



Legislative Assembly of Alberta

The 31st Legislature  
First Session

Select Special  
Conflicts of Interest Act  
Review Committee

Monday, January 15, 2024  
10 a.m.

Transcript No. 31-1-1

**Legislative Assembly of Alberta  
The 31st Legislature  
First Session**

**Select Special Conflicts of Interest Act Review Committee**

Getson, Shane C., Lac Ste. Anne-Parkland (UC), Chair  
Long, Martin M., West Yellowhead (UC), Deputy Chair  
Hunter, Grant R., Taber-Warner (UC), Acting Deputy Chair

Arcand-Paul, Brooks, Edmonton-West Henday (NDP)  
Armstrong-Homeniuk, Jackie, Fort Saskatchewan-Vegreville (UC)\*  
Ellingson, Court, Calgary-Foothills (NDP)  
Ganley, Kathleen T., Calgary-Mountain View (NDP)  
Ip, Nathan, Edmonton-South West (NDP)  
Lovely, Jacqueline, Camrose (UC)  
Lunty, Brandon G., Leduc-Beaumont (UC)\*\*  
Rowswell, Garth, Vermilion-Lloydminster-Wainwright (UC)  
Wright, Justin, Cypress-Medicine Hat (UC)

\* substitution for Garth Rowswell

\*\* substitution for Martin Long

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**10 a.m.**

**Monday, January 15, 2024**

[Mr. Getson in the chair]

**The Chair:** Okay, folks. I'd like to call this meeting to order of the Select Special Conflicts of Interest Act Review Committee. I welcome everyone in attendance.

My name is Shane Getson, the MLA for Lac Ste. Anne-Parkland, but everyone knows it's called God's country. I also have the benefit of being the chair of this committee. I'd like to ask that all members joining the committee at the table introduce themselves for the record, and we'll start to my right.

**Mr. Lundy:** Hello. Brandon Lundy, MLA for Leduc-Beaumont.

**Mr. Wright:** Justin Wright, MLA for the charming constituency of Cypress-Medicine Hat.

**Mr. Hunter:** Good morning. Grant Hunter, MLA for Taber-Warner.

**Ms Lovely:** Good morning, everyone. Jackie Lovely, MLA for the Camrose constituency.

**Mr. Ip:** Good morning, everyone. Nathan Ip, MLA for Edmonton-South West.

**Dr. Williamson:** Good morning. Christina Williamson, research officer.

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

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

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

**The Chair:** Perfect. Before proceeding any further, since this is the first meeting that we have of the committee of the 31st Legislature, I'd also like to discuss the remote participation in the committee meetings. As many of you know, section 6 of the Legislative Assembly Act permits participation in a committee "by means of telephone or other communication facilities that permit all Members participating in the meeting to hear each other if all the members of the committee consent." Our committee meeting rooms are equipped to facilitate meeting participation by telephone and videoconference. If this is something we want to permit, then this committee may wish to pass a motion, which needs to be passed unanimously, to approve further participation by members for the duration of the Legislature.

I would note such a motion would not preclude the committee from determining that in-person attendance at specific meetings is required. In those cases a motion would be considered at the end of the particular meeting to request the attendance of the members at the subsequent meeting.

Also, just quickly before that, we'll go back to my friend over there. I'm looking, but I can't see his name. If you want to introduce yourself as well.

**Member Arcand-Paul:** Member Arcand-Paul.

**The Chair:** Perfect. Thank you.

**Ms Lovely:** And online.

**The Chair:** We can't go online yet until we actually pass a motion to recognize folks online.

Again, with all that preamble I managed to stumble through, that's the order that we're at right now. So we'll get through that. If some members participate remotely – just reading through that. Yeah. We'll have to get this motion through. So if there is someone who might want to put a motion up on the board that potentially would say that the select special conflicts of interest committee – it's a rental tongue today; I apologize – consent to the purpose of section 6 under the Legislative Assembly Act to allow remote participation of members to be held in this meeting.

Can someone throw that up on the board so I can stop reading it? Yeah. It looks way better there than me trying to stumble through it.

**Mr. Lundy:** Okay. I'll move.

**The Chair:** You would like to move?

**Mr. Lundy:** Yeah. I would like to move that the Select Special Conflicts of Interest Act Review Committee consent for the purpose of section 6 of the Legislative Assembly Act to remote participation by any member in the committee's meetings held at the designated committee meeting rooms in the Queen Elizabeth II Building during the 31st Legislature unless the committee carries a motion in advance of a meeting that remote participation of members is not permitted at that meeting.

**The Chair:** Perfect. You read it way better than I did. Thank you for that, Member.

With that, this has to be unanimous consent. I'll call for discussion. Is there any discussion to the motion?

Seeing none, I'd like to call the question. All those in favour? Any opposed? I see that it's unanimous consent. With that, motion carried.

Now, with that having been said, I would like to go back to the online participants, our fellow colleagues there. If you could quickly introduce yourselves. On my screen I'm seeing Member Armstrong-Homeniuk first.

**Ms Armstrong-Homeniuk:** Hi. I'm Jackie Armstrong-Homeniuk, MLA, Fort Saskatchewan-Vegreville. Good morning, everyone.

**The Chair:** I'm seeing Member Ellingson. If I butchered your name, I apologize. It is a rental tongue this morning. Oh, you're just on mute, Member. We're both striking two for two here today.

**Mr. Ellingson:** Good morning. I'm Court Ellingson, the MLA for Calgary-Foothills.

**The Chair:** Thank you, Member Ellingson.

I also see Member Ganley on the phone.

**Ms Ganley:** Kathleen Ganley, Calgary-Mountain View. Good morning.

**The Chair:** Good morning. Happy New Year, everyone.

I don't see anyone else. If there is, please raise your virtual hand. I'm not seeing any, and with that, we'll just carry on.

For the record I would like to also note the following substitutions. Armstrong-Homeniuk is for MLA Rowswell, Lundy is for MLA Long, and MLA Hunter is in today for our deputy chair position.

A few housekeeping items to address before we turn to the business at hand. Please note that the microphones are operated by *Hansard* staff, which is awfully handy. Committee proceedings are live streamed on the Internet and broadcast on Assembly TV. The audio- and videostream and the transcripts for the meetings will be accessed via the Legislative Assembly website. Those participating

by videoconference are encouraged to please turn on your camera while speaking and to mute your microphone while not speaking. Members participating virtually who wish to be placed on the speakers list are asked to e-mail or message the committee clerk. Members in the room are asked to please signal the chair. Also, if you want to virtually try to throw your hand up on the Teams meeting, we might see that as well, but if you could please go to the clerk, that would be the quickest course of action. Please set your cellphones and other devices to silent for the duration of the meeting. And fasten your chinstraps; we're off.

Approval of the agenda. Are there any changes or additions to the draft agenda? If not, would someone like to make a motion to approve our agenda? MLA Hunter.

**Mr. Hunter:** I move.

**The Chair:** So moved. Any discussion?

All in favour, please say aye. And on the phones? I see one hand up. Ellingson, is that a question, or is that an in favour of?

**Mr. Ellingson:** My apologies. I was using that as an in favour of.

**The Chair:** No worries. We'll work the dust off this. No problem, folks. We'll get through that.

I'll go to the phones, and I'll open up the question with your mics. All those in favour, please say aye. Okay. There we go. All those opposed, please say no. To quote from the Speaker, I believe the ayes have it.

Committee orientation. Well, let's see here. We got the agenda in. We got that. Now we'll just jump to the orientation. I apologize, folks. Again, we'll get through this here, and then we'll get into the meat and potatoes. It's the first meeting of the committee.

I'd like to provide a general overview of the role of the select special committee in the Legislative Assembly of Alberta. Select special committees of the Legislative Assembly are slightly different from standing committees of the Alberta Assembly in that they are struck for a particular purpose, and then, once the committee has completed its work and submitted its final report to the Assembly, the committee is discharged. Select special committees are given specific mandates and terms of reference by order of the Assembly, and these may not be modified by the committee.

The committee is supported on its work by nonpartisan staff at the Legislative Assembly Office. Trafton Koenig, Parliamentary Counsel, and Aaron Roth, committee clerk, are both assigned to the committee. Of course, there are staff from other Legislative Assembly Office branches who are participating in all the meetings, that include and could include but not excluding research and committee services, Legislative Assembly security services, venue services, *Hansard*, and ITS and broadcasting.

Temporary substitutions. Standing Order 56(2.1) through (2.4) outlines the processes for substitution of chairs, deputy chairs, and committee members. For convenience, substitution notice templates are available on OurHouse for members to use. You may draft your own notice. Please note that it is the responsibility of the original committee member to ensure that a substituting member is prepared for the meeting and has all the appropriate materials. Should the original committee member participate in the meeting, then the substitution is no longer in effect. So if, as an example, MLA Wright needed someone to substitute for him, he would have that in approval. The individual he has would be there. If MLA Wright was then free to rejoin the meeting, he would be at the front. The other person would no longer have that substitution, so they would be participating in the meeting but not voting in that presence. Members who are not committee members or official substitutes may attend and participate in the committee meetings;

however, they may not – we just went through that. If you or your staff have any questions about the substitution process, I would encourage you to follow up with the committee clerks. No one wants me to read that again, I hope.

Okay. Carrying on, recorded votes. After a vote or motion has been conducted, a committee member may request a recorded vote. The process for a recorded vote in the committee is similar to the process for a division in the House. I'll first ask those in the room who are in favour of the motion to raise their hands, and then the committee clerk will call the names of those who have raised their hands for the record of votes. We will then allow the same process for those in the room who are against the motion. If we have remote participants, they'll be asked to turn their cameras on if they wish to vote. The committee clerk will call their names, and the member should indicate how they would like to vote. I will ask one final time if all committee members who wish to vote have done so, and the committee clerk will record any final votes. After, the committee clerk will tally the votes and advise the chair of the number of votes cast and which are in favour and against the motion. I'll then indicate whether the motion has been carried or defeated, and the details of the vote will be recorded into the minutes.

Clear as mud? MLA Hunter.

**10:10**

**Mr. Hunter:** Just for a point of clarity, Mr. Chair. In terms of being similar to what happens in the House, do you have to have three members that would ask for a recorded vote or just one member?

**The Chair:** No, just one member from this, from what I can ascertain. We had one other committee board that took place, and it was just the request of that committee member. We threw our hands up – not me as the chair, but the members threw their hands up, and the vote was recorded and such. And we don't need to stand for this one, Grant.

Review of the Conflicts of Interest Act, which is why we're all here, Government Motion 10. As members will be aware, on December 5, 2023, the Assembly approved Government Motion 10, which established the select special committee for the purpose of reviewing the Conflicts of Interest Act. A comprehensive review of the act must be undertaken by a committee of the Assembly every five years in accordance with section 48 of that act. Government Motion 10 directs the committee to submit the final report to the Assembly, including any proposed amendments to the Conflicts of Interest Act recommended by the committee, within one year after commencing its review. As of today, the first meeting of the committee, that means the committee must complete its work by no later than January 15, 2025.

I would also remind the members that the Assembly recently passed amendments to the Conflicts of Interest Act. The amendments to the act included from Bill 8 from the 2023 fall session are now in full force, and updated versions of the act have been posted to the committee's internal website for the committee members to review.

Are there any questions regarding the mandate of this committee or the legislation that we're reviewing? Seeing none in the room, any on the phones or virtual? I'm seeing none.

Overview of the reviewing process. At this first meeting of the committee I'll provide a bit of an overview of how the statute reviews of this nature have historically proceeded. The process generally involves three broad phases: gathering the information on the act, deliberating on that information, and making recommendations to the Assembly on potential amendments to that act.

First, there's an orientation meeting, which we're engaging with now. The committee is to review its mandate and begins looking at

and mapping out how they wish to proceed. That may include defining mechanisms for gathering information and engagement. This phase often involves committees requesting technical briefings from individuals who have extensive knowledge of that act. In addition, the committee typically provides some initial direction to the Legislative Assembly Office in terms of preparing and gathering information and feedback from the stakeholders. It may also involve some requesting of research on the topic at hand.

Following the receipt of the information the committee has solicited, analysis of that information begins, including receiving summaries, written submissions. If additional information is required, the committee requests it. It also asks for a summary of the additional information received. Once it is completed, at this stage the committee moves on to deliberations and making the recommendations that we report to the Assembly.

Hon. members, I'd like to take a few moments to propose the general timelines the committee may wish to follow in the review of the Conflicts of Interest Act. Hard copies of those timelines are available with the committee clerk for those who are interested.

I'll take a pause here at that point. There was a lot of information all at once. Any questions so far? And it's okay; like, everybody, honestly, ask the questions now because it makes it way easier when you start getting into the timelines, who you want to bring to the table, what we've done before. This is very informal to set us up, to make sure that this committee goes forward in an expeditious manner. Seeing none, okay; we'll carry forward.

We're beginning the review today, January 15, and the agenda for the meeting outlines what will be discussed on the subject of inviting technical briefings and also on questions of the stakeholder list and the requesting of any other research. In the case that the committee chooses to seek technical briefings and prepare a draft stakeholder list, we may want to meet again sometime mid-February to hear those technical briefings and review the stakeholders list. At that time the committee may wish to consider whether to invite written submissions from stakeholders and the general public as well.

As hon. members know, we are likely to be in budget deliberations from the end of February through March. As Standing Order 59.01(11) indicates, committees of the Assembly should not meet during the consideration of main estimates, so we've got a dark-out period when we're into that estimates review.

This would also apply if the committee wished to receive written submissions. This would be an excellent window to collect those submissions. In other words, while that dark-out period – if the committee were to solicit stakeholder submissions, et cetera, we could receive those. We wouldn't be meeting as the committee, but we would be gathering all that and be going through the clerks, and research could be doing their deal, et cetera. When we come back all fresh, then we could start back up again, so it gives a good opportunity for soliciting information.

During the meeting at the end of March, after the completion of the main estimates process, the committee could review and receive the written submission summary and any other completed research it may have requested. It could also consider its next steps such as possibly requesting oral presentations. If the committee requested oral presentations, a meeting early to mid-April could be called to hear them, and then a decision could be made whether to ask the LAO to prepare an issues summary document. An issues summary document can encompass all of the issues and proposals related to the legislation if they were identified during the information-gathering phase for the committee's review.

Once members have a chance to review all the research and the information they had during the review, the committee could look to hold deliberations early to mid-May. This may take more than

one meeting, depending on the level of discussion, the issues raised. At this meeting the committee could determine any recommendations it would like to make to the Assembly regarding the statute.

The final step is for the preparation of the draft report of the committee's review and all the recommendations on the statute, which could be prepared mid- to late May and distributed for the committee's review. Once approved, the report could be tabled in the Assembly if the spring sitting is still under way or deposited intersessionally if the sitting is adjourned.

Now, the proposed timeline is not set in stone. It's just to give the members an idea of what it might look like for the timeline for the review. Does the committee have any questions, comments, or concerns? You guys are really quiet today. This is uncharacteristic. I'm liking the start of 2024. This is good.

**Ms Lovely:** It's Monday.

**The Chair:** It's a Monday, and it's 2024, and it's cold.

All right. With that, there is kind of a tentative timeline, how we can go through the mechanics and get it wrapped up.

Technical briefings and support. Hon. members, in reviews such as the one we have before us, the first step is typically to request technical briefings on the statute from officials whose responsibility it is to administer it and are aware of how it operates. In this case, we would likely be turning to the Minister of Justice and the office of the Ethics Commissioner.

I would like to open the floor for any comments, questions, or motions relating to technical briefings. MLA Hunter.

**Mr. Hunter:** Mr. Chair, I move that

the Select Special Conflicts of Interest Act Review Committee invite officials from the Ministry of Justice and the office of the Ethics Commissioner to provide technical briefings on the Conflicts of Interest Act at an upcoming meeting of the committee.

**The Chair:** Thank you, MLA Hunter.

And I'm wondering – oh. You guys are fast on the typing. That's great. I will open it up for discussion to the motion that's on the floor. On the phones?

Seeing none, I'm prepared to call the question. All in favour of the motion? Any opposed? To the virtual participants, all those in favour? Any opposed? Hearing none, motion carried.

Well, members, honourable as you are – oh, sorry. MLA Hunter.

**Mr. Hunter:** I have another motion, Mr. Chair.

**The Chair:** Oh, okay.

**Mr. Hunter:** I move that

in support of the committee's review of the Conflicts of Interest Act, the Select Special Conflicts of Interest Act Review Committee invite officials from the Ministry of Justice and the office of the Ethics Commissioner (a) to provide technical assistance as required to the committee and the Legislative Assembly Office and (b) to attend meetings of the committee when requested in order to provide technical expertise.

**The Chair:** Perfect. Having heard the motion and now that it's on the screen, I just want to confirm that that's what you had wished.

**Mr. Hunter:** It's correct.

**The Chair:** Perfect. Any discussion on that by the members? Oh. MLA Ganley, I see your hand.

**Ms Ganley:** Yes. Sorry. I just wanted to confirm – it’s not a hundred per cent clear to me. Provide technical assistance when required: that means that the Ministry of Justice and the Ethics Commissioner – I just want to confirm that that means they’ll be able to attend whatever committee meetings they want and to provide comment on whatever information comes in. Of course, you know, we’ll be hearing from them, and then we’ll be hearing from various stakeholders, and, like, they might have something relevant to add on those things. So I just wanted to make sure that that is covered in here.

**The Chair:** Yeah. Great question. They essentially act as a technical resource for the committee, so it’s at the discretion of the committee to bring them in and use them as that resource. It gets a little bit goofy when some of the items that we’re discussing in the act also pertain to those offices. It’s almost like we have to be cognizant as a committee of which hat they’re wearing at the time. But to answer your question succinctly, yes, they’re at the committee’s disposal to bring them in as required as technical experts under that motion.

**Ms Ganley:** Sorry. What I’d just like to confirm, Mr. Chair, though, is that they’re able to, like, provide information when they see it to be relevant, right? Obviously, they’ll be following the proceedings, so I would like both the ministry and the office of the Ethics Commissioner to be able to sort of provide information when they see it as relevant. Is that covered, or is there some mechanism for that feedback?

10:20

**The Chair:** No. You would . . .

**Ms Ganley:** We won’t necessarily know to ask them specifically, right?

**The Chair:** Under that motion they’re a resource, so again they’re used as a clerk or research or any other technical group that we would have. It would be the committee’s impetus to ensure that when they require technical assistance from those two groups, they direct them as such. It’s not a free-running thing for them, Kathleen. They don’t just submit, because they may or may not be following proceedings. They’re used as a technical resource.

**Ms Ganley:** Okay. Is there potentially a way to amend the motion to make that possible?

**The Chair:** Well, I guess I would have to ask the question: why? Part of it is that the Ethics Commissioner and the other group can be asked to submit – again, Kathleen, just walking through this, they’re also a stakeholder, potentially. So I would assume that the committee would ask them for their input as a stakeholder, and then in this motion they’re being used as a technical adviser.

**Ms Ganley:** Right. Sorry. Just to be clear, what I’m asking for is to make sure that they’re – perhaps we’re just talking past each other here. But what I’m asking for is to ensure that – so they come; they give their briefings; they’re able to provide information. Then we receive a bunch of information from outside stakeholders, and they may suggest changes to the act that were not contemplated by either the ministry or the office of the Ethics Commissioner. In those instances it would be useful to have feedback from those two entities if they thought it was relevant, like, to have the ability to sort of provide ongoing feedback so we don’t have a situation where something was raised that was never in the contemplation of, say, the Ethics Commissioner, and then the Ethics Commissioner isn’t able to come back and comment on that.

**The Chair:** Yeah. Again, it would be back to the committee’s discretion of how you wanted to use it. To put it in very, you know, blunt terms, you’ve got a hammer in your tool kit. It’s up to you how you want to choose to use the hammer. The hammer doesn’t run around hitting nails on its own. Within the context of using them as a technical adviser, Kathleen, the committee could direct them to review these items or to take on any other role that the committee may want them to do. You wouldn’t have to amend the motion to that. You already could direct them. The committee could direct them as to how the committee wants to use them.

**Ms Ganley:** Yeah. I just think it’s easier to amend the motion now so that they’re able to come forward under their old – like, both the Ministry of Justice and the Ethics Commissioner have a lot more understanding of the complexities of this act. If there’s one thing I’ve definitely learned dealing with legislation and regulation in especially a complex place like this, it’s that, you know, people who aren’t as well versed in the act, which would be most of us – you don’t know what you don’t know. It’s just easier to have them, in my view, able to sort of crop up and provide that feedback. I would like to make that amendment if staff are able to sort of suggest how that wording would be, or if you give me a moment, I could probably suggest that.

**The Chair:** There’s some discussion here. MLA Hunter wants to comment, and then I would put it back to the committee.

**Ms Ganley:** Sure. Sorry. I can’t see the room anymore.

**The Chair:** No worries.

**Mr. Hunter:** Mr. Chair, I just wanted to speak to Ms Ganley’s comment, and that is that, you know, as an entity, to provide a technical briefing is different than an entity to be a stakeholder. We have potentially the ability to bring in stakeholders to be able to provide that feedback, which would be appropriate at that point to be able to allow them to come in and to provide stakeholder feedback, but I think that in this situation a technical briefing is very different than a stakeholder.

**The Chair:** Yeah. Again, it might be a little bit different if the room were there. Again, to MLA Ganley’s point, I personally as the chair – it’s up to the discretion of the committee if you want to have an amendment. Rather, I’m just trying to provide some clarity. I’m myself struggling seeing the benefits of it. It’s how you use the technical group themselves. But, again, it would be up to the committee. If someone wants to propose an amendment, it would be up to the committee to scope that out.

**Mr. Hunter:** All I’m trying to say, Mr. Chair, is that I think that there probably will be a motion coming forward that will allow them to be acting as stakeholders in the future, I think.

**The Chair:** Yeah. There are a number of stakeholders that the committee could draw upon. My clumsy way of trying to articulate that these particular ones that the committee has already approved as technical advisers potentially could wear a different hat as stakeholders down the road.

With that, back to Member Ganley again. Having heard the discussion going back and forth on the benefits and the merits and potential timelines for other stakeholders being invited, if you wished to still move a motion or amendment to a motion, we’re more than happy to entertain it on this end.

**Ms Ganley:** Yeah. I think I would probably amend it in subsection (b) just to strike out the words “when requested” so that it says “to

attend meetings of the committee in order to provide technical expertise.”

**The Chair:** We’re just conferring with the clerks here to make sure we’ve captured that.

**Ms Ganley:** Sure. It’s been a while since I’ve done legislative drafting, so I’m happy to have that oversight.

**The Chair:** Oh, no worries. I think we’re all more happy with having the oversight to help us navigate through some of these things.

Can you see the screen now, Kathleen?

**Ms Ganley:** Yeah. That would be the amendment I would be proposing.

**The Chair:** Does the committee consent to hearing the motion?

I’ll have Nancy weigh in here to guide us through the most apt process of getting this conversation on the record.

**Ms Robert:** Thank you, Mr. Chair. Just for the benefit mostly of the new members who have not been through this before, because this amendment was not put on notice, the committee needs to consent to even allow the motion to be put onto the floor. It’s a majority vote. So that’s the first question: does the committee consent to hear the motion? If the committee agrees by a majority vote, then Ms Ganley can move the motion. Does that make sense?

**The Chair:** So the first question would be: are we accepting the motion that has not been submitted in advance? And we need unanimous consent on that?

**Ms Robert:** No. Just majority.

**The Chair:** Just majority. Okay.

So let’s call that question first. All those in favour of allowing the motion to come to the floor, please say aye. All those opposed? Okay. On the phone, we’ll go to all those in favour. And those opposed? Okay. It looks like it’s defeated.

**Ms Ganley:** I’d like a recorded vote, Mr. Chair.

**The Chair:** Yeah. Now we get to flex that item I stumbled through so eloquently earlier with my tongue tied. We’re going to take a recorded vote on this item. All those in favour, please raise your hands. In the room.

**Mr. Roth:** Member Ip, Member Arcand-Paul.

**The Chair:** And those opposed in the room?

**Mr. Roth:** Member Lundy, Member Wright, Member Hunter, Member Lovely.

**The Chair:** Those in favour virtually?

**Mr. Roth:** Sorry. I’ll call them. Member Ganley.

**Ms Ganley:** In favour.

**Mr. Roth:** Member Armstrong-Homeniuk.

**Ms Armstrong-Homeniuk:** No.

**The Chair:** Mr. Ellingson, if you could turn your screen on if you wish to participate to vote. I think you might be receiving a question from a clerk.

**Mr. Roth:** Member Ellingson.

**Mr. Ellingson:** Yes.

**The Chair:** You recorded that Jackie was opposed?

**Ms Armstrong-Homeniuk:** I’m opposed.

**The Chair:** There we go.

10:30

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

**The Chair:**

That motion is defeated.

All right. Back to the main motion, Mr. Hunter’s motion. We’ve read this into the record. We have that already, so we’re going to discussion. Any further discussion on the motion?

Seeing none, hearing none, prepared to take the vote. Those in favour, please say aye. Opposed? On the phones, those in favour? Those opposed? Hearing none, motion carried.

Hon. members, as you know, research services with the Legislative Assembly Office is here to assist the committee in its review. I’d like to call upon Ms Nancy Robert once again, clerk of *Journals* and committees, to provide an overview of the kinds of support the committee can utilize in the process for the review.

**Ms Robert:** Thank you, Mr. Chair. Yes. Some of you have been through statute reviews before, but for those of you who haven’t, I’ll just go through some of the services that research services, with the committees branch of the Legislative Assembly, can offer to the committee should it wish to take them up on it.

Typically in reviews such as this the committee will ask or direct research services to prepare a draft stakeholders list for the committee’s consideration, and should the committee go ahead and do that, research services can also provide a summary of any written submissions that are received from stakeholders or from members of the public if the committee decides to seek public engagement in a written form.

Committees often also direct research services to prepare crossjurisdictional comparisons of similar legislation in jurisdictions across the country for the committee’s use, particularly when it’s deliberating on what kind of recommendations it wishes to make.

Once all information has been gathered by the committee and the committee is getting ready to deliberate, the committees often direct research services to prepare an issues and summaries table or document that lists all of the recommendations that the committee heard and provides some contextual information to assist the committee as it deliberates.

Then, finally, once the committee has completed its deliberations and made its decisions on its recommendations, it typically will direct research services to draft a draft final report for the committee’s consideration. That draft report will include any recommendations agreed to by the committee and again provide contextual information on how the committee came to the decisions.

Yeah. And, you know, any other type of research the committee is interested in hearing or receiving: I can certainly ask research services to do that. I would just sort of point out the way that research services is structured in Alberta is that it’s a committee that makes the requests for research as opposed to individual members.

I’ll stop there, but if anyone has any questions, I’d be happy to try to answer them. Thanks.

**The Chair:** Perfect. Any questions for Ms Robert? Online? Seeing none.

A stakeholder list is the next item that I have here in my notes. As we discussed previously at some length, a common practice in statutes review similar to the one that we have before us is to seek out information from relevant stakeholders. Commonly committees choose to direct the Legislative Assembly Office to put together a draft stakeholders list for the committee to consider at a future meeting. Are there any comments, questions, or motions relative to establishing a stakeholder list? MLA Wright.

**Mr. Wright:** Mr. Chair, I'd like to move a motion that the Select Special Conflicts of Interest Act Review Committee direct the Legislative Assembly Office to prepare a draft stakeholder list as part of the review of the Conflicts of Interest Act and distribute it to members of this committee for review.

**The Chair:** Okay. We have something on the screen. These folks are fast. You want to just confirm that that's what your intent was, Member?

**Mr. Wright:** Confirmed.

**The Chair:** Member Arcand-Paul, you have a question on this?

**Member Arcand-Paul:** Yeah. Thank you, Mr. Chair. Just confirming that as a committee we as members are allowed to add to the stakeholders list, if that's possible.

**The Chair:** Yeah. Correct. The first one is to get research to see who they can pull together for us, and then if you have other folks that the committee wants to have as stakeholders, absolutely. That's well within the privy. The other thing, too, to be recognizable or relevant or germane to the conversation: before we broke last session, it was Resource Stewardship that had the research group pull together a pretty decent stakeholder list. Like, it was coming up to the end of session. So I think that they would be pretty quick with it, too.

**Member Arcand-Paul:** Thank you.

**The Chair:** Yeah. Any other items for discussion or clarification? Okay.

Having heard none, I can call the question. Those in favour of the motion, please say aye. Any opposed? And we'll go to the folks virtually. All those in favour, please say aye. Perfect. All in favour. Well done. None opposed.

Motion carried.

Here we go. Crossjurisdictional comparison. This is also fun. It's also common in – well, fun for us; not so much for research. Having given some consideration to what took place over Christmas break, I still owe a few thank you cards, for sure. It's also common in reviews of this nature for the tasked Assembly office to provide a crossjurisdictional comparison document outlining how other jurisdictions in Canada deal with similar statutes. Are there any comments or motions to be brought forward relevant to this very . . .

**Ms Lovely:** I'll move.

**The Chair:** Oh, perfect.

**Ms Lovely:** I'd like to move that in support of the committee's review of the Conflicts of Interest Act, the Select Special Conflicts of Interest Act Review Committee direct the Legislative Assembly Office to prepare a

crossjurisdictional analysis of select jurisdictions in Canada with similar conflicts of interest legislation.

That is a mouthful, isn't it?

**The Chair:** Perfect. Member, we'll just get you to take a quick look at what's on the screen and make sure that that's what you proposed.

**Ms Lovely:** Yeah. Looks good.

**The Chair:** All right. Any discussion? Go ahead, MLA Ip.

**Mr. Ip:** Thank you, Mr. Chair. I just want to clarify for the matter of record the scope that the crossjurisdictional analysis will cover. For background to members here, I had initially submitted a possible amendment to this motion to ensure that the motion would include regulations, including gift provisions, rules and limits for members, Executive Council, and staff. My understanding is that the amendment was not necessary because the motion had already covered that, though the language doesn't specify that specifically. So I just want to confirm with research services that the analysis will in fact include gift provisions, rules and limits for members, Executive Council, and staff, as well as regulations.

**The Chair:** Sure. Ms Robert.

**Ms Robert:** Thank you, Mr. Chair. Yes, Mr. Ip. The language in the motion – one of the words used is "legislation," and legislation according to our lawyers includes both acts and regulations; therefore, it would encompass regulations made under the Conflicts of Interest Act. Also, I can tell you that, you know, the gifting provisions across the country are a fair component of each of the acts, and they would definitely be featured in any cross-jurisdictional that we would prepare.

**Mr. Ip:** I guess for the matter of record it would also then pertain to members, Executive Council, and staff. That would be within the scope as well.

**Ms Robert:** It would pertain to any members who are encompassed in the Conflicts of Interest Act.

**Mr. Ip:** Thank you. If I may, Mr. Chair . . .

**The Chair:** Oh, sure. Go ahead.

**Mr. Ip:** . . . I just have a couple of follow-up questions. I also wanted to just confirm that in the crossjurisdictional analysis it will include all related and any additional legislation. An example of this is that in Ontario conflict of interest regulations are actually covered in the Members' Integrity Act. So you are going to look at, you know, a full scope of legislation that would relate to conflicts of interest even if it isn't necessarily called that in some cases?

10:40

**The Chair:** And back to Ms Robert for a reply.

**Ms Robert:** Yes. Certainly, the acts are named – like, everybody names their acts in different ways, but I know for certain that the Members' Integrity Act in Ontario is the conflicts of interest legislation there. So, yes, when we search for the legislation, we search for the content as opposed to the title and definitely make sure we capture what needs to be captured.

**Mr. Ip:** Thank you.  
One more follow-up question if I may.



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

**Mr. Ip:** Will the crossjurisdictional analysis also include any recent changes or attempted changes to statutes from across the country? An example, again back to Ontario: there was an attempt to amend the Ontario integrity act to expand the availability of gifts, but the bill failed at second reading. So will you be looking at attempts as well and proposals?

**Dr. Williamson:** If I may, generally we only look at what is already in legislation and has been in force or is about to become in force. I haven't examined failed attempts when producing that. Yeah.

**The Chair:** Yeah. That would be pretty broad reaching if you take into consideration what may or may not have passed. And, again, I think the – and it's good discussion, honestly, folks, but I would caution the committee towards trying to make any amendments of what might have failed in other jurisdictions. It might take a one-year project and turn it into five.

**Mr. Ip:** Perhaps this will turn into an amendment, but if I may propose that we do look at some failed amendments and attempts for the sake of – I think it will provide, really, a good sense of where the discourse is pertaining to conflicts of interest legislation across the country, not just, obviously, the ones that have successfully passed but what has been attempted. I think it will give a good overview to this committee about what some of the discussion points might be across the country.

**The Chair:** Just for discussion with the member, again, you would have to follow the process and procedure, so you'd have to propose an amendment. I would also, with all care and fondness of you, make sure you're targeting in on a certain timeline because, again, when the committee directs research, they will follow to the letter of what you're asking them to do. If you're not definitive on what you're asking them to do, you could, again, with my word of caution, turn an easy process into a five-year project of research, so be very cognizant of that.

**Mr. Ip:** Thank you, Mr. Chair, for the guidance. I think with that, I would like to  
propose an amendment  
if I may.

**Mr. Hunter:** I don't think he's allowed to do an amendment from the floor unless we actually go through the full process once again.

**The Chair:** Yep. That's correct and it will be similar. I wouldn't propose to hear an outcome, but we've already gone through this once today, and it would be the same process we went through when MLA Ganley tried something similar for conversation.

**Ms Robert:** Sorry. Mr. Chair, just to sort of help things along here, I don't think you need the exact wording to know whether the committee is going to agree to hear a motion in this sense. You need to know the intent. If I understand correctly, Mr. Ip's intent is to amend the motion with respect to the crossjurisdictional analysis to

include proposed amendments to conflicts legislation across the country that were not adopted.

Is that right? That's the intent of what you're after?

**Mr. Ip:** Yes, that's right.

**Ms Robert:** So it would be up to the committee to decide if they were willing to hear that motion. If they are, then we'll get some very technical language as to what that amendment would look like.

**The Chair:** Thank you for the assistance and the clarification on that.

With that, having heard the clarification by Ms Robert and the intent of Member Ip, I'll ask the question. Is the committee prepared to hear a proposed amendment to a motion to come to the floor? All those in favour, please say aye. Those opposed? We'll go to the phones. Those in favour of allowing a proposed amendment to come to the floor as described and clarified recently? All those in favour, please say aye. Those opposed? Okay. I didn't hear an approval, so proposal defeated.

We'll carry on with business. Back to the main motion, any further discussion on the main motion?

I'll call the vote. All those in favour, please say aye. Opposed? Seeing none, we'll go to the phones or virtual screen. You can tell my date-and-time stamp. All those in favour online, please say aye. Perfect.

Motion carried.

MLA Ip had a question, I think.

**Mr. Ip:** Mr. Chair, in light that the motion to entertain the amendment was not approved, I'd just like to strongly encourage member services to perhaps consider including sort of what I just stated, attempted changes to statutes as part of the broader environmental scan, because I think that would allow committee members to have a more holistic view of the general debate in the country.

**The Chair:** With your intention or comments: it's on the record, but they're not following it. They literally are following what is prescribed in the motion. So it was good for a discussion point.

Okay. Excellent. Any other business today that we have? Open for discussion for any members. MLA Ip, did you want to carry on? Any other questions or items you might have?

**Mr. Ip:** No. I'm good.

**The Chair:** We're good? Okay.

With that, the date of the next meeting will be at the discretion of the chair.

If there are no other items for the committee's consideration today, it would be awfully nice if someone moved to adjourn.

**Ms Lovely:** So moved.

**The Chair:** MLA Lovely has moved. Any discussion? None.

All in favour? Opposed? Thanks a bunch, folks. Take care, keep warm, and we'll see you at the next meeting.

Thank you.

[The committee adjourned at 10:47 a.m.]





