



Legislative Assembly of Alberta

The 29th Legislature
Second Session

Select Special
Ethics and Accountability
Committee

Election Finances and Contributions Disclosure Act Review

Monday, August 15, 2016
10 a.m.

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The 29th Legislature
Second Session**

Select Special Ethics and Accountability Committee

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[Mrs. Littlewood in the chair]

The Chair: Good morning, everyone. I will call this meeting of the Select Special Ethics and Accountability Committee to order. Welcome to members and staff in attendance.

To begin, I will ask that members and those joining the committee at the table introduce themselves for the record, and then I will address members on the phones. I'll begin to my right.

Ms Miller: Barb Miller, MLA, Red Deer-South.

Loyola: Rod Loyola, MLA for Edmonton-Ellerslie.

Cortes-Vargas: Estefania Cortes-Vargas, MLA for Strathcona-Sherwood Park.

Drever: Deborah Drever, MLA for Calgary-Bow.

Mr. Sucha: Graham Sucha, MLA, Calgary-Shaw.

Mr. S. Anderson: Shaye Anderson, MLA, Leduc-Beaumont.

Dr. Turner: Bob Turner, MLA, Edmonton-Whitemud.

Ms Renaud: Marie Renaud, St. Albert.

Mr. Lee: Kevin Lee, director of finance, Elections Alberta.

Mr. Resler: Good morning. Glen Resler, Chief Electoral Officer, Elections Alberta.

Mr. Westwater: Good morning. Drew Westwater, Deputy Chief Electoral Officer, Elections Alberta.

Ms Vance: Fiona Vance, external legal counsel to the Chief Electoral Officer.

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

Mr. Cyr: Scott Cyr, MLA, Bonnyville-Cold Lake.

Mr. Clark: Good morning. Greg Clark, MLA, Calgary-Elbow.

Ms Jansen: Sandra Jansen, Calgary-North West.

Dr. Starke: Good morning. Richard Starke, MLA, Vermilion-Lloydminster.

Dr. Amato: Good morning. Sarah Amato, research officer.

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

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

Mr. Roth: Aaron Roth, committee clerk.

The Chair: Thank you.

On the phone I believe we have Dr. Swann. Go ahead.

Dr. Swann: Good morning. David Swann, Calgary-Mountain View.

The Chair: Mr. Anderson, are you on the phone?

Mr. W. Anderson: Good morning. Wayne Anderson, Highwood. Thanks.

The Chair: Do we have anyone else joining us by phone? Okay. Thank you very much.

Just for the record our official substitutions that we have today: Mr. Shaye Anderson is substituting for Mr. Michael Connolly, Dr. Bob Turner is substituting for Mr. Chris Nielsen, and Mr. Nathan Cooper is substituting for Mr. Jason Nixon.

Just a few housekeeping items to address before we turn to the business at hand. A reminder, again, that the microphone consoles are operated by the *Hansard* staff, so there is no need for members to touch them. Please keep cellphones, BlackBerrys, and iPhones off the table as they may interfere with the audiofeed. Audio of committee proceedings is streamed live on the Internet and recorded by *Hansard*. Audio access and meeting transcripts are obtained via the Legislative Assembly website.

Next we will move to the approval of the agenda. Are there any items that a member would like to put on? Mr. Clark.

Mr. Clark: Thank you very much, Madam Chair. I would like to add another item under other business. It pains me to do this, but I would like to add an item to discuss the impartiality of the chair because I believe the integrity of the committee is at stake. The role of the chair is akin to the role of the Speaker, and I believe that the comments the chair has made in the media expressing opinions on behalf of the governing party are no more appropriate than if the Speaker of the Assembly were to speak on behalf of government. So with that, I would like to add discussion about impartiality of the chair to other business, please.

The Chair: Sounds good. So a motion to amend the agenda, then.

Mr. Cyr: I just want to double-check. Are we going to be able to make motions in other business again, or do I have to add that now? I'd ask a follow-up question: if we could make motions outside of what we're discussing.

The Chair: Are you speaking of motions pertaining to the act itself, to the EFCDA?

Mr. Cyr: Yeah.

The Chair: You can make that within the deliberations.

Mr. Cyr: Okay. So even though I would like to go outside of what our discussion points are, the last time you held that to other business.

The Chair: Right now on the agenda we have: going through the deferred motions. Then we would be going to new motions after that. That all pertains within deliberations on the EFCDA. Is that sufficient?

Mr. Cyr: I have an exciting motion to make. I just want to make sure I can make it. Thank you, Madam Chair.

The Chair: Wonderful.

Can I get a mover on the amendment to the agenda?

Mr. Clark: So moved.

The Chair: Mr. Clark. Are there any comments or questions on the amendment? Okay. Moved by Mr. Clark that the agenda for the August 15, 2016, meeting of the Select Special Ethics and Accountability Committee be adopted as revised.

Also, there is something to note with the draft minutes. Of course, there were minutes that came from the last committee meeting, but being that they were just posted to the committee website this

morning and being in the best interest of giving members opportunity to go over the minutes, I would ask someone to make an amendment

to go over the draft minutes at the next meeting date.

Would someone move that? Moved by Ms Miller. All those in favour of the amendment, say aye. Any opposed? That is carried.

Mr. Clark, did you move the agenda to be adopted as revised?

Mr. Clark: As amended, yes.

The Chair: Okay. Moved by Mr. Clark that the agenda for the August 15, 2016, meeting of the Select Special Ethics and Accountability Committee be adopted as revised.

All those in favour, say aye. Opposed? That is carried.

We'll move on to the review of the Election Finances and Contributions Disclosure Act. As per the agenda we will start with motions that were adjourned at previous meetings. On August 12, 2016, a document listing the remaining and adjourned motions was posted to the committee's internal website for your review. With that, at the last meeting we had ended off with spending limits.

Mr. Sucha, you had some further comments.

Mr. Sucha: Yeah, Madam Chair. As we only really got through one of the motions that was adjourned in relation to spending limits, I'd like us to continue the conversation so that we can get through all of those amendments.

With that, I'll hand the floor over to a colleague of mine, Mr. Anderson, who has an amendment to make.

The Chair: Okay. What motion are you referring to?

Mr. Sucha: Oh, I apologize. Continue going in order with spending limits, moving on to the adjourned motion in relation to campaign spending limits.

The Chair: Okay. I'll have Mr. Roth read the motion into the record.

Mr. Sucha: Thank you.

Mr. Roth:

Moved by Mr. Sucha that the Select Special Ethics and Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be enhanced to include campaign spending limits for registered parties of approximately 60 cents per registered elector indexed to inflation.

The Chair: Mr. Sucha.

Mr. Sucha: Yeah. Thank you, Madam Chair. As I alluded to earlier, I think it was important for us to really make sure that we're following suit and keeping up with what we're seeing in other jurisdictions, so I am open to an amendment.

With that, I'll open the floor up to my colleague Mr. Anderson.

The Chair: Mr. Anderson.

Mr. S. Anderson: Thank you, Madam Chair. I do have a proposed amendment here. I'd like to move an amendment that the words "60 cents" be struck out and replaced by "80 cents."

The Chair: Just a moment. We'll make sure that we get that up on the screen.

Mr. S. Anderson: Okay. Can I continue?

The Chair: Yeah. Go ahead. Does that represent what you were hoping to amend?

Mr. Roth: Be struck out and replaced with "80 cents"?

Mr. S. Anderson: "With" or "by," yeah. That will bring the current elector count – this will be a total of \$2,098,220. The amendment brings our proposal above the federal spending limit and in line with other jurisdictions in the country such as Ontario.

The Chair: With that, I will open for discussion. Ms Jansen.

10:10

Ms Jansen: Yes. Thank you, Chair. This is the second time we have seen an amendment from the government side amending a motion from the government side, and in both of those cases it was interesting to note that our friends went away and had some sort of discussion and came back and amended the amount. First of all it was on . . .

What was the other?

Dr. Starke: Constituency spending.

Ms Jansen: . . . constituency spending, and now we're seeing this. I would like to know what the process was for coming up with this amended amount. Were there folks that you consulted with? Are you looking at other jurisdictions for best practices? I would like a little bit of elucidation on this if I could.

Thank you.

Mr. Sucha: To tie in with what you've commented on, Ms Jansen, kind of all of the above. We really heard a lot of feedback in relation to what other jurisdictions were doing as well as feedback from multiple constituents across the board. The general feedback was that the methods that were done in other jurisdictions seemed to be working efficiently, so that was why I had had the open mind to really adopt some of those policies as well, too, and really look at those as some other feasible options.

Ms Jansen: Well, actually, Chair, that answer just isn't good enough for me. "We've heard lots of feedback" is not an answer. I would like to specifically know, you know, as was the case with the other spending limit that you made an arbitrary change to – just saying that we looked at other jurisdictions is, frankly, not really a sufficient answer. I think there are those of us who would like to know what formula or what jurisdiction or what you used in order to come up with those amounts. In the absence of that information we are left with the feeling that you're picking numbers out of the air depending on the feedback you get from the public. Please help us understand that you're not making arbitrary decisions based on the fact that maybe the decisions you're making in here or the amounts you're coming up with aren't popular with the public.

Dr. Turner: Just as sort of a typographical thing, I think we should put in "Mr. S. Anderson" because I doubt Mr. W. Anderson wants to be the mover of it.

Mr. W. Anderson: Thank you.

Mr. Sucha: You know, at the end of the day, as we heard from a lot of stakeholders, not only that but from some of our stakeholder guides, many stakeholders across party lines and across the board indicated that they really felt there was a need for spending limits. We really looked heavily into what has been working in some other jurisdictions, and we felt that in looking at some of the challenges in relation to size and population to municipalities, Ontario would

reflect Alberta quite efficiently with what they had for their spending limits.

Ms Jansen: So just for clarification, are you saying that you used Ontario? “Looked heavily” can encompass a lot of things, so that’s what we’re really looking for clarification on. What was the mathematical formula? I’m assuming there was some formula. Obviously, you know, we’re looking at putting in place and bringing forward into the Chamber policy that is in the best interests of Albertans, not necessarily the best interests of a particular political party. I think the public would really like to have the peace of mind of knowing that there was a formula for coming up with the numbers that you’re putting out in these motions and in these amendments that has less to do with looking heavily at things and is a little bit more specific so that we know exactly how you came up with those amounts.

Mr. Sucha: I’m just looking for some clarification in relation to this because I know that we’ve gone back and forth in relation to spending limits and what some of the colleagues around the table feel. I would love to be kind of open-minded and understand what my colleagues on the other side are thinking in relation to spending limits here.

Ms Renaud: I’m just going to weigh in a little bit. I think that, obviously, had we gone with the amounts that we had used in our campaigns, the amount would be lower, as was initially proposed. But I think that we did have time to look at a number of different campaigns in different urban areas, rural areas, northern areas, southern areas and come up with average spending amounts. I think: why did we go back and change it? Well, I think that’s politics – it’s all politics, isn’t it? – looking at what people want, what people want in different areas, what people think. I think the fact is that we were open to listen and to re-evaluate and to look at the submissions that were made by people in Alberta.

That’s my two cents.

The Chair: Mr. Clark.

Mr. Clark: Thank you, Madam Chair. I’ll open by saying that the Alberta Party does believe in campaign spending limits, so we’re certainly in favour of a limit of some kind.

What I’m really curious about is when we combine a campaign spending cap with a donation cap as well. What I’d like to see from the government – I believe that it’s incumbent on the government as movers of the motion to provide us with some actual rationale, some actual calculations on how you feel this is going to play itself out based perhaps on historical voting data. I’m sure that at some point today we’re going to talk about the reimbursement piece, which I will be on the record again saying that I disagree with. But if you add that in as the third leg of that stool, there’s an awful lot going on here, which – there is a risk that there’s a perception, to be generous, that the government is doing what it can to lock in its own advantage. To fix that perception, I think it is incumbent on the mover of the motion or the mover of the amendment or someone on the government side to tell us specifically why this number and not a different number, if you’ve done some math, if there’s a calculation based on campaign expenses historically.

You know, you look at British Columbia. Their limit is more than twice this, and they’re essentially at this point the same size a province as Alberta. But their population is all concentrated in the lower mainland, so you’d think that their costs are lower than ours in a fairly equally distributed province.

I guess that’s really the question I would put out to the government side: what data did you use to come up with these

numbers as opposed to different ones? What was your rationale to go from 60 to 80 cents? Was that based on some sort of deep analysis, or is it just kind of: “Hey, wait a minute. We may not be able to buy this many ads in the next election. Actually, we need \$2 million.” That’s a worry. I want to be clear. I’m not necessarily accusing the government of that, but there’s a big risk that that is the perception that’s created, that the NDP is locking in your own advantage. So I would really love to hear your take on what specific data you used to come up with these numbers.

Thank you.

Mr. S. Anderson: To be honest, you know, people are acting like this was cooked up between the Federal building and the fountains. Like, this is something that’s happening in the federal government, nine other provinces, including Saskatchewan, B.C., Manitoba, Ontario, Quebec, New Brunswick, Newfoundland, Nova Scotia, and P.E.I. So it’s a combination of looking at what they’ve done over there. We’re still above the federal spending, and we’re in line, like I said, with jurisdictions like Ontario. To be honest, throwing out things like we’re just making up numbers or – I understand where they’re coming from, but to throw out that kind of stuff is a little disingenuous, to be honest, and feigned indignation at this. I’m new to this and . . .

The Chair: I just want to make sure that both sides are cognizant of both, you know, possibly making it sound like you’re laying charges and then kind of getting the same conversation back of not trusting the other side in being forthright. I just want to make sure that we’re cognizant of that on both sides.

Thank you.

Mr. S. Anderson: Yep. For sure.

The Chair: Mr. Cyr.

Mr. Cyr: Good morning. Thank you, Madam Chair. I don’t believe that spending caps are needed at this point as it’s the fact that we’re looking at bringing, I guess, big money out of politics. I believe that this committee has been very clear in the direction that it wants to do that by limiting how much it wants to put into the system, and you do that through limiting what you can donate.

Now, if this is to go forward – and it doesn’t appear that we have a choice in this as the government is moving full on with this discussion. I do appreciate that the government has given us time to review this motion, so this isn’t something that they took us in left field with. We’ve had time to review it and put some thought behind it.

10:20

I was very concerned, obviously, with the 60 cents per vote as it’s, by far, lower than any other jurisdiction that has spending caps put into place. I do have a concern that in Ontario there’s clear evidence that third parties are outspending the political parties because of the spending caps, so I’m not sure that 80 cents is the appropriate number to be using. I’m not saying that I have the number in place here. Again, I want to reinforce that the best way to do this, if you’re trying to achieve what you’re looking to do, is to have no cap and then bring down what donations or contributions can be made. But let’s look at, for instance, Nova Scotia, and let’s look at B.C. We’re looking at \$2.29 for Nova Scotia, and if you look at B.C., who is close to us and is a western province, it’s at \$1.40. That’s quite a gap between Alberta’s, which is being proposed at 80 cents, and B.C.’s, who is right next to us, at \$1.40.

I just would like to hear, I guess, your thoughts. Why isn’t it at \$2, or why isn’t it at \$1.40 at least, minimum? You’ve got to

remember, too, that Alberta is a more expensive place to run a campaign, so it could be that \$1.40 isn't appropriate for Alberta, too. It could be that maybe we're looking for a compromise between Nova Scotia and B.C., maybe \$1.80 or \$1.60. Again, I'm being very clear here and trying to work with the committee, saying: we don't believe that spending caps are necessary, but if this is the direction that you're choosing here. Just because Ontario picked this number, which doesn't seem to be working for it because third parties are dominating the message out in Ontario – what exactly is it that you think is going to happen here when you hamstringing our political parties to the point where we won't even be able to get a message out?

The Chair: Ms Renaud.

Ms Renaud: Thank you, Madam Chair. Well, I think that for this amount if you can't get a message out, there's probably a larger problem than what money will fix.

I think it's important to recognize that changing policy around campaign finance has two pieces about limiting contributions and restricting expenditures. I think we have all of us lived in Alberta long enough to see that people can be predisposed to favour ideas and policies of the largest financial backer. I think we have lots of examples of that. I just want to remind people that one of the submissions on the website was, I believe, some documents and some points issued by the Supreme Court, that political discourse is dominated – it deprives the opposition of reasonable opportunity to speak when there is not adequate policy around expenditures and spending. It undermines the voters' ability to be adequately informed of all views.

I just wanted to throw in another piece that I thought was interesting and important given, I guess, the gender percentages in Canada. Studies have shown that women are unable to raise the same level of money as men, so setting a ceiling or spending cap of some kind does help to promote access.

Thanks.

The Chair: Mr. Sucha.

Mr. Sucha: Thank you, Madam Chair. I think there are a couple of things that are important to note. You know, we've all seen the recent federal election campaign, that just passed. Their limits are actually lower than ours, and they were quite effective at getting the message out. It was a very polarizing thing, and to be honest, from my vantage point and from what I've heard from a lot of other individuals, it really wasn't heavily dominated by third parties.

You know, one question I want to ask my colleagues from the Wildrose Party is that we did hear from them a few weeks back that they were in support of campaign spending limits. It seems to me like there has been a change of mind there, so I wanted to know what may have been the reasoning around that.

The Chair: Mr. Cyr.

Mr. Cyr: Thank you, Madam Chair. Now, I think that, if anything, the federal election shows that money put into a campaign doesn't mean that you're actually going to win the election, which we saw in the last federal election. It wouldn't have mattered, in my opinion, how much money had gone into that campaign. The result would have probably and unfortunately been the same. So here we are. We're talking about putting caps into place when it shows, not only federally, that it wouldn't have probably made a difference. But when we start looking at what was put forward by the NDP for candidates and their spending here, they were able to remove sitting

ministers who spent probably 2,000 times more money in the grand scheme of things and were able to still be very successful in their message.

I agree with you that money doesn't mean that the message is going to be heard, but I guess the question is that if the message does get dominated by third parties – and this is clearly a concern that we can see over in Ontario, where we actually had, it looks like, third-party spending of over \$8.4 million in the 2014 election. This is where this cap comes forward and says that it's preventing the parties to be able to get past this big spending that we've got going on.

So I guess my question here again is – and it didn't get answered the first time. Again, I have to, I guess, reinforce with my colleague here, Ms Jansen: where did these numbers come from? Like, it doesn't seem to be that you've used any of the crossjurisdictional information except for Ontario's, which appears to not be working okay over there. So why 80 cents? Why not \$2? Why are we stuck on the lowest one across all of the provinces, especially when it costs a lot more here in Alberta to campaign? It's just a fact that we have a lot higher cost of doing, well, business or doing political campaigns here.

The Chair: Mr. Clark.

Mr. Clark: Thank you. I want to pick up on that point and really come back to what I've heard several times, that the limit would be similar to the federal limit. You know, campaigning federally and campaigning provincially are very different things. A political party can produce a television ad in a federal campaign that goes to 35 million people. The cost to produce that ad is exactly the same as the cost to produce an ad in Alberta that goes to 4.3 million people. If you consider that those fixed costs are spread out across a much larger number on the federal side, the numbers that get generated by a spending limit on federal and provincial campaigns are really not an apples-to-apples comparison. Again, this is where I come back to that point: what is the rationale? And if the rationale is that it's the same as the feds', that's not a good rationale as far as I'm concerned.

The government always has an advantage given that they are government. Especially this government has a real proclivity to spend taxpayer dollars to promote their policies: carbon tax, minimum wage, PPAs, those sorts of things. These are things that other parties in the Legislature simply don't have an ability to do. Perhaps we will try to curb that later on in this committee, but as it stands now, that is an advantage the government has that the rest of the parties don't.

10:30

I also share a concern about third party. It would be very difficult, if not impossible, for us to truly limit third-party advertising. We may try in this committee – I suspect we will – but there are limits on what we can do there without overly constraining freedom of speech. So the real worry is that if we constrain spending for political parties too much – and, again, reminding the committee and all Albertans that, in fact, the Alberta Party is in favour of a spending limit of some kind, but it must be rational, it must be reasonable, and it must not have unintended consequences of spinning money outside of the political process.

In terms of that unfortunate perception I was referring to earlier, the \$2 million limit bears a striking resemblance to the amount of money the governing party spent in the last election, and that strikes me as a remarkable coincidence. I just worry, and I'd like the government to address that perception that is created there. I think the playing field needs to be fair.

If a party can raise \$5 million through \$20, \$50, and \$100 contributions from Albertans but are then limited to spending \$2 million against another party, perhaps, that can only raise a million dollars but expects to spend \$2 million yet get 50 per cent of it back from taxpayers, is that truly representative of a functioning and stable democracy? Is the ability of a party to attract donations, especially smaller donations, truly getting big money out of politics?

These are concerns that I have. Again, I think I could get behind a spending limit. I just need to know that it has some proper rationale and that it isn't just simply a majority government locking in its own advantage. That is my absolute number one concern.

Thank you, Madam Chair.

The Chair: Ms Jansen.

Ms Jansen: Thank you, Chair. I wholeheartedly agree with my colleague's comments. I do want to bring up an answer, as it were, to a question Member Sucha posed. He posed it in our last meeting and in this meeting, and that was, you know: why have you changed your mind on spending limits? The fact is that we haven't. The idea that we are asking questions about what constitutes the makeup of your motions means that we would like to know – we still don't know. A number of us have asked the question now: what was the formula that you used in order to come up with these amounts? What was the background work you did? What is the rationale behind it? Because we question those doesn't mean that we're against spending limits.

I think spending limits are important. I think a lot of people would agree with that. To make the correlation between asking questions and disagreeing with the whole concept of spending limits I think is erroneous, so I want to make sure that you understand that we don't have a problem with that per se. What we're saying is that we want to ask questions about how you came up with the formula.

The Chair: Mr. Sucha, did you want to respond to that?

Mr. Sucha: Absolutely. The question wasn't to the PC caucus or the Alberta Party caucus. I was just curious in relation to the Wildrose: why the change in heart there? My colleagues from the Wildrose had stated on the record that they were in favour of spending limits, and it seems like there's an about-face. At no point was I questioning the PC caucus or the Alberta Party caucus, that they were retracting viewpoints on spending limits.

I think in relation to a third-party issue, you know, we have some motions that have been adjourned, and I think we're going to start addressing some of those issues as we move down the line. I think I've pretty much reiterated my points in relation to why we have chosen this number, so I'll leave it to my colleagues in the Wildrose to answer their question here.

The Chair: Mr. Cyr, you're next on the list.

Mr. Cyr: Thank you, Madam Chair. I'd like to bring up again exactly how you're calculating this 80 cents. Now, if we look at Ontario, which is what it appears that you're basing this on, Ontario is approximately 1 billion kilometres squared whereas Alberta is about 660 million kilometres squared. Now, if you start looking at the size of Ontario versus Alberta, you're going to realize that there's actually quite a large size when it comes to our provinces. The fact is that Alberta has to work just as hard as Ontario does to be able to reach these people.

Now, the question here is that when you start looking at us versus B.C., you're going to find that there are a lot of comparisons that are able to be made here. The fact that they're sitting at \$1.40 and

this isn't even close to being \$1.40 – actually, you can look at it and you can say that it was, well, at least almost two and a half times less than what was the original motion that was put forward. You can see that this hasn't been given the appropriate amount of thought that needs to be put into this.

Now, I would love to see something a little bit more reasonable. If a cap needs to go on there and this is where the government is choosing to go, then we need to start investigating numbers higher than 80 cents. We need to be looking at numbers, I would argue, probably closer to what B.C.'s number is, which is \$1.40. The fact is that when we start looking at where we're at, we need to be comparing ourselves to a more representative province, not to somewhere like Ontario or Quebec.

Now, the fact is, I would say, that this motion for bringing it up to 80 cents isn't sufficient. I will be not voting for this because it doesn't explain exactly how you came up with this number, it has no bearing on our neighbours, and it also doesn't take into consideration that a lot of our population is also rural. We need to spend quite a bit of money to be able to get our message out to rural Albertans and not focus on just trying to be able to compete with third-party interests, which is exactly what is happening in Ontario right now. The fact is that we need to be making sure that political parties have the ability to get their message out. If they're drowned out by other interests, then you have a real problem.

I will not be supporting this motion. When it goes back to the main motion, I probably will suggest a different number. Thank you.

The Chair: Dr. Turner.

Dr. Turner: Thank you, Madam Chair. I just had a few comments. I think that one of the things we need to consider is that this proposal has a limit on the central-party spending, and when you add the limits of \$70,000 to \$80,000 per EDA that we have been discussing, it brings the actual per-voter amounts up to around \$2. You know, what we've been talking about all along – and I think all parties agree on this – is that we have to get big money out of election financing. As my colleague Ms Renaud has said, there are populations in this province – women, indigenous peoples, persons who are of vulnerable economic status – who are basically being shut out of this process by allowing such high donation limits. I think that we do need to set a reasonable limit on what the total expenditure in an election is so that all Albertans can feel that they have a chance to become involved.

We're going to be talking about third-party limits as part of this discussion, and I certainly agree with the gist of the comments that have been coming up from the opposition members, that we need to significantly curtail what third-party advertisers can be doing. But I really think that the 80-cent limit per voter for the central campaigns, which is based upon some sound research that's been done, as mentioned by Mr. Sucha – it's done in many other provinces. It's done federally. We only need to look at the United States of America to indicate what problems can arise when there are no limits on this kind of spending. I think that this motion is a very reasonable one and should be supported.

10:40

The Chair: Ms Jansen.

Ms Jansen: Thank you, Chair. Just a question in response to Dr. Turner's comments. I'm just a little curious, and I just want to unpack a couple of things he said here. First of all, speaking to the 80-cent limit being based on sound research, I think, as I've said before, that a number of us have asked the question about what that

sound research is, and we still really haven't gotten an answer. You know, that's a bit frustrating for us.

The other piece is that somehow it's better for women. I'm a little curious about these lower spending limits and where you might have found the research that that, in fact, is better for women. If you could clarify that, I would appreciate it.

Dr. Turner: The Supreme Court of Canada actually is the source of my information on the concerns about putting barriers in place for vulnerable populations, including women, in the electoral process.

Ms Jansen: I'm sorry. What you're saying is that the Supreme Court says that lowering the spending limits encourages more women to vote? I'm not a hundred per cent sure what you're saying here.

Dr. Turner: I think what the Supreme Court of Canada has said is that setting ceilings will promote increased access by vulnerable populations.

Ms Jansen: Setting limits on what specifically?

Dr. Turner: Spending limits.

Ms Jansen: Spending limits per vote? Are we talking per vote? Are we talking . . .

Dr. Turner: I don't think the Supreme Court got into whether it was per vote or per total. It was that the abstract concept of having a spending limit would increase the accessibility for women and other potentially vulnerable populations.

Ms Jansen: Is that an opinion, or is that a ruling? I'm just curious about where it came from.

Dr. Turner: There are submissions online that we've reviewed that look at it.

The Chair: Mr. Cooper.

Mr. Cooper: Thank you, Chair. My apologies for my slightly tardy arrival. If it's possible to add my name to those in attendance today as an official substitute for Mr. Nixon, I would appreciate that.

The Chair: I've already recognized you, but thank you.

Mr. Cooper: Wonderful. Thank you. Again, my apologies to my colleagues as well.

I guess a couple of quick things when it comes to the 80 cents and just specifically to Dr. Turner's comments around the B.C. number and getting close to \$2 per electorate. British Columbia has, which is my understanding, separate buckets per constituency as well as for the party. If we're trying to compare apples to apples, I think it's important that we do that.

I think part of the challenge here is what a political party is allowed to do within that spending cap and the types of activities that they can execute with a spending cap – you know, I guess if it's not \$1.6 million, it'll be just a little bit north of \$2 million. The cost of sending a first-class piece of mail: if you wanted to send an addressed piece of mail to every household in Alberta, it would likely take up more than two-thirds of that number, and that presents a significant challenge when it comes to engaging voters.

At the end of the day, that is our goal, engaging voters on ideas. It's not just about buying ads; it's about engaging voters in what is a very important political process. I think it's a bit disingenuous, I guess . . .

The Chair: I'm going to caution members against the continued use of the word "disingenuous."

Mr. Cooper: Oh, sorry.

The Chair: I think just as a general means of conducting . . .

Mr. Cooper: Yeah. That's a great idea. I was speaking to a voter earlier today, and I had used the word. My apologies.

I think it's a little unfortunate when we see the government able to advertise government programs to the tune of, you know, this year alone I think we estimate that it's somewhere north of \$6 million and then turn around and limit a political party's ability to engage voters in the democratic process to somewhere between \$1.6 million and \$2 million. This is a significant challenge for everyone other than the governing party. In fact the goals of the government, as they've stated them in the past, are to make a more open and fair and transparent process, tipping the scales in the favour of the governing party certainly doesn't help that. So I certainly won't be supporting the 80-cent amount.

I think that given the costs of campaigning, given the realities of how the government has been spending taxpayer dollars to advertise their programs – listen. For programs that Albertans can be involved in, I think it's reasonable that the government does spend some money. But when it comes to, like, advertising lawsuits or advertising budgets, advertising the carbon tax – you know, like, when the government spent significant amounts of resources advertising the SHARP program, or the seniors' home adaptation repair program, whatever it was called, you certainly didn't see me rallying against that. That's a program that Albertans can engage in in a real capacity. But the other things just put the government at a significant advantage compared to the opposition. As we move forward, having a spending limit of around \$2 million when the government can easily spend \$6, \$8, \$10 million in advertising during that year just doesn't seem very realistic.

The other thing that I might add is that if a political organization can engage on a grassroots level 100,000 people that each want to donate 50 bucks, they should be able to then spend those resources on the things that those people feel passionate about. Limiting it to \$2 million is certainly not going to allow for that same sort of grassroots engagement.

I definitely won't be supporting this motion, and I encourage others not to as well.

The Chair: Thank you.

I just want to address one thing before we move forward, the word "disingenuous." It was used earlier in conversation, which is why I caution a member against using it. It was something that was used twice in the last meeting. It just seems to take us down a path where we start to have less constructive dialogue, so I am just reminding all members around the table – it doesn't matter where they're from – to not use that word. That's why I assured that we just were reminded of that.

Ms Jansen: But, Chair, you did not caution the member who used it before.

The Chair: Yes, I did. The member used it, and there was some conversation that was back and forth, so I did tell the member who used it this morning to not use it.

Thank you.

Mr. Cooper: Just very quickly, my genuine, sincere apology. It was a total unintended usage of "disingenuous." My absolute apology, and I will curb my zeal moving forward.

The Chair: Thanks.

Dr. Swann on the phone.

Dr. Swann: I'll defer my comments until a little later. Thanks.

The Chair: Dr. Starke.

Dr. Starke: Thank you, Madam Chair. I think that going back, the real goal here and the real objective here is to establish a point of balance. It's to establish a point at which the message of political parties can be put out to the public in an effective way. You know, clearly we have a difference of opinion as far as where that point of balance is.

10:50

I would argue that the 60 cents was significantly too low, and I'm glad to see that the government members have acknowledged that in moving an amendment. I would further argue that 80 cents is still too low, especially, as has been pointed out already, when province-wide campaigns to advertise specific pieces of government policy are spending at least double that. So I don't think that the proposed limit – you know, the real question, again, of setting a limit is to establish a point of balance because if the limit is too high, then it is not an effective limit at all, but if the limit is too low, it invites the opportunity to have the message delivered by other means that avoid the constraints of the limit.

One area that I think we haven't discussed yet but that I would be very concerned about is spending outside of the campaign period. There's nothing in here that talks about spending outside of the campaign period. Traditionally in the province of Alberta political parties have built up, you know, the term is "campaign war chests," if you wish. Traditionally political parties have built up funds in anticipation of taking on the next electoral contest, and the spending of those funds is concentrated within the period of the electoral campaign. Now, if we set an arbitrary, pick a number out of the air figure that is simply lower than what the capacity of parties has been to raise money from even a lower contribution maximum, which is being suggested and I would concur is needed, then parties will simply start spending that money outside of the writ period, and in this province instead of having a 28-day campaign period, we will be subjected to a 48-month campaign period.

You know, quite frankly, unless we are prepared to then continue the overreach situation and say that parties can't spend these funds outside of the writ period, then we're into a situation where it turns into – they say: "Well, it's the Wild West. It's a free-for-all." Well, respectfully, I would suggest that if campaign spending limits are set at an arbitrary and artificially low level, we would force some of this spending to occur outside of the campaign period. My own sense – and I stand to be corrected on this – is that that's not really what Albertans are looking for. My own sense is that Albertans in large measure would like to basically go on with their lives and not be, shall we say, inundated with political advertising outside of the campaign period. So I don't feel that 80 cents is the right number.

You know, as long as we're throwing around numbers and that sort of thing, I think it's been pointed out that the British Columbia limit is significantly higher on a per-electoral basis. The Nova Scotia limit is significantly higher on a per-electoral basis. If we look next door to the province of Saskatchewan and their \$673,000 limit, if you do the numbers and compare it to eligible voters in Saskatchewan, it is a number approaching 90 cents to a dollar per eligible voter. I mean, one thing that we know, for example, of the province of Saskatchewan is that they have, you know, 61 MLAs for a province that has approximately one-quarter of the population

of the province of Alberta. So I don't think 80 cents is the right number.

I would agree that a spending limit is a reasonable concept. I am not against the spending limit either on parties or on individual candidates, but I don't think that spending limit should be set at a level that invites the spending of raised funds to occur outside of the parameters that the spending limits are intended to limit.

The Chair: Mr. Clark.

Mr. Clark: Thank you. You know, I want to pick up on what Dr. Starke said. I think you've used the right word here, and that word is "balance." We on this committee shouldn't be thinking about our own political interests and our own party's interests. I mean, if I were doing that, the lower the better for a spending limit, from the Alberta Party perspective. Now, I hope that will someday be a big problem for us, that we're raising far too much money and we can't spend it all. That would be a tremendous problem to have.

You know, I'm not advocating for something that would benefit me immediately in the short term politically, and I think we need to think of a bigger picture here. There have been some comparisons. I mean, they're interesting discussions, actually. How do we compare to B.C., Ontario, federal? I think that's a fair point, but I haven't heard a compelling argument that is an apples-to-apples argument.

B.C. is a very different province than Alberta. Their population is quite similar. I think they're about 4.8 million, and we're about 4.3 million. Maybe they're 4.7 million. They're very, very close. But the vast majority of that population, nearly 3 million, is in the Lower Mainland. They're all concentrated in one place, most of those seats and most of the voters. Ontario is the same thing. More than half the population is in the Greater Toronto Area, so, you know, the amount of money they get to spend on a per-voter basis goes a lot farther than it does in Alberta. The same principle applies, especially in Ontario, as it does federally. You produce a single campaign ad which costs the same to produce in Toronto as it does in Edmonton, but you get to use all of the money to spread that out around the province in a way that you don't in Alberta. So we're not talking apples to apples, and I really have a difficult time supporting an 80-cent cap without an appreciation of what that means specifically in Alberta. I don't believe this government has done the work to tell us exactly how this plays out specifically in Alberta.

I also think that there's a lot of merit to the point that we will find ourselves in if not a perpetual campaign period, if we know we have at least even a roughly fixed election date in a range that from January 1 of election year through election day, it's like the U.S. presidential campaign. It's just nonstop. I'm not sure that's necessarily beneficial either. But the money is going to be there, and we're going to be bombarded by it.

You know, I would like to see a limit. I think a limit is reasonable, but I think we have to have a reasonable limit. Thank you, Madam Chair.

The Chair: Is there anything further to discuss on the motion? Mr. van Dijken.

Mr. van Dijken: Thank you, Chair. I find it very interesting that the members from the governing party are willing to just pick a number out of the air and not give us any kind of indication as to why that number was picked other than: well, we did some cross-jurisdictional research. If the cross-jurisdictional research would be presented to us in a manner that would show that we can engage Albertans even at a very minimum level at 80 cents per elector, maybe we would have an indication on this side of the

committee that this is the right number. The question is: is this 80 cents the right number?

From many standpoints I would suggest that this number is significantly too low. Costs continue to go up. When we take a look at a single mailer possibly taking up 25, 30 per cent of this 80 cents just to get your one message out to Albertans, I suggest that this is definitely too low a number.

We need to compare apples to apples. If we want to say, "Well, Ontario is doing this, so this is the number we pick," we've got two completely different scenarios there. It would be helpful to get an understanding of some historical research of what has been going on in Alberta and what would be more typical spending in a campaign. I do not believe that we want to limit the ability for political parties to get their message out and then be bombarded by third-party advertising that is not hamstrung by the same kind of restrictions as we have seen in Ontario.

Thank you.

The Chair: Ms Renaud.

Ms Renaud: Yeah. You know, we've heard from a number of people sort of questioning what the equation is. I don't have an equation to offer you, just the cross-jurisdictional information that was made available to us as well as looking at the costs of running a campaign that does reach all the electors. But I would like to ask the members opposite: what is your suggestion for a per-voter amount, and how did you get there?

I also just wanted to remind everyone that this is a recommendation that we're making – we are not making the final decision here as a committee – that there will still continue to be time after this, that our purpose is to come together and make recommendations to be put in a report that will go to the House.

I just wanted to put that out there. Thank you.

11:00

The Chair: Is there any further discussion on the amendment? Any on the phone?

With that, I will call the question. Mr. Roth, would you mind reading the amendment back into the record?

Mr. Roth: Mr. S. Anderson moved that the motion be amended by striking out the words "60 cents" and replaced them with "80 cents."

The Chair: All those in favour of the amendment, say aye. Any opposed? That amendment is carried.

Dr. Starke: A recorded vote, Madam Chair.

The Chair: I will start the vote to my right.

Ms Miller: Barb Miller, MLA, Red Deer-South. Yes.

Loyola: Rod Loyola, MLA for Edmonton-Ellerslie. Yes.

Cortes-Vargas: Estefania Cortes-Vargas, MLA for Strathcona-Sherwood Park. Yes.

Drever: MLA Deborah Drever, Calgary-Bow. Yes.

Mr. Sucha: MLA Graham Sucha, Calgary-Shaw. Yes.

Mr. S. Anderson: Shaye Anderson, Leduc-Beaumont. Well, I moved it, so yes.

Dr. Turner: Bob Turner, Edmonton-Whitemud. Yes.

Ms Renaud: Marie Renaud, St. Albert. Yes.

Mr. van Dijken: Glenn van Dijken, MLA, Barrhead-Morinville-Westlock. Not in favour.

Mr. Cooper: Nathan Cooper. No.

Mr. Cyr: Scott Cyr, MLA, Bonnyville-Cold Lake. No.

Mr. Clark: Greg Clark, MLA, Calgary-Elbow. No.

Ms Jansen: Sandra Jansen, Calgary-North West. No.

Dr. Starke: Richard Starke, MLA, Vermilion-Lloydminster. No.

The Chair: And on the phones?

Dr. Swann: Calgary-Mountain View. No.

Mr. W. Anderson: Wayne Anderson, Highwood. No.

The Chair: The vote is tied. It is eight noes and eight yeses. I will vote yes to the motion. It is awkward to be in the chair position and have to break a tie. I have to vote yes. That is carried.

We are back on the amended motion. Mr. Roth, would you be able to read the amended motion?

Mr. Roth: Moved by Mr. Sucha

that the Select Special Ethics and Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be enhanced to include campaign spending limits for registered parties of approximately 80 cents per registered elector indexed to inflation.

The Chair: With that, I will open it for discussion.

Mr. van Dijken: I'd like to make a motion to amend.

The Chair: Go ahead.

Mr. van Dijken:

Adding the following after "inflation": "or an amount equivalent to the yearly average spent on government advertising based on the three previous fiscal years, whichever is higher."

The Chair: Mr. van Dijken, does that reflect your amendment?

Mr. van Dijken: Yes, it does.

The Chair: Mr. Roth, would you mind reading out the amendment?

Mr. Roth: Mr. van Dijken moved that the motion be amended to add the following after the word "inflation": "or an amount equivalent to the yearly average of government advertising for the previous three fiscal years, whichever is higher."

The Chair: With that, I will open debate. Mr. van Dijken.

Mr. van Dijken: Thank you, Madam Chair. I think it's important for us to recognize, as our member from the Alberta Party has alluded to, that the governing party is in a position to do campaigning throughout the time that they're in office using taxpayers' funds, and I would suggest that that would put other political parties at a disadvantage going into a campaign period. I think it would be prudent for us to recognize that a lot of the government spending in their advertising campaigns is being utilized to promote their plans, and we need to allow other political parties to have the same opportunity to promote their plans.

Dr. Swann: Well, I think it's an interesting notion that we could equalize the amount of money governments spend on advertising or have any sense of what that truly is. It's always been the case that governments are communicating, and how you define advertising is very difficult, I think.

I will not support this amendment. I don't think there's any realistic way of measuring it or even balancing it with respect to campaign limits.

The Chair: Thank you.
Mr. Sucha.

Mr. Sucha: Yeah. I can't support this motion. There is an onus on the government to inform the public about policies and strategies, and it is not the same as campaigning. You know, you can look overarchingly at a lot of different campaigns to advertise within the government, whether its prevention of zebra mussels from coming across the border to sexual health. I went to a campsite, and there was a Smokey the Bear costume that my kids saw, and that was about an advertisement to prevent forest fires in the area.

You know, there is a responsibility of a government to make sure that people are staying informed, and unfortunately that has an expense to it, so I will not be supporting that motion.

The Chair: Mr. Cooper.

Mr. Cooper: Thank you, Chair. I think that this is a reasonable proposal that at least allows the playing field to be levelled should a political party have that many resources. As I mentioned in my earlier comments, not all government advertising is bad. It sounds as though there's a sense around the table that, you know, as government members have identified, there is government advertising that absolutely has to take place, some of which is more beneficial than others, but it doesn't change the fact that there's a real cost to that. Whether it is politically motivated or not, it's a significant advantage to the government to be able to spend significant amounts of money, particularly when we look at things like advertising the budget, advertising lawsuits, or advertising the carbon tax, large amounts of money, and then also at the same time flipping that coin over and saying: well, you're not allowed to spend to engage voters.

11:10

You know, the government has a very clear understanding of what a broad, province-wide campaign costs when it comes to advertising an idea or a concept, and it spends money to do that. This motion would level the playing field by allowing opposition parties, during the primary period of time in which they engage voters, to get the message out on what their vision looks like for the province for the following term. To limit their ability to spend a meaningful amount, I think, doesn't serve the public well and also keeps the balance of power tipped quite heavily in favour of the government.

I'll be supporting this motion. I encourage others to do so. Hopefully, it would also have a limiting effect on how much money the government would spend on advertising that may not be as effective as others.

The Chair: Is there any further discussion?

With that, I'll call the question. Mr. Roth, would you mind just reading out the motion on the amendment before the vote?

Mr. Roth: Mr. van Dijken has moved that the motion be amended to add the following after the word "inflation": "or an amount

equivalent to the yearly average of government advertising for the previous three fiscal years, whichever is higher."

The Chair: All those in favour of the amendment, say aye. All those opposed? I believe that is defeated.

We are back on the amended motion. Is there further discussion on the amended motion?

Mr. van Dijken: I have difficulty with one word in the motion the way it sits, and it's the word "enhanced." I think it would be better represented if we were to replace that word with "amended." I would suggest to make a motion to amend to
strike the word "enhanced" and to replace it with the word "amended."

The Chair: Mr. van Dijken, does that look accurate?

Mr. van Dijken: Yes, it does.

The Chair: Mr. Roth, would you mind reading that out, please?

Mr. Roth: Mr. van Dijken moves that the motion be amended by striking out the word "enhanced" and replacing it with "amended."

The Chair: Is there any discussion on the amendment?

All those in favour, say aye. Opposed? That amendment is carried.

We are back on the amended motion. Is there any further discussion on the amended motion?

Mr. Cyr: I've stated previously that I wouldn't support the 80 cents. I don't support caps, but this is too low. I would like to amend this motion to the exact words that Mr. Shaye Anderson had used except that instead of it saying "60 cents" to saying "80 cents," it be replaced with "\$1.40."

The Chair: Mr. Cyr, are you asking for the words "80 cents" to be struck out and replaced with "\$1.40"?

Mr. Cyr: Where it's "60 cents," put "80 cents," and where it's "80 cents," put "\$1.40," and put my name there.

Ms Dean: Madam Chair, there's a question about the admissibility of that type of amendment because the committee has already made a decision with respect to the amount. If that type of amendment were to have been moved, it would have been a subamendment to Mr. Anderson's amendment.

The Chair: After discussion with counsel I see that as the original amount had been amended and there would have been a subamendment at the time of the amendment to change the amounts, to amend it now would, in other words, make this an endless motion, so I would rule this out of order.

Mr. Cooper: I have heard your ruling and would like to request unanimous consent of the committee to allow a vote on the number \$1.40.

The reason is that earlier in the committee the government members suggested that they would like to hear a spending cap, a number that the opposition might see as a bit more suitable. While we are opposed generally to spending limits, you know, this is about the ability to compromise and make other suggestions and recommendations. In British Columbia, I believe, it's \$1.40 and much more similar to our jurisdiction.

My guess is that there was a little misunderstanding with the procedures and that if Mr. Cyr had been aware that it had to have been done at that time as a subamendment, we certainly would have

proposed it at that time. It's likely my error in a recommendation that I made to him, so I would ask for unanimous consent of the committee. As we've seen in the Chamber from time to time, when procedure hasn't been followed as by the book as possible, the Chamber has granted unanimous consent for this sort of debate or discussion to continue, so I would ask for unanimous consent for the motion to be ruled in order.

Mr. Sucha: I'm open-minded to opening up this olive branch and having this discussion, and I think it's only fair, you know. I can appreciate that, so I'll support that.

Mr. Cooper: One quick question . . .

The Chair: Go ahead.

Mr. Cooper: . . . for Ms Dean. Perhaps it would make it easier if the motion was worded as it was passed under Mr. Anderson's proposal and we added "an additional 60 cents." Would that then help the motion to be ruled in order?

Ms Dean: It never ceases to amaze me, the creativity that members bring to the table. No, it still would not be in order because the committee has made a decision on the amount. The correct procedure would be to go back and rescind that decision.

The Chair: Is there unanimous consent to discuss the \$1.40 under Mr. Cooper's request? All those for, say aye. Any opposed? On the phone? That is carried.

Discussion on \$1.40. Dr. Starke.

11:20

Dr. Starke: Thanks, Madam Chair. Just as a point of reference – and I've been actually scanning and looking for the amounts and haven't been able to find them on the otherwise very user-friendly Elections Alberta website, so perhaps the Chief Electoral Officer or someone else from his office could inform us. The parties that participated in the 2015 general election: how would the spending of the individual parties that participated in that election compare to the approximately 2.4 million eligible voters? Like, I'm just curious to know: where does this \$1.40 fit for – what? – shall we say, the major parties that participated? And we'll throw in the Alberta Party as being major as well.

Mr. Resler: That's information we can provide to the committee, but we wouldn't have a breakdown of that amount easily accessible at this time.

Mr. Clark: With your indulgence, Madam Chair, I have answers to that question based on my thorough if not efficient analysis based on the filings on Elections Alberta's website: Wildrose spent \$1.1 million in total campaign expenses in the 2015 election; Progressive Conservatives, \$4.3 million; and NDP, \$1.6 million, roughly. These are sort of rough estimates just for reference purposes. I haven't got to the Alberta Party yet. It was less.

Mr. Resler: And there were approximately 2.8 million electors in the last . . .

Mr. Clark: Two point eight million?

Mr. Resler: Yup.

Mr. Clark: Okay. Thank you.

Dr. Starke: Thank you, Madam Chair.

The Chair: Further discussion?

Mr. van Dijken: I guess what's being discussed here is trying to find the right number, and it would be helpful if the governing party could explain to me if 80 cents is right or if \$1.40 is right. Why would \$1.40 not be right based off the ability of a political party to engage Albertans in at least a minimum of information transfer?

Mr. Sucha: You know, I can only really reiterate the points that we've said in relation to the 80-cent limit that we initially proposed. We looked at the crossjurisdictional formulas, heard a tremendous amount of feedback from members of the public, looked at the crossjurisdictional guides as well as feedback from the submissions. We determined that in relation to what would be best in this province, 80 cents seemed most efficient. You know, it's below the federal limit, and they continue to run really strong campaigns centrally within Alberta. So with that in mind, that is why we have determined that number, and that's why we would not be supporting this number.

The Chair: Mr. Cooper.

Mr. Cooper: Thank you, Chair. Thank you to the committee for allowing it to be discussed. To ensure that this doesn't go on all day, we won't be proposing \$1.35 or \$1.41 immediately following, Ms Dean, so the creativity stops here. But I just would like to briefly mention that a cap of \$1.40 is approximately just over \$3 million.

Dr. Starke: It's close to \$4 million.

Mr. Cooper: Oh, what's a million bucks between friends?

Dr. Starke: It's what you spent in the last election.

Mr. Cooper: Yeah. Even if it is just shy of \$4 million, the point remains the same, that this is a number that allows a full and robust expenditure. It doesn't move into the realm of ridiculous amounts that we see in other jurisdictions that, as many here have pointed out, we don't want to head towards, and it allows for parties to compete on equal playing fields.

You know, like I have said, a spending cap isn't our desired position, but one that allows some flexibility to do this is important. As mentioned earlier, if you wanted to mail every household in the province a stamped envelope, it moves close to three-quarters of a million dollars. I think it's critically important that political parties have scope in which to operate, not one that's limited in a way that the government isn't limited but one in a way – should they be able to engage those that make donations to that party, they should be able to spend those resources.

You know, we have been well and truly on the record on limiting contributions. If a political party can engage at the grassroots level and still raise the \$3.9 million, then they ought to be able to utilize those inside a campaign period, particularly when we look at some of the targeted advertising costs, be it smaller populations or otherwise. That can increase significant amounts of costs and reflect similar to other jurisdictions. Just as has been stated, I think that this allows for significantly more flexibility but still keeps with the intention of many around the committee that significantly support a spending cap. This may provide a solution that is much more reasonable and that more members of the committee could support.

The Chair: Any further discussion on the amended motion?

Mr. Sucha: I think it's important to really also look at some of the context of how B.C. has their spending limits. At this current

moment there are no contribution limits, so there is a little bit more influence that can come in from some of the wealthier people and subsequently a larger pool of money that can be spent in that relation. I think it's important to note that, you know, a system has been created to acknowledge that there are no contribution limits in B.C.

Mr. van Dijken: I believe the committee is considering contribution limits in Alberta and that that would essentially take the big money out of campaigns and out of the political process. I think the comment that's been made is two-sided. If we're going to take the campaign donation limits and put them in place, then the spending limits are probably not necessary. The spending limit in B.C., like has been stated, is there for a reason, because they have no donation limit. If we are going to proceed with limits to donations, then I think that the point has been made that spending caps are probably not necessary.

The Chair: Ms Renaud.

Ms Renaud: Thank you. I would like to ask either Mr. Cyr or Mr. Cooper: how did you arrive at the \$1.40? What equation did you use or what research did you use to come up with that amount?

Thank you.

The Chair: Mr. Cyr.

11:30

Mr. Cyr: Thank you. I specifically used B.C. as a good comparison. The fact is that we're getting no indication of how the government came up with 80 cents. If we had that formula, at least we could be able to come up with a compromise that shows that this is how we would react to it. The thing is that, really, we only have the ability to be able to look at what our neighbours are doing, somebody that's comparable. I would argue that B.C. is not apples to apples but is something at least closer to what we would expect Alberta to be following should you support a spending cap.

I'd also like to mention that if you were to do a first-class mail-out within Alberta, you're probably looking at about \$1 per letter. When you start looking at who you're trying to reach with just one mail-out across, that's \$2.8 million going out in one mailing. If that's where you were to target, then you're looking at being at about \$2.8 million just with one mail campaign. Now, why is this important? Why would anybody want to do a mail campaign specifically of this gravity? The question here is that political parties now are gravitating towards social media, and not everybody is on social media. We have low-income Albertans that are not having access to this social media. So the question is: how do you get your message to those that aren't having that availability? That is through direct mailing. Unfortunately, it is very expensive to do that.

When we start looking at how much we would do in an actual campaign, you really want to be able to make sure that you reach out to everybody in Alberta, not just those that are following Facebook and Twitter. By limiting this too low, you are actually eliminating the opportunity to get the party message to everybody. I think that would be a tragedy in itself. I truly believe that we need the opportunity, if there are funds available to the party, to be able to get access to every Albertan, to engage them in the process of voting. By far, 80 cents is too low. I would argue that \$1.40 probably is too low, but if we have to look at something to compare it to, B.C. is somewhere that, I would argue, is at least a relevant comparison.

I would encourage everybody to vote for my motion, and I would say: let's move on.

The Chair: Is there any further discussion on the amendment? Mr. Resler, you have something to add?

Mr. Resler: I just wanted to follow up on Dr. Starke's question. When we look at the expenses, what was spent by the political parties in the last provincial general election, we had the Alberta Party at \$170,000; the Alberta Liberal Party, \$287,000; Wildrose at, rounded, \$1.2 million; the NDP, \$1.6 million; the Progressive Conservatives, \$4.3 million. When you're applying the cap as far as the 80 cents for 2.8 million electors, that works out to \$2.24 million at 80 cents. All parties would fall within that spending limit with the exception of the Progressive Conservatives. At \$1.40 your spending limit is at roughly \$4 million.

Dr. Starke: Thank you.

Mr. Cyr: I would like to also reiterate the point that a snap election had been called in all of this. The government actually has the ability to be able to create elections whenever it wants and take the opposition by surprise, which is what happened at that specific time. When that election had been called, we were leaderless as well as, I believe, the Liberals and the NDP. So when you start looking at the last election as a model, I guess, to come up with a comparison, I would argue that it is far from a comparison. Saying that just because it fits with the last election, suddenly it's okay for this one – unless you're planning on calling snap elections, that would be the comparison you're looking for, but I would argue that at this point we need to make sure that we have the ability to raise funds, and that is not at 80 cents. That's my opinion, anyway.

The Chair: Any further discussion on the amendment?

With that, I will call the question.

Mr. Roth, I'll get you to read that out, please.

Mr. Roth: Moved by Mr. Cyr that

the motion be amended so that the words "80 cents" be struck out and replaced with "\$1.40."

The Chair: All in favour of the amendment, say aye. Opposed? That amendment is defeated.

We are back on the amended motion. Is there further discussion on the amended motion?

Mr. van Dijken: I've got a question. When we discuss campaign spending, there is a certain amount of cost to raising funds. Would those types of costs be included in campaign spending limits?

Mr. Resler: I guess that would depend on the legislation and what specific restrictions are placed on specific expense items. Each jurisdiction looks at it differently.

Mr. van Dijken: Okay.

The Chair: Is there any further discussion on the amended motion?

Seeing none, I will call the question.

Mr. Roth, would you mind reading out the amended motion, please.

Mr. Roth: Moved by Mr. Sucha that

the Select Special Ethics and Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended to include campaign spending limits for registered parties of approximately 80 cents per registered elector indexed to inflation.

The Chair: All those in favour of the amended motion, say aye. Opposed? I believe that motion is carried.

The next deferred motion that we have under spending limits: Mr. Sucha, I believe you have a deferred motion about a candidate's campaign spending limits.

Mr. Sucha: Leadership campaign.

The Chair: And also spending limits with regard to a registered party's campaign spending limits. We'll start with number 11.

Mr. Roth, would you mind reading that out, please.

Mr. Roth:

Moved by Mr. Sucha that the Select Special Ethics and Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended to introduce leadership campaign spending limits of up to 15 per cent of a registered party's campaign spending limits.

The Chair: With that, I will open discussion.

Mr. Sucha: Madam Chair, sorry. With the indulgence of the committee, before I move on to discussing the contents of this motion, I would like to clarify the intent of the motion. The intention is that this is a per-candidate spending limit. I just want to make sure that the motion does not need to be amended to clarify this before we discuss the content.

11:40

The Chair: Are you asking to see if it needs to be amended to reflect that?

Mr. Sucha: Yeah.

Dr. Massolin: Madam Chair, can the member please just restate: to say what, exactly?

Mr. Sucha: Sorry. My intent is that the spending limit is 15 per cent per candidate. The current motion does not say that, so I just want to make sure that I don't need to amend the motion. Like, I just want to make sure it's in the right context of what my intentions were.

The Chair: Are you on motion 11 in that document that had been distributed?

Mr. Sucha: Oh. I apologize. I'm looking at the wrong – sorry. Yeah. This is the motion. I just want to make sure that the context of what it says still applies per candidate.

The Chair: Mr. Sucha, are you wanting to move on to number 12? Currently we're on number 11.

Mr. Sucha: Yeah. I'm on that one, too. I'm just wanting to make sure that within the context of what I'm – it's going to be the same question for both motions that I have here because my intention for both of them is that each candidate is limited to the 15 per cent.

The Chair: Would you be open to hearing a suggestion of something that might reflect what you're asking, if it needs clarification?

Mr. Sucha: Yeah.

Mr. Roth: Mr. Sucha, I'm just wondering if the amendment were to be: after "introduce campaign spending limits in that period," add in the words "for each candidate."

Mr. Sucha: Yeah.

Ms Dean: I believe the language in this legislation is "contestant." Of course, somebody else will need to move that amendment.

Mr. Roth: If you were to move an amendment to reflect what you're saying, Mr. Sucha, somebody else would have to make the amendment that will introduce the words "for each contestant" after "spending limits."

The Chair: Is there someone wanting to make that amendment?

Mr. S. Anderson: Sure. I'll make that amendment. I had one that is very similar, but that works perfectly, "for each contestant." I had "candidate," but "contestant" works as well.

The Chair: Mr. Anderson, is that where you are wanting to land with that amendment?

Mr. S. Anderson: Yeah. That'll work.

The Chair: Mr. Roth, would you mind reading out the amendment?

Mr. Roth: Mr. S. Anderson moved that the motion be amended by adding the words "for each contestant" after the words "leadership campaign spending limits."

The Chair: With that, I will open discussion. Mr. Clark.

Mr. Clark: Thank you, Madam Chair. Doing my very quick arithmetic here, the 15 per cent would result in a \$336,000 per-contestant limit. Asking the elephant in the room question, do you intend for this to be retroactive? The Legislative Assembly does not sit again until October 31. The one leadership campaign that we know is active right now officially starts on October 1. Do you intend for this to apply to any leadership campaigns that begin prior to the Legislative Assembly resuming its sitting this fall?

Mr. Sucha: Not that I'm aware of.

If I'm correct, Madam Chair, we're at the discussion of the amendment.

The Chair: Yes, we are.

Mr. Clark: I'll park my question and ask again.

Mr. Sucha: I'd be happy to answer.

Cortes-Vargas: Can I just answer that question? No. But we could have that discussion here, like, when it's appropriate, of course.

The Chair: Further discussion on the amendment?

Seeing no further discussion on the amendment, all those in favour of the amendment, say aye. Any opposed? On the phones? That amendment is carried.

We are back on the amended motion. Mr. Clark.

Mr. Clark: Thank you. Now that we're back on the main motion, I will ask that question again. Do you intend for this to be retroactive to a time earlier than the next sitting of the fall session of the Legislature?

Cortes-Vargas: It is not our intention to make this retroactive at this time, no.

Mr. Clark: Thank you.

Mr. Cyr: This is for a point of clarification. Is that spending limit, that campaign spending, based on the last campaign?

Mr. Cooper: Based on the \$2.4 million we just agreed to.

Mr. Cyr: Okay. Obviously, these leadership campaigns come outside of election years normally. Now, are we using the prior? Like, do the spending limits go up and down each year, or is this something that is based on the last one? How is this valued I guess my question is.

Mr. Sucha: I'm just reading from the context of the previous motion that moved through the committee. You know, the other motion for campaign spending limits adjusts to the rate of inflation, and it is also based on population. So this one would subsequently move accordingly as well.

Mr. Cyr: So we set it once, and then we move forward with that amount? It doesn't get revisited in subsequent years, it just goes by inflation? It never occurred to me to ask that question before.

Mr. Sucha: Well, generally, like, it would be revisited if it came up within the mandates of another committee or if this goes for review again, but it will generally adjust on a regular basis because our population adjusts, as does the rate of inflation as well.

The Chair: Mr. Cyr.

Mr. Cyr: Okay. So you're going to put in the recommendation that it adjusts, like, annually, when a census happens? How exactly does this limit go up or down? I guess my thoughts are that we're going to set a hard number now, and it'll never change until we review this legislation in 10 years.

11:50

The Chair: Mr. Resler, do you have some additional information?

Mr. Resler: If it's indexed to inflation, in other jurisdictions the calculation is performed on an annual basis, usually when the numbers are released, and then the calculation is set by that. That's usually written into the legislation, and that's what we would be requesting also at that time. Yeah. Then because the index increases, the 50 per cent would change because of the increasing index, and on the list of electors itself the numbers will change.

Mr. Cyr: Thank you. That was just my question, if we were just going with the hard number or if it was something that would change year to year.

Thank you.

The Chair: Is there further discussion on the amended motion? Mr. Cooper.

Mr. Cooper: Thank you. I guess, you know, the very nature of the committee presents some unique challenges because there's more than one spinning plate at a time. As we set this limit, there is, you know, the consideration of other parties or third parties that may or may not want to influence a leadership campaign. I also, typically speaking, have some significant concerns around a government setting out rules and how they affect an organization, particularly a political party. The government at the end of the day looks like they're going to determine what individuals inside a political party may or may not want to do or spend on their political campaign.

I think that putting a limit, if Mr. Clark's math is correct, of somewhere around the \$330,000 mark is a major handcuff to talking about ideas and getting grassroots involvement in a leadership campaign. Clearly, we don't have much to be gained in this discussion, but if you had a robust leadership campaign where there were three or four significant players travelling across the

province, even if from a basic level of engaging the members of only that political party let alone trying to bring new people to the political party, whether it's staff or the costs of mail-outs to their members, what this does is it limits those leadership candidates, limits their ability to engage people in the process. Now, I get that there is some concern about a leadership candidate buying the leadership, if you will, but there still has to be some balance between being able to engage people across the province and limiting somebody's ability to do that.

I'll loop back around to this concern around the Legislative Assembly and the government of the day applying their rules to a political party. A political party is responsible to their members, and they suffer the consequences or the realities of the decisions that they make. If they have no spending limit, then they may feel the wrath of Albertans and/or their members. But I believe that that is a choice that the political party should make, not the government. To limit one's ability to engage Albertans I don't think is the best path forward.

The other thing. You know, I can only assume that we'll be talking about this later, but part of the challenge is that if we set this limit, how, then, do we handle third-party advertisers who may like to engage in a leadership campaign? Every time that we do engage third-party advertisers inside a campaign period or outside a campaign period, we run this balance of stifling individuals' or groups of individuals' choice for free expression. There's no doubt that it's a fine line to walk, and to limit campaign spending to \$330,000 or whatever the number is is a real challenge.

You know, there are a number of third-party organizations functioning today, and they have this ability to raise money and spend money. Then to have a political leader not have that same sort of ability certainly is a concern both from the corporation side, from private individuals as well as from unions or otherwise. We know that there are often unions that are very politically active, and they should be able to be. But limiting a candidate's ability to engage voters certainly can be risky, and I believe that the political ramifications of not doing that should rise and fall on the political party, not the government of the day.

The Chair: Mr. S. Anderson.

Mr. S. Anderson: Thank you, Madam Chair. I just have a few notes here. Leadership races are interesting events in that they need to follow our election laws and internal party rules, but sometimes gaps exist that need to be addressed. In Alberta these leadership races can have unofficial and official start dates. I think that we all can agree that the basic rules should apply to leadership races that apply to other forms of democratic races, by-elections and general elections. That means making sure that all our activity associated with these activities has reasonable oversight and limitations regardless of arbitrary timelines.

The principle we need to start from is that leadership races should be treated like other races. Therefore, it follows that the motions we put forward as recommendations need to address a few different things. First, it needs to have reasonable spending limits and contribution limits, just like other elections. Second, Albertans deserve to know where contributions are coming from, and those contributions should come from Albertans. Disclosure and contribution rules need to be clarified. Third – and this is very important – our election rules need to be clear that the declaration of a campaign and fundraising for that campaign is in effect engaging in a leadership race and must be covered by elections financing rules regardless of when a party officially begins its leadership race. Finally, funds raised by Albertans for a leadership

race need to be spent on that leadership race. This is a social contract that a candidate makes with Albertans.

I believe this is in keeping with all our goals to protect and promote democracy in Alberta so that leadership races follow the same principles we are attempting to apply in other areas. The proposed spending limit based on the current elector count would be approximately \$315,000.

Aside from other motions that have already been introduced and that might be introduced, I would like to express my support for this motion and would encourage all of my colleagues around the table to support it. Thanks.

The Chair: Is there further discussion on the amended motion?

12:00

Mr. Cyr: It's always a concern that every party has when it has its leader either resign or decide to move on with their career. I guess that whenever we look at that transition time – those leadership contests are healthy, they're vibrant, and a new leader takes place – when these leadership contests happen and the leader is being challenged and is an incumbent within the system, we need to be asking ourselves: is it possible for rivals or new contestants to be able to get their message out over top of an incumbent leader? I guess my example here would be that when you start looking at past leadership campaigns, they spent a lot of money on their campaign. I would like to know: do you have kind of an idea of what was done in the last leadership campaign for, say, the past government, with past Premier Prentice in his leadership race?

Mr. Resler: For the top three, as far as the highest expenses, it ranged from \$288,000 to \$2.6 million.

Mr. Cyr: So when we start looking at reducing it that much, from several million dollars down to \$336,000, is there any way that we are going to be able to see, I guess, a healthy system underneath this cap? This is why I'm arguing whether there should be a cap or whether this should be left to the political parties.

I also have to bring up what my colleague brought up, which is third parties. Are we going to be in a situation where third parties pick the leader of our parties? I have a real concern when it comes down to the fact that we are looking at taking big money out of politics, which is admirable and something that I fully support, but when we have third parties being able to more or less spend whatever they want during a leadership campaign, are we going to be, again, losing the message of the potential leaders and installing who third parties want to be leading those parties? That needs to be something that I would hope that this committee would address in all of that.

I won't be supporting this motion, just because I believe that this is an internal thing, that a party should be looking at bringing rules of its own forward to make sure that it's fair for all the contestants and making sure that, in the end, third parties don't influence the race that wants to choose the next leader of their party.

Thank you.

The Chair: Mr. Clark.

Mr. Clark: Thank you. You know, this is a really difficult issue to discuss. I think it's interesting, how we're all kind of dancing around this because of current political realities. I'll ask a similar question, that I've asked previously: why 15 per cent? Why this number and not a different number? Has any work been done on costs of leadership campaigns in time?

I just want to confirm with our friends from Elections Alberta, Madam Chair, if I may. Is Alberta the only province that controls

leadership campaigns, or are there other provinces that have rules around leadership campaigns? If so, are there other provinces that you're aware of that would limit leadership campaign spending in this or another way?

Mr. Resler: I guess I would clarify. In most jurisdictions I wouldn't say that it's controlled. It is a reporting and disclosure process of an internal process of the party. So there's the registration component as far as who the contestants are, the disclosure as far as who the contributors are. I'm not sure if any of the other jurisdictions have any restrictions placed on them. I'd have to look that up.

Mr. Clark: Thank you. I appreciate that.

I think it is absolutely appropriate to have a reporting and disclosure process. I think there's not any question about that when we're talking about leadership elections. Ultimately, people who lead political parties aspire to be the Premier of Alberta, and I think it is entirely fair that we would monitor that from a reporting and disclosure perspective. Perhaps we could even look at aligning leadership donation limits with provincial campaign donation limits and those rules being the same. So we eliminate corporate, union donations, which, I believe, has happened. We look at perhaps limiting the donations themselves.

For Alberta to be entirely unique on this front province-wide – and perhaps the mover of the motion or someone else on the government side knows the answer to this question – if, in fact, we are, I'm not sure that's a position we want to be in. You know, I worry about unintended consequences, perhaps channelling money outside of the leadership process. I want to be very careful about this not coming across as an accusation, but I just wonder: is there some other consideration at play that I'm not aware of? It feels like a very sensitive matter, and I struggle with the idea that we would meddle too much in internal party affairs, and I'm not sure we're necessarily solving a problem that we have in this province.

Having said that, I stand to be swayed and convinced that, in fact, this is necessary with some real hard facts and data as to specifically what we think this is going to do, and if there are other provinces in Canada that have this in place, I'd love to hear about it and what the experience in those provinces has been.

Thank you, Madam Chair.

The Chair: Is there anyone on the phones that would like to be added to the speakers list?

Dr. Turner.

Dr. Turner: Thank you, Madam Chair. I think this is a very important discussion. I actually want to thank the committee members for taking such a reasoned and considerate approach. You know, the question has arisen as to: is 15 per cent a rational number? The number of \$2.6 million, that was spent by the winner of the last PC leadership contest, is not a reasonable amount. This is an amount that a leadership contestant could only acquire from multiple large donations.

I really want to go back to what we were talking about before, and that is that we want to get big money out of politics in Alberta. We want to be able to make sure that it's possible for the average Albertan, in fact all Albertans, to aspire to become leader of a political party, and in order to do that, the Supreme Court of Canada has said that we need to have spending limits. The Supreme Court articulated in a decision, I believe, about 10 years ago that "it is possible for the affluent or a number of persons pooling their resources . . . to dominate the political discourse." By limiting the ability to spend, the Supreme Court argues that everyone's ability to participate is protected. In doing so, the court has defended the

provisions of the Elections Act that place limits on an individual's right to free assembly and a right to make one's voice heard.

The Supreme Court also said that there should be a limitation on third-party spending. We are going to get to that, but for the purposes of this motion I think that it's reasonable to establish a spending limit for leadership contestants and that \$330,000 for a single leadership contestant sounds very reasonable to me.

12:10

Cortes-Vargas: I just wanted to add a point from the Women's Political Action Forum at YWCA Edmonton. I'm just going to read out a quote.

Women are at a huge disadvantage when it comes to entering and succeeding in the political arena. They face their first and biggest barriers at the entry point of politics – the process of getting nominated. Fighting a nomination battle can prove prohibitively expensive for women, who normally have smaller incomes than men. As well, women have to get past the entrenched male networks in politics, which already may have set aside a given riding for a male candidate considered to have paid his dues. Leveling the playing field requires a change in attitudes and changes in electoral law, such as the election financing reforms introduced by former prime minister Jean Chretien that will strictly limit nomination and electoral spending, at least at the federal level. We'd like to see similar strict limits on all forms of election spending, including at the nomination level, in the provinces as well.

It, of course, is referring to nominations – again, this is from Equal Voice – and it is a discussion on women and how we can reduce barriers in entering and levelling the playing field. Spending limits are one of the things that we can do to do that.

I've heard Mr. Cyr comment that spending limits are unnecessary, yet if they're too low – money still has influence on the way elections go. We've used the most recent election as evidence to say that it doesn't have anything to do with it, but I think we also need to take into consideration 44 years of one government and know that money did have things to do with that. Consistently it has been shown that money has an effect on the results in elections, so we do need to consider that. I definitely see evidence from the last election, but it also needs to be considered somewhat as a statistical anomaly, that it's something that happens every 44 years, not something that is usual. So I think it's just important to look at that.

I just wanted to include that because it is from the Women's Political Action Forum. In looking at ways to level the playing field, one of those is recognizing that there are barriers, and introducing limits is one of the ways that all parties can participate in the very important task of getting more women involved in politics.

Mr. Sucha: Just to reference some of the comments that were made by Mr. Clark, we do have that motion on the table, that you brought forward, discussing allowable limits for contributions, so that will also be a conversation that we will have as this committee moves forward. Ultimately, too, it's important to reflect that we have also incorporated into this a rolling system that allows it to adjust based on population growth and inflation as well. So that's one of the factors. I'm open to hearing more dialogue in relation to this as well.

The Chair: Is there any further discussion on the amended motion?

With that, I will call the question. All those in favour of the amended motion, say aye. All those opposed? I believe that that motion is carried.

We will take an hour at this time for lunch, so we will reconvene at 1:15.

[The committee adjourned from 12:13 p.m. to 1:15 p.m.]

The Chair: Thank you, everyone. I will call the meeting back to order.

We are currently on spending limits. Mr. Roth, would you mind reading the next motion that we are on, number 12, into the record?

Mr. Roth:

Moved by Mr. Sucha that the Select Special Ethics and Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended to introduce nomination campaign spending limits of up to 15 per cent of a candidate's campaign spending limits.

The Chair: Mr. Sucha.

Mr. Sucha: Thank you, Madam Chair. Same as with the previous motion, if I can just have clarification to make sure that the wording of this motion is similar to the other where it applies per contestant, or do I need to make an amendment? My original intent is to have this apply per contestant.

Ms Dean: I don't believe "contestant" is the right language. I'm just looking at outside counsel for the Chief Electoral Officer. I think your intent is with respect to any person running for a nomination, that that cap be in place based on a registered candidate's campaign spending limit for an election period. Correct?

Mr. Sucha: Yeah.

The Chair: Does someone want to make an amendment to that? Mr. Anderson?

Mr. S. Anderson: Sure.

It's similar to that last amendment we made previous to lunch there to move an amendment that the words "as per candidate" be added after the word "introduce" and before the word "leadership." It was a little different, the way we worded it last time.

Ms Dean: May I make a suggestion? For the following words to be added after "campaign spending limits": "for each person running for nomination."

Mr. S. Anderson: A few different ways to word it. That works perfectly.

The Chair: Mr. Anderson, does that look correct?

Mr. S. Anderson: Yeah.

The Chair: Mr. Roth, would you mind reading that for those on the phone?

Mr. Roth: Moved by Mr. S. Anderson to add the words "for each person running for nomination" after the words "nomination campaign spending limits."

The Chair: With that, I will open up discussion.

Mr. Cooper: Just briefly, Chair, not specific to the amendment, I was curious to know and to see if it would be the will of the committee that sometime around 3 o'clock, depending on how much business of the day we've proceeded through, we might be able to move to new motions even if it was only to put those motions on the record and perhaps adjourn them or have some discussion around them. We don't necessarily have to decide right now, but it certainly would be, I think, helpful from our perspective to be able to provide the government members some time to consider any new motions that we might put forward and then perhaps make the

meeting of September 2, or whenever that might take place, a little bit more efficient. I put that out there to you to decide.

More specifically with the spending limit on nominations, to limit the spending to \$10,000 in a nomination contest, many of the arguments that I made before lunch as they apply to the leadership campaigns I think also apply here at the nomination rules, particularly as a contest becomes more and more contested. In that the number of people contesting that nomination is increasing, the amount that an individual might like to connect with the grassroots presents a bit of a challenge. It's quite easy in a contest where there would be five or six people running for the nomination that there may be a number of thousands of constituents or members of that political party in the region, so to put a limit of \$10,000, I think, is prohibitive. I won't belabour the point to excess this afternoon, but many of the arguments that I made prior to lunch still remain relevant, in my opinion.

The Chair: Dr. Starke.

Dr. Starke: Thank you, Madam Chair. I think that for the purposes of clarification we should get this amendment passed and then get on with the discussion of the main motion. We can discuss some of the merits of having the reporting and the limitation of spending for nomination campaigns. We can have that discussion, but if I could suggest that we get the vote for the amendment taken care of first. I think it's obviously a matter of clarification that it is per person running for the nomination, if that's the wording we've landed on. I'd suggest that we call the question and get that amendment passed, and then we can have a broader discussion as to whether campaign spending limits for nomination campaigns are indeed appropriate.

The Chair: Mr. Sucha.

Mr. Sucha: I was just going to reiterate what Dr. Starke has said.

The Chair: Is there any further discussion on the phones?
With that, I will call the question.

Dr. Swann: Would you mind reading the amendment again, please?

Mr. Roth: Moved by Mr. S. Anderson that
the motion be amended to add the words "for each person running for nomination" after the words "nomination campaign spending limits."

The Chair: All those in favour of the amendment, say aye. Any opposed? That amendment is carried.

We're back on the amended motion. I will open that up for debate. Mr. Cyr.

Mr. Cyr: Thank you, Madam Chair. I'd like to reiterate my concerns that I brought up when this had been put forward. The fact is that it's going to be very difficult to track just the candidates alone that are outside of the nomination process. With this motion it potentially could add several thousand people that you're going to have to possibly track through Elections Alberta. It's not something that would happen just at one time. As you know, parties can stagger nomination races for constituency associations over a year period, for instance. It's usually all within the year or year and a half leading up to the possible expected writ drop. Do you have the resources to be able to facilitate this? What sort of resources are you going to speculate you're going to need? I guess my last question is: do you feel it's necessary that your office be involved in the nomination process?

Mr. Resler: I guess, to begin with, with the nomination process as far as persons running for nomination, there is no legislation on that at this point, so there is no infrastructure or administration process in place. Definitely, it will have an impact on staffing. It could be significant, and obviously the timing isn't the best timing as far as the process for elections. We definitely would have to add additional FTEs on that. Some of them may be seasonal in a sense, but there would be impact to permanent staffing.

As far as whether it's an appropriate type of thing, that's a policy decision for the committee, and I wouldn't comment on that, then.

The Chair: Do you have another question, Mr. Cyr?

Mr. Cyr: Just a follow-up.

The Chair: Go ahead.

1:25

Mr. Cyr: Are you aware of any other jurisdiction that actually tracks the spending on nominations for the parties?

Mr. Resler: I do know that Elections Canada has some responsibility for nomination, and it also is being proposed for first reading with Elections Ontario.

The Chair: Mr. Clark.

Mr. Clark: Thank you. The discussion previous has really covered some of the questions or concerns that I have. Really, that comes down to how we envision controlling this and the concerns I have with setting up what is likely to be a significantly larger workforce within Elections Alberta. If there are hundreds of nominated candidates, there are surely potentially thousands of nomination contestants.

The other concern I have is the potential barrier that this creates for people to seek a nomination. You know, I don't find that the Elections Alberta paperwork is overly onerous, and Elections Alberta staff are tremendously helpful. I've had nothing but good experiences with them. However, certainly the first time you go through something like that, it's an intimidating process, so I worry that this creates a barrier, very likely an unintended, for ordinary people to choose to seek a political nomination. Even if they thought, "I'll just give it a try; this is maybe something I'll try; maybe I don't think I'll win this time, but, you know, I'll get my feet wet, see what the process is like," if they don't file, presumably then they would be subject to the same penalties that anyone else is subject to who doesn't file, which would be exclusion from future elections.

Is this yet another hurdle for people to cross to participate in the democratic process? In fact, are we solving a problem we even have in this province by doing this? Coupled with the very likely substantial increased work effort and therefore cost to Elections Alberta, I'm not sure this is something I can support.

Thank you, Madam Chair.

The Chair: Mr. Sucha.

Mr. Sucha: Thank you, Madam Chair. I first want to address a couple of comments that were made and then share sort of my insight about this. First, typically when we have elections, we hire – and correct me on the terminology of this – a chief returning officer per constituency. In my mind, I could see that job being assigned to that chief returning officer and at most maybe five or six nominations that they would have to oversee during that process.

The ultimate thing I reflect on is that when I ran, I and Member Luff, who isn't here at this moment, shared one thing in common. We were both stay-at-home parents. We were both on parental leave at the time. One thing that I think is important is that we open up our electoral system so everyone can get involved.

I'm going to tell you – and I will throw everything out to the committee here – that I had my first child at 22. I was working under a fixed income. I will call a spade a spade. My nomination was uncontested, so I got nominated. I wanted to participate. I wanted to be part of this process. I can tell you that if I had a contested nomination, I probably would not have had that opportunity and that someone who had more accessibility towards more finances, was able to level up the finances within their nomination, would have had more of an opportunity.

I think that because I had this opportunity to run because of the fortune that my constituency was uncontested, stay-at-home fathers have a voice in the Legislature. Fathers who go on parental leave who are helping raise their babies have a voice in this Legislature. I've heard constantly from people who have acknowledged and who are amazed that they have their voice. People in the restaurant industry, front-line workers, have expressed to me how excited they are that they finally have a voice in this institution, and I can tell you flat out that that would not exist if there was a candidate who could outspend me in a nomination. That is why I stand behind this policy, Madam Chair.

The Chair: Dr. Starke.

Dr. Starke: Well, thank you, Madam Chair. I appreciate the comments that have been made on both sides of this debate. I guess the first concern that I have – and the Chief Electoral Officer has pointed it out – is that we have 87 ridings. You know, if each of five political parties had contested nominations and there were three candidates in each contested nomination – and we know full well that in some cases it's many more than just three – we could be looking at upwards of 1,300 campaigns that would need to file a report and have that report reviewed and sometimes in a very short and finite period of time while the chief electoral office is preparing for an election, which I know is a time of great activity within the office.

I truly think this measure is a solution looking for a problem to solve, and I don't believe that it is the role or should be the role of the province or the chief electoral office to get involved in dictating to political parties how they run their nomination campaigns. That is the party's purview, and if the party wishes to set specific spending limits for the candidates for the people who are seeking nomination within that party, they are certainly at liberty to do so.

I mean, you know, Member Sucha talks about being uncontested. I have considerable experience working in situations where nominations were not uncontested. In fact, three or four or more candidates vigorously pursued the nomination of their party. You know, I was involved over 20 years ago, close to 30 years ago, in a campaign where 2,900 memberships were sold, and the margin of victory was 70 votes. To then limit those nomination campaigns to a spending limit of \$10,500 would make it, I think, difficult for those nominees or those seeking the nomination. I mean, we have seven newspapers in our riding. Just buying ad space leading up to the nomination would chew through that in no time, never mind printing pamphlets, doing any number of other things that you'd want to do for outreach.

So to set a sort of one-size-fits-all arbitrary 15 per cent of the \$70,000, which is an equally arbitrary number, as being something that should be in place for nomination campaigns and to dictate that to political parties that should at least have some degree of

independence and to place this additional burden unnecessarily on the office of the Chief Electoral Officer: I just can't support that. It doesn't make sense. It does not, in my view, add a level of value or a level of equity or whatever you want to call it to the electoral process, and I'm opposed to this. I think it's overreach. I think there are many measures that we're looking at taking in the course of reforming our Election Act and our electoral financing act that make sense and I think are good reforms, but I think this is a step too far.

The Chair: Mr. S. Anderson.

Mr. S. Anderson: Thank you, Madam Chair. I do like the comments kind of going back and forth here. The information from each side is nice to listen to. I understand there have been some questions on the other side, possible overreach, for example, but I would remind, I guess, my colleagues that at the federal level these nomination contestants are – spending is also limited to 20 per cent. It's a little different, you know, in that electoral district, but I think what we're proposing here is not much different. I know there's some concern over this, and I don't think any of us, obviously, have anything to hide. We've already banned corporate and union donations. I think this motion would help close a potential loophole for big money to get in, you know, in other ways, backdoor or loopholes, whatever you want to use for the word. The proposal to limit the contestants to \$10,500 in expenses is reasonable, I believe. They are just nomination races, and like I said, I think they are reasonable.

That's my take on it. Like I say, I appreciate the views from all sides. I'm going to support this motion.

Ms Jansen: Well, a couple of things come to mind. First of all, you know – and we used to say this from the time I was elected in 2012. I look at this through the lens of a communicator. We often have made the mistake in government – and governments tend to do this – of providing people a solution to a problem they didn't know they had and sometimes a problem they didn't actually have. You do it with the best of intentions, but I think in this case this is a prime example of an attempt to do just that.

1:35

You know, the resources needed to be able to carry something like this out I think are relatively onerous. With all respect to Member Sucha, when you described the idea of the chief returning officer being able to carry this out, I immediately saw Mr. Resler shake his head. Clearly, this isn't something you have discussed with the Chief Electoral Officer or have gotten a sense of what the actual impact and cost would be. When you think about it that way, we're talking about, first of all, a problem that most of us didn't know we had, a solution that's going to cost money and infrastructure, and I'm just wondering why we would want to go down this particular road.

Now, the idea that there's no infrastructure in place right now to handle this and that you would have to bring in staffing for it leaves me to ask the question – and I would appreciate it after I finish my comments, it would be nice to hear from our Chief Electoral Officer to give us a sense of what might be involved in this. I think it would be helpful for all of us to know exactly how that would be carried out.

You know, I think we've heard this term a number of times in this committee room, keeping big money out of politics. You know, Mr. Sucha, when you said that you had the fortune that your constituency nomination wasn't contested, the first thing I thought of, when we're sitting here in a meeting discussing electoral changes, changes to the Election Act and things like that, is that you

would think that it isn't fortunate that your nomination isn't challenged, that the idea would be to get as many people as possible to be engaged in the process. When you are engaged in the process and you're not the only candidate who's out there as a choice for the folks who are supporters of your party, that's when you see democracy flourish. So I'm a little concerned about the idea that you would consider it fortunate that nominations aren't challenged.

In fact, mine was challenged both times, and I had quite a fight on my hands. Frankly, those are the things that keep you on your toes. Those are the things that keep democracy fresh. If the whole point is to keep big money out of politics, then allowing an opportunity for all sorts of people to get involved in the process at a nomination level would I think be exactly what we would want to see happen in our discussions at this committee level and eventually when we begin to talk about this in the Chamber.

So, you know, I would hope that when we have this conversation, we would remember that our individual political parties certainly have been doing what I think is good work. They answer to the people who hold memberships in those parties, and I think that's important. I haven't seen a party yet in this province that hasn't had to answer to the folks who have memberships in those parties. Considering that's the case, I don't see why we all of a sudden want to start implementing expensive changes where they're not needed.

In fact, I don't agree that we should be instituting any kind of a dollar limit here. I would respectfully ask if at some point Mr. Resler could weigh in on what the cost of that might be or what the task of trying to implement that might look like.

The Chair: Mr. Sucha, would you like to respond first?

Mr. Sucha: Yeah. Absolutely. You know, at the end of the day, I still had to go to a nomination meeting, and they could have said no. So the membership did have that option, to opt not to allow me to be the candidate in that area. Then the final election: I will always stand here and defend it. You can look at the four adjacent ridings that surround mine. Then I was on the ground, working very hard. I would say that I have the fortune to be the representative for the constituency of Calgary-Shaw. I am extraordinarily humbled that I have received this opportunity and hope to work as hard as I can for my constituents. When it comes to the term "fortune," that is the fortune that I feel, that I've been given this very humbling position by the constituents of Calgary-Shaw after working very hard to engage with them on the ground.

The Chair: Mr. Resler, did you want to respond to Ms Jansen?

Mr. Resler: Thank you, Madam Chair. It could be minimum 1,300 additional returns, the registration process. It would have a significant impact. Timing is an issue as far as when the legislation is put in place in order to develop a system, in order to accommodate. With that volume of returns I would try to insist on an automated registration and reporting process, so there would be system development of several hundred thousands of dollars, probably. It all depends on what rules are in place as far as the spending limits, whether there are contribution limits as far as who can contribute, those types of things. We'd have to develop guides and a reporting structure, website improvements.

I'd say that probably a minimum of five staff on a permanent basis would be impacted. We'd probably have to look at different office space because we're constrained with the space that we have. And the staffing that you're looking at: you're looking at pre-event, you're looking at during the nomination process and postevent as far as reporting. Then it becomes, after the fact, if there is a breach, there are questions as far as if should there be an investigation, a review of the process, the timeliness of that. What is the remedy if

such an investigation occurs? If there was a breach, does that mean that the nomination process should be overturned and a new process take place? How close is that to an election? There's considerable impact and timelines that we'd look at.

Thank you.

The Chair: Mr. Clark.

Mr. Clark: Thank you very much. That's very enlightening. Thank you very much, Mr. Resler, for that. You know, I want to add on a few more questions that I have about this. There was a comment that perhaps the returning officer in each constituency could just simply oversee the nomination contest. Well, that assumes that nomination contests happen in the weeks and months before an election. They don't. I know of people who have been nominated two years before an election. Then what happens? Who deals with that? And then that only speaks to what happens in a specific constituency.

Mr. Resler has touched on some other things that would have to happen at a central office location. What if there's a dispute? An election is called on April 1. A nomination, which could conceivably happen after April 1, is held, and it's contested. That appeals process goes through the motions, and then it turns out that that party has no candidate because they haven't met the 14-day deadline. What if a nefarious individual that's perhaps not supportive of that party is somehow injected into that process for the sole purpose of skewering that party's ability to run a candidate in that campaign? What authority does Elections Alberta have to tell a political party that its internal process must be a certain thing, one way or the other?

Now, we're the Legislative Assembly of Alberta. We can do whatever we want, and I also want to say that I'm certain that the folks at Elections Alberta will do whatever the Legislative Assembly of Alberta requires them to do through whatever legislation. They'll do so professionally and enthusiastically, but they'll require the resources to do that, and what this feels like to me is a really unwieldy process. Would uncontested nominations be required to file some sort of paperwork? I don't know.

Again, in terms of creating a barrier, I'll ask Mr. Sucha. I share your passion for being an MLA, for representing my constituents, and I think the diversity of members of the Assembly is a tremendous credit to the Legislative Assembly and to the people of Alberta. More people should have the opportunity to do that. What I wonder is if someone could spend even \$10,500. You know, the scenario you described, being a stay-at-home parent: does that create a barrier? Should people be able to spend – is \$10,000 too much? Is the fact that you're required to file and to complete paperwork, that complexity, in fact creating a barrier to someone who may look at that and go: "I'm not even going to try; there's just too much here because I don't have any resources I don't have any money; I don't have any expertise"?

"I'm an ordinary person who just wants to participate in the democratic process, so I'm going to seek the nomination of a party, and maybe I'm going to do that in a way that I don't even necessarily expect to get nominated, but I'd like to give it a try": those are the kinds of people we ought to be encouraging to participate in the democratic process, and I'm afraid what this motion does is exclude those people. I don't think, based on everything I've heard my friends from the ND caucus talk about, that that's what you're trying to do, but unfortunately I think that's exactly what the net effect of this may be. Some parties have more contested nominations than others, and those parties tend to be the ones that have the resources, but that also creates a frame where certain people have an advantage over another.

Given all that, Madam Chair, in the interest of asking Elections Alberta to come back and actually provide us with an estimated cost and given a couple of different scenarios of what this may cost – I'm not sure what it is we're signing up for here – how many millions of dollars is this actually going to cost to administer? I would like at this point, Madam Chair, to move to adjourn debate on this motion.

1:45

The Chair: All those in favour of adjourning debate, say aye. Any opposed? We have adjourned debate on that amendment to the motion.

Moving back to the top of the issues document, basically, to go back to contribution limits, we have a motion from Mr. Cyr. Mr. Roth, would you mind reading that, number 1, into the record, please.

Mr. Roth:

Moved by Mr. Cyr that the Select Special Ethics and Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended so that discounting of services be considered a contribution and services should be kept to a fair value.

The Chair: Ms Renaud.

Ms Renaud: Yeah. Sorry. I'm just having a little concern with "should be kept to a fair value." I just wanted to clarify, you know, that I certainly do support Mr. Cyr's motion in a number of ways. Sorry. I'm a little disorganized here. I just want to ensure that the wording – first of all, can I just take a time out for a second?

The Chair: Yes. We did jump back in the document, so that's fine.

Ms Renaud: Okay.

The Chair: Is there anyone on the phones that would like to be added to the speakers list at this time?

Are you ready, Ms Renaud?

Ms Renaud: Yes. I'm not very organized. Let me just start by saying that I do think it's critical for myself as an MLA to ensure that our direction on this subject is in line with the very first bill passed in the Legislature, that began the process of renewing democracy in Alberta. That bill banned corporations and unions from directly contributing money to political parties. I'm sure I'm not alone amongst my colleagues in saying that this was a proud moment for all of us. It was the first step in making sure that we put the power to determine elections back in the hands of Albertans by taking influence away from special interests and those with deepest pockets.

Fast-forward to today, and we have before us the motion that I'm speaking to right now, the adjourned motion, that I genuinely believe is an attempt to further renew democracy and get at some of the finer details in making sure that it's individuals who are the agents of political change in Alberta. I agree with the principle of this motion. We need to make sure that participation in the democratic process by individuals is transparent and accounted for. This is a good principle to start from. I want to make sure that we recommend motions on services that are broad enough to ensure full consideration of the range of services that have been provided in the past. In particular, I think we need to consider the implications of the second motion before us. Well, actually, we'll come to that.

In many campaigns volunteers may be using their holidays from their regular place of employment and choosing to spend their time

volunteering on a campaign, talking to neighbours about the candidate of their choice. I think it's good and proper in a democratic society. We want people to feel free to participate in the process if they so choose. What we don't want is corporations or unions dictating that their employees go work on campaigns. That is not good, nor is it proper. This motion around services is, however, a little bit confusing to me because it suggests that services can be provided by a union or corporation. I don't believe that that was the intent of the mover, which is why I want to ask Mr. Cyr if his intention with this motion is to ensure that only individuals and not unions or corporations can donate these services.

The Chair: Mr. Cyr, did you want to respond?

Mr. Cyr: Okay. I kind of get where you're going with this, Ms Renaud. What your concern is is that a corporation could discount its services and then technically give a donation to the party in that way. Is that kind of your question? It wasn't my intent to give a loophole to corporations or unions to be able to give through the discount process. I would say, though, that my intent here is that should that be identified, then that should be considered an illegal donation. That was my intent, so I don't know if we need to put that in this motion.

Ms Renaud: I just had a quick question, actually, for Elections Alberta. Given that we've already banned corporate and union donations, the only contributors who could donate these services would be individuals. Is that correct?

The Chair: Mr. Resler.

Mr. Resler: Yeah. Currently services aren't included in the definition of a contribution.

Ms Renaud: Okay. Thank you.

Mr. Cooper: Sorry. Can you repeat what you just said? I'm just confused, myself.

Mr. Resler: I said that currently services are not included in the definition of a contribution. That's one of the recommendations that we had put forward, to include services in the definition.

Mr. Cooper: Right. So then it would be imperative to make sure that those contributions were not also discounted.

Mr. Resler: That they're valued at the market value.

Mr. Cooper: Right.

Mr. Cyr: To the CEO: Mr. Resler, do you feel that this motion closes or addresses that concern that your office has, and if not, how can we, I guess, move in that direction?

Mr. Resler: The definition of a contribution would have to be amended to include services in the definition. And then our recommendation 16, which in the proposal – recommendation 5 is the definition, and 16, which, it states, your party supports, includes the defining of those services. So where you look at services under our proposal, services would not include "services provided by a volunteer who voluntarily performs [those] services and receives no compensation." So, as an instance, if someone is taking personal vacation time, that would not be included, but if there is compensation directly or indirectly provided, then that would be considered a contribution at that point.

Mr. Cyr: So we would need to make a separate motion?

An Hon. Member: It was already done.

Mr. Cyr: Was it already done?

Mr. Resler: When we look at the original definition of contribution, it's: "any money, real property or goods or the use of real property or goods that is provided." What we'd insert in there would be "services."

The Chair: I was going to mention that motion 2 in what was provided to the internal committee website does talk about paid time off in campaigns.

1:55

Mr. Cyr: Do you feel that motion 2 fulfills what you're looking for, or would a third motion need to be made?

Mr. Resler: Currently in the legislation section 22 states, "The value of contributions other than money provided to a registered party, registered constituency association or registered candidate is the market value of the contribution at that time." So we're already addressing how a contribution is defined to be at market value.

Mr. Cyr: To belabour the point here, then, you're saying that motion 2 already is covered and not legal.

Mr. Resler: Other than that the definition doesn't address services. This definition of a contribution would have to be amended first to include services. Once that's included, section 22 would cover off the market value aspect.

Ms Dean: I have some suggested wording that could be considered by the committee with respect to this motion and that addresses Mr. Resler's point. There could be an amendment so that there's language that provides "that the EFCDA be amended in the definition of contribution to include services," and then the rest of the motion would continue on. Would that make sense from the CEO's standpoint?

Mr. Resler: Yeah. So then a contribution would include nonvoluntary services.

Ms Dean: It's just additional language for consideration by the committee if they want to move an amendment to deal with that issue.

Mr. Cooper: I would be happy to move the amendment as suggested. Would I like to have Ms Dean say the motion? That would be exceptional as opposed to having me try to say it.

Ms Dean: Mr. Cooper to move that the following words be added before "so that," "to provide that nonvoluntary services be included in the definition of contribution," and that "so that" be struck out and substituted with "and that."

The Chair: Mr. Cooper, do you see that amendment as being exceptional but also acceptable?

Mr. Cooper: Both of those, yes.

The only point of clarification that I'm hoping for from Mr. Resler is: because services weren't included, do you feel that this, then, would prevent the discounting of services that would have been possibly considered to be a contribution by corporations or unions or any other organization?

Mr. Resler: As far as the changes as a result of Bill 1, corporations and trade unions cannot contribute.

Mr. Cooper: Okay.

The Chair: Discussion on the amendment? Mr. S. Anderson.

Mr. S. Anderson: Thank you, Madam Chair. MLA Nielsen wanted me to read something on his behalf with respect to kind of the second motion, but considering that we're speaking to all of it right now, he wanted me to read this out, his thoughts on this. This is Mr. Nielsen.

I thank my colleagues for their work on this, and I will be supporting the motion because, ultimately, when we put in a place a ban on union and corporate donations, that's exactly what we intended to do. Our caucus supports closing this loophole to ensure that it's individual Albertans who contribute to political parties because it's Albertans who cast votes in elections.

But before we get to the vote, I want to say a few things for the record. First, I want to begin by thanking my union brothers and sisters who helped me on my campaign last year. They did that because they supported me and they supported my party, and they knew that New Democrats work every day to support working people. They knew that our priorities, things like a living wage, fair and equitable taxation, protecting health and education from drastic conservative cuts, and investing in diversifying our economy, are also their priorities.

Since this issue has arisen, I have heard from a number of them who wanted to be clear with me that they will continue to support me and support our party, but I've also heard that they are disappointed that they will no longer be able to do so in exactly the same way. They have made the point to me that the democratic structures in their union mean that the union members are able to participate in the decision to direct a small portion of their dues to supporting political action, including working on political campaigns that matter to working people. They have told me that they have supported this work in the past and are proud that their union dues are directed in that way and that they are disappointed that they will not be able to continue to do so.

I understand that closing this loophole will have an effect on all parties as all our campaigns have benefited from having services donated, whether that was in the form of activist support, communications products and assistance, or expert advice. As we move forward with modernizing Alberta's election financing laws, it's clear that such contributions should not continue.

Finally, I want to be clear that my brothers and sisters in the labour movement have told me that they support our government's decision to put a ban on corporate and union donations, and they agree that closing this loophole is the right thing to do, and we will proceed to do that. I look forward to going into the next election with working people at my side to take on those who want to return Alberta to the past instead of moving us forward.

Thank you very much on behalf of MLA Nielsen.

The Chair: Is there any further discussion on the amendment?

Mr. Roth, would you mind reading the amendment into the record for us before there's a vote?

Mr. Roth: Mr. Cooper moved that the motion be amended in that the following words be added before "so that," "to provide that nonvoluntary services be included in the definition of contribution," and that "so that" be struck out and substituted with "and that."

The Chair: All those in favour of the amendment, say aye. All those opposed? That amendment is carried.

We are back on the amended motion. Further discussion on the amended motion?

Mr. Roth, would you mind reading the amended motion into the record, please?

Mr. Roth: Moved by Mr. Cyr that the Select Special Ethics and Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended to provide that nonvoluntary services be included in the definition of contribution and that discounting of services be considered a contribution and services should be kept to a fair value.

2:05

The Chair: All those in favour of the amended motion, say aye. Any opposed? That amended motion is carried.

On to the next deferred motion. Mr. Roth, would you mind reading that out for the committee, please?

Mr. Roth: Moved by Mr. Cyr that the Select Special Ethics and Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended so that individuals who are given paid time off in order to volunteer for a specific candidate or registered party be classified as an illegal contribution.

Ms Dean: I think some language needs to be inserted for the motion to be grammatically correct. My reading would suggest that the motion should read: be amended so that services provided by individuals who are given paid time off in order to volunteer for a specific candidate or registered party be classified as an illegal contribution. So it's the services, not the person.

The Chair: Is there someone that would like to move that amendment?

Mr. Cooper: So moved.

The Chair: Discussion on the amendment?
I'll just get Mr. Roth to read out the amendment before there's a vote.

Mr. Roth: Mr. Cooper moves that the motion be amended, that the words "services provided by" be added prior to the word "individuals."

The Chair: All those in favour of the amendment, say aye. Any opposed? That amendment is carried.

Back to the amended motion. Is there any further discussion on the amended motion?

Mr. Roth, would you mind reading out the amended motion, please?

Mr. Roth: Moved by Mr. Cyr that the Select Special Ethics and Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended so that services provided by individuals who are given paid time off in order to volunteer for a specific candidate or registered party be classified as an illegal contribution.

The Chair: All those in favour of the motion as amended, say aye. Any opposed? That motion as amended is carried.

We are on to the next deferred motion. Mr. Roth, would you mind reading that out? I guess we'll read the motion and then read the amendment just to give some context.

Mr. Roth: The main motion.

Moved by Mr. Nielsen that the Select Special Ethics and Accountability Committee recommend that the Election Finances and Contributions Disclosure Act reduce the contribution limit to \$4,000 per calendar year and be indexed to inflation with no variation during the campaign period.

The amendment.

Moved by Mr. Cyr that the motion be amended by replacing "\$4,000" with "\$2,300" and replacing "no variation during the campaign period" with "doubling during the campaign period."

The Chair: With that, I will open up discussion on the amendment. Member Cortes-Vargas.

Cortes-Vargas: Thank you, Madam Chair. I just want to speak to the amendment. I know that last time when this matter came up, it was my colleague Mr. Nielsen that proposed the contribution limit of \$4,000 per calendar year. Mr. Cyr from the Official Opposition proposed an amendment that would see contributions limited to \$2,300 except during election years, when it would be doubled.

I have a question for Mr. Cyr. The act as it stands has a contribution limit that applies for donations to the party and a separate limit at the local level. My understanding is that Mr. Nielsen's intent with his original motion was a total limit without additional separate limits at the local level. My question. The intent of your motion: should the amendment be accepted, would that create a separate contribution cap as it applies to other donation streams? Like, is it an all-inclusive number? Can you just clarify the intent of it?

The Chair: Mr. Cyr.

Mr. Cyr: Thank you, Madam Chair. The intent is that it is separate. There would be two buckets, a party bucket and a constituency association bucket. Is that clear?

Cortes-Vargas: Yeah.
I have more to say.

The Chair: Member Cortes-Vargas.

Cortes-Vargas: Sure. Thank you very much for clarifying that. It does change things quite a bit, depending, because it looks at the overall cap of what we're actually limiting for the contribution.

I would actually like to speak against the amendment that is proposed. I think that, in my view, we need to achieve two main goals in reducing contribution limits. I believe that on both fronts the original motion is stronger. First, we need very robust limits that reduce the amount that is donated by any one individual, and it seems that we can all agree on this one principle. Second, the system needs to be simple so that people can understand it and have confidence in it.

Under the original motion an individual would be able to donate a maximum of \$4,000 per year to the party of their choice. They can donate through various channels, but the sum of their contribution can't exceed that maximum. The \$4,000 is the maximum in an election year or a nonelection year. Over an election cycle that's \$16,000, and it can't be any simpler than that. Under our proposal there is no doubling in an election year, and if you want to donate to a constituency, it must fit under the cap.

I'd just like to take a moment to clarify and compare some of that to what our current system is, and for that I just have some numbers.

I just want the Chief Electoral Officer to validate that, in fact, the numbers I am adding up are correct. Today an individual can donate \$15,000 per year in a nonelection year and provide five separate donations of \$1,000 to constituencies.

Mr. Resler: Correct.

Cortes-Vargas: I'm correct up to that.

Those donations are doubled in an election year.

Mr. Resler: The party donation is doubled in the election year, and then it's \$2,000 per registered candidate.

Cortes-Vargas: Right. Maybe you can help me with this number. I was adding it up, and overall over a four-year election cycle I added it up to \$100,000 that one individual could donate. Perhaps you could provide some clarity on that.

Mr. Resler: What was the number again?

Cortes-Vargas: It's \$100,000.

Mr. Resler: Yeah. I think I have \$105,000.

Cortes-Vargas: So \$105,000?

Mr. Resler: Just as a quick calculation, yeah. You'd get \$75,000 to a party, because it's four years, plus the additional \$15,000 during the election or campaign period and \$5,000 per year to a constituency – so that would be \$20,000 – and up to \$10,000 to candidates. So \$105,000.

Cortes-Vargas: Perfect. I think that, just in the way you explained it, you have to really understand the caps at all of these different levels to understand the overall cap, and what that creates is confusion for the electoral process. I think that, overall, the first motion that was presented really clearly states that \$4,000 is our number, and that can easily be multiplied by four for a four-year election cycle to understand what the overall cap for everything is. That is why I am supporting the motion that Mr. Nielsen brought forward.

It has been mentioned before, but this is the critical point of getting big money and big influence: it creates a debt that needs to be repaid in some form or other if we use large money from one individual. It needs to stop, and it needs to stop now. I believe that while we have some agreement on this committee, the existing system survived for far too long, and there are still interests opposed to reform and in support of the status quo. Why wouldn't there be? For decades it has worked very well for them, but I don't believe that anyone in any good conscience could look at the system and say that it was for the good of average Albertans. Few people in my circle could come up with \$100,000.

2:15

Now, specifically to the amendment I think we might be playing a little bit of a poker game right now. We brought forward \$4,000 as a limit on contributions, and the Official Opposition countered with \$2,300. From first glance that would look like less, but as an overall I think that when you add it all together, clearly the lower one is the \$4,000 limit because it's all-inclusive to all the different streams.

As I said at the outset, I think we need to come out of this committee with a clear commitment to getting big money out of politics as well as a clear and transparent system that people can understand. I just want to reiterate that I know that all parties have supported Bill 1, and I really want to take this other step in creating

more transparency and moving forward in the electoral financing system, where democracy cannot go to the highest bidder and those who cannot afford to pay for a place at the table are left on the sidelines. I think this is one of the steps that we can take today that would allow us to do so.

Thank you, Chair.

The Chair: Dr. Starke.

Dr. Starke: Well, thank you, Madam Chair. I have some real concerns with what's being presented and with, actually, some of the statements by my colleague that were just made. The suggestion that a donor necessarily will have more influence over how an MLA or any elected official conducts their business I find to be a stretch. I hesitate to use the word "offensive" because I'm concerned it will be ruled out of order, but it does offend me. How about that?

Some of the most time I spend in my office with constituents is with people who did not contribute to my campaign and, in fact, I know full well did not vote for me, yet I spend time with them and I provide them with services to the best of my ability, so the suggestion that somehow making a financial contribution provides special treatment or special favours or special preferences is offensive to me. I want to be on the record saying that. I serve all my constituents knowing full well that 53 per cent of them didn't vote for me, and that's fine.

It comes out of this whole suggestion that we have to – you know, again, we hear this term thrown around fast and loose, "get big money out of politics." It concerns me that it comes out of an assumption that the act of supporting a political party or supporting a candidate is by necessity equated with increased influence. I can tell you that I have severely disappointed some of my most generous financial contributors, but they contribute to my campaign nonetheless. They contribute to the party I represent nonetheless. So to suggest that it buys some sort of special favours I think quite frankly is not borne out in fact.

I have a second major problem with this notion that we have a one-size-fits-all, all-encompassing limit, whether it's to the party or to the constituency association, because, quite frankly, it serves the purposes of the government in place. Our party and other parties in our province have a very robust system of constituency associations, and those constituency associations are dependent on donations to run and to be active. Those constituency associations: in addition to doing what they do in terms of political activity, many of them are very active in terms of in the community providing services and providing donations to other support groups or at the very least providing support to agencies that need help.

To have an all-encompassing limit that includes both party central, if you want to call it that, and individual constituency associations essentially competing against each other for contributions is one that works very well for a model where there is a strong central party and no constituency association or very little constituency association structure, and it is very difficult or it is essentially cutting off at the knees a party that has a strong constituency association base such as the Progressive Conservative Party. I'm not as familiar with the other parties, but as I understand it, the Wildrose Party has a similar system. So I have a real issue with this notion that we can't and will not continue to have separate location limits for both the party at a central basis as well as our local constituency association.

My own constituency association: we typically conduct two or sometimes even three fundraising events in a year, and we have many, many members who reach the \$1,000 maximum very quickly, either by purchasing tickets to an event or by some other means. To eliminate that and to simply say that it's \$4,000 per

calendar year all in to all sources is very much a direct attempt to destroy the constituency association system that we have in our party. If the tables were turned and we were still in government and we tried to do it to the opposition parties, they would cry foul, and they would be right in doing so. So I cannot support a motion that eliminates a separate limit for donations to constituency associations.

With regard to the actual amount, I suppose we will go back and forth as to what an appropriate amount is, and different people will have different senses as to what a fair amount is. I would agree that the \$15,000 number has to come down. I absolutely do agree with that. To me, a number of \$4,000 or \$5,000 to the party is I think reasonable and I think does not necessarily provide for undue influence, especially given that these are all personal donations.

I also would make an argument here and now that there needs to be a variation during the campaign period if for no other reason than that the expenses of a party or the expenses of a constituency association do not end just because a campaign happens to be going on. For parties that have staff or have offices, those expenses continue, and the increase in the contribution allowable during a writ period allows for contributors to support the party both for its election expenses as well as for its ongoing operational expenses. It is for a short period of time. The Chief Electoral Officer can correct me on this, but as I understand it, it begins when the writ is dropped and extends for a period of three months after the election date, something along those lines.

Mr. Resler: Two months after.

Dr. Starke: Two months. Sorry.

I think that's entirely reasonable. I don't think that it's inappropriate.

The amendment, which would suggest reducing it to \$2,300: I'm not in favour of that. I think the \$4,000 number is more appropriate, but I would also say that the \$4,000 per calendar year should be for the party only, and the contributor should still be allowed to contribute to individual constituency associations, and I think the \$1,000 limit there is entirely appropriate. I, quite frankly, think that it's important that we maintain the allowability of contributing to neighbouring constituency associations because those constituency associations, especially when they do not have a sitting MLA, will sometimes struggle in their fundraising efforts, and being able to help out a neighbouring constituency association I know is something that is greatly appreciated.

Those are my comments, Madam Chair.

The Chair: Mr. Clark.

Mr. Clark: Thank you, Madam Chair. Thank you to Dr. Starke for that eloquent point on just how things work in different parties and different organizations, and I think that's something that we in this committee need to always be mindful of. I'll remind you again – I said it earlier this morning – that we shouldn't be here looking out just for our own partisan political interests. You know, if I were doing that, I would be an enthusiastic supporter of low donation limits because it's to my benefit that other parties have less money because right now we don't have a lot of money and we don't have the ability to raise a lot of money. So if I could somehow encourage this committee to reduce the capacity of other parties to fund raise to my benefit, well, you'd think I would do that. That's not what I'm going to do, though.

2:25

Speaking specifically to the amendment, the \$2,300 with the doubling, I don't think that's the right model, and I will be voting

against that. The \$4,000: that seems like a reasonable number if we are able to continue to also allow donations over and above that to at least some constituency associations. Perhaps five is too many, perhaps two is a good number, or maybe one. I don't know. But there has to be some ability, I think, to differentiate between constituency association and main party donations. Again, I worry and caution the government side about the perception risk of appearing to use your majority to push through changes that directly benefit the NDP at the cost of other parties.

Having said all that, I will vote against this amendment. I don't think this is the right way to go. But when we're back on the main motion, I look forward to discussing further the specific donation on a per-year limit, whatever that happens to be, whatever the committee decides.

Thank you.

The Chair: Is there any further discussion on the amendment?

Mr. Roth, would you mind reading the amendment, please.

Mr. Roth: Moved by Mr. Cyr that

the motion be amended by replacing "\$4,000" with "\$2,300" and replace "no variation during the campaign period" with "doubling during the campaign period."

The Chair: All those in favour of the amendment, say aye. All those opposed to the amendment? On the phones? That amendment is defeated.

We are back on the main motion. Mr. van Dijken.

Mr. van Dijken: Thank you, Madam Chair. In hopes of bringing some more clarity to the current motion, I would propose an amendment to the current motion. The amendment would be adding "for registered parties" after "\$4,000."

The Chair: Mr. van Dijken, would you mind repeating what you were saying?

Mr. van Dijken: "For registered parties" after the "\$4,000." Then the second part to the amendment is adding "and to include an additional contribution limit of \$2,000 per constituency association with an aggregate amount of \$4,000 for constituency associations and further allow an additional contribution limit during the election period of \$2,000 per candidate with an aggregate maximum of \$4,000 for candidates." That's the end of the addition that reads after "the campaign period."

The Chair: Mr. Resler, did you have something to add?

Mr. Resler: Just a couple of questions for clarification. Instead of "election period" I would suggest "campaign period" because candidates can raise and spend money during the campaign period.

Mr. van Dijken: That's fair. I agree.

Mr. Resler: For the \$2,000 with a maximum of \$4,000: is that for each registered party?

Mr. van Dijken: I would agree.

Mr. Resler: Would you want it to include "of each registered party" at the end?

Mr. van Dijken: I don't believe it's necessary at the end. The individual is limited to the \$4,000 during the campaign period for whichever candidate . . .

Mr. Resler: Of one or many parties.

Mr. van Dijken: Yeah. I don't think it's necessary.

The Chair: Mr. van Dijken, does that reflect your amendment correctly?

Mr. van Dijken: Yes.

The Chair: Okay. Mr. Roth, would you mind reading out the amendment for the record, please?

Mr. Roth: Mr. van Dijken moves that the motion be amended by adding the words "for registered parties" after "\$4,000" and by adding "and include an additional contribution limit of \$2,000 per constituency association with an aggregate amount of \$4,000 for constituency associations" and adding the following after "campaign period": "and further allow an additional contribution limit during the campaign period of \$2,000 per candidate with an aggregate maximum of \$4,000 for candidates."

The Chair: Ms Vance, do you have anything to add before we move on with discussion on the amendment?

Ms Vance: No. I was just conferring with Ms Dean about independent candidates, but that might be more related to the main motion, depending on what happens with this one.

The Chair: Okay. Mr. Clark.

Mr. Clark: Thank you very much, Madam Chair. I will talk first about the things that I agree with in this motion, the principles, anyway, that I agree with. I agree that we should have some additional ability to donate to constituency associations above and beyond the money that goes to the central party. I think that's a very important principle. The ability to double during a campaign period, frankly, I could take or leave. I think that if the limits are high enough – and the \$4,000 limit, really, probably is high enough – and there is an ability to donate to individual constituency associations, we'd probably get ourselves there.

My concern, however, and what I can't support in this motion are the specific dollar figures. Really, what this does is that it increases the current donation threshold that already exists for constituency associations outside of a campaign period from \$1,000 to \$2,000, which is a lot, and then doubles that to \$4,000 during a campaign period, which is really a lot.

Given that, though, and given the principle, I think, of allowing constituency association donations as well, I would like to move a subamendment, and I will try my utmost to keep it simple.

2:35

Mr. van Dijken: Point of order. The mover was not even allowed the privilege of speaking to the motion, and now we're entertaining a subamendment.

Ms Dean: Madam Chair, perhaps you'd want to call on the mover of the amendment and then entertain the subamendment.

The Chair: Mr. Clark, would you like to pause?

Mr. Clark: Absolutely. Yes, Madam Chair. I'll cede the floor to the mover of the amendment. I'd love to hear what the mover has to say. That's fine.

The Chair: Mr. van Dijken.

Mr. van Dijken: Thank you, Madam Chair. I guess the purpose of the amendment is to bring awareness to the governing party that constituency associations are a very crucial part of the Wildrose

Party as well as the other parties around the table. We need to be able to engage with our grassroots members in a way that allows them to feel like they are having the ability to participate in the democratic process and that they are not being dictated to by the central party at every turn. So it's critical for our party as well as others that we continue to protect the function of the constituency associations. I would suggest that if we go to one aggregate number of \$4,000, it becomes very difficult to try and track that within our model of collecting funds because the central party is monitoring what's being given to them and the constituency associations are monitoring what's being collected for their purposes.

The numbers, to me, are negotiable. I am willing to submit to the committee as to the numbers that they feel would be more palatable if they feel that these are not the right numbers and that it's getting into a situation where we become, again, too money-focused in our directions. I think that the key to the amendment that I put forward is to try and bring awareness that the constituency association functions within our party at the grassroots level. That is a very key part of our party being able to function going forward.

With that, I would be happy to engage the committee on this.

The Chair: I'm just going to pause the speakers list for now and call a 10-minute recess. We will reconvene at 2:50.

[The committee adjourned from 2:39 p.m. to 2:50 p.m.]

The Chair: I'd like to call the meeting back to order.

Mr. van Dijken, did you have further to add on your amendment?

Mr. van Dijken: Not at this time. Thank you.

The Chair: Okay. Next I have Mr. Clark.

Mr. Clark: Thank you very much, Madam Chair. I would, further to my previous comments – and thank you, Mr. van Dijken, for clarifying how you intend this to work. My concerns remain that ultimately your proposal would allow an individual to donate up to \$2,000 to one constituency association outside of a campaign period where currently that is limited to \$1,000. That in itself I do have a concern with. Recognizing that the aggregate of \$4,000 could be \$1,000 to four constituency associations or presumably \$10 to 40 – I don't know. You know, so that certainly gets part of the way there on the principle.

I will now, at this point, move a subamendment. I'm going to try my very best. Is there any way you can make that print slightly larger?

Cortes-Vargas: You could put it in landscape mode, and then your text is going to go all widescreen.

Mr. Clark: There you go. [interjections] My hindsight remains 20/20.

All right. Okay. Sorry. If we can just move up a little so I can figure out exactly where to put this. I think what I'll end up doing, if you keep going up a little more because I'm likely to strike – okay. What I'm going to do: if you could just cut and paste the entire words "and to include an additional contribution limit." We'll just work from that point because my subamendment, if you just take all of those words there, including the \$2,000 and the whole thing, and take it to – yes, that's right. Right there. Thank you.

Okay. My subamendment is

to strike the words "and to include an additional contribution . . ."

Yeah. Strike the words.

. . . and replace those words with "and to include a contribution limit of \$1,000 per constituency association to a maximum of three constituency associations."

This is a subamendment to the proposed amendment, so we will also have to strike the last half of the proposed amendment, which is the doubling piece. Sorry; can we just see the amendment, please? Yeah, I'd like to strike "and further allow an additional contribution limit," all of the words after "and further allow an additional contribution limit during the campaign period."

An Hon. Member: Do it in two subamendments.

Mr. Clark: Okay. Thank you.

I'll stop at that point. I will not make the second piece I've just asked there, and my esteemed colleague will probably make a second subamendment.

The Chair: With that, I will open up discussion on the subamendment. Did you want to speak to that?

Mr. Clark: Yeah, just briefly. Thank you, Madam Chair. I would like to say that I think that it's important to recognize that individual constituencies' fundraising is a very different thing than the fundraising that happens on a party level. It is something that's done through barbecues and, you know, picnics and \$5 and \$10 and \$20 at a time or a \$100 ticket or a \$5 raffle ticket or something like that. You know, I think of a couple of things. One, this fits better with the flow of the way funds are actually raised in many constituency associations and communities in Alberta. I think it continues in the spirit of reducing the influence of big money in politics because it doesn't add a tremendous amount into the mix. Like I say, it acknowledges the differences in how communities raise money versus how parties raise money.

The other thing that I worry about: especially at the constituency level you have almost exclusively – in fact, I would say exclusively – volunteers that are responsible for managing the books. What I worry about is that right now we have two distinct and separate buckets. You've got a party donation bucket – and in the new world it will be \$4,000 – and that's managed by the party, which often will have paid staff to do that, and that's fine. Constituencies, however, may not have access to that data, certainly not in a real-time kind of sense. If you have someone who's made a max donation to the party and then buys a \$5 raffle ticket to the constituency association, you may find on February 28, when the receipts go out: "Uh-oh. Now we're in violation because we've just broken the rules. We've now gone over this aggregate \$4,000 limit."

Not only does it add a tremendous amount of work for the volunteer folks who run our constituency associations, but I also worry, again, about the potential for administrative burden being increased at Elections Alberta, to now have to administer and compare and contrast donations that have come in under different buckets. It's not something that's well outside their mandate or well outside some of the work they probably already do, but it's just increasing the volume of that work. Again, I'm not convinced that in doing that, we're really doing so in a way that benefits. I worry that we're making things more complex and more burdensome in a way that unfortunately may push people out of the political process.

With that, thank you very much, Madam Chair.

The Chair: Mr. Sucha.

Mr. Sucha: Thank you, Madam Chair. I want to address a couple of things that have been brought up here as well. First, in relation to the comments made by Dr. Starke in relation to different parties operating in different fashions, some being more heavy on the constituency association basis and some being more heavy on the central party basis, I personally feel that MLA Nielsen's motion

addresses that. It's a flat, simple number across the board of \$4,000. You decide.

I can be very candid. In my campaign there were a good number of people that donated to me but maybe in the past have never even donated to the New Democratic Party or did not have any intention of donating to the New Democratic Party, who were polarized around our constituency, and who were polarized around us, and they were more centrally focused on the constituency donations. This situation gives them the opportunity to participate. This gives a lot of opportunities for party members and members as a whole to have those conversations with their party about how they want to focus fundraising and how they want to co-ordinate a lot of these efforts.

To be completely honest, when I look at the current laws, that are in place, and as I've been trying to piece together and look into the math in all these motions here, I think we create a system that's very complicated. I could guarantee you that if I went into the street and asked people to explain what the election financing regulations were and how much you could donate, most people would not be able to tell me because the numbers are quite jumbled and all over the place.

One of the things that we've really focused on – I know that the opposition parties may get frustrated with me for saying this because we've said it a lot – is getting big money out of politics. The simple fact of the matter here is that what we have in play is a simple number that can go either way, that leaves the power with the person who's donating the money to determine where that goes. If they want it to go to the constituency association, they can let it go to the constituency association. If they want it to go to the party, they can let it go to the party. If they want to mix and match it, they can do that. It eliminates a lot of high amounts of money that are going into the political system and allows the average Albertan to really be able to participate.

3:00

The Chair: Member Loyola.

Loyola: Thank you, Madam Chair. I'm sure that many have noticed I've been pretty quiet today. I'm really trying to do my best to listen and observe. I'm quite enjoying the debate around this, but I believe that I'm going to need some clarification as we move forward.

Before I ask for that, one of the things that I want to make abundantly clear – and I'm reiterating, perhaps, Member Sucha's points there – is that ours is a flat rate, right? Four thousand dollars over an election cycle, \$16,000: you can decide whether you want to give that to the constituency or to the party. There's nothing saying here in the original motion that you can't. I just want to make sure that that's on the record. Within our motion there's nothing that says that you can't give it to the constituency association as opposed to the party.

I'm doing the math in my head, and really I'd like to ask the CEO and his staff, just so that we have a third party do the calculations, if they wouldn't mind. We've already determined that under current legislation an individual can give a maximum of \$105,000 in an election cycle. I wouldn't mind having their help, just for the record, so we can get it on the record. With Mr. van Dijken's amendment and now with Mr. Clark's amendment what are the final numbers that we're looking at, so an aggregate over an election cycle? What is being proposed in front of us so that we can look at a nice round number at the end of it? Could we have that assistance, please?

Mr. Resler: Can we scroll to the top to see what numbers we're actually using now? It's \$4,000 per party, correct? Okay. And no doubling during the campaign period, correct? Then \$16,000 there,

and to a constituency association a maximum of \$4,000 over four years, so another \$16,000. And for a candidate a maximum of \$4,000. That's it, \$36,000.

Loyola: Sorry. What was that?

Mr. Resler: Thirty-six thousand dollars – \$16,000, \$16,000, \$4,000 – isn't it?

Mr. van Dijken: A third of what it currently is.

Mr. Resler: Uh-huh. That's combined.

The Chair: Mr. Clark.

Mr. Clark: Thank you, Madam Chair. To be clear, that's slightly different than what my subamendment would propose, which is actually part of the reason I proposed the subamendment. I'm wondering, I guess, if we can perhaps just go through the same process for my subamendment, what the numbers would be, then, with my subamendment what those numbers would look like, because I think it's quite a bit less.

Mr. Resler: So the party is \$16,000, the constituency association drops to a maximum of three, so that's \$12,000, and no change on the candidates – that remains at \$4,000 – so \$32,000.

Mr. Clark: No. It's no doubling during – oh, is it?

Mr. Resler: You didn't remove the candidates. You left that in.

Mr. Clark: Yes. You're right.

Mr. Resler: So it goes down to \$32,000.

Mr. Clark: Okay. Thank you.

The Chair: Mr. van Dijken, I had you on the list on the subamendment.

Mr. van Dijken: You did. Okay. Just for clarity a question for Member Clark. A thousand dollars per constituency association to a maximum of three constituency associations: would you consider a maximum of \$3,000 to give the ability for people within a jurisdiction – I'm thinking of the Edmonton, Calgary jurisdictions that have many ridings as neighbouring ridings and very much a concern for all ridings to be represented well. To limit it to three constituency associations would limit that person to taking their \$3,000 and choosing the three that they felt most comfortable with. Would you consider that as possibly a subamendment to that?

The Chair: We apparently cannot do a subamendment to the subamendment.

Mr. Clark: May I speak to that, please?

The Chair: Sure.

Mr. Clark: Thank you, Madam Chair. I want to be clear what my intention is. My intention is to continue this model that is currently in place with just a smaller number. This may come down to a misunderstanding on my part on how it currently works. My understanding of how it currently works is \$1,000 to a maximum of five constituency associations. But if our friends from Elections Alberta can tell us differently, if it is, in fact, a maximum of \$1,000 to one constituency association, not to exceed \$5,000 in the aggregate, which would mean that, presumably, I could give \$10 to

87 constituency associations – I don't know. I'd appreciate some clarification on that.

Mr. Resler: The wording in the subamendment would restrict you to three constituency associations versus the maximum of \$3,000 in the aggregate to spread as the contributor chooses.

Mr. Clark: How does it work now?

Mr. Resler: Exactly that. It's in the aggregate.

Mr. Clark: So as it stands today, I could give \$10 to each one of 87 constituency associations, not five.

Mr. Resler: Correct. The maximum amount is to the five.

Mr. Clark: So that's my misunderstanding of how it currently works. I'd be willing, if the procedure is correct, to ask to withdraw this subamendment and make a new subamendment that more accurately reflects my intent.

The Chair: You would just need unanimous consent to withdraw.

Mr. Clark: Yes, please. I request unanimous consent to withdraw.

The Chair: All those in favour of allowing the withdrawal, say aye. Any opposed? That is withdrawn.

Mr. Clark, would you like to move a new subamendment?

Mr. Clark: I would like to move a subamendment, please. With the same wording as is there now, replace it with:

to include a contribution limit of \$1,000 per constituency association to a maximum of \$3,000 in the aggregate or "in aggregate," whatever the appropriate wording is. I'm happy to take direction on that.

Dr. Swann: Madam Chair, David Swann.

The Chair: Thank you. I'll add you to the list. Mr. Clark, is that accurate?

Mr. Clark: That is accurate. Yes. Thank you.

The Chair: Did you want to speak to your subamendment?

Mr. Clark: No. That's fine. I'll let others respond.

Dr. Swann: Well, I appreciated the CEO giving us total numbers over the four-year election cycle. I just can't recall. I think there were three different sets of numbers, and I would appreciate that being summarized again for us, especially in light of this latest subamendment.

Mr. Resler: Under the current contribution limits \$105,000 would be the maximum. The proposal put forward by Mr. van Dijken was \$36,000, and the proposal by Mr. Clark was \$32,000.

Dr. Swann: Thank you.

Mr. Cooper: Madam Chair, it's Nathan. I'd like to be on the speakers list when appropriate.

The Chair: Just a moment. I have you on the list.

Loyola: I just wanted to see Mr. van Dijken's proposal because I just want to ensure for my own self that it is indeed \$36,000.

3:10

The Chair: Mr. Cooper.

Mr. Cooper: Yes. Thank you. I'd just like to make two brief points and a clarification. The \$36,000 or the \$32,000 is if you were to donate to each political party the maximum – is that correct? – not just one candidate or one political party.

Mr. Resler: It's the maximum to the party, constituency, and candidate.

Mr. Cooper: Okay. Understood. For only one political entity, and then you could do that to all of them should you desire, correct?

Mr. Resler: The limit is when it says per party, per constituency, per candidate of any political parties.

Mr. Cooper: Okay.

Then the last point, that I would just briefly make, following up on Member Sucha's comment, is that while I appreciate the fact that an individual could make a choice whether they donate to the party or to the constituency association, what one aggregate number does is create a competition, if you will, between the party and the constituency association to raise those dollars. When you have two separate buckets, what it does is that it doesn't create competition among the local constituency and the party but encourages co-operation between those two entities. I think it's critically important to grassroots-driven organizations and when it comes to engaging people in the process that they still have that opportunity, if they want, without this competition taking place between the provincial office and the constituency association.

I might just add – and I know that it's been said, but it's critically important; I believe Mr. Clark had made the point – that the logistics of the constituency association essentially keeping track of what people inside that constituency or otherwise have donated to the provincial party is quite drastic, particularly in light of potential changes around constituency associations reporting once a year and parties continuing to report quarterly. There isn't the same sort of opportunity for information sharing there, if you will.

I think we need to be very, very cautious with just the one number. I appreciate some of the comments from the government members around the simplicity of it, but I think that having the two buckets is critically important to the success of local constituency associations and to overall having better co-operation amongst political parties and those who represent those political parties on the grassroots level.

Dr. Swann: David Swann, Madam Chair.

The Chair: Okay. I'll move to Member Loyola first.

Loyola: Sure. I appreciate that the CEO and his staff have worked out the numbers for us. I think we're all trying to wrap our heads around how much money is going where and to whom and all that. I don't really see a competition between the party and the constituency associations. Those that want to give to the constituency association give. I don't necessarily believe that there's a threat of competition there.

What I'd like to ask, if Parliamentary Counsel wouldn't mind doing this, is if, based on the proposed amendments and subamendments, they could put the numbers together for us in a summary table perhaps, including current legislation and the proposed amendments, and we can consider them at a future meeting where we're discussing

elections financing and contribution disclosures. Can I get agreement on that? Does that sound fair to everybody?

Mr. Cooper: I would like to speak to that. If there is agreement everywhere around the table, I would like to speak prior to that happening.

The Chair: You want to speak to the request for the numbers prior to counsel?

Mr. Cooper: I don't mind the request coming, but if he's proposing that we adjourn this until we get the numbers back, I would like to speak to that briefly.

The Chair: I still have Dr. Swann on the speakers list.

Dr. Massolin: All I can say is that, yeah, if it's the committee's will, we'll undertake to do it, but yes, it will take a bit of time.

Thank you.

Dr. Swann: Well, being on the phone is a little bit of a disadvantage in terms of the reading of the motion, the amendment, and the subamendment. In the absence of having more understanding of the distinctions there, I would move that
we adjourn debate.

We'd have some more time to reflect on the implications.

The Chair: All those in favour of adjourning debate, say aye. Those opposed? Defeated.

Mr. Cooper, were you still on the speakers list on the subamendment?

Mr. Cooper: Yes, please. If at some point in time this topic does get adjourned until we have that chart, I am comfortable with that. The only challenge that that presents us is that it makes it very difficult to continue the discussion around other, say, third-party advertising or leadership races if we don't have a real sense of what the contribution limits are going to be, that we're currently discussing. I just would add that it may be worth while adjourning because it is a complex formula. I think that if we're going to proceed to any other areas of conversation around contribution limits, we certainly need to have this one sorted out first.

The Chair: Member Loyola.

Loyola: Yeah. I don't want to be put into a situation where I feel like I have to vote on any of these, either the amendment or the subamendment, at this time. I also don't want to shut down debate. I understand that there are a couple of members that are on the speakers list and do want to make some comments. However, at the same time, again I stress that I don't want to have to make a decision right now. So I am hoping that we can get through those comments, perhaps, and then adjourn debate if everyone would be in agreement.

The Chair: Mr. Clark.

Mr. Clark: Thank you very much, Madam Chair. Believe it or not, my goal was to try to simplify things. I have clearly failed in that, and for that to the committee I offer my sincere apologies.

But let me just speak to what my intention is behind my subamendment. I also want to just echo the comments of Member Loyola and also Dr. Swann, acknowledge what Mr. Cooper had to say. What I'm trying to do is find something that the committee can agree on. Really, my goals are genuinely, truly to find something that the committee can agree on, and I do think probably we're

going to have to go away and reflect and sleep on it a bit and kind of figure that out. The goal, from my perspective, is to allow both the party and constituency associations to continue to collect money in two separate buckets, if you will.

I don't think it's the right thing to do, to have one single contribution limit across parties and constituency associations, and I'd like to find a way that we can do that without offending the principle of, quote, unquote, getting big money out of politics. I do think that's important, and I do think it's important that we reduce limits. I think the \$4,000 limit is totally appropriate, and my intent is not to find a way to sneak a few extra bucks into the process. The intent is to try to capture the way that some parties work in the way they raise money in constituency associations, reduce complexity for volunteers, reduce overhead and complexity for Elections Alberta without compromising the donation limits. That's what I'm trying to do.

As that famous old saying "A camel is a horse made by committee" goes, I think it's tricky for us to do that in a big way. To accommodate Mr. Cooper's concerns, we are getting close to being finished for today. I don't know if we would make a huge amount more progress. There perhaps are a couple of motions that we could look at. Perhaps Dr. Swann's motion 5 would be one that we may want to consider. It is not dependent on a decision here on this motion. I won't make that motion until I know everyone has had their opportunity to discuss at this point, but I think it would benefit all of us to sleep on this one and come back refreshed and try to pass an appropriate motion that we all or at least the majority can get behind.

Thank you, Madam Chair.

3:20

The Chair: Mr. Cyr.

Mr. Cyr: Yeah. I think the original motion was flawed in the fact that it didn't actually say that it wanted to put constituency associations and parties into one grand total. I think that we only found out about this after the meeting had taken place. We had government MLAs going around saying that it was the intent of the committee to have a total amount for those donations. But I don't want to belabour that point.

What I do want to do is understand from the CEO exactly how is it that, for one, we have two reporting periods now, that this committee has put forward, quarterly and annual, for the CAs and for the party. How exactly are we going to track this new, I guess, responsibility that's going to be taken on by your office for overcontributing constituents? Like, is this going to be something you're going to have to deal with at the end of every year now all at once? So we're putting another great big burden on you.

Secondly here, I'm curious, too. We've already said: okay; we're going to lump all of it together, the CAs and now the parties. Nowhere has it actually been brought up about leadership contests. Is that inside this aggregate now? Is that now a consideration that is being put forward by the government that we're going to hear after this meeting, that hasn't been discussed here but is a concern that we need to address?

Lastly here, right now I understand it that constituencies make receipts for the giving. In order for this to work, the way I see it, that ability for constituencies to be able to make receipts probably will have to be removed from the constituencies in order for it to be able to be accurate and be able to know that we haven't overreceived.

I know I've brought up a lot of concerns here. Some of them I need to hear from the government, but mainly here I'd like to hear what you have to say, Mr. Resler.

Mr. Resler: Thank you. The tracking of contributors already occurs at a party structure level within the limits that currently exist. It really becomes an education component. If it was all in aggregate by the parties to their constituencies, to their candidates, the contributors themselves are ultimately responsible for the amount they contribute, but it is also upon the chief financial officers to try to ensure that an overcontribution does not exist. The structure, as in the example of the Wildrose Party, that you mentioned, definitely is not set up in that sense. In the previous discussions I think the current bylaws may not even allow that process. Some of the bylaws may have to change. But it will be necessary for the parties to have a dedicated process in which to track contributions to ensure that overcontributions don't exist in addition to what we do in our office.

We would definitely have to track the contributors. We'd have to apply it not just at a party level but across the board, and that includes independent candidates. A party, a constituency, or a candidate would not know whether they received a donation from that contributor, so it's all inclusive there. The work there, the receipting, again, becomes a process that would have to be determined by the party, whether the constituency would still be the one responsible for distribution of those. Then, at the same time, you know, if we're looking at an automated system, the receipting process can be a part of that, included with that.

As far as overcontributions, if overcontributions exist, then we'd have to look at the timing, who's responsible, monies would have to be returned, and so on. It's a similar process to what currently exists.

Mr. Cyr: I would love to hear from the government. Is the intent of this to include leadership contestants' contributions? Or in this case you're actually talking about – let's even go a step further now that we are possibly looking at nominees. At this point are we looking at including nominees, or is this just parties? Is this just constituency associations?

The Chair: Member Cortes-Vargas.

Cortes-Vargas: Yeah. I think there's actually a separate motion on the floor currently about the other questions that you've raised. What ours is including is section 17 of the act and then going down. I mean, I can read it out, what it includes, but I kind of went over it in the beginning when I asked them: what does the current contribution limit look like? That's exactly what it includes, each party, constituency association.

Mr. Resler: Yeah. The current legislation is party, constituency, and candidate limits. It does not include leadership contests or nominated candidates.

The Chair: The next deferred motion also pertains to your question.

Mr. Cyr: Okay. So the answer you're giving me right now is that it doesn't include leadership candidates at this point in that aggregate. Okay.

Thank you.

Ms Dean: I'm looking to the committee clerk. There was motion 12, that was dealing with nomination campaign spending limits, and there was an adjournment on that, and there's also an adjournment on leadership. Motion 11 dealt with leadership campaign spending limits.

Loyola: Well, in my opinion, I think that we've exhausted debate for now on this, so I'm going to move that we adjourn debate.

The Chair: Is there any debate on the motion to adjourn debate? All those in favour, say aye. Any opposed? On the phones? Debate is adjourned on the subamendment.

Earlier Mr. Cooper had mentioned that there were some new proposed motions that his members wanted to put forward. Seeing as that is on the agenda for today, I will open up the floor for those proposed motions.

3:30

Mr. Cooper: Given that I am just currently driving, I think Mr. van Dijken has one, or perhaps Mr. Cyr would like to propose a motion or two, I believe. Is that correct, gentlemen?

Mr. Cyr: First, let's go with: that the Select Special Ethics and Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended so that no individual, corporation, society, or third party will guarantee a loan of more than 5 per cent of a registered party's campaign spending limit to either a registered party or registered candidate.

The Chair: Member Cortes-Vargas.

Oh. Sorry. I'm just going to make sure. Mr. Cyr, is what's on the screen there accurately reflected?

Mr. Cyr: That is correct.

Cortes-Vargas: I'm not going to get into debate. I'm just asking a clarifying question. How is this different than the other one that's on the floor? There's a very similar motion on the floor already. I don't have the list with me.

Mr. Cooper: I would just add a quick comment there for you, Member Cortes-Vargas. This is specific. Now that the spending amount has been set, this, then, would create a framework based on that amount.

Cortes-Vargas: Thank you.

The Chair: With that, I will open up debate. Mr. Cyr, did you want to speak to your motion?

Mr. Cyr: Yes. I had brought forward a similar motion a while back, that had been defeated. That was because it was too complex before. The government had said that they were willing to debate a similar motion if I had put something a little bit more simple across. This one here is taking big money out of politics; it's not allowing personal guarantees to be brought forward in unlimited amounts to parties or registered candidates. The intent is to ensure that right now, if we're looking at bringing big money out, this is an actual motion that would do that.

The Chair: Member Loyola.

Loyola: Yeah. I'm just interested in asking, Mr. Cyr, how you achieved the 5 per cent amount. What is that based on?

Mr. Cyr: When we had the discussion about setting the limit, or the cap, on how much candidates could spend during the election cycle – 5 per cent of our limit is right around \$80,000, so it's not a coincidence that I picked that number. It was very clearly to mirror what the government has already brought forward in caps.

Loyola: Okay. Thank you.

The Chair: Is there anyone that would like to be added to the speakers list?

Cortes-Vargas: I just would move to adjourn debate.

The Chair: All those in favour – oh. Mr. Resler.

Mr. Resler: I just wanted to clarify. We passed a motion earlier, on the 27th, stating that only individuals ordinarily resident in Alberta may guarantee a loan, and that was carried.

The Chair: Mr. Cyr.

Mr. Cyr: Thank you. I would agree. That had actually occurred to myself as well, but this is reaffirming that original motion that went forward. If somebody is wanting to take those extras – the corporations, societies, and third parties – out as a subamendment, then they can feel free. But I just want to strengthen that I don't believe that there should be anybody that should have, through any way possible, any loophole to be able to guarantee a loan. This reaffirms it.

Ms Dean: Mr. Cyr, just in terms of appropriate format for the amendment and given Mr. Resler's comments, would you be willing to revise your motion so that it appropriately reflects the decisions of the committee to date? That would entail just deleting the words "corporation, society, or third party" because the committee has already made a decision on that.

Mr. Cyr: I would be okay with that being deleted out of there. It was a long conversation that I had as well on this myself. If you could please delete . . .

The Chair: Would someone like to make an amendment?

Mr. Cyr: I don't know if we made . . .

The Chair: Ms Dean? Okay.

Mr. Cyr: Done.

Dr. Swann: It's not clear to me what this adds.

Mr. Cyr: Dr. Swann, it adds a limit to how much a personal guarantee is available to be given by an individual, and it caps the amount so that it's not an unlimited amount, that it currently is right now.

Dr. Swann: Thank you.

The Chair: Once Mr. Roth reads the motion into the record, then we can have a vote on adjourning debate.

Mr. Roth: Mr. Cyr moved that the Select Special Ethics and Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended so that no individual will guarantee a loan of more than 5 per cent of a registered party's campaign spending limit to either a registered party or registered candidate.

The Chair: All those in favour of adjourning debate, say aye. Any opposed? On the phones? Debate is adjourned on that motion.

Mr. Cyr, you have another motion to make?

Mr. van Dijken.

Mr. van Dijken: Yeah. Thank you, Madam Chair. I would move that

the Select Special Ethics and Accountability Committee recommend that the Election Finances and Contributions

Disclosure Act be amended to prohibit unions and corporations from making election advertising contributions to third parties.

The Chair: Mr. van Dijken.

3:40

Mr. van Dijken: Thank you, Madam Chair. Essentially we're moving down a road of campaign limits and hamstringing parties towards campaign limits, but we've seen in other jurisdictions where third parties become more in control of the election process than the political parties, to a certain degree. I guess that's why I put this motion forward for discussion, understanding that I reluctantly put this forward because, I guess, I'm not in support of the campaign limits way forward. But I believe that if we're going to be in that position, then we cannot allow third parties to take over our election process.

With that, I would move to adjourn debate on this motion.

The Chair: All those in favour of adjourning debate on the motion, say aye. Any opposed? And on the phones? We have adjourned debate on that motion.

Seeing as it is 3:41 – oh, Mr. van Dijken. Sorry. Do you have another? Go ahead.

Mr. van Dijken: Yeah. Just to get it on the table so that it can be discussed before the next meeting, I move that

the Select Special Ethics and Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended to provide for a maximum election advertising contribution limit to third parties that is the same contribution limit that applies to a registered party.

The Chair: Mr. van Dijken, does that represent your motion?

Mr. van Dijken: Yes.

The Chair: Okay. Mr. Roth, would you mind reading that out for the record, for those on the phone?

Mr. Roth: Mr. van Dijken moved that the Select Special Ethics and Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended to provide for a maximum election advertising limit to third parties that is the same contribution limit that pertains to registered parties.

The Chair: Mr. van Dijken, did you want to open debate on that?

Mr. van Dijken: Yes. Again, recognizing that campaign spending limitations will bring on more third-party spending in many instances, I believe that it's important for us to recognize that and to address that in the act.

With that, I adjourn debate on this motion.

The Chair: All those in favour of adjourning debate, say aye. Any opposed? On the phones? Debate is adjourned on that motion.

Ms Jansen.

Ms Jansen: Thank you, Chair. I have one motion for the committee to consider. It is a motion to rescind. I move that

the Select Special Ethics and Accountability Committee rescind the following motion made on August 10, 2016: that “the Select Special Ethics and Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended to provide for a rebate of 50 per cent of registered parties’ and registered candidates’ campaign expenditures

provided that campaigns receive at least 10 per cent of votes cast and file all required financial returns.”

The Chair: Did you want open up debate on that motion?

Ms Jansen: Yes. I would like to do that, Chair.

The Chair: I'll just ensure that we get it typed up properly on the screen.

Ms Jansen: Thank you.

The Chair: Yes. Mr. Roth, would you mind reading that for the record?

Mr. Roth: Ms Jansen moves that the Select Special Ethics and Accountability Committee rescind the following motion made on August 10, 2016, that “the Select Special Ethics and Accountability Committee recommend that the Election Finances and Contributions Disclosure Act be amended to provide for a rebate of 50 per cent of registered parties’ and registered candidates’ campaign expenditures provided that campaigns receive at least 10 per cent of the vote cast and file all required financial returns.”

The Chair: Ms Jansen, would you like to open up debate?

Ms Jansen: Yes. Thank you, Chair. In light of the public conversation that has happened in the past week concerning the original motion, I would certainly think that we have an opportunity here to rescind this motion, and I open the floor to my colleagues and look forward to their feedback.

The Chair: Member Loyola.

Loyola: Yeah. Thank you, Madam Chair. I suspected something like this would be coming up, so I prepared some notes. Bear with me. Although I thought this issue was dealt with at a previous committee meeting, I want to take this opportunity to put some facts on the record.

Our members of this committee are strongly committed to creating a fair, democratic, and modern electoral system that doesn't put special interests ahead of average Albertans. Rebates cannot be viewed in isolation. They're part of a series of improvements that are under consideration at this very committee, building upon Bill 1, that banned union and corporate donations. Any legislation we introduce must also include, in our opinion, spending limits, contribution limits, matters such as third-party advertising, and government advertising. All of these measures will contribute to closing loopholes in the law that don't line up with the principles of transparency and accountability and levelling the playing field.

As I've said previously, there's nothing new about rebates. In fact, former Wildrose Party campaign manager Tom Flanagan made an impassioned pitch for these very reforms, including rebates, in an opinion piece he wrote for a national newspaper shortly after the 2012 election. He pointed out that the reforms we are now proposing would promote better democracy and better represent average Albertans.

In short, there's nothing partisan about this approach to election fairness. In fact, it's just the opposite. During the last election we heard loud and clear from Albertans that they wanted to strengthen our democracy by getting big money out of politics. We've waited 44 years in this province for a fair election system, one where Albertans' interests, not special interests, are heard and one where parties conduct business in the public eye, not in backrooms, and one where big ideas and not big money determine the outcome.

Dr. Starke: Well, Madam Chair, I appreciate the comments of Member Loyola, but I will have to say once again that I resent the implication that our electoral laws for the past 44 years have somehow been wrong or indeed that this is something specifically related to the past 44 years' government. In fact, election laws pre-existed and predated the Progressive Conservative government. To suggest that this was some sort of a construct of the Progressive Conservative Party is not accurate, in my view.

What I will say is accurate, Madam Chair, is the backlash that I've already received since last Wednesday with regard to this construct of providing taxpayer-funded rebates to both political parties and candidates. While it is true that this is present – and actually a lot of people, when I tell them, “Did you realize that this was present in other jurisdictions?” are astounded by that fact, and they are saying, “How did that ever happen?” They said, “Well, it may have happened elsewhere, but it sure shouldn't happen in Alberta, and it sure shouldn't happen right now.” I have yet to speak, since last Wednesday, with any constituent who thinks that this idea of providing taxpayer-funded rebates to candidates or to parties is in any way, shape, or form a good idea. Nobody thinks it's a good idea.

Now, this committee has the choice. This committee can maintain its current motion and can send it to Legislative Counsel for the drafting of the necessary amendments to the electoral finances act, and then that could be debated this fall. The backlash and the firestorm that I spoke of last Wednesday will be started up all over again, and the proponents of this bad measure will be able to incur the wrath of Albertans and enjoy that experience if, in fact, that is what you choose to do. Or you have the option of recognizing now, at this early stage, that this is a bad proposal, is poorly timed, and should not be going ahead at this time.

3:50

You can rescind the motion now and move on with other reforms to our elections and electoral financing system that, quite frankly, in broad measure find some degree of support across all party lines. But in the case of this one, I think it's very clear that there is only one party that broadly supports these rebates and that all other parties and certainly the vast majority of Albertans think that this particular measure is ill-advised and not one that we should be proceeding with at this time or, I would suggest, at any time but at the very least not at a time when we have a \$10 billion deficit and we have thousands of Albertans out of work.

The Chair: Mr. Clark.

Mr. Clark: Thank you. You know, I spent this weekend doing a couple of different community events. In fact, I saw Mr. Sucha at both of them, so credit to him and all other members I saw out there interacting with constituents. But I can tell you that at the Marda Gras Street Festival in the beautiful constituency of Calgary-Elbow I heard from literally dozens of people at that event saying that they think this is a ridiculous idea. I heard from zero who said that it was a good idea. I have yet to hear from a single person, including what I would consider part of that hyper-engaged political class, who thinks this is a good idea. That includes supporters of the governing party. So I agree with Dr. Starke. This is an opportunity to reconsider, to take the feedback that Albertans have given them, and do the right thing.

I want to add one thing for the record and be absolutely, abundantly clear. As a representative of a smaller party in the Legislative Assembly I'm not opposed to the subsidy because there's the 10 per cent threshold; I am opposed to the subsidy because it gives taxpayer dollars to political parties. I want zero

taxpayer dollars in my political party, and I can assure you that my members feel the same way. I suspect that all other members on this side of the Chamber feel the same way. We want zero tax dollars in political parties, and we want them to be funded through the voluntary donations of Albertans.

Thank you, Madam Chair.

Mr. Cyr: My thoughts are pretty clear on this. I think that it's deplorable that we are borrowing money as a province to give to parties to put up campaign signs. I believe that we've given several different attempts to adjourn this so that we can go out to talk with our constituents. It was just in the middle of last week that this already was put forward, and we're seeing such a blowback when it comes to Albertans showing their lack of support for that motion. I think that it's really unbelievable that we continue to say that because other jurisdictions do this, it's justifiable. I will agree and I've said myself along with my colleagues: when we're looking at the types of deficits that we're looking at, how can we ask Albertans to put money towards our political parties? This is unbelievable, that we are even going down this road.

Now, I understand that the committee has shown its will and has voted towards that motion. But, again, think of this as the second chance of five chances now for you to reconsider and bring this to Albertans. Think of the blowback that we've had already and that will only get worse once we put forward the legislation in the coming fall, possibly. Think about the fact that this tarnishes the good work that our committee has done, this one motion.

I would ask that you accept this request to get rid of that motion or retract that motion. If you want to bring it back later on, after you've consulted with Albertans and gotten your message across more effectively, then by all means bring it forward. But it's hard for me to ever support a motion that will take nonvoluntary tax dollars from Albertans during this economic crisis we're in.

Thank you.

The Chair: Is there anyone on the phones that would like to be added to the speakers list?

Mr. Cooper: I would.

Ms Jansen: I just want to say that once again it has happened, and it is particularly concerning that a member from the government side has chosen to use, certainly, some particular supporters of a federal party or someone outside of our group or our ranks as an example of why we should be supporting this. I believe that in the last week there were comments made about: well, certainly the federal Conservatives supported this, so why can't you? You know, the inference is that somehow those of us on this side certainly . . . [interjections] Yeah, you actually, with all due respect, Member, mentioned Tom Flanagan. Last week it was the federal Conservatives and their policies, which have absolutely nothing to do with us.

It is extremely unhelpful to the conversation to be using those examples. It would be akin to us talking about the Leap Manifesto in this particular scenario and saying that, obviously, since you have an association with the federal party, you agree with everything the federal party does. You know, I mean, certainly, we're not sitting at this table saying that, obviously, since the Leap Manifesto describes an energy democracy as, I quote, energy sources are collectively controlled by communities instead of profit-gouging private companies, and no new infrastructure projects aimed at increasing extraction of nonrenewable resources, including pipelines – we're not throwing that at you, so we would appreciate it if in this discussion we stuck to the issues at hand.

Certainly, if this is going to become a debate on who we support federally, it's extremely unhelpful to our conversation, and I would suggest that perhaps as we go forward, we might take another tack.

The Chair: Mr. Cooper.

Mr. Cooper: Yeah. I was actually going to mention some similar sort of thing, that Ms Jansen had mentioned. In this past week, speaking with constituents, I heard very clear that Albertans are looking for more Alberta-based solutions and less of Ottawa's. So to use this, "Oh, well, they do it in other jurisdictions, so we should do it here" – nothing could be further from the truth.

This particular issue in terms of engagement at the local level reminds me a lot of when government members voted to give 7.25 per cent pay raises to a number of individual legislative officers, and there was a significant outcry. At that time we had suggested that this was not the right course of action, and the government, you know, chose to proceed at the committee level, chose to go on and not heed the warning of opposition parties, only to come back and change their decision.

Here we are. Here's a wonderful opportunity for us to do that, for Albertans to believe that the NDP is going to do things differently, that when Albertans speak out, there's an opportunity for them to listen, and to not make this recommendation to the Legislative Assembly. Yes, we can debate it again, and as Dr. Starke mentioned, the government members can feel the pain again and add insult to injury of Albertans at a time when hundreds and thousands of Albertans are losing their jobs.

This committee essentially is going to recommend that millions and millions of dollars go towards political parties. That's not what Albertans have been asking for. Not one person has contacted the office and said that this is a great idea. I sincerely hope that government members take this time and opportunity to reverse the decision that was made and be respectful of what Albertans are telling them.

4:00

The Chair: Mr. van Dijken.

Mr. van Dijken: Yes. Thank you, Madam Chair. I will be brief. The governing party member that spoke towards this talked about 44 years waiting for a system that would represent Albertans fairly and alluded to that possibly the governing party at that time was abusing their power and pushing their agenda. I would suggest that now we have a situation where the current governing party is pushing their agenda on Albertans and abusing the power that has been given to them.

With that, I would call the question.

The Chair: All those in favour of the motion, say aye. All those opposed?

Ms Jansen: A recorded vote, please, Chair.

The Chair: Yes. I'll start to my right.

Ms Miller: Barb Miller, MLA, Red Deer-South. No.

Loyola: Rod Loyola, MLA for Edmonton-Ellerslie. No.

Cortes-Vargas: Estefania Cortes-Vargas, MLA for Strathcona-Sherwood Park. No.

Drever: MLA Deborah Drever, Calgary-Bow. No.

Mr. Sucha: Graham Sucha, MLA, Calgary-Shaw. No.

Mr. S. Anderson: Shaye Anderson, Leduc-Beaumont. No.

Dr. Turner: Bob Turner, Edmonton-Whitemud. No.

Ms Renaud: Marie Renaud, St. Albert. No.

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

Mr. Cyr: Scott Cyr, MLA, Bonnyville-Cold Lake. Yes.

Mr. Clark: Greg Clark, MLA, Calgary-Elbow. An enthusiastic yes.

Ms Jansen: Sandra Jansen, Calgary-North West. Yes.

Dr. Starke: Richard Starke, MLA, Vermilion-Lloydminster. Yes.

The Chair: And on the phones?

Dr. Swann: David Swann. Yes.

Mr. Cooper: In favour.

The Chair: Just identify yourself, please.

Mr. Cooper: Oh. Sorry. Nathan Cooper, MLA for the outstanding constituency of Olds-Didsbury-Three Hills. In favour.

The Chair: Mr. W. Anderson.

Mr. W. Anderson: Wayne Anderson, Highwood. Absolutely yes.

The Chair: The vote is tied. Jessica Littlewood. No. So that motion is defeated.

I will move on from here to other business. Mr. Clark.

Mr. Clark: Thank you very much, Madam Chair. Certainly, if members are willing to continue on past 4 o'clock, we can have this discussion now, or if perhaps we want to entertain this tomorrow, I'd be open to that as well. It has been a long day, but I'm open to the will of the committee on how we proceed from that or, in fact, to the direction from the chair as well. I'm not quite sure what the protocol is going beyond the scheduled time of the committee meeting.

The Chair: We can extend the time.

Mr. Clark: Okay. Perhaps we'll address this now, then. As I said earlier, you know, it certainly brings me no pleasure to raise this question, but it's something that I've been really reflecting on since last week. We had the discussion about the taxpayer vote subsidy, and then in media coverage there are numerous examples – I won't cite them specifically; I can if anyone would like me to – where the chair of this committee is making very declarative statements about the New Democrat caucus position on things, on this particular issue.

I believe there's ample precedent that the role of the chair of a committee is very similar if not identical to the role of the Speaker of the Assembly, where if not by explicit rule then at least by convention it is not the chair's position to have an opinion on matters of the committee even if motions have been passed. In the same way that one doesn't see the Speaker of the Assembly being scammed once a government bill is passed, I don't believe we should see the chair of the committee.

It brings into question the impartiality of the chair. Now, I say that with full recognition that I think today's meeting has been conducted very well. I think we had a good, open discussion. We

certainly all didn't agree on everything, but this is one of those areas where I just felt that I needed to get it on the record, this specific concern, allow my fellow committee members to express their opinions on this matter as well, and allow us to then, once we've had that discussion, move forward.

Having done that, I would cede the floor and listen intently to the views of other members. Thank you.

The Chair: Mr. Sucha.

Mr. Sucha: Thank you, Madam Chair. You know, I have the unique opportunity to also chair the Standing Committee on Alberta's Economic Future, so it was quite interesting to think about this over the last six hours because, at the end of the day, we are still, after we're not committee chairs, private members as well of the government caucus. I want to put some information on the record to respectfully challenge what Mr. Clark has said about the chair of this committee.

During committee meetings, Madam Chair, you have worked very hard to ensure voices of all sides are heard and to ensure that issues move in a meaningful process. I am surprised by the criticisms because I have seen public comments from the Member for Strathmore-Brooks about the Public Accounts Committee, on which he serves as chair. I want to make it perfectly clear that I am not using this example to criticize the Member for Strathmore-Brooks for his actions. Following the April 5 committee meeting on the Auditor General's report into the cash management systems used by the Ministry of Treasury Board, the Member for Strathmore-Brooks issued a public statement in his role as Official Opposition Finance critic. He also used question period to raise the issue on April 5, the same day that the committee had met.

We may disagree with comments from the member of the Official Opposition on what he may or may not say, but we have no issue with him doing his job either as chair of the PAC or as opposition Finance critic. However, it is clear that in this province chairs of committees have a right to discuss the issues that are brought up in those discussions. I know this chair to be an honourable and fair-minded person who does her best to be fair to everyone on this committee. I hope the committee is able to affirm the confidence in an individual who is not just a good and fair chair but also a very good person.

Thank you very much.

Dr. Starke: Well, Madam Chair, I want to make it very clear from the outset that my concerns here and my comments here are not in any way intended to be a criticism of you personally, but they intend, shall we say, to be helpful in terms of clarifying the role of the chairs of committees. To that, we have references, *House of Commons Procedure and Practice*, page 1030. It specifically lays out the various roles of the chairs of committees and that they align along three main areas: procedural, administrative, and representative responsibilities.

The specific area that Mr. Clark is detailing and that I have also significant concern with is on the representative responsibilities. If the media is asking for specific information about discussions that occur within this committee, those discussions and those comments should be provided by the members of the committee who are proposing those motions or, in fact, discussing the motions or speaking against the motions, not by the committee chair. The role of the committee chair is to comment on the agenda items, to comment on the schedule as to what is happening in the committee, but it is not to offer a specific opinion on the rightness or wrongness of discussions that are before the committee. As Mr. Clark says – and he is absolutely correct – it is analogous to the role of the

Speaker of the House, and the Speaker of the House is the chief arbiter of debate. You will never see the Speaker of the House providing opinion on issues before the House, and the same is true for the chairs of committees.

Now, because of that, it is a challenge, in fact, to be the chair of a committee. I acknowledge that, and I recognize that. Certainly, I know that Mr. Sucha chairs a committee, Mr. Loyola has chaired a committee, and we have other members here in the committee who have either chaired or acted as vice-chair of committees.

4:10

In fact, your role is to a certain extent hamstrung because of the requirement to be impartial. But in recent weeks, Madam Chair, I will have to say that you have gone from being a chair that is very impartial in the public realm to being one who speaks out and, in fact, advocates government positions and the positions of government members on this committee in the media. That is inappropriate. It brings into question your level of impartiality on these debates, especially, you know, given that we've had a number of tie votes and your vote has consistently been with the government side. I think that calls into question and, quite frankly, lowers the overall quality and the level of work that we are doing at this committee, which I think started out with excellent intentions and with the very best of hopes to have a good process to go through.

Quite frankly, I do think that tremendous progress has been made. But I would caution you, specifically from a procedural standpoint and from the standpoint of the role of the committee chair, that if asked by the media to provide an opinion with regard to discussions of specific matters of debate, specific matters of policy within this committee, you defer or refer those questions and those interview requests to members of the committee who have expressed a specific opinion. I would certainly encourage you to consider that very carefully because right now, especially in these last few weeks, that role has been brought into question.

The Chair: Ms Renaud.

Ms Renaud: Thank you, Madam Chair. I think if somebody was talking about setting a precedent, well, there have been all kinds of precedents that are set.

I think that if our discussion is going to be a respectful one and talk about going forward, what we think the role of chair should be when talking about the media, I think we need to look at other committees. I've been on several committees where press releases that were done by the LAO had the signature and quotes from the chair at the time. I think Minister Gray at one time was the chair of this committee, and there was information that went out. She spoke to the media. I'm also a member of the Public Accounts Committee, and the chair regularly takes to social media as well as speaking with the traditional media about his position, his thoughts, what happened, what didn't happen. Certainly, I don't always agree with what he has to say, but that's what he's done.

So if the discussion is about, going forward, do we want to change the role and change who has access to sharing information with the media, we can have that discussion. But I think just simply putting this particular chair, you know, under the spotlight is not fair. I do think that she has done quite well to be fair and to try to be impartial, but it's tough. It is tough.

Anyway, those are my comments. Thank you.

The Chair: Mr. Sucha.

Mr. Sucha: Thank you, Madam Chair.

Mr. Cooper: If you could put me on the speakers list.

Mr. Sucha: I think it's important to recognize that if we were to define it as has been proposed by Dr. Starke, it could create a challenge for many other chairs who are responsible for reviewing of estimates. The simple fact is that one-third of the ministerial portfolios come through my committee. Does that now set a mandate that I'm not allowed to comment about tourism or the Executive Council office?

I think that it's important to acknowledge that we have to maintain impartiality when we're in the committee rooms. I acknowledge that you have done a great job to make sure that you have maintained a fair and balanced committee meeting. However, it is important to acknowledge that we are still private members when we leave the committee rooms.

Thank you.

The Chair: Mr. Cooper.

Mr. Cooper: Thank you, Chair. I'll keep my comments quite brief. I don't know exactly what Mr. Clark's intentions were, but more of a cautionary note, not necessarily one where there should be an achieved outcome or not. I'd just like to commend you on today's meeting. I thought it was handled quite well, particularly in the early stages, when some members may have not been using language that was very conducive to productive conversations. The way that you handled that situation certainly was good.

I might just add very slightly to Dr. Starke's comment as a cautionary tale, not as a "Let's pick on you, Madam Chair," but just as a cautionary tale, going forward, that when we make statements like "We think this" or "We think that," the risk is that you're speaking on behalf of the government or on behalf of the committee. It is one thing to speak as a private member and another to speak as a chair or a critic or a member of the government. So I think that as far as a cautionary note, something to take under advisement on a go-forward basis is good, but I don't think that it was the intent of the member to have a significant outcome. Traditionally speaking, I think you have done an admirable job as the chair, but certainly we can all use some help in ensuring that we do remain as impartial as possible.

The Chair: Thank you, Mr. Cooper.

Mr. Clark, do you have something to add to that?

Mr. Clark: Yeah. Thank you very much. I don't know if there are others on the list after me. I will hopefully take a chance to wrap this up and just concur absolutely with Mr. Cooper and his comments on what my intentions are. It is just to clarify that role. Especially when you have a committee like this, where there can be some controversial items, I think that it is especially important that the chair exercise an abundance of caution. Really, all I ask is that for the life of this committee the chair refrain from speaking out on behalf of the committee and that those sorts of comments be left to members of government caucus. Certainly, those of us on the opposition side will do our utmost to put ourselves in front of cameras if we feel we have something to say. I want to emphasize that this is in no way intended as a commentary on you as a person but really more for the role of chair.

You know, just because things have been in this Assembly or in committees associated with the Assembly in a certain way in the

past doesn't mean we need to continue doing them that way. I would even question on one level the appropriateness of the chair of Public Accounts making comments. The flip side, though, is that the opposition really doesn't have very many opportunities to comment or to participate whereas the government has ample opportunities to do that, you know, Public Accounts being a fairly unique area and sphere where the opposition has a chance to hold the government to account. So I'm not sure that that analogy holds perfectly in a committee that's a government majority and chaired by a government member.

Related to the comments that Chair Gray had made previous, I believe that really what she was doing was more disseminating information about the nature of the committee and its mandate, which I think is totally appropriate for a committee chair to do, but taking a firm opinion on proceedings of the committee while the committee continues on – further to what Dr. Starke had quoted from *House of Commons Procedure and Practice*, I think it really is about mediating debate.

I don't ask for any specific motion to be made or action to be taken beyond really just a request that the chair not engage in that sort of communication in the future, and I would hope that other committees also would follow that practice as well.

Thank you.

The Chair: Thank you very much.

Thank you very much to everyone that took the time to contribute to this conversation. I just want to make sure that I ensured that people saw that they know that they're heard and that their concerns are heard. Chairing this committee is not always easy. We do have a lot of very strong people at the table with very strong opinions. So being in the chair position, I do have to ensure that people are heard and that there is balance that is achieved when possible.

4:20

You know, being that there are other chairs that I would not want to speak for, what I can say is that I commit to continuing to support the process of the committee. Unfortunately, this is not the only time that, you know, we've had discussions that put me on the spot, let's say. Being that there has been that conversation from members of the committee, I can just say that I will continue to support committee members and support the process and support this entire process going forward to the best of my ability.

I want to thank everyone and thank the Chief Electoral Officer and his staff for coming today.

Moving on to the date of the next meeting, our next meeting is scheduled for tomorrow, Tuesday, August 16, 2016, when the committee will hear from the Ethics Commissioner, the Ministry of Justice and Solicitor General, and Mr. Rick Fraser, MLA for Calgary-South East. Please remember that the start time for tomorrow is 1 p.m.

If there is nothing else at this time, I will call for motion to adjourn.

Dr. Starke: I so move, Madam Chair.

The Chair: Moved by Dr. Starke that the August 15, 2016, meeting of the Select Special Ethics and Accountability be adjourned. All in favour, say aye. Any opposed? That is carried.

[The committee adjourned at 4:21 p.m.]

