



Legislative Assembly of Alberta

The 30th Legislature
First Session

Standing Committee
on
Private Bills and Private Members' Public Bills

Bill 201, Protection of Students with Life-threatening Allergies Act
Bill 202, Child, Youth and Family Enhancement (Protecting Alberta's Children)
Amendment Act, 2019

Tuesday, June 4, 2019
6:15 p.m.

Transcript No. 30-1-1

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

Standing Committee on Private Bills and Private Members' Public Bills

Ellis, Mike, Calgary-West (UCP), Chair
Schow, Joseph R., Cardston-Siksika (UCP), Deputy Chair

Gotfried, Richard, Calgary-Fish Creek (UCP)
Horner, Nate S., Drumheller-Stettler (UCP)
Irwin, Janis, Edmonton-Highlands-Norwood (NDP)
Neudorf, Nathan T., Lethbridge-East (UCP)
Nielsen, Christian E., Edmonton-Decore (NDP)
Nixon, Jeremy P., Calgary-Klein (UCP)
Pancholi, Rakhi, Edmonton-Whitemud (NDP)
Sigurdson, Lori, Edmonton-Riverview (NDP)
Sigurdson, R.J., Highwood (UCP)

Bill 201 Sponsor

Armstrong-Homeniuk, Jackie, Fort Saskatchewan-Vegreville (UCP)

Bill 202 Sponsor

Ellis, Mike, Calgary-West (UCP)

Support Staff

Trafton Koenig
Philip Massolin
Aaron Roth
Janet Schwegel

Parliamentary Counsel
Manager of Research and Committee Services
Committee Clerk
Managing Editor of *Alberta Hansard*

6:15 p.m.

Tuesday, June 4, 2019

[Mr. Ellis in the chair]

The Chair: All right. Good evening, everybody. I'd like to call this meeting of the Standing Committee on Private Bills and Private Members' Public Bills to order and welcome everyone here in attendance.

My name is Mike Ellis. I'm the MLA for Calgary-West and chair of this committee. I'd also like to ask members, staff, and guests at the table to introduce themselves for the record, starting to my right with the deputy chair.

Mr. Schow: Thank you, Chair. My name is Joseph Schow, MLA for Cardston-Siksika.

Mr. Horner: Nate Horner, MLA, Drumheller-Stettler.

Mr. Sigurdson: R.J. Sigurdson, Highwood.

Mr. Neudorf: Nathan Neudorf, Lethbridge-East.

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

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

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

Ms Pancholi: Good evening. Rakhi Pancholi, Edmonton-Whitemud.

The Chair: We just had a member sit down. We'll just pause a moment.

Mr. Jeremy Nixon: Jeremy Nixon, Calgary-Klein.

The Chair: Fantastic. Thank you very much, Mr. Nixon.

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

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

Mr. Roth: Good evening. Aaron Roth, committee clerk.

The Chair: Thank you, folks. Obviously, unless somebody corrects me, there's nobody teleconferencing in. I didn't think so.

No substitutions because this is our first meeting. Nobody that I can see is substituting in at this time.

I have a few housekeeping items to address. Please note that the microphones are operated by *Hansard*. Please set cellphones and other devices to silent for the duration of the meeting. Committee proceedings are live streamed on the Internet and broadcast on Alberta Assembly TV. The audio- and video stream and transcripts of the meetings can be accessed via the Legislative Assembly website.

I guess we will move next to the approval of the agenda. I know this is new, but everybody should have received a copy of it. Are there any changes or additions to the agenda at this time? None? Okay.

Seeing none, would a member like to move that? Okay. Let me just read it first. Mr. Gotfried would move that the agenda for the June 4, 2019, meeting of the Standing Committee on Private Bills and Private Members' Public Bills be approved as distributed or as amended. Any discussions on the motion? No? Okay. All in favour?

Any opposed? I don't see anybody opposed. Thank you. The motion is carried.

I guess we'll move on to agenda item 3, committee mandate and process, (a) participation via teleconference. Hon. members, committees of the Legislative Assembly have the option of passing a motion to approve meeting attendance by members via teleconference. Section 6 of the Legislative Assembly Act states:

A Member may participate in a meeting of a committee of the Assembly 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, and a Member participating in a meeting by those means is deemed for all purposes to be present at that meeting.

I'm told here that this motion must be passed unanimously, so a motion to approve the teleconference attendance for the duration of a Legislature does not prevent the committee from determining that personal attendance at specific meetings is required. In those cases, a motion would be moved at the end of a meeting requesting the personal attendance of all members at a subsequent meeting.

I'm told that we do have a suggested motion in respect of teleconferencing for the committee's consideration. I'll ask that the committee clerk, if you could, read it into the record, please.

Mr. Roth: Thank you, Mr. Chair.

That for the duration of the 30th Legislature the Standing Committee on Private Bills and Private Members' Public Bills permit committee members to participate in committee meetings via teleconference subject to the proviso that the committee may require members' personal attendance at a particular meeting upon passage of a motion to that effect.

The Chair: Okay. Any discussion on that motion? Go ahead, sir.

Mr. Nielsen: Just a quick point of clarification. For members who are participating via teleconference, just maybe for the new folks around the table, around documents and whatnot that are readily available to committee members in the room, how are they able to see those? If somebody would maybe just run through that.

Mr. Gotfried: Mr. Chair, sorry. Did you have a mover for that motion, sir?

The Chair: We're just in a discussion at the moment.

Mr. Gotfried: You can't have a discussion until you have a motion that's moved.

The Chair: Is that correct? Okay. We're just going to discuss it a little more.

Mr. Nielsen, of course, I can only go on past practice of committees, which you are obviously aware of. I certainly welcome any additional information from the clerk in regard to this.

Mr. Roth: Certainly, Mr. Chair. Committee documents are posted to the committee's internal website for all members of the committee. If there's a motion that is, for instance, being brought forward, there's a screen off the internal website that that would become available on if, you know, something is being crafted or an extensive motion. All members would have access to those. If members are on the phone and, say, they wanted to get on the speaking list if there was a matter under discussion, they could e-mail me, for instance, and I'd let the chair know that a member wished to speak, so participating in that way as well.

The Chair: Very good, sir. Thank you.

Are there any other discussions to the motion?

Ms Pancholi: Just to clarify, if a motion was under discussion during the meeting, you would put that up on the internal website. I mean, some of the motions are going to be informal that we can discuss, and there is not a necessity for it to actually be typed up and printed up. But if it's a more complicated motion, something would be available in real time, that sort of thing.

Mr. Roth: Just as an example, say that the committee was in a deliberation phase on something and motions were coming from the floor. What's been common practice in committees is that the clerk would type up the motion and make it available via the internal website, and that's exactly what you're seeing right now.

Ms Pancholi: Okay. Thank you.

The Chair: Great. Fantastic.

Any other discussion points? No? Okay.

Sorry; we do need a mover for that. My apologies. Mr. Neudorf, you'd like to move that? Thank you. I don't believe we need a seconder on this. No? Okay. All in favour? Any opposed? Thank you very much.

The motion is carried.

We shall move on to (b). That's the committee mandate and general meeting format. Hon. members, the committee has, as part of its mandate, two elements. The first is the review of all petitions for private bills. I would now like to call upon Mr. Trafton Koenig, Parliamentary Counsel, to speak about the role of the committee when it comes to reviewing private bill petitions.

Mr. Koenig: All right. Thank you, Mr. Chair. I'll be quite brief with this overview of the private bills process. For those members who are unfamiliar, private bills are proposed legislation, like any other bill before the Legislative Assembly. They are different, though, and shouldn't be confused with private members' bills.

A private bill is initiated by any individual or a group, and it only affects one or a few persons such as, you know, a corporation or a service club or a charity. It's not applicable to the public as a whole. Private bills are proposed laws to accommodate something for which there is no other remedy to obtain. A petitioner, the person that is requesting the private bill, may want something that's not available under existing law. Another reason why petitions for private bills might come forward is to obtain an exemption from the general application of public legislation that governs everyone else. To obtain an exemption like that, generally reasons would be overwhelming and unique. The most recent example would be from 2017, where an adult individual petitioned for the termination of an adoption when they were a child. That is an example of the type of bill that would come forward.

The reason why I'm trying to be a bit on the brief side with this is that petitions for private bills can only come forward before the 15th day following the first day of the first sitting in a year of a Legislature. That deadline has already passed, so there will be no private bills petitions coming forward for the remainder of the year, so this won't be something that the committee is likely to see until next year. All right?

That, I think, is a very brief overview of that process.

6:25

The Chair: Well, thank you, sir.

Does anybody have any questions for Mr. Koenig? No? Okay. I'll move on.

The second element of the committee's mandate is the review of all private members' public bills after they have received first reading in the Assembly. As members are aware, once first reading has been given by the Assembly to a private member's public bill

pursuant to Standing Order 74.11(1), the bill is referred to this committee. Pursuant to Standing Order 74.11(2) the committee then has eight sitting days to report back to the Assembly on the bill. This means that the committee will be working with some tight deadlines and frequent meetings when the Assembly is sitting.

Okay. We'll move on to section (c) here, committee support.

Ms Pancholi: Sorry, Chair.

The Chair: Yeah. Go ahead.

Ms Pancholi: Just to go back, I wanted to check on the agenda. I was assuming that under this section we would have an opportunity to speak a little bit about the scheduling of meetings. Is this an appropriate opportunity to speak about that?

The Chair: You know what? We can do it here. That's fine. Go ahead.

Ms Pancholi: Sure. I'm just wondering. Of course, I'm new, and this is my first committee, and I think that goes without saying for many of the members here. In terms of what the protocol will be in terms of scheduling meetings, it's my understanding, from speaking with my colleagues, that past practice in other committees has been that there's generally some opportunity for members to weigh in, you know, to poll members, to see when are the appropriate times. I understand, of course, the tight timelines that we have under the standing orders and appreciate that.

I'd certainly just like to mention that I am a parent, and I have child care obligations. For example, the short notice given for Thursday's meeting puts me in a bit of a situation because I am responsible for picking my children up that day. Obviously, an opportunity to have a discussion around timelines and setting meetings would be very much appreciated.

The Chair: Sure. We will be going back to what is known as past practice, which is what your colleagues probably told you about. This was a very we'll call it unique situation in a sense that that motion was passed within the House. We'll say that the urgency to get these meetings done was to ensure that we get more private members' business for pretty much everybody else who's not government. If we were to poll, which may take a week or more, let's say – you know, it's obviously subjective – then we don't want to miss out on any Mondays, which is when private members' business is done. That would disadvantage, well, pretty much anybody who's not government, which would include both the Official Opposition and also folks on the government members' side.

So, you know, we understand. I mean, I'll be honest with you. I'd like to get home to my family on Thursday as well in Calgary. I'd like to tuck my kids into bed on Thursday evening. Sadly, I probably won't be able to do it this Thursday but also understanding that in order for us to go forward with this new directive as has been provided by the Assembly, we needed to get tight on the timelines so that we can be able to do the private members' business on the Monday as opposed to pushing it to a following Monday. It's really about the private members.

Ms Pancholi: I absolutely concur about the urgency. I understand what's in the orders as well. I just want to clarify, though. I understand that this was a bit of an unusual week because of the standing orders just being passed. However, are you saying that in the future we will or will not be doing polling for availability?

The Chair: We will, yeah. We'll go back to the standard practice.

Ms Pancholi: Okay. Fantastic. I appreciate that.

Just to clarify, you know, for myself, my personal situation for Thursday, it's not that I want to be home; it's that there's nobody else to pick up my children but myself, so I am the child care.

The Chair: Yeah. I've got three kids.

Ms Pancholi: I appreciate that we all have families, and I know a lot of you are travelling long distances and would like to get home as well. Again, I understand this week is a bit of an anomaly, and hopefully, going forward, there's just an opportunity to weigh in on some times that might work for all of us.

The Chair: I appreciated it when I was sitting on the members' side and not a chair, and I certainly will ensure that we adopt the best practices going forward.

Ms Pancholi: Thank you.

The Chair: Okay. Any other questions?

Okay. Item (c), committee support. The committee is supported by staff from the Legislative Assembly Office, including Mr. Aaron Roth, committee clerk; Dr. Philip Massolin, manager of research and committee services. I'd ask each of you to provide a brief overview of your role in supporting this committee, starting with our committee clerk.

Mr. Roth: Thank you, Mr. Chair. Just very quickly, my role is sort of twofold. One is to assist with the procedural side of things during meetings and then the administrative side of the role as well, assisting with crafting agendas and preparing minutes, documents, that sort of thing, making arrangements for various meetings – if the committee were to go on the road at some point, you know, it would be my responsibility to assist with the logistics of that as well – and also being a main contact for the public, the media, et cetera, for the committee. That's the quick version of it. There's a description in the practical guide, too, if you're interested in learning more.

The Chair: Thank you, sir.

Dr. Massolin: Thank you, Mr. Chair. I work with Aaron and the other committee clerks who oversee the committee operations and all that that entails, that you just heard. There's also a research component that I oversee. The Legislative Assembly Office provides nonpartisan research support to committees of the Assembly, including this committee. The nature of that support, I think, because this is a new committee, has yet to be determined, but I think we'll figure that out as we go along. I will also say that the research that is done is done at the behest of the entire committee, not individual committee members.

I'll leave it at that. Thank you, Mr. Chair.

The Chair: Thank you very much, sir. Thank you for those words. As you indicated, we're trying to figure this out as we go along; hence, it's why we're having a meeting today, right?

All right. We'll go to section (d), subcommittee on committee business. Hon. members, the recent changes to the standing orders require that certain committees of the Legislative Assembly need to establish a subcommittee on committee business. While this committee is not required to have such a subcommittee with these changes to the standing orders, in other committees working groups and subcommittees have proven to be effective in helping the committee organize its operations. It is also a common practice to have such subcommittees in other jurisdictions. The purpose of this type of subcommittee is to meet and report to the committee on

matters of the committee's business, which would include making recommendations about such things as meeting scheduling and the allotment for speaking times during public meetings with stakeholders and others.

At this time I'd like to open the floor for discussion of the subject of creating a subcommittee on committee business for the Standing Committee on Private Bills and Private Members' Public Bills. Mr. Gottfried.

Mr. Gottfried: Thank you, Mr. Chair. My experience on committees – and we've done it, obviously, in several other committees, the Public Accounts Committee and others – is to have a subcommittee that deals with some of the housekeeping items. It creates greater efficiency at the committee level. I think everybody should know that the committee still carries all of the weight in terms of any votes that occur. Subcommittees tend not to have power, only the ability to direct traffic, as it were, and to ensure that there's a smooth flow of business, as noted. Most of us would like to get out of here sooner than later, and if we can finish early on occasion, that would also be a good thing. My experience is and I think you'll find in some of the parliamentary writings on this that the subcommittees actually allow for good and smooth functioning of the committees, the Public Accounts Committee being one of the sort of key ones that we've noted that on. So I'd be in support of having a committee which provides that funnel that allows us to be more efficient in our work.

Thank you, Mr. Chair.

The Chair: Thank you very much, sir.

Does anybody else have any questions, comments?

Member Irwin: Obviously, I can also play the "new" card, like a lot of us. It seems to me that this committee has fairly tight turnaround already. I mean, again, thinking about our time and whatnot, I wonder how we couldn't just accomplish this work in this group. I mean, I've been in other capacities where we've had subcommittees of much larger committees, but this seems like a fairly manageable size. So I just wonder, for me, kind of the devil's advocate to you, Mr. Gottfried, about just the redundancy and the additional time that members of this committee will have to then commit to a subcommittee.

6:35

The Chair: Yeah. It's an excellent point that you're making. I mean, I myself am a bit of an efficiency person. Again, we're just trying to learn the process as it goes.

Mr. Neudorf, do you have a comment here?

Mr. Neudorf: I'm just wondering: do we have to strike the subcommittee now, or is it something that, upon the need for such a committee, can be struck at that time? Maybe that would be an answer to the members.

The Chair: Mr. Nielsen, go ahead.

Mr. Nielsen: Yeah. I think you've probably got something there. I mean, let's get our feet underneath us with this new process that's moving forward. If we do see a need for a subcommittee, I don't think – maybe I'll rely on staff here. If we don't make a decision today, we're not pigeonholed here in any way, are we?

Dr. Massolin: No. The short answer is no. I mean, I would also offer, through you, Mr. Chair, to the entire committee: the way I would look at it, too, is that if the committee so chooses, of course, you could strike this subcommittee; it doesn't mean you have to avail yourselves of the services of the subcommittee. The other

thing, not to anticipate too much, but I think it's warranted here: I mean, there's a possibility that this subcommittee might do some initial work scoping out the process of this committee review of private members' public bills as well. I would just reiterate that striking that subcommittee doesn't mean that as a committee you have to delegate any responsibilities to that committee. You could do it in a piecemeal fashion or from time to time. You're not beholden to that committee in terms of delegating. The committees are masters of their own procedures and proceedings, and they tell the subcommittee what to do or what not to do.

The Chair: Dr. Massolin, what I'm hearing is that we could make a motion to strike one up, but that doesn't necessarily mean, to Member Irwin's point, that we have to meet. Is that correct?

Dr. Massolin: That is correct. If you wanted to undertake one of the functions that may be done in another committee by the subcommittee, you could certainly do that; for instance, determining a stakeholder list or a meeting schedule. I mean, if you wanted to do that at committee, you could do that. It doesn't have to be done at subcommittee. Again, it's up to the committee to decide.

Ms Pancholi: If I could just . . .

The Chair: Yeah. Go ahead.

Ms Pancholi: Sorry. Thank you, Mr. Chair. I just have one more comment, which is that given the fact that we do have very tight timelines in the standing order and that we currently have two private members' bills before us for consideration, I think we are in a situation where we are going to have to decide on a process very quickly, likely here today or, you know, even maybe at Thursday's meeting, because we do have to consider these bills right away. I'm not necessarily opposed to the idea of setting up a subcommittee, but I think that, regardless, we are going to have to set up a process right now so that we can return our response to these bills to the House as we are mandated to by the standing orders. Inevitably, I sort of think we're going to be deciding on the process as a whole committee anyway because the time it would take to set up the subcommittee, go off and make those considerations, come back and make recommendations – well, we're already sort of behind the eight ball in terms of timelines and returning a comment back on these two bills. I think we're going to have to do it anyway around this table as a committee, so I think we just dig into it. That's sort of the way I approach it.

The Chair: Okay. Fair point.

Mr. Gotfried: Mr. Chair, we went through this a number of years ago on a couple of committees, and I'm just referring back to some comments from the then Auditor General that working groups, which is essentially what we're talking about here, a subcommittee, . . . [are] in your best interests . . . [as] clearly an effectiveness measure, but it doesn't have the ability to override [this committee's views] your views. As I understand it, the working groups, through the various caucuses, will come back to you as members and seek your confirmation of decisions made. In the end it is built on relationships, and the proof will be in the results . . . as [members] you should trust your working group to have your best interests and judge how well they do by looking at the results.

That's from the past Auditor General.

From the CCAF, which was then called the Canadian comprehensive auditing foundation, the reference and quote is about a committee of 15 or, in this case, a smaller committee.

Talking about each document in detail without having the time to analyze it might not be the best use of time. Why don't you allow the working group to start the process . . .

There are some other references: make recommendations based on submissions, tabled documents, background information, or correspondence received.

The advantage for you is that someone else has had the time to take a look over that document in a prior working session.

These are recommendations from experts in committee work that have indicated that the time savings of having a working group – the parties are represented in that working group – does not override any work of this committee but does create efficiencies and brings forward an opportunity for us to actually focus on the work at hand.

Thank you.

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

Any other comments?

Mr. Schow: The purpose of the committee is to ensure we have greater stakeholder engagement on private members' bills. Is it possible to maybe vote in this committee, if you do it unanimously, that the two bills, 201 and 202 – if we believe as a committee that they need stakeholder consultation, then moving forward we can strike the subcommittee. I mean, is that out of line?

The Chair: Maybe I can refer that to Dr. Massolin.

Dr. Massolin: Sorry. The question is whether . . .

Mr. Schow: The question is that we are trying to ensure that we can deliberate bills 201 and 202 in the Legislature. They have to go through this committee first. Part of it is to ensure we have proper stakeholder engagement. If we were to vote unanimously that the bills may not need stakeholder engagement, these two, we can recommend that they move forward. Then the subcommittee, striking it, could be delayed.

Dr. Massolin: Well, that's a committee decision, for sure. I mean, what this committee is obligated to do is to report back to the Assembly according to the standing orders whether or not the bills proceed.

The Chair: If I can make a question to Dr. Massolin. Obviously, as the committee and as all of our other members know, we have sittings in the morning and afternoon and the evening. My understanding is that a subcommittee could possibly meet when the Legislature is sitting. Is that correct, sir?

Dr. Massolin: Yeah. Thank you, Mr. Chair. The rule, again following the standing orders, is that this committee cannot meet without leave of the Assembly during times when the Assembly is sitting. That's why you have this supper-hour meeting. A subcommittee, however, can do so. A subcommittee could meet when the Assembly is sitting.

Mr. Gotfried: Mr. Chair, you know, we just had our Public Accounts Committee meeting this morning, and one of the comments that was made – again, we're here in nonpartisan roles to do what's best for the people of Alberta in this Legislature. So I think that if we can bring some efficiencies and have the opportunity to meet and move forward sometimes during the sessions, it will create some efficiencies. Of course, the opposition will have an opportunity to have a representative on this working committee as well. I just wonder: is there a draft motion that we could address here at this point in time?

The Chair: Well, yeah.

Before we get to that, I guess, does anybody else have any comments?

Mr. Neudorf: Again, just a question: if this committee is made up of 11 members, what is the number that we need for the subcommittee? Are we looking at three? Are we looking at five? Is there a set number for that? Does it have to be proportional representation, just like this committee?

The Chair: Yeah. I think I'll defer that to Mr. Koenig or Dr. Massolin. I mean, it's up to the committee. I think we were thinking of three. To make it smaller is what the initial thought was. But, certainly, it's open to suggestions.

Mr. Koenig: I don't have anything further to add. I think you've encapsulated it. That's the will of the committee.

The Chair: Okay.

Mr. Nielsen: Just a quick question, then. I know all of our staff – you know, we're grateful for all of the work that they do, and they join us in committee meetings. Are we able to have staff with us in the subcommittee, then, too, to assist with our work?

The Chair: Yes, sir.

Mr. Nielsen: Thank you.

The Chair: Any other hands up for discussion?

6:45

Mr. Schow: To Dr. Massolin's point, I don't think there's any harm in striking the subcommittee today even if it is not used, just striking it. I mean, it's just a thought.

The Chair: Any further questions, discussion? Mr. Nielsen.

Mr. Nielsen: Yeah. Just one more quick clarification. Do we need to name somebody to that committee right now? It'd be nice to possibly get a feel of everybody's schedule and whatnot.

Member Irwin: And we're missing one member.

The Chair: Yeah. Of course. Understood.

Mr. Koenig, if hypothetically we came forward with a motion, do we have to name people on this, specific names?

Mr. Koenig: Thank you, Mr. Chair. There are a few elements that should likely be included in the motion. Depending on how the committee wishes to proceed or if they wish to proceed with a subcommittee, they could name individuals from the committee to be on that subcommittee. They could also move a motion that would maybe be more general in nature and could indicate, you know, a certain number of members from the government caucus and a certain number of members from the opposition caucus, and then it would be up to those caucuses to determine which members from the committee would participate. There are a few ways of dealing with that. I think I'll leave it at that.

The Chair: Okay. All right. Does anybody else have a question or comment?

Okay. Our friends from the clerk's office here do have a recommendation in regard to a subcommittee, a suggested motion in respect to the subcommittee for the committee's consideration. I'll ask the committee clerk to read it into the record, if we could,

please. If you can post it as well for everyone to look at, that'd be great, even better.

Mr. Roth: Thank you, Mr. Chair. Moved that

a subcommittee on committee business be appointed to meet from time to time at the call of the chair to consider and report to the committee on the business of the committee; that the presence of two-thirds of the subcommittee is necessary to constitute a meeting; that the subcommittee be composed of the following members: the deputy chair, a member of the government caucus, a member of the Official Opposition; and that substitutions from the membership of the committee be permitted on the subcommittee.

Mr. Jeremy Nixon: Can I move that?

The Chair: Well, actually, we were going to have a little bit more discussion, if you don't mind, please.

I think that kind of answers Mr. Nielsen's question in regard to that we don't have to name a person just yet.

Does anybody else have a question, comment? No? Okay.

Ms Pancholi: Sorry. I'm just going to interject. I'm just looking at the composition of the subcommittee. It's the deputy chair, a member of the government caucus, and a member of the Official Opposition, and if a presence of two-thirds is necessary, it could in theory go forward. I'd like it to be clarified that at least one member of the Official Opposition has to be present in order for it to constitute a meeting, just to be completely clear. Otherwise, that could go forward without an opposition member, and it would be a meeting. I think that to constitute a meeting, at least one of the members of the Official Opposition has to be present.

The Chair: Okay. Fair point. Any further discussion on that?

Mr. Neudorf: I think that's a reasonable suggestion. It should be.

Ms Pancholi: Thank you.

The Chair: Okay. I'll ask the clerk here.

Okay. Great. Thank you for waiting, everybody. The clerk would like to read the new draft motion if we could, please.

Mr. Roth: Thank you, Mr. Chair. Moved that

a subcommittee on committee business be appointed to meet from time to time at the call of the chair to consider and report to the committee on the business of the committee; that the presence of two-thirds of the subcommittee, at least one of which must be a member of the Official Opposition, is necessary to constitute a meeting; that the subcommittee be composed of the following members: the deputy chair, a member of the government caucus, a member of the Official Opposition; and that substitutions from the membership of the committee be permitted on the subcommittee.

The Chair: We're going to make the correction.

Dr. Massolin: Mr. Chairman, I believe you can just go forward with that understanding: one member of which. He's got it.

The Chair: Okay. We're just making a change here. Second paragraph:

one member of which.

Okay. Any further discussion? No?

If not, we'll call the question.

Mr. Roth: It's got to be moved.

The Chair: Oh, it's got to be moved. Sorry.

Mr. Jeremy Nixon: I'll move that motion.

The Chair: Okay. Mr. Nixon is going to move that motion. All in favour? Any opposed? Okay. Thank you very much.

The motion is carried.

Now that the committee has created the subcommittee on committee business, it would be appropriate to task it with developing recommendations on the process for the review of bills that will be referred to the committee. I would now like to open the floor for discussion on tasking the subcommittee. Do we have any discussion?

Mr. Neudorf: Are we looking to make a list of tasks for the subcommittee? Is that the question in this discussion?

The Chair: Yeah. I mean, really, we would like the subcommittee to meet. Obviously, we're going to have to be returning to the Chamber fairly shortly, at 7:30, so there's probably not enough time to really hammer out the details in regard to creating this new process. We'd like the subcommittee to meet to really get the details of the process that they will then bring to the committee on Thursday for further discussion and approval. That's kind of where we are at the moment here.

Mr. Neudorf: Then I would like to suggest that one task would be the scheduling of the subcommittee and mutual times for the committee to meet, and an elemental breakdown of the process for discussing members' bills and reporting that back to the committee as to the tasks to put forward.

The Chair: Okay. That might be consistent with a draft motion that the clerk has made up here for us. Maybe we'll ask the clerk to read the motion, and we can certainly make adjustments or amendments to it if possible. We'll put it up on the screen.

Mr. Roth: A possible motion, Mr. Chair: that the Standing Committee on Private Bills and Private Members' Public Bills direct the subcommittee on committee business to develop recommendations on a process for the committee's review of private members' public bills that are referred by the Assembly to the committee pursuant to Standing Order 74.11 and that the subcommittee report back to the committee at its next meeting.

The Chair: Any further discussion?

Ms Pancholi: I'm not sure that captures the scheduling question about the meetings. I think it addresses dealing with the process, but perhaps we might need to add something there in terms of the process for scheduling meetings.

The Chair: Okay. If we can just pause for a second, we're going to add that to the motion. Let's ask the clerk to maybe read it one more time so everybody has an understanding of it.

6:55

Mr. Roth: Certainly, Mr. Chair.

The Chair: Thank you.

Mr. Roth: Moved that the Standing Committee on Private Bills and Private Members' Public Bills direct the subcommittee on committee business to develop recommendations on a process and scheduling of meetings for the committee's review of private members' public bills that are referred by the Assembly to the committee pursuant

to Standing Order 74.11 and that the subcommittee report back to the committee at its next meeting.

The Chair: Okay. Any questions, further discussion? Go ahead, Mr. Nielsen.

Mr. Nielsen: Just, I guess, a point of clarification. This is asking us to schedule a meeting to report back at the next meeting, which would be Thursday, yet we still have to try to get all of our folks together to figure out who's going to sit on that subcommittee. I'm just a little concerned about the timing.

The Chair: Yeah. I respect your concern here.

Mr. Nielsen: Willing to try.

The Chair: No. I hear you. You know, I think I previously mentioned this. I just want and I think all members here as private members want to make sure that we have the maximum amount of time on Mondays for all of us, both sides of the House. I know these are tight timelines. We're just trying to make sure that we have private members' business on Monday and that nothing gets deferred, I guess is where I'm going.

Mr. Nielsen: The other question, then, would be: again, does this maybe paint us in a corner, where what we come up with in terms of the process and scheduling we're stuck with? Or are we able to refine this?

The Chair: That's a good question. Can we maybe defer to Dr. Massolin?

Dr. Massolin: Yeah. I can offer some assistance. Of course, this subcommittee is only making recommendations. This committee has to approve those recommendations. I mean, I think implicit here is the fact that, you know, there's probably a need for some flexibility given the fact that you've got this eight-sitting-day time frame within which to work, but there are stat holidays and certain other things that could happen, and there are other requirements. I mean, I think the spirit of it is that, you know, there might be need for some flexibility, but the fallback, of course, is that the committee has to approve the recommendations.

Mr. Nielsen: It sounds like we have some flexibility.

The Chair: It sounds like we have some flexibility. I agree, sir.
Mr. Nixon.

Mr. Jeremy Nixon: I was just going to ask about the flexibility of the members of the subcommittee, too. The way we worded it before, it sounds like we could sub in other members. Is that correct?

The Chair: Yes.

Mr. Jeremy Nixon: So if you guys picked one person today, they could change it next week?

The Chair: Yes, sir.

Mr. Schow, I think you wanted to say something.

Mr. Schow: The other possible option is that we postpone or delay hearing Bill 201 so that we don't have to schedule right away the meeting for Thursday. So we push Bill 201 back a week.

The Chair: I'm sorry. Can you repeat that?

Mr. Schow: Well, we just delay discussing Bill 201, and if the committee is okay with that, then that would give us an extra week's

time to sort out these details about committee members and meeting times.

The Chair: Okay. Mr. Koenig.

Mr. Koenig: Thank you, Mr. Chair. Just if it's useful for the committee, I don't know if it has been made explicit, but I believe that the deadline to report back to the Assembly is June 20, just in terms of deciding how the timeline will look for the committee's review.

The other thing that members may wish to keep in mind is that, for example, if the committee does wish to meet with stakeholders from the public, there will be a certain amount of time that's going to be required to send out those invitations. There are certain timelines that are outside of, let's say, the committee's direct control. So if that's how the committee wishes to proceed with this process, there needs to be enough time for those invitations, let's say, to go out and to have them appear and then still be able to make a decision on these bills prior to June 20.

The Chair: Excellent point, sir. Thank you very much. I believe, Mr. Neudorf, you had a comment.

Mr. Neudorf: I just agree with that and think that we could make a motion on this in order to keep moving and refine the process as we learn more and make adjustments in the future as needed.

The Chair: Okay. Any further discussion?

All right. Can we get a mover for the motion that exists on the screen?

Mr. Sigurdson: The motion as it stands.

The Chair: Okay. Mr. Sigurdson moves the motion. All in favour? All opposed?

The motion is carried.

All right. Hon. members, in the past working groups and subcommittees of the Assembly have been supported by the committee clerk, research and committee services, Parliamentary Counsel. It is anticipated that this will continue with the work of the subcommittee on committee business.

We'll go to item (e), temporary substitutions. Standing Order 56(2.1) and (2.11) outline the process for substitution of chairs, deputy chairs, and committee members. There are templates available for members' use in providing notice of a temporary substitution, both for an e-mail communication and for a written notice. These templates are posted under My Links, Committee Portal on OurHouse. Please note that it is the responsibility of committee members to ensure that a substituting member has been provided with all necessary meeting materials as they will not have access to the internal committee website. Members of the Legislative Assembly who are not committee members or official substitutes may also attend and participate in committee meetings, but they may not vote or move motions. Any questions? No? Okay.

We'll go to item (f), invitation to sponsors of bills 201 and 202 to make a presentation. Hon. members, the committee had referred to it Bill 201, Protection of Students with Life-threatening Allergies Act, and Bill 202, Child, Youth and Family Enhancement (Protecting Alberta's Children) Amendment Act, 2019. Being that we're at the beginning, our first meeting, and the committee is on a tight timeline to report these bills back to the Assembly, the committee may wish to initiate the review process by inviting the sponsors of the bills to make a presentation to the committee at its next meeting.

I will now open the floor to discussion on whether the committee wishes to extend these invitations. Just so everybody is aware, obviously, Bill 202 is the bill I presented. I will be recusing myself and, obviously, doing the presentation if you do so allow me. Any further discussion?

An Hon. Member: That makes sense.

The Chair: That makes sense. Okay. All right. Well, hey, we might make it to 7:30, everybody.

If the committee wishes to invite the bills' sponsors, we do have a draft motion. I will ask the clerk.

Mr. Roth: Certainly, Mr. Chair.

The Chair: Thank you.

Mr. Roth: That

the Standing Committee on Private Bills and Private Members' Public Bills invite the sponsors of Bill 201, Protection of Students with Life-threatening Allergies Act, and Bill 202, Child, Youth and Family Enhancement (Protecting Alberta's Children) Amendment Act, 2019, to each make an oral presentation at the next meeting of the committee.

The Chair: Okay. Any discussion? Questions?

Mr. Neudorf: Very quickly, basically, the next meeting is Thursday?

The Chair: Yes.

Mr. Neudorf: So we would have to have the member for Bill 201 speak at Thursday's meeting?

The Chair: Yes.

Mr. Neudorf: If she is unable to make that, are we able to make a judgment on that bill regardless and move forward or whatever the decision of this committee might be? Or does that postpone it to the next meeting?

The Chair: That's a good question. I'll defer that to counsel.

I don't know if you – sorry. Let me just pause for a second. If that member is unavailable, which is certainly a possibility, could they have a substitute present the bill, obviously with the consent of the committee?

An Hon. Member: Or written.

The Chair: Or a written submission?

Dr. Massolin: Well, Mr. Chair, I mean, we're in uncharted waters here, and I realize it's a very short time frame. The hope is that Ms Armstrong-Homeniuk will be able to present on Thursday. If not, I think that the committee could maybe come up with an alternative plan. The chair could maybe communicate with her on an alternative plan. That is what I would say.

The Chair: I'll talk to the whip.

Mr. Neudorf: Mr. Chair.

The Chair: Mr. Neudorf, go ahead. Sorry. My apologies, Mr. Neudorf. Can you hang on for a sec?

Ms Pancholi: No. I think Mr. Neudorf was first.

The Chair: Okay.

Mr. Neudorf: I'd just like the motion that we're putting forward to invite the sponsor of the bill written such that if for some reason they can't come, this committee is not held up on making a decision on that bill. If it provides us with that flexibility and if they make it, that's great. If they don't, the committee can still move forward.

7:05

The Chair: Okay. All right. I'll let the clerks here think about that for a second.

Member Pancholi.

Ms Pancholi: I completely agree. We don't want it to be held up. I am a little cautious of the fact that – I would feel hesitant; I can imagine the personal attachment that the member would have to bringing forward their bill. We know that it is a rare opportunity to bring forward a private member's bill. I would hate for her to lose that opportunity to personally present to this committee. I, too, am conscious of not wanting to hold things up, but I can imagine myself if I were bringing forward a private member's bill, and I'm guessing that it is probably quite near and dear to this member's heart and that's why she's doing it. She should probably be given the opportunity, as much as we can accommodate it, to make the presentation herself.

The Chair: Yeah. I concur with that member in the sense that the opportunity to put forward a private member's bill is actually very rare. Probably the likelihood of somebody not being able to attend is actually very rare as well.

Mr. Gotfried: Kind of a follow-up to this is that if she can't physically attend, would we allow her to present via teleconference? It's kind of the same question here, which is: if she has a commitment which is hard for her to get out of and she has to be on the road at that time, can she pull over and do a teleconference?

The Chair: Okay. Hang on a second. First of all, does anybody have any indication that she would not be able to attend, or are we just speculating? Okay. Well, let's kind of get out of the hypothetical . . .

Ms Pancholi: This may set a precedent, though, for how we go forward.

The Chair: That's true.

Ms Pancholi: We're sort of getting back to the original point. We're sort of hammering out a little bit of process, too. Certainly, yes, I think we should operate under the assumption that she can, but I do think we need to think about the precedent we're setting when we have private members, giving them the opportunity to personally speak to it.

The Chair: My understanding when I read this motion is that it's really specific to bills 201 and 202. Fair point? Okay.

Sorry. I think Mr. Schow is . . .

Mr. Schow: No. I'll withdraw. Thank you, sir.

The Chair: Mr. Nixon.

Mr. Jeremy Nixon: Sorry. I'm just new on process. Do we have to go in the order of 201, 202, 203? Like, if she can't attend or whatever, can we go to 202 first?

The Chair: I think we're under strict timelines, again.
Dr. Massolin.

Dr. Massolin: Yeah. You're under no obligation to deal with one before the next.

The other thing I would offer, too, is that as you said, Mr. Chair, quite rightly – I mean, we'll see, and it's hard to speculate – the deadlines are tight, but you've got until the 20th. So there might be another opportunity for the committee to meet the following Thursday to hear from Ms Armstrong-Homeniuk in case she can't make it on Thursday, right?

The Chair: Okay. Thank you.

Mr. Nielsen: It sounds like we're getting into a little bit of the process end of things now, which I think we were planning to kick to the subcommittee. Maybe we should just focus on sending out the invitations for now, and we'll worry about the process with the subcommittee meeting.

The Chair: Excellent point, sir.

Mr. Nixon, did you have another comment?

Mr. Jeremy Nixon: No. I'm okay.

The Chair: Okay. We're good.
I need a mover for this.

Mr. Horner: I will, Mr. Chair.

The Chair: Okay. Mr. Horner would like to move the motion as written. All in favour? Any opposed? Okay. Thank you.

The motion is carried.

All right. Other business. Do members have any other business they wish to bring forward at this time? Okay.

Seeing none, we'll go to the date of the next meeting. Again, apologies for the short notice, but we're trying to create this process to ensure that private members' business is heard in the Chamber on the upcoming Mondays. The next meeting of the committee is scheduled for 5 p.m. on June 6, 2019. Any discussion on that?

Ms Pancholi: Just to clarify, I understand the desire to get things on the table to discuss them on Mondays when we have private members' business before the House, but we do have until June 20 to come back to the Assembly on these particular bills. Are we moving with the expectation that we will have a recommendation to the Assembly on these two bills by this Monday? I'm wondering . . .

The Chair: Yeah.

Ms Pancholi: . . . if that's our anticipated plan for this Monday.

The Chair: Please, if the clerks, Dr. Massolin and Mr. Koenig, would like to comment? My understanding is that, hopefully, we come with some sort of recommendation on Thursday in regard to these two bills so that they can be discussed in the Assembly on this upcoming Monday. If they are not discussed, then we really won't be able to go forward with any private members' business because even if we have a new bill that is introduced, we won't be discussing it, and it ultimately just comes back to this committee right here. Again, it's just kind of getting the process going forward for private members' business, right? Some of these bills are going to be a little bit more complex as we go forward. I certainly defer to – yeah. Okay. I got it right.

Ms Pancholi: So then that's a pretty ambitious agenda for Thursday. Am I correct to say that? We're hoping to have a recommendation back, maybe – maybe – from a subcommittee on process. Whatever that process is that they're bringing forward,

we're going to have to hear about the recommendation, make a decision about approving it, hear the presentations from the two movers of the bills, and then apply the process that was recommended by the subcommittee and that we've approved, all at Thursday's meeting. I'm just wondering if that's a realistic agenda for the next meeting.

The Chair: Good point.
Mr. Schow.

Mr. Schow: I think a realistic goal is to have Bill 201 discussed by the Legislature on the 17th of June, not this upcoming Monday. That seems like a very difficult, tight timeline if we're trying to do what this committee is intended to do, which is properly assess private members' bills.

The Chair: Okay.
Mr. Koenig.

Mr. Koenig: Thank you, Mr. Chair. Just for all committee members, it might be helpful just to sort of sketch out what happens after you report to the Assembly just so you can kind of determine what timelines the committee wants to operate under.

Once the committee reports to the Assembly, there's a concurrence in the committee report, which would happen on a Monday, and if the recommendation were to proceed and the Assembly concurred in that report on the Monday, the bill wouldn't come up for second reading until the next available Monday following the day on which the Assembly concurred in the report. For example, if the Assembly concurred in the report on the 10th, the bill would not come up for debate until the 17th, if that makes sense.

The Chair: Okay. Let me just be clear. To the ambitious timeline that the member mentioned, we wouldn't be able to hear second reading on either one of those two bills on this upcoming Monday? No. Okay. That's a really good point.

I'll tell you what. Let's open the floor to a little bit more discussion on this. I know that we're really tight on time. Let me just pass this on to the clerks. If we did not get through the entirety of our agenda on Thursday, I guess the question is: is there an opportunity the following week to get through the remaining portion of our agenda so that we can still make the timelines for the 17th, I think you mentioned?

Dr. Massolin: Yeah. It's still possible to have your decision made by the end of the week of the 10th and then have the 17th as the date on which the concurrence motion is moved in the Assembly. Then, again, under that timeline you will have reported by the deadline of the 20th, of course, because you were reporting on the 17th or prior to, but then the bill would not be called, subject to, of course, the ordering of the bills and that sort of thing, precedence, until the 24th, which is the first available Monday following the concurrence motion, if that makes sense to you.

Ms Pancholi: Does that mean that we could only bring forward the report to the Assembly on a Monday? If we reported it next week, say, not on Monday but any other time – Tuesday, Wednesday, or Thursday – would we still be able to bring it forward for debate on the 17th?

The Chair: Sorry. I hate to interject for a moment here, but I'm going to need unanimous consent from the committee just to carry on for, hopefully, a few minutes more so we can try and hammer it out. We're almost done.

Hon. Members: Agreed.

The Chair: So everybody is in agreement? Okay. So moved. Thank you.

7:15

Dr. Massolin: Just quickly, to answer the question, the concurrence has to happen on a Monday because there's an opportunity to debate it. It's a private member's item, and that is private members' day, so there's time allocated in the afternoon for that.

Ms Pancholi: So it does have to happen on a Monday? Okay.

Mr. Gottfried: I don't want to presuppose how long it's going to take us to do something when we don't know what that process is going to look like or what the discussions or barriers to that might be. Why don't we just proceed on a best-efforts basis on Thursday, and if we find that we don't have enough time to do that appropriately or adequately given the circumstances, then we cross that bridge when we come to it. I think we're trying to presuppose. I don't think we want to rush this, yet we don't want to hold it back either, so I think that a best-efforts basis from all of us at the table here is probably the best we can do and not try and rush the process, Mr. Chair. That would be my suggestion.

The Chair: Okay. Any other discussions in regard to that?

Mr. Neudorf: I believe it just needs to be said again, too, that this committee is just bringing a recommendation to the House. Either way, the Legislative Assembly will make the decision on that bill. So even if we were to have a slightly less robust process for Bill 201, Bill 202, whatever the recommendation is, the final say will be by the Assembly, in the House.

The Chair: Yes. Okay.

Any other questions, comments?

Okay. The next meeting of the committee is scheduled for 5 p.m. on June 6, 2019.

Can I get a member to move that this meeting be adjourned? Mr. Nixon. All in favour? Anybody opposed? Okay. Thank you very much.

I look forward to seeing everybody soon.

[The committee adjourned at 7:17 p.m.]

