



Legislative Assembly of Alberta

The 31st Legislature
First Session

Select Special
Conflicts of Interest Act
Review Committee

Thursday, April 25, 2024
5 p.m.

Transcript No. 31-1-3

**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

Arcand-Paul, Brooks, Edmonton-West Henday (NDP)
Dach, Lorne, Edmonton-McClung (NDP)*
Ellingson, Court, Calgary-Foothills (NDP)
Hunter, Grant R., Taber-Warner (UC)
Ip, Nathan, Edmonton-South West (NDP)
Lovely, Jacqueline, Camrose (UC)
Rowswell, Garth, Vermilion-Lloydminster-Wainwright (UC)
Sabir, Irfan, Calgary-Bhullar-McCall (NDP)
Sigurdson, Lori, Edmonton-Riverview (NDP)**
Wright, Justin, Cypress-Medicine Hat (UC)

* substitution for Brooks Arcand-Paul

** substitution for Nathan Ip

Support Staff

Shannon Dean, KC	Clerk
Teri Cherkewich	Law Clerk
Trafton Koenig	Senior Parliamentary Counsel
Philip Massolin	Clerk Assistant and Director of House Services
Nancy Robert	Clerk of <i>Journals</i> and Committees
Abdul Bhurgri	Research Officer
Christina Williamson	Research Officer
Warren Huffman	Committee Clerk
Jody Rempel	Committee Clerk
Aaron Roth	Committee Clerk
Rhonda Sorensen	Manager of Corporate Communications
Christina Steenbergen	Supervisor of Communications Services
Shannon Parke	Communications Consultant
Janet Schwegel	Director of Parliamentary Programs
Amanda LeBlanc	Deputy Editor of <i>Alberta Hansard</i>

5 p.m.

Thursday, April 25, 2024

[Mr. Getson in the chair]

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

My name is Shane Getson, MLA for Lac Ste. Anne-Parkland – we know it's called God's country – and the chair of the committee. I'd like to ask the members joining us, the committee, at the table to introduce themselves for the record, and then we'll call on those who are joining on Microsoft Teams. We'll begin to my right.

Mr. Hunter: Grant Hunter, MLA for Taber-Warner.

Mr. Rowswell: Garth Rowswell, MLA, Vermilion-Lloydminster-Wainwright.

Mr. Long: Martin Long, the MLA for West Yellowhead.

Ms Lovely: Jackie Lovely from the Camrose constituency.

Mr. Ellingson: Court Ellingson, the MLA for Calgary-Foothills.

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

Ms Sigurdson: Lori Sigurdson, Edmonton-Riverview.

Dr. Williamson: Christina Williamson, research officer.

Mr. Koenig: Good evening. Trafton Koenig with the Parliamentary Counsel office.

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

Mr. Roth: Hello. I'm Aaron Roth, committee clerk.

The Chair: And we'll just go online. I see MLA Wright. Could you introduce yourself, please, sir.

Mr. Wright: Hello. My name is Justin Wright, the MLA for the charming constituency of Cypress-Medicine.

The Chair: Appreciate that, sir.

Then for the record I'd also like to note the following substitution. Mr. Dach is in for Member Arcand-Paul and hon. Ms Sigurdson in for Mr. Ip.

A few housekeeping items to address before we turn to the business at hand. Microphones are operated by *Hansard*. That makes it easy for everybody. Committee proceedings are live streamed on the Internet and broadcast on Assembly TV. The audiostream and transcripts of the meeting can be accessed via the Legislative Assembly website. Those participating by videoconference are encouraged to please keep your camera on while speaking and mute your microphones when not speaking.

Members participating virtually who wish to be placed on the speakers list are asked to e-mail or message the committee clerk, or you could put the little yellow hand up. Members in the room are asked to please signal the chair. Please turn your cellphones to the least intrusive method that you have, either off or on silent. Fasten up your chinstraps, and we're ready to go.

The second part of the agenda. Are there any changes to be made to the agenda, or is it good as is? Has everyone had a chance to see the agenda? I'm getting nods. Excellent. Okay.

Draft motion to accept the agenda. Is there anyone who would like to make a draft . . .

Mr. Hunter: So moved.

The Chair: Recognizing hon. Grant Hunter. I'm not sure if the clerk has preread our mind, but there's probably one that's – we'll just get you to say it, then.

Mr. Hunter: I move to approve the agenda as drafted.

The Chair: Perfect. Thank you very much.

All in favour? Any opposed? Online, in favour? MLA Wright, that's your cue.

Mr. Wright: In favour.

The Chair: I take that as an aye. All in favour. Perfect.

So now we have the approval of the minutes. Next we have the – oh. That motion is carried. Thank you, clerks. It's been a while since estimates.

Mr. Rowswell: You and I are a lot alike.

The Chair: Yeah. It's all getting to the witching hour at this point. It's been a long shift.

So motion carried. Thank you very much, everyone.

Next we have draft minutes for the March 1, 2024, meeting. Are there any errors, omissions to note?

Seeing none, would a member like to make a motion to approve those minutes?

Mr. Long: I will.

The Chair: MLA Long.

Mr. Long: I'd like to make a motion to approve the minutes from March 1, 2024, please.

The Chair: Perfect. That's good enough for me.

All in favour? Any opposed? Online? Now we got her. Perfect. Motion carried.

Review of the Conflicts of Interest Act, written submissions, review of the summary of the written submissions. Hon. members, at our March 1, 2024, meeting the committee issued an invitation to the stakeholders and the public to provide written submissions in relation to our review of the Conflicts of Interest Act. I would like to note that the record of the committee received 12 submissions prior to the deadline established by the committee. These submissions were posted to the committee's internal website as they were received.

As members are aware, there were some invitation letters sent to individuals by mistake and also some stakeholders who were missed in the first list of the letters that were sent out. This issue was corrected. The appropriate stakeholders received an invitation to provide their feedback to the committee well in advance of the deadline, so it all worked out. I appreciate everyone's work on that to correct it.

At its March 1, 2024, meeting the committee also directed LAO staff to prepare a summary of the written submissions received. At this time I would like to invite Dr. Christina Williams with LAO research to provide an overview of the document. I said "Williams." I apologize, Dr. Williamson.

Dr. Williamson: That's fine. That's fine.

The Chair: The floor is yours.

Dr. Williamson: Thank you very much, Mr. Chair, and good evening to all of the committee members. I appreciate it's been a

long day, so I will try to go through this quickly. I am presenting an overview of the submissions received from stakeholders and one member of the public. The committee received submissions from the Alberta Ethics Commissioner; le Commissaire à l'éthique et à la déontologie du Québec, the Quebec commissioner; Speaker of the Legislative Assembly and an MLA; the Alberta Union of Provincial Employees; as well as experts in governance, ethics, and several public agencies; as well as a member of the public, as I mentioned. This document is to serve the committee as a summary, so it's not as comprehensive as the individual submissions, which you can view through the internal website. If you have a specific interest in a submission, I encourage you to check there.

I will just provide a quick overview. Most of the submissions we received were substantive and specific in the recommendations, which was great, and they included often specific recommendations for amendments of certain provisions within the Conflicts of Interest Act.

Of course, the most substantive is the Ethics Commissioner of Alberta, who offered 27 distinct recommendations. This submission is quite robust, and it provides a discussion of an issue, the recommendation to resolve the issue, an explanation of the commissioner's rationale in certain circumstances, as well as suggested revisions to the actual text. I recommend reviewing that submission for details.

I also want to mention the Quebec Ethics Commissioner's submission. In this case, the submission is really focused on recommendations that the Quebec commissioner offered to l'Assemblée nationale du Québec, but the commissioner felt that these might be of interest and be informative to the committee. The caveat here is that the recommendation should be understood as intended for informational purposes and not intended as specific commentary or a point of view or recommendation from the Quebec commissioner regarding Alberta's specific context.

Now let's just talk very quickly about the summary document itself and how members may use it. The document begins with an introduction that contains most of what I've said here today.

The second section is an overview of the issues raised by submitters. Some of these issues include the structure and organization of the act; general comments about the importance of the act for maintaining public confidence and assuring accountability and transparency among elected officials and high-level public servants, suggested amendments pertaining to direct associates; gifts, benefits, and travel and private noncommercial aircraft provisions; suggestions around disclosure statements; financial and employment matters, postemployment cooling-off periods; investigations of the commissioner and administrative penalties; and, finally, codes of conduct.

The third section is the most substantive portion of the report, and it goes into more detail about what each of the themes and the submissions talk about.

Finally, the fourth section provides a brief list of and reference to the submission. This serves as your index if you want to verify or follow up with a specific recommendation or a specific submission.

Thank you very much.

The Chair: I appreciate that, Dr. Williamson.

Any comments or questions for the good doctor? Oh, there we go. MLA Ellingson.

Mr. Ellingson: Just one quick question. You did say that, you know, the submissions are available for us to go and look at on our own, mais la soumission du Québec n'est pas disponible; c'est seulement the cover letter. Is the rest of it going to be made available?

The Chair: I believe there was a translation performed, was there not?

Mr. Ellingson: Was there?

Dr. Williamson: Yeah. There was a translation of the cover letter, which was about four pages long. The rest of the material is quite lengthy, so we weren't able to turn that around in a timely manner, unfortunately.

Mr. Ellingson: You could tell that my French is far from perfect . . .

Dr. Williamson: Non. J'apprécie beaucoup.

Mr. Ellingson: . . . but will you give us the French version?

Dr. Williamson: The French version is provided on the internal website.

Mr. Ellingson: Is it?

Dr. Williamson: Yeah. It's number 006, and then 006A is the translation. Hopefully, I called up the right number there.

Mr. Ellingson: Okay. I clicked on the wrong one. I just got the English summary. Thank you.

Dr. Williamson: Yeah. My pleasure.

The Chair: Mr. Sabir, you had your hand up as well?

Mr. Sabir: Irfan Sabir, MLA, Calgary-Bhullar-McCall.

The Chair: All aboard who's coming aboard. We're read into the record. Thank you for that, sir.

Any other questions for the good doctor?

Mr. Dach: I'm looking for the documents here. I just clicked on the committee's site. I'm just not sure what to click on to find them. Pardon me.

The Chair: Show that up on the big screen?

Oh, you're a substitute. That's why. Yeah. You wouldn't have access to that. That's probably why, guys.

Any other questions?

Decisions regarding written submissions. Hon. members, it's typical at this stage of the review for the committee to consider whether it wishes to make the written submissions it has received public. That would help out with the substitution members, too. I would highlight that all invitations sent to stakeholders at the web page clearly stated that written submissions received would be made public. I would note that anyone who had made written submissions via the web form that was embedded in the committee's website would have been clearly required to expressly acknowledge that their submission could be made public.

At this time I'd open the floor to any comments, questions, or motions related to this matter. MLA Hunter.

5:10

Mr. Hunter: Mr. Chair, I move that

the Select Special Conflicts of Interest Act Review Committee direct the Legislative Assembly Office to make the submissions received as part of its review of the Conflicts of Interest Act publicly available on the Assembly website except for portions of submissions that contain any of the following: (a) personal contact information other than the name and municipality of the submitter, (b) personal information about an identifiable third party, or (c) profane or obscene language.

The Chair: There's a motion on the floor. I think the clerk was feverishly typing to my left here. I heard him going. It might be up there. You're a faster typer than I am.

Does that look correct, MLA Hunter?

Mr. Hunter: Yes.

The Chair: Well done, folks.

There's a motion on the floor. I'm prepared to call the question. Any other discussion? Seeing none.

All in favour? Any opposed? On the line, in favour? Perfect.

Motion carried.

A decision regarding oral presentations. Hon. members, as we have now our decision regarding the written submissions, we shall now move to the consideration of the invitation of oral presentations as the next stage in our review. During comprehensive statute reviews it is common practice to invite oral presentations from key stakeholders and others so that the committee can collect additional information and pose questions to the presenters for clarification or written submissions that have been made. At this time I would like to open the floor for any comments, questions, or motions in relation to the hearing of oral presentations. MLA Rowswell.

Mr. Rowswell: I'd like to make a motion.

The Chair: Okay.

Mr. Rowswell: I'd like to move that

as part of its review of the Conflicts of Interest Act the Select Special Conflicts of Interest Act Review Committee invite a committee member from each of the government and Official Opposition caucuses to submit to the committee clerk no later than 12 p.m. on May 9, 2024, a list of up to two individuals or organizations to make oral presentations to the committee and invite the identified individuals and organizations to present to the committee at an upcoming meeting.

The Chair: Perfect. Just take a quick look. It's up on the screen.

Okay. With that, any discussion? Two hands going up. Three hands going up. I see Dach, Ellingson, and then Irfan.

Mr. Sabir: Irfan.

Mine is just a friendly amendment.

The Chair: Okay. Well, you're last on the list anyway.

MLA Dach.

Mr. Dach: Thank you, Chair. Forgive me, because I am subbing in and new to the discussion, but I would like some explanation as to why the number two, why only two members are being sought as presenters. Perhaps the mover could elaborate.

Mr. Rowswell: Well, as I understand it, there are, like, 12 submissions – right? – so it would be a third of the submissions have the opportunity, then, to be oral. It seems like enough to have a third of them. That's all. That'd be the reason.

Mr. Dach: There's no other explanation? It just seems like enough? I mean, you have no other explanation?

The Chair: Yeah. And it seems that the other one – so the advantage of the chair and the clerk up here: it seems like that's kind of standard for the other committees, too. Not that every committee has to be, like, the same or that there's a precedent by

any means, but that's kind of what was taking place in the other ones, too.

Mr. Ellingson.

Mr. Ellingson: I think my question was similar, as to the two. Maybe this is outside of the motion, but just going with the comment that two plus two equals four and that's a third of the submissions: obviously, the two caucuses would be maybe putting their names forward independently. I guess I would want to make sure that we talk with one another to make sure that we maximize those four and that we don't independently put forward two that are the same two and we end up only two out of 12.

The Chair: That would be good. Teamwork makes the dream work there. I appreciate that comment, and that's . . .

Mr. Rowswell: How would we change that? Or we just do that?

The Chair: Well, the motion is on the floor.

Mr. Rowswell: Yes.

The Chair: I think that's maybe why MLA Irfan may have been putting his microphone up, but we'll let him speak and see.

Mr. Sabir: I think I was just going to suggest a very friendly amendment, if it's acceptable to the mover: that we make it up to three. That will, I guess, help us here from a little bit more and in depth, if that's okay with you.

The Chair: Now, the other option here – getting back into moving motions from the floor, because the other one was put on notice, as the committee had agreed in advance. There is an option for us to agree in committee here, as MLA Ellingson eloquently had put in place, that two plus two is four, and that would be the intent, and the group would co-ordinate with each other so we're not putting the same ones up. There's that potential for discussion, too, just to throw it out there for further dialogue.

If that isn't amiable to the group, then we'd have to accept motions from the floor. And that means that going forward, any motions from the floor could be accepted, each one at a time. But that's what we'd be doing for each one of those. So I'll leave it to the wise discussion of the committee to go through what your options are. Obviously, I'm at the convenience of the committee.

Mr. Rowswell: Well, I'd be okay with going with three. If we want to defeat this one and make a new one, I'm comfortable with that.

Mr. Sabir: I think we can just add. If your motion added three, we are fine with this one.

The Chair: Anticipating that, it's really neat when everyone's working on the same page here, folks. This is awesome. There is a presubmitted one for three, if that's the magic number. If that seems to be the will, then we have the option of defeating this motion or withdrawing it – it's all a matter of perspective – and then putting in the other one, which comes up with a number that seems to be amiable. I would open that for discussion.

Mr. Sabir: Withdrawing is better. I don't want to vote against MLA Rowswell's motion.

The Chair: You know, this being a Thursday, this warms the cockles of my heart. This is wonderful.

MLA Rowswell, are you okay with withdrawing this motion?

Mr. Rowsell: I'm okay with that.

The Chair: Then we'll go to the next one. Everyone's good with that, unanimous? I'll ask the question. Is everyone in unanimous agreement with withdrawing the motion?

MLA Wright, did you catch all that online?

Mr. Wright: Yes, sir. I'm in favour.

The Chair: There we go. Perfect.

Motion withdrawn.

There was another registered motion. Is anyone wanting to perhaps move a motion?

Mr. Ellingson: Sure. Oh, the text is changing up there.

I move that

as part of its review of the Conflicts of Interest Act the Select Special Conflicts of Interest Act Review Committee invite a committee member from each of the government and Official Opposition caucuses to submit to the committee clerk no later than 12 p.m. on May 9, 2024, a list of up to three individuals or organizations to make oral presentations to the committee and invite the identified individuals and organizations to present to the committee at an upcoming meeting.

The Chair: Perfect. Having heard the motion, any discussion? I've got a good crew over here. They know they've got their arms full with me in the chair.

Mr. Long: Just going back to MLA Ellingson's point earlier, is everyone amenable to just saying, "Hey, like, discuss this amongst ourselves" – I think the intent is to have six in total – just to make sure that we don't have the same members so we can get up to six? Is everyone amenable to that?

The Chair: We have all in agreement. The clerk, the real quarterback on the play, was just wanting to make a comment.

Nancy.

Ms Robert: Thank you, Mr. Chair. I think what I might suggest is perhaps the caucus offices submit lists to Aaron. Then if he notices that there are any duplications, he'll get back to the caucus offices and they can work it out just offline that way. Does that work?

Mr. Long: Good. Thank you.

The Chair: And it didn't include the chair, which is awfully handy for both sides.

Any further discussion on the motion? All right. I am prepared to call the question on the motion. All those in favour, please say aye. Any opposed? To Teams, not the phones; I'm dating myself again.

Mr. Wright: Aye.

The Chair: That was a loud one. Thank you for that, MLA Wright. That was wonderful, folks.

Carried.

5:20

Crossjurisdictional comparisons. Hon. members, as of our January 15, 2024, meeting, the committee directed the Legislative Assembly Office to provide a crossjurisdictional analysis of the conflicts of interest legislation in other jurisdictions in Canada. The committee reviewed the crossjurisdictional in mid-April. I would now like to call upon Dr. Christina Williamson to provide an overview of the analysis. Then the committee members will have an opportunity to ask their questions or make any comments.

Doctor, it's over to you.

Dr. Williamson: Thank you very much, Mr. Chair, and hello again, committee. I'm now presenting the crossjurisdictional review of the conflicts of interest legislation in Canada. The purpose of this document is to provide the committee with information about how Alberta's Conflicts of Interest Act compares to similar legislation across Canada.

The current act in Alberta pertains to members of the Assembly, members of the Premier's and ministers' staff as well as designated senior officials. In this report research services reviewed a selection of conflicts of interest legislation, specifically statutes in British Columbia, Manitoba, Ontario, Quebec, and Nova Scotia. These provinces were selected because they include a cross-section of small, medium, and large jurisdictions that represent each of the major geographical areas in Canada, and in the case of Manitoba, this legislation received royal assent quite recently, in October of 2023. The federal conflicts of interest legislation also includes codes of conduct for Members of Parliament and Senators, and these are also discussed.

The report itself is divided into several sections based on key themes from Alberta's Conflicts of Interest Act. First is a discussion on private interests, which includes what a private interest is and what improperly furthering one's private interests might look like, what an apparent versus an actual conflict of interest is as well as obligations around direct associates, children, and spouses. This section also details about the receipt of gifts, travel, and noncommercial aircraft as well as contracts and payments from the Crown.

The next section details postemployment restrictions of COIA compared to other jurisdictions. These are also known as cooling-off periods. Alberta's COIA is quite complex in that it has specific provisions pertaining to different types of people defined in the act, so cooling-off periods might look different for ministers compared to Premiers and minister staff and designated senior officials.

Finally, the report continues to discuss provisions around the disclosure of financial information of spouses, the investigation of breaches or contraventions of the act by the Ethics Commissioner, before concluding with a discussion of codes of conduct. More information is available in the fairly substantial appendices at the end of the document, and that's all I have to say for now. Thank you.

The Chair: Thank you very much, Doctor.

Are there any questions, comments, concerns for the doc? MLA Rowsell.

Mr. Rowsell: The last meeting when we had the Ethics Commissioner talking to us, I asked her a question about, like, she does the analysis and then makes the recommendation, and the recommendations are almost always accepted, and it's a bit of a concern. It's kind of prosecutor and judge at the same time, what I brought up at the time. She said: well, the ultimate decision is with the Legislature. I'm just wondering: is there a difference on how that's handled between any of the provinces?

Dr. Williamson: I can't say for complete certainty for all of the different jurisdictions, but generally speaking this really speaks to parliamentary privilege and the Assembly's right to control its own affairs, punish members as it sees fit. That's such a kind of important value within the institution that I wouldn't expect that to be different across jurisdictions, but if it's of interest to the committee, I'm happy to provide more information in writing at a later date.

Mr. Rowsell: I'd appreciate that, if we could.

The Chair: Is that the will of the committee

to look for that additional information as proposed and discussed?

I'll just ask a quick question. Everyone in favour? Okay. Good.

Motion carried.

Justin, you don't get to vote. No, I'll go online. The clerks are going to kick me under the table, and we've got a really good set of lawyers over here. MLA Wright?

Mr. Wright: I am in favour, Mr. Chair.

The Chair: There we go. We often wonder why he comes only to my committee meetings.

Any other questions or comments for the doc? Go ahead, MLA Ellingson.

Mr. Ellingson: Yeah. Forgive me if this gets into, like, a question that should be posed to someone else. I should have taken more specific notes, but there was mention about, like, "minor children," "adult children," other members of the family, and then noted that only one of those jurisdictions used "another person." I think it was Alberta that used, at one point, "another person." I'm wondering if you could just help me kind of, like, walk through the pros and cons of using that different language and the use of "another person" versus kind of like the specifically defined other people that appear elsewhere in the act.

Dr. Williamson: It's a really good question, and I'm not sure if I can answer it in a really robust way. Perhaps, you know, should the committee choose to have the Ethics Commissioner come, she may be able to provide a really, really more robust answer, but it definitely – sorry. I'm just reading my notes here.

Yes. I believe Alberta is the only one that uses the term "another person." Sometimes there's also terms like the "member's family," and these can be quite vague or unclear, especially when people have, you know, a family structure that's a bit different than just simply one spouse and children from one marriage. I think there are maybe some opportunities for the committee to consider how they want to frame who is considered a direct associate, who's considered a family member, for sure.

Mr. Ellingson: Thank you.

The Chair: Any other questions, comments? MLA Rowswell.

Mr. Rowswell: MLA Wright wanted me to read his question, if I could.

The Chair: Okay. Sure.

Mr. Rowswell: Okay. Another issue that was raised at the last meeting was regarding the right to legal counsel, and I believe the Ethics Commissioner clarified to the committee essentially that there is no right to legal counsel that is provided for in the act. That is, the commissioner allows for legal counsel to be present in the investigation process. I am wondering if in your crossjurisdictional review you found other jurisdictions that have formalized this ability to have legal counsel within their act rather than leaving it up to the judgment of whoever the commissioner may be at the time of the investigation.

Dr. Williamson: Thank you for the question, Member, through the chair. Yeah. Alberta does not provide for or prohibit the presence of legal counsel within the act. I think that's a distinction worth making. In my research I found that some acts do specifically permit the presence of legal counsel, and that's in the House of

Commons code of conduct as well as the Senator's code of conduct. They permit a member or Senator subject to an inquiry to make representations in person or by legal counsel or another representative.

One thing that's interesting with the Senate's code of conduct is that the caveat there is that representation is only permitted to an extent that is authorized by the Senate's ethics officers. This isn't in the Canadian Conflicts of Interest Act, but rather in the parliamentary codes.

B.C. and Manitoba do allow a member to make representations to the commissioner. They don't specify what that representation might look like, but it seems to apply. It would be the individual member themselves. Nova Scotia and Ontario don't specify one way or the other.

Mr. Rowswell: Okay. Thank you.

The Chair: Any others on this? MLA Lovely.

Ms Lovely: I have a motion to make.

The Chair: Oh, okay.

Ms Lovely: Maybe it's more of a statement, but I'll just say it now. I noted that one of the submissions in particular went into some depth about index funds and the ways in which these differ from other holdings that someone may have and that a person who holds such a fund often has essentially no control over the securities held within that fund.

I'm wondering in your research if any other jurisdictions treat different types of assets, particularly index funds and mutual funds, differently than any other holdings as a result of the detached nature of decisions that are made surrounding these funds?

The Chair: Just for clarification, that did sound, to the chair, like a question.

Ms Lovely: I think it is a question.

The Chair: Okay. Perfect. We'll go to the good doctor.

Dr. Williamson: I feel that I can try and answer that. Thank you for the question. Yes. That submission from Dr. Randall Morck explained that there is a possibility that certain index funds could operate under a safe harbor sort of concept. So certain index funds that don't have any relationship to Alberta's economy, that might not be impacted by decisions, especially by ministers, could be held directly by the member, so not in a blind trust sort of situation.

Now, the way that I read that particular submission was that that would still need to be disclosed. That would be kind of an expectation that because it's an asset, would still require a disclosure. Now, every single jurisdiction really deals with money matters quite differently, and it's quite a complicated area because it just depends on who's holding these assets, how they're holding funds, but some do seem to offer – Manitoba is probably the most open in terms of its legislation. It does seem to permit mutual funds and ETFs to be held by the member without any sort of restriction in terms of a blind trust. But, again, if the committee is interested, I can provide a more robust answer in writing later.

Ms Lovely: Yes, please.

5:30

The Chair: Any other questions? MLA Long.

Mr. Long: Thank you, Chair. Table 2, pages 8 to 11 of the crossjurisdictional comparison, outlines obligations of members

and officials to avoid advancement of private interests in other jurisdictions. It's mentioned that in Quebec the regulation respecting the rules of conduct applicable to the office staff of ministers, which was established pursuant to the Code of Ethics and Conduct of the Members of the National Assembly and the Executive Power Act, sets out the conflict-of-interest obligations regarding political staff. I don't see any other jurisdictions in which staff of any sort are actually mentioned except for the public office holders included in the federal House of Commons, which includes ministerial staff and cabinet appointees. Am I correct in understanding that Alberta is the only other jurisdiction to apply these restrictions to agencies, boards, commissions through the same legislation as elected officials and political staff?

Dr. Williamson: Through the chair, thank you for the question. I agree. Alberta definitely has the most robust provisions in this area. There is some interesting – under the definitions in the Nova Scotia Conflict of Interest Act it seems to appear that public agencies are counted as a department under their definition, and public employees seem to also appear to include boards of directors and commissions. I think that the Nova Scotia act might also have similar provisions. It's just that they're wrapped up within the definitions under the statute rather than explicitly laid out like in Alberta's.

Mr. Long: Thank you for that.

The Chair: Any other items, members? Once, twice, sold. Thank you, Doctor.

Next steps in the review. We're in the concluding stage of the information-gathering review. Our next steps would be to hear oral presentations and then move on to deliberations.

Are there any other matters that the members would like to discuss in relation to seeking additional information as part of the review?

Seeing none in the room, MLA Wright?

Mr. Wright: None from me, sir.

The Chair: Perfect. We'll move on to the next part of it, and that is literally other business. Is there any other business to discuss at today's meeting, folks?

Mr. Hunter: Don't we have to move another motion for next steps in the review?

The Chair: It would be near the end. Do you have another motion, Member?

Mr. Hunter: I do.

The Chair: Okay. We'll go back to next steps. Was there a motion submitted, or is this from the floor?

Ms Robert: It's from the floor, but it's to direct staff to do something, so it doesn't need notice if it's what I think it is.

The Chair: Okay. Go ahead, MLA Hunter.

Mr. Hunter: We speak the same language. Thank you.

I would like to move that

the Select Special Conflicts of Interest Act Review Committee direct the Legislative Assembly Office to prepare a crossjurisdictional analysis of the provisions related to the investigation of purported breaches of conflict of interest contained in conflict-of-interest legislation in the following Canadian jurisdictions: British Columbia, Alberta,

Saskatchewan, Manitoba, Ontario, Quebec, Nova Scotia, and the Parliament of Canada.

The Chair: Perfect. Having heard that, we're open for discussion.

Mr. Ellingson: Just that if it's a motion from the floor, do you first say that you'd like to put a motion forward and we vote and agree that a motion will come and then you put the motion forward?

The Chair: Typically, but I understand that this is a motion for next steps directed here, and it's direction to the LAO, so it's not a third party.

Mr. Ellingson: Got it.

The Chair: Yeah. We're all learning. It's all good.

Having heard that, I'll open it up for discussion. And really good to ask these questions, so, MLA Ellingson, thank you for that, for the clarification.

Mr. Sabir: If I may, can you just explain a little bit, I guess, the rationale, to help us understand it a bit better?

Mr. Hunter: Sure. I thought it was clear in the motion, but I will state it again. It's to provide "a crossjurisdictional analysis of the provisions related to the investigation of purported breaches of conflict of interest contained in conflict-of-interest legislation in the following Canadian jurisdictions," and I named those jurisdictions.

Mr. Sabir: So only the investigations . . .

Mr. Hunter: That's correct.

Mr. Sabir: . . . how they are done in other jurisdictions across Canada.

Mr. Hunter: And also in Alberta.

Mr. Sabir: Okay.

Mr. Hunter: Yeah. I thought that that would be helpful for the committee.

Mr. Sabir: Yeah. I think a similar concern was raised by MLA Rowsell as well.

Mr. Hunter: That's correct.

Mr. Sabir: Sure. Good.

The Chair: Any further discussion?

All right. We'll call the question. All those in favour? Any opposed? Online? Perfect.

Motion carried.

Now we'll move past the next steps – thank you for that, MLA Hunter – and on to other business. Any other business for today? Once, twice, sold.

The date of the next meeting will be at the discretion of the chair.

We're at everyone's favourite part of the meeting. If there's nothing else for the committee's consideration, I'll call for a motion to adjourn.

Mr. Hunter: So moved.

Mr. Long: Seriously?

Mr. Sabir: So moved.

The Chair: I think you're getting outvoted on this one. So moved that the April 25, '24, meeting of the Select Special Conflicts of Interest Act Review Committee shall be adjourned. All in favour? Thank you very much. None opposed. Oh, for the record the motion is carried.

Drive safe, MLA Wright. Take care. Everyone, drive safe. Have a great week back in your constituencies.

[The committee adjourned at 5:36 p.m.]

