on at the end. This provides flexibility to avoid that.

Mrs. Littlewood: I'm a little bit at a loss as to why you wouldn't be able to work with these constituents or stakeholders while, you know, you or your members are sitting on committees. I know that currently I sit on the Leg. Offices Committee. I sit on the . . .

Mr. Nixon: That's not what I said.

The Chair: Just a minute, Mr. Nixon. [interjection]

Mrs. Littlewood: I'm sorry. I think I'm still speaking.

The Chair: Mr. Nixon.

Mrs. Littlewood: I'm sorry. I still have the floor. Can you just hang on till I'm done?

Currently I sit on the Public Accounts Committee, I sit on the Legislative Offices Committee, and I have had the opportunity to undertake finding a new Auditor General, but that hasn't prevented me from being able to attend receptions that stakeholder groups have to meet with constituents. Often stakeholder groups have things that they call government lobby days, where they will talk to members of the government, members of the opposition parties. They also sometimes call these advocacy days.

Then what members will do often is to take the information that they find out about issues that they're facing and ask questions during question period in session. MLAs will make members' statements during the Routine. We're able to introduce individuals and groups in the Legislature. Outside of that, we're also able to create opinion editorials in newspapers to talk about the work that they're doing or the challenges that they're having. We're also able to have community discussions, which could look like a town hall, which could be a matter of public record – I know I often invite media to report on things like that – or round-table discussions.

So, you know, the work that I do, certainly, is to meet with any individuals or groups that are asking to meet me to talk about the issues that they're having. If it's something that involves a larger cross-section of the province, then I will ask colleagues of mine to meet together with me as well so that I can get a better perspective of how this affects other communities.

That's what I would have to offer on that.

The Chair: Okay.

Mr. Nixon: All those comments . . .

The Chair: Excuse me. Mr. Nixon.

Mr. Nixon: First of all, everything that Member Littlewood just said has absolutely nothing to do with what we're discussing, but I digress. We're talking about stakeholders who've asked to meet with a standing policy committee. To answer on behalf of my caucus, we certainly are happy to meet with them outside of that, but we also do think that they need to be shown some respect,

something that the NDP struggles with when it comes to stakeholders, and allowed to have the meeting that they request – it's that simple – while a standing committee is essentially waiting around for something, that they would be allowed to do other work in, you know, their ability.

The Chair: Thank you, Mr. Nixon.

Mrs. Littlewood: I certainly respect the request and the time of the groups and individuals and constituents of my own that request meetings with me, where I always take the time to meet with them. Thank you.

The Chair: Thank you.
Mr. Gotfried.

Mr. Nixon: Interesting. Last time I was up in Vegreville, they said that you didn't, but anyways I don't want that . . .

The Chair: Mr. Nixon, Mr. Gotfried was next on the list.

Mr. Gotfried: Thank you, Madam Chair. I just wanted to concur with what MLA Nixon has said. We're not talking about stakeholder meetings; we're talking about stakeholder meetings with committee, which is a very different thing. I think we all meet with people both in constituencies and in our time at the Legislature, but this is official business of the committee. I think that that needs to be recognized.

2:20

We're asking for latitude here. We're not asking for a firm: yes, we're going to meet with everybody who comes and asks us. We're saying that the committee will decide, when it does not interfere with the work that has been referred to us by the Assembly. That latitude is going to rest with the committee, which is an all-party committee, and I'm hoping that the stakeholders that come to see us are coming, again, to talk to an all-party committee that represents the Legislature. I think we owe that ability, you know, given, again, that we determine as a committee that there is no conflict and that we have that latitude. I think it is a wonderful amendment to the standing orders to allow a committee to do better work, not to limit us, not to interfere, and we have the latitude to achieve that. I would suggest that we support this motion and move forward in a way that actually means that our hands are not tied by anything and that we can make decisions as a committee for the betterment of Albertans.

Thank you.

The Chair: Do we have any other comments? Mrs. Littlewood.

Mr. Hanson: David Hanson.

The Chair: Okay. Mrs. Littlewood and then Mr. Hanson.

Mrs. Littlewood: Thank you very much, Chair. The work of going out and meeting with constituents as well as stakeholders in other constituencies to find out the challenges that they're having, in fact, does yield results. I was able to go to the Alberta beef conference down in Red Deer and find out very quickly about water licensing issues that they were having by attending the Western Stock Growers' annual general meeting. I was able to take that information back to the department of environment and get some fairly quick action from the department and from the minister's staff on that. You know, I see MLAs being able to actually have some fairly

impactful results based on meeting out in the community with stakeholders.

Thank you.

The Chair: Thank you.

Any further comments? Sorry, Mr. Hanson.

Mr. Hanson: Yes. I guess my question is for the entire committee: does anybody in the room think that it's fair that AAMD and C, the oil recyclers, and the container recyclers have been waiting for three years to meet with our committee, the Resource Stewardship Committee, and they're unable to? Does anybody in the room think that that is fair?

The Chair: There's no response to that.
Any further comments?

Mrs. Littlewood: You know, unfortunately, I don't belong to this committee formally. I have the opportunity to engage today, though, and I have to say that if they would like to contact my office, I would be happy to make meetings with those individuals.

The Chair: Thank you.
Any further comments?

Mr. Gotfried: Yes, please, Chair.

The Chair: Mr. Gotfried, go ahead.

Mr. Gotfried: Thank you, Madam Chair. I would actually like to ask our Parliamentary Counsel what the difference is between the effective presentation to an individual member, who can certainly advocate on behalf of any stakeholder, and the power within a committee, an official standing committee of the Legislature, in terms of making recommendations to the Assembly, please.

Thank you.

Ms Dean: I really don't have any comment on that.

The Chair: Thank you.
Any further . . .

Mr. Hunter: Madam Chair.

The Chair: Mr. Hunter, go ahead.

Mr. Hunter: Thank you, Madam Chair. I just wanted to say that I think what Mrs. Littlewood is saying is that she's making a distinction between stakeholder outreach from individual MLAs versus having those stakeholders come before a committee and be able to bring information that will be in *Hansard*. The value to being able to have it in *Hansard* and the public record, I think, is a great value for being able to have, first of all, transparency, and also to be able to have – it does force the government or the Legislative Assembly to take their concerns seriously because it is on the public record versus private meetings with individual MLAs. I think that there's real value to that, and that's why I support this motion.

The Chair: Mrs. Littlewood.

Mrs. Littlewood: Thank you. I appreciate that. I have to say that as someone that values the freedom of journalism in this province, I do believe that when things are made a matter of public record, when people go to the media, when we provide the opportunity to have public meetings in our own constituency and invite reporters to come and discuss and to report on what is happening in those

meetings, the journalism we have in this province is a good matter of public record and does provide transparency. So I'll offer that.

The Chair: Thank you, Mrs. Littlewood.
Any other comments?

Mr. Hunter: Yes, Madam Chair. [interjection]

The Chair: Okay. One at a time, please. Was that Mr. Hunter?

Mr. Hunter: That's correct.

The Chair: Okay. Mr. Hunter.

Mr. Hunter: Thank you, Madam Chair. Just a further point. I think that – look, the media does play an important role, and I don't question that. The difference, though, is that you have the opportunity to be able to hear the interpretation of evidence or information through third-party media sources versus having it directly on public record, where individuals can go and check the record and have that access to *Hansard*. I think that, you know, both are important, and I think that we need to make sure that these individual organizations feel like they have access to these committees and to the Legislative Assembly through committees. So I don't think that we can minimize the value of having these organizations be able to come before committees.

I've seen it especially in the House of Commons, where a lot of work gets done through committee, a lot of the legwork and a lot of the vetting gets done. I don't see that in our parliamentary system in Alberta, and I'd like to be able to see that with these committees.

The Chair: Mrs. Littlewood.

Mrs. Littlewood: Thank you very much, Chair. The ability to engage with people in a very, very busy means – I know that all of our members are always quite busy in their communities, talking with any number of community groups from across this province. What I often hear in my own day-to-day and in feedback from others is that they've actually never experienced such open access to MLAs and to the government. You know, it's unfortunate that Member Nixon earlier made a personal attack on me. I think that really shows, as a matter of fact, what's really going on here. But I really do still appreciate having that reputation, that I hear back in the community all the time, and that continuing opportunity to talk to members of the public and very important community groups that do incredible work.

Thank you.

The Chair: Any further comment?

Mr. Nixon: Yeah, I do.

The Chair: Is that Mr. Nixon?

Mr. Nixon: Yeah. Thank you, Madam Chair. First, it was not a personal attack, just reiterating what I'm hearing from the people of Vegreville. But moving on from that, I think what's pretty clear here from MLA Littlewood's comments is that the government is basically saying that they're too busy doing the work they're already doing in their ridings to be able to accommodate people at committee, and that's disappointing. Let's just vote on this motion and move on.

Mrs. Littlewood: I'm always available on weekends. Thank you.

The Chair: Thank you.

Mr. Nixon: Well, it's unfortunate . . .

Mr. Gotfried: Madam Chair, I've got a . . .

The Chair: Mr. Gotfried.

Mr. Gotfried: Thank you, Madam Chair. Again, I think that there is a clear distinction between meetings with individual members or even members of caucus in committee. Otherwise, we wouldn't have standing committees, again, as noted by MLA Hunter, where we actually have public record. I guess we all appreciate the power of the press and the media. However, they often tell their stories in a condensed manner or with a perspective on it. This allows the public to access through the public records the information that is brought forward to committee.

The other thing it also does is that it allows complementary stakeholders to listen in and ensure that they're well apprised of what's happening at the committee level with stakeholders that may also affect what their business or their advocacy is.

2:30

I think that there's a very clear distinction. To say that individual advocacy and in the offices of our members is the same as what we do in committees, I think, undermines and understates the importance of committees, which I think are, you know, established for a very good reason, which is to allow stakeholders to present to representative groups of the Assembly on public record and which can be used going forward in terms of making very firm recommendations back to the Assembly and to ministries that have to report back to us, which is not a requirement if it's done by an individual member.

I think it's very clear that the latitude that we are asking for, that the private member is asking for in this motion and then has been brought forward to make this recommendation, allows our committee to function better, allows other committees to function better. I think that's very clear, and I think to vote against this is actually a vote against the ability for us to do our jobs more effectively.

Thank you.

The Chair: Thank you, Mr. Gotfried.
Mr. Nielsen.

Mr. Nielsen: Thank you, Madam Chair. I think we've gone full circle on this discussion a couple of times now. I have heard one member actually call that we should call for the question, and I will suggest the same. Let's call the question.

The Chair: Thank you.

Okay. We have a motion on the floor. Mr. Nixon to move that the Standing Committee on Privileges and Elections, Standing Orders and Printing recommend to the Assembly that the amendment to Standing Order 52.04 proposed by Motion Other than Government Motion 501 be implemented in the upcoming fall sitting.

I will do in the room, and then I'll go to the phone. In the room all those in favour of this motion, please say aye. Opposed? Now on the phone. I will call your name, and if you'd give me your vote, please.

Mr. Gotfried: May we call for a recorded vote on this as well?

The Chair: Yes. That would be fine.
I'll finish on the phone.

Mr. Nixon: Yes.

Mr. Hunter: Yes.

Ms Kazim: No.

Mr. van Dijken: In favour.

Mr. Gotfried: I'm in favour of the motion.

Mr. Hanson: In favour of the motion.

The Chair: All right. Now I'll come back, since it's a recorded vote, to those in the room.

Mr. Dach: No.

Mr. Carson: No.

Mr. Horne: No.

Mrs. Littlewood: No.

Loyola: No.

Mr. Nielsen: No.

Ms Goehring: No.

The Chair: Eight against and five for.
The motion is defeated.

Dr. Massolin, would you have anything to add at this point?

Oh. Sorry. Mr. Loyola.

Loyola: Considering the outcome of the last vote, Madam Chair, I'd simply like to make a motion at this point. May I go ahead?

The Chair: Yes, please, Mr. Loyola.

Loyola: Yeah. That
the Standing Committee on Privileges and Elections, Standing Orders and Printing recommend to the Assembly that Motion Other than Government Motion 501 not proceed.

The Chair: We have a motion on the floor. Is there any discussion? Mr. Hunter and Mr. Gotfried. Okay. Mr. Hunter, go ahead.

Mr. Hunter: Yes, Madam Chair. I'm not sure if we need to have a motion on the table when the last motion was defeated. It was not passed, so why do we need to have another motion?

The Chair: Just a moment, please. I've been advised that this motion isn't necessary because the last motion was defeated.

Mr. Loyola.

Loyola: Thank you, Madam Chair. I respectfully retract the motion, then.

The Chair: Okay. Thank you.

I need unanimous consent for the member to withdraw that motion. All those in favour? Okay. Anyone else on the phone? Anyone opposed?

I'm going to ask Dr. Massolin: do you have anything to add at this point?

Dr. Massolin: No.

The Chair: Okay. Hon. members, as a reminder, the referral amendment to Motion Other than Government Motion 501 requires the committee to report back to the Assembly on or before June 19, 2018. At this stage research services can be tasked with drafting a final report based on our discussions and the motions passed. Further, a practice of other committees, especially in light of tight deadlines, as we have before us in this review, has been to authorize the chair and deputy chair to approve the final report once committee members have had the opportunity to review the draft final report. Is the committee in agreement with this proposal? All those in favour? Those opposed? On the phone, all those in favour? Those opposed? I'm going to go down the list because I don't know who's voted on the phone. Okay. Thank you. The motion is carried.

Okay. Would a member be prepared to move the following suggested draft motion?

Mrs. Sawchuk: Would you like me to read it?

The Chair: Okay. Yeah.

Mrs. Sawchuk: Thank you, Madam Chair. The suggested draft motion is that

the Standing Committee on Privileges and Elections, Standing Orders and Printing direct research services to prepare a draft final report respecting the committee's review of Motion Other than Government Motion 501 and that the chair and deputy chair be authorized to approve the final report.

Mr. Nielsen: So moved, Madam Chair.

The Chair: Mr. Nielsen has so moved. Okay. Any discussion? On the phone? All in favour? Any opposed? Okay. On the phone? Carried.

For the members' information, once the committee's report has been reviewed by members and approved, it will be tabled via intersessional deposit on or before June 19, 2018. Please note that minority reports, if any, should be sent to the committee clerk no later than the close of business on Friday, June 15, 2018, to be appended to the report prior to tabling.

Are there any questions about this process?

2:40

Mr. Nixon: I do have one question, Madam Chair. Just to confirm, can we write a minority report?

The Chair: Yes.

Mr. Nixon: Thank you.

The Chair: Other business: do members have any other business they wish to bring forward?

Mr. Nixon: I'd like to move that we adjourn.

The Chair: Okay. Thank you very much, Member Nixon. All in favour? Anyone opposed? Hearing none, this meeting is adjourned.

[The committee adjourned at 2:41 p.m.]

