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Standing Committee
on
Private Bills and Private Members' Public Bills

Bill 204, Election Recall Act
Stakeholder Presentations

Monday, November 4, 2019
9 a.m.

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Standing Committee on Private Bills and Private Members' Public Bills

Participants

Ministry of Justice and Solicitor GeneralPB-59
 Kelly Hillier, Barrister and Solicitor, Legislative Reform

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 Franco Terrazzano, Alberta Director

9 a.m.

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[Mr. Ellis in the chair]

The Chair: All right. Good morning. Thank you very much for being here. I'd like to call this meeting of the Standing Committee on Private Bills and Private Members' Public Bills to order and welcome everyone in attendance.

My name is Mike Ellis. I'm the MLA for Calgary-West and chair of this committee. I'd ask that members and those joining the committee at the table introduce themselves for the record, and then I will call on those joining by teleconference. We'll begin to my right.

Mr. Schow: Joseph Schow, MLA, Cardston-Siksika.

Mr. Neudorf: Nathan Neudorf, MLA, Lethbridge-East.

Ms Glasgo: Michaela Glasgo, MLA, Brooks-Medicine Hat.

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

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

Mr. Smith: Mark Smith, MLA, Drayton Valley-Devon.

Ms Sigurdson: Lori Sigurdson, MLA, Edmonton-Riverview.

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

Ms Pancholi: Rakhi Pancholi, MLA, Edmonton-Whitemud.

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

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

Dr. Massolin: Good morning. Philip Massolin, clerk of committees and research services.

Mr. Kulicki: Good morning. Michael Kulicki, committee clerk.

The Chair: Thank you. We do have a member joining us by phone. Mr. Nixon, if you wouldn't mind introducing yourself.

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

The Chair: Thank you.

I believe that is it. Nobody else is joining us by teleconference. There are no substitutions that I'm aware of at this time. We've just got a few housekeeping notes that I'll just go over with everybody. Once again, a few housekeeping items to address before we turn to the business at hand. Please note that the microphones are operated by *Hansard*. Please set your 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 meeting can be accessed via the Legislative Assembly website.

We'll next move to item 2. That's the approval of the agenda. Are there any changes or additions to the draft agenda? If not, would someone like to make a motion to approve the agenda?

Mr. Neudorf: So moved, Mr. Chair.

The Chair: Thank you very much, Mr. Neudorf.

All in favour, say aye. On the phone? Any opposed? Hearing none. That motion is carried.

Okay. We'll next move to approval of the minutes for the October 29, 2019, meeting. Next we have the draft minutes of our October 29 meeting. Are there any errors or omissions to note? If not, would a member like to make a motion to approve the minutes?

Mr. Nielsen: So moved, Chair.

The Chair: Thank you very much, Mr. Nielsen.

I still have to read that for you. Mr. Nielsen will make a motion to move that the minutes of the October 29, 2019, meeting of the Standing Committee on Private Bills and Private Members' Public Bills be approved as distributed. All in favour, say aye. On the phone? Any opposed? Okay. Thank you. That motion is carried.

We'll next move to the next item: Review of Bill 204 – that's the Election Recall Act – briefing by the Ministry of Justice and Solicitor General. Hon. members, at our last meeting the committee agreed to invite the Ministry of Justice and Solicitor General to provide a briefing on Bill 204, Election Recall Act.

Joining us today from the ministry is Ms Kelly Hillier, barrister and solicitor with the legislative reform unit. At this time I would like to invite Ms Hillier to provide a five-minute presentation, and then I will open the floor up to 20 minutes of questions coming from the committee and members. Ms Hillier is joining us at the table. Thank you very much.

Ms Hillier: Good morning.

The Chair: Thank you. Good morning to you as well. Thank you so much for being here. Are you settled?

Ms Hillier: I am.

The Chair: All right. Fantastic. Thank you, and you may begin.

Ministry of Justice and Solicitor General

Ms Hillier: Okay. I am here to give a technical overview of Bill 204, the Election Recall Act. Bill 204 sets out a mechanism for voters to recall their elected member. The bill has seven parts. Part 1 sets definitions. Part 2 sets out the recall process and is divided into three divisions.

Division 1 sets the process for a recall petition application. A registered elector in an electoral division may apply to have a recall petition issued. A processing fee of \$500 must be paid within 30 days. A petition can't be issued within 18 months following the member's election, within six months before a general election, if a recall has been authorized in that electoral division since the last general election, or if there is an ongoing recall petition in that electoral division. Within seven days of an application the Chief Electoral Officer provides notice to the applicant, the member, the leader of the registered party to which the member belongs, if any, and the Speaker of the Legislative Assembly. The applicant and the member receive the number of electors on the postpolling day list and the current list of electors.

Division 2 under part 2 sets out the process and requirements for collecting petition signatures. An individual is eligible to sign the petition if they are a qualified elector for the electoral division when they sign. An individual is eligible to canvass for signatures if they are a qualified elector in any electoral division in Alberta. Verification information for signatures must be provided. Each signature must be witnessed. Part 2, division 3 establishes petition requirements. A petition must be returned to the Chief Electoral Officer within 60 days of being issued. Within 42 days of it being returned, the Chief Electoral Officer must verify signatures to determine if there is a successful recall.

The bill includes a formula to establish the number of signatures required. The Chief Electoral Officer may use a random statistical sample to verify signatures instead of starting at the beginning and verifying them all individually. After verifying the required signatures, within two days the Chief Electoral Officer will publish a notice on the official website and provide written notice to the Clerk of the Legislative Assembly, among others. Eight days after giving notice to the Clerk, the member has been recalled and the seat is vacant.

Part 3 sets recall financing and expense limits. An authorized participant must appoint a chief financial officer. An elector may contribute up to \$4,000. Within 60 days of submitting the recall petition the chief financial officer must submit a report. If the recall petition is not submitted, the chief financial officer must provide a report within 120 days of the petition being issued. Part 4 of the bill establishes that the Election Commissioner may conduct an investigation on their own initiative or on request. Part 5 establishes offences and a penalty of up to \$5,000 or imprisonment of up to one year, or both. Part 6 sets regulation-making powers. Part 7 sets out consequential amendments.

The committee may also wish to note some examples of what the bill does not do. There is no requirement for an applicant to provide a reason they wish to recall the member. Bill 204 requires only that the individual is an eligible elector in that electoral division when they sign the petition. It does not require that they were an eligible elector when the member was elected. Bill 204 does not govern advertising or negative advertising, participation of third parties who support or oppose the recall, or require authorization for ads respecting the recall. The contact information for each signature on the petition does not include an e-mail address, and nothing in the bill addresses the role of political parties in funding, supporting, or organizing recall petitions. There is no included offence for harassing someone who is canvassing for signatures or who is signing a petition. Bill 204 does not contain rules relating to the role and conduct of the member or the member's supporters in raising or spending money. It is not an offence to offer or accept an inducement to sign or refuse to sign a petition. There are no provisions regarding unauthorized use of the list of electors.

Those are all of my comments.

The Chair: Wow. Thank you very much, Ms Hillier. I know it's a lot to get in in five minutes, so thank you very much for doing that.

Now, I'll open up the floor to questions from the committee members. The Clerk here has a speakers list going. This is a government member's bill, so I think it only fair that we start with the Official Opposition, and I see Member Pancholi would like to start. You can have a question and a supplemental, and then we'll move on to somebody else. Thank you very much, Ma'am.

Ms Pancholi: Thank you, Mr. Chair, and thank you, Ms Hillier, for coming today to present and give us that breakdown of the bill. I think one of the comments you made was one of the questions I'd asked the bill's sponsor at our previous meeting, which was around the concept of who could be an authorized participant.

I note that under definitions section 1(1)(c)(iii) it indicates that an authorized participant could include any other prescribed person or entity. One of the questions – and I think you alluded to it a bit in your comments – is that right now the regulation-making authority allows for somebody to be prescribed as an authorized entity, and that potentially could include political parties or third-party advertisers. I understand from the sponsor of the bill that there's no intent to allow political parties or third-party advertisers to be able to accept donations and to be able to, I guess, financially support any kind of recall election, but in my mind this leaves it

open that potentially a political party or third-party advertiser could collect donations and could be considered an authorized participant and thereby collect \$4,000 in donations. Would that be a correct assessment of the bill in your opinion?

9:10

Ms Hillier: Of course, when the regulations are developed, at Justice and Solicitor General we work on instructions. Anything that Justice is going to do is entirely given instruction from the minister, and of course the approval of the minister and approval of cabinet: anything I say is subject to that. The bill does say that you can regulate who is an authorized participant. Who wishes to be included in that category under regulation would be subject to instruction.

Ms Pancholi: Okay. Thank you. I appreciate that.

Just in terms of a supplemental you said that nothing in the bill addresses the ability of third-party advertisers or political parties to bypass spending and contribution limits. There's nothing that prohibits that or specifically addresses that. I guess I take that to mean – again, I go back to your comment that it depends on the instruction from the minister. Is there a regulation-making authority to address that, in your view?

Ms Hillier: Now, off the top of my head I would have to check it. Because this is a private member's bill and not a Justice bill, I don't know its provisions verbatim the way I do when it's something I've been designing. I would have to check and get back to you. Of course, if the provision is there and if there's a regulation-making power that's broad enough to cover that, again, it would completely depend on whether the power is there and what the instructions are.

Ms Pancholi: Thank you. I appreciate that.

The Chair: Thank you, Member.

Would anybody on the government member side like to ask a question at this time?

We can go back to Member Sigurdson.

Ms Sigurdson: Yeah. Thank you so much. I'm just looking at understanding a definition, really, is what I'm curious about. It does have it in the definitions. It's just: the post-polling-day list of electors has the same meaning as in the Election Act. I don't have that before me. Can you tell me what that is?

Ms Hillier: No, but I think that maybe the person who comes after me to speak can. I, again, would have to look it up.

Ms Sigurdson: Okay. Yeah. I would, too. Anyway, next one.

The Chair: Again, I'll go back to the government member side. Are there any questions that somebody would like to ask?

Seeing none, we can go back to the Official Opposition side. Does anybody have a further – Member Nielsen.

Mr. Nielsen: Thank you, Mr. Chair. Through you, I was just wondering, over on page 16 of the bill under expense limit, number 18 there, more particularly (a) and (b), where it says "(a) the prescribed amount, or (b) if no amount is prescribed, \$50,000." Does that mean, then, that in (a) you could prescribe an amount above \$50,000?

Ms Hillier: Yes, by regulation.

Mr. Nielsen: Okay. Thank you very much.

The Chair: Do you have a follow-up, sir?

Mr. Nielsen: No.

The Chair: Okay. Thank you.

Mr. Neudorf indicated that he has a question.

Mr. Neudorf: Thank you, Mr. Chair. In your brief introduction you also said in the last point that there's no stopping an inducement to sign in the petition. Could you just more fully explain that part of your statement, please?

Ms Hillier: I meant that there's no included offence for doing that. It's not explicitly set out. I make no statements as to the policy of whether it should be or not, I simply stated it isn't there.

Similarly, my list wasn't detailed. It's the high level of what I notice when I go through it. For example, in order for someone collecting signatures to enter a private dwelling, they need permission or there's a clause there during the investigation about the Election Commissioner entering a private dwelling and getting a court order to do so. I also note that there's no provision in the act giving any authority to the court to give the order or limitations around that or what that test would be. There are other things, say, that I would notice if I was doing a detailed study of the bill.

The Chair: Thank you.

Do you have a follow-up, sir?

Mr. Neudorf: Yes. Thank you. So is that something, in your expertise, that could be covered under further regulations?

Ms Hillier: No.

Mr. Neudorf: So that would need to be done.

Ms Hillier: One thing that you must set out in a bill is anything authorizing a court. The regulations can only speak to further detail on what the bill is speaking to. You can't start a brand new track in a regulation.

Mr. Neudorf: Thank you.

The Chair: Thank you. The Official Opposition, do we have any further questions? No. Okay; thank you. I'll go back to the government member side. Any further questions?

Okay, seeing none, the time has not expired but that is totally fine. I appreciate Ms Hillier and thank her for joining us here today. Thank you very much. I think it was an excellent presentation, and again thank you so much. I appreciate it.

We will now continue stakeholders' presentations. We have Mr. Glen Resler. He's the Chief Electoral Officer. Sir, you are welcome to come to the table.

Turning now to the stakeholder presentations, at the last meeting the committee approved a motion to invite input from stakeholders during the review of Bill 204. The caucuses were asked to submit their list of stakeholders to me by noon on Wednesday, October 30. For the record the opposition caucus requested to hear from the Chief Electoral Officer while the government caucus also requested to hear from the Chief Electoral Officer, the Canadian Taxpayers Federation, and Mr. Paul Hinman. Later via teleconference we will hear from Mr. Hinman, a former Member of the Legislative Assembly of Alberta and former leader of the Wildrose Alliance Party, as well as Mr. Franco Terrazzano, the Alberta director of the Canadian Taxpayers Federation.

Joining us first, from the office of the Chief Electoral Officer, are Mr. Glen Resler, the Chief Electoral Officer; Ms Paula Hale, the general counsel; and Ms Pamela Renwick, director of operations and communications. Welcome. According to the committee's

process, each stakeholder will have five minutes to make a presentation, which will be followed by up to 15 minutes of questions from the committee members.

At this time we will now hear from the Chief Electoral Officer, Mr. Resler. The floor is yours, sir. Thank you, and welcome.

Office of the Chief Electoral Officer

Mr. Resler: Good morning, and thank you for the invitation to speak to you on Bill 204. As an independent officer I do not take a position for or against the proposed legislation. I have provided the committee with a written technical briefing on the legislation before us, and as requested, this morning's presentation will focus on the possible costs and logistical implications.

When we look at the implementation of the Election Recall Act, it will require the development of forms and information materials that are used for any applications that are submitted. This will include the recall application form, the recall petition form, the petition return, information for authorized participants on the recall process, information for authorized participants and their chief financial officers on the financial implications, and updates to information for political third-party advertisers. This development will be completed internally and could be absorbed within the office's budget.

As recall will be new to Alberta, development of public communication messages would also be undertaken. This would include the development of Elections Alberta's website to include information regarding the recall legislation process as well as any posting of recall applications and results; development of public communication materials that can be utilized in any electoral division, with an active recall petition to notify electors of the recall process; who can sign a petition; and the verification process that is completed on the submitted petitions. This development will largely be completed internally but may result in some costs, up to \$5,000, for consulting and design work.

If a recall application is received and approved by Elections Alberta, we will engage in local advertising to inform electors about the process. This may include newspapers and social media. Approximately \$10,000 per recall petition would be budgeted for advertising purposes.

If a recall petition is completed and filed within the allotted time frame, the verification process will require staffing resources. The preliminary review is to determine if a recall petition is in the appropriate form and contains sufficient signatures. This review will be completed internally and absorbed within the office's budget.

For petitions that pass the preliminary screening, if a random statistical sampling method is applied to determine whether a recall is authorized, Elections Alberta will contact the economics and statistics branch of Alberta Treasury Board and Finance, as an independent party, to determine the method and size of sample to contact. As a reference, we currently engage Alberta statistics for assistance when we're verifying new political party applications. For example, with the political party process, they calculate the sample selection using the California state petition verification method to select a sample, which provides us with a 95 per cent confidence level, plus or minus 5 per cent.

9:20

Once we have determined our sample size, verification of the signatures would include contacting petitioners to confirm that they've signed the petition. Elections Alberta would bring in temporary workers to complete this work, and the approximate budget is \$5,000 for staff and resources to complete the petition verification process.

In summary, most of the work can be absorbed within our current operations. Development of web pages, forms, informative materials may have a one-time cost of up to \$5,000. The cost where a recall petition is received and approved is approximately \$15,000 for each application.

That ends my presentation. If there are any questions on my written submission or presentation this morning.

The Chair: Thank you very much, Mr. Resler.

We will now open up the floor to questions from committee members. I think it only fair that again we start with the Official Opposition. Member Irwin, go ahead.

Member Irwin: Yeah. Thank you. Thank you for being here, Mr. Resler. You answered my questions somewhat, but I just wanted to dig a little bit more as you talked about the staffing implications and the funding implications. I'm just wondering: are you mainly just estimating based on what you foresee could be the costs? Did you talk to other jurisdictions in arriving at those numbers?

Mr. Resler: We did talk to the only other jurisdiction, obviously, Elections BC, and we had conversations with them. A lot of the cost that we're estimating is just from what we do with the election process itself and with the political party verification petitions. That's what it's based on.

Member Irwin: Can you just confirm this for me? I noted that you said \$10,000 per recall petition. Would that include any staffing implications, or is that just the processing?

Mr. Resler: Yeah. So \$15,000 per application: \$10,000 was dealing with advertising purposes, \$5,000 in staffing. So \$15,000 in total per application is approximate. Then the \$5,000 as far as in-house for web development and forms: that would be a one-time cost.

Member Irwin: Thank you.

The Chair: Thank you very much.

Mr. Schow on the government side.

Mr. Schow: Thank you, Mr. Chair. Mr. Resler, you just mentioned \$5,000 for internal costs, including website design. Could you just maybe break down a little more about where those numbers are coming from, the \$10,000 side of it? You know, was it research done by comparing to other jurisdictions? I just want to get an idea of the actual costing, where your numbers are coming from.

Mr. Resler: The \$10,000 for the advertising purposes: that's based lightly around the costs that we incur for by-election costs, so information as far as advertising purposes for by-elections. We based it on that purpose. It's an estimate until we actually go through an actual recall process. Until then we wouldn't have firm numbers.

The Chair: A supplemental, sir?

Mr. Schow: Thank you for that, and thank you, Mr. Chair. Just kind of going along on the advertising purposes, I'm just a little more curious. When there is a recall initiated, are you in fact advertising that there is one open in that jurisdiction from the Elections Alberta standpoint, or is it on the person who's opened up the petition to advertise and take care of those costs? What is the process for you to actually do the advertising?

Mr. Resler: Strictly from a legislative point of view and how it's administered as far as Elections Alberta, we're going to have people, authorized participants – they're volunteers – go door to door. The public is going to be questioning: what is the purpose of that? It's a new process in Alberta, and I think there's an educational component that's required in order to inform and educate Albertans. We would engage as far as media. I think there would be interested media across the province, so we would be working with media, providing information bulletins to them in order to – in essence, that's free advertising. Then we will concentrate strictly within the electoral division, provide information locally.

The Chair: Thank you very much, sir.
Member Nielsen is next on the list.

Mr. Nielsen: Thank you, Mr. Chair. Just a quick confirmation. For an electoral district spending limit during an election, that's \$50,000, correct? I kind of asked this of Justice, so I'll just get you to look at page 16 of the bill, under Expense Limit, section 18. I'm also referring to subsection (a) there specifically, the prescribed amount, or, of course, (b), that if there was none, it would be \$50,000. So if there was a prescribed amount above \$50,000, would that be in violation of that language that's already in place around expense limits, or would that be something different?

Mr. Resler: If it's a prescribed amount, the regulation is stating what that amount can be, so that would be the amount that's eligible.

Mr. Nielsen: Okay. So if it was above, if it was, say, \$70,000 – I'm just picking a number out of the air here – it wouldn't violate that?

Mr. Resler: No.

Mr. Nielsen: Okay. Awesome. Thanks.

The Chair: Thank you very much, sir.
Member Glasgo.

Ms Glasgo: Thank you, Mr. Chair. Mr. Resler, just to clarify, are the advertising provisions on the Elections Alberta side specifically legislated, or is that, based on other jurisdictions, what you were planning to do with the latitude given by other jurisdictions, or is it written in the legislation that that is how you'd have to advertise?

Mr. Resler: The legislation doesn't specifically state how we would advertise, but it is in the bill. In part 7, consequential amendments, section 4 is amended, and that's the educational component that is under the Election Act.

The Chair: Do you have a follow-up? Thank you.

We'll go back to the Official Opposition. Member Pancholi.

Ms Pancholi: Thank you, Mr. Chair. Thank you, Mr. Resler, for being here today and to your staff for being here today as well. I'm looking at your written submissions. Just a comment. I think it's on I want to say page 2. It talks about authorized participants and effective expense limits. I'm wondering if you could comment a little just on your thoughts, based on your experience, with respect to your last comment there, that third-party advertiser contributions are not restricted to individuals. There is a risk that an authorized participant can simply set up one or more [third-party advertisers], bypassing spending and contribution limits.

Do you see this as a risk with respect to this? I mean, I note that you've got it outlined there, but what do you think could be improved in the act to mitigate this risk?

Mr. Resler: Thank you. Yes, it is a potential risk. If we're looking at legislating the recall process, I think that the intention is strictly to keep contributions to individuals. That is an intention. Right now, if it was enacted the way it was, political third-party advertisers could be established or are currently established. One of their purposes is to promote or oppose a member, so they would be able to participate in that process. They are currently not restricted as far as the same restrictions within the recall legislation, so there is a potential to bypass spending and contribution limits.

Having said that, the bill does accommodate the provision of regulations, and it's section 23(g) and (h). The provisions can be provided as far as what exists under the Election Act and the Election Finances and Contributions Disclosure Act, and they can be modified. Those provisions could be modified to apply to the recall legislation. So there is capacity to have that enforce a level playing field.

Ms Pancholi: Thank you.

The Chair: Thank you very much.

Member Sigurdson, you're next on the list.

Ms Sigurdson: Yeah. I'll just ask my definition question that I asked earlier, just about what exactly the post polling day list of electors means.

Mr. Resler: The post polling day list of electors: at the conclusion of the provincial general election the list of electors, which you were provided in advance, is amended. Any new additions, declarations, corrections, updates, removal of deceased, that type of thing: those are all updated within that list of electors, and it becomes the post polling day list of electors for the 2019 PGE.

Ms Sigurdson: Thank you. That's all.

The Chair: Okay. Thank you very much.

We'll go back to the government members side. Any questions?

Mr. Sigurdson: Maybe one question just for clarification.

The Chair: Mr. Sigurdson.

Mr. Sigurdson: Thank you, Chair. Just in your statement where you say, "Concurrent petitions." It says that the bill restricts "concurrent petitions which will prevent the potential of working around spending limits." Can you just explain that for me? Maybe I'm not grasping it completely.

Mr. Resler: For each electoral division there can only be one petition at a single time brought forward. You can't bring forward multiple petitions, each with their own set of spending limits and contribution limits. That potentially could be associated parties coming forward, and that would bypass those spending limits. So this would restrict it to a single one at one time.

Mr. Sigurdson: Thank you.

The Chair: Okay. Thank you very much.

Next on the list, Mr. Nielsen. Go ahead.

Mr. Nielsen: Thank you, Mr. Chair. I realize I probably should have asked this of Justice, but, you know, maybe I'll take a risk here in that you might actually have the answer, too, around checks and

balances, potentially, for repealing this law. So it gets enacted, and then, you know, all of a sudden a short little while later somebody goes, "Oh, this is not working so great for me," and then tries to repeal it. I guess if we think all the way back to Premier Aberhart, he was caught up in something like this and then quickly started moving to repeal it after that.

Do you see anything in that? Would it go for, like, one election cycle before it could be repealed?

9:30

Mr. Resler: Any legislation can be amended at any time.

Mr. Nielsen: I couldn't necessarily see it, but maybe you have better . . .

Mr. Resler: There's nothing specific.

Mr. Nielsen: There's nothing.

Mr. Resler: No.

Mr. Nielsen: Okay. I guess that's it, Chair.

The Chair: You're good? Okay. Thank you very much.

We'll go back to the government members' side. Anybody else have any questions? Mr. Horner.

Mr. Horner: Yes. Thank you, Chair. In your written submission, sir, it speaks to the code of authorized participants. It mentions that B.C. said that they've received some complaints regarding intimidation. Just wondering if you could comment on that, if that's noticeably absent, or you'd like to see additions in this legislation, or if that could be done through regulation?

Mr. Resler: It is absent. There is no provision provided for the authorized participants, their canvassers, and observers as far as their activities. What we've suggested, similar to what scrutineers have to abide by, is a code of conduct. We would do something similar for the canvassers, observers of the authorized participants as far as good behaviour.

Elections BC did state that they've received complaints during their recall processes of intimidation and interference, and to some extent it's expected, I would say. Albertans, if bringing forward a recall process, they're passionate as far as what they think the MLA is not doing, as much as the MLA would look at defending themselves if certain things are said. I think it's important that all participants up front know what the rules are and what behaviour is considered proper.

Also, having a code of conduct isn't enough. You have to have the enforcement provisions in order to enforce the code of conduct. What we would look at is ensuring that there are administrative penalties to use for that purpose.

The Chair: Thank you.

Member Pancholi.

Ms Pancholi: Thank you, Mr. Chair. Thank you, Mr. Resler. This is a question related to a recommendation that I believe was in the 2003 B.C. report. It mentioned in that report that rather than having an immediate by-election once the threshold was reached by a petition, instead there would actually be a vote on whether or not the MLA should be recalled. So rather than going to an immediate by-election, it's actually a vote on essentially the recall. Do you have thoughts about that and whether or not you think that is a feasible or preferable process?

Mr. Resler: It's a policy decision. You know, both processes work. You have a petition, and in this case the legislation is stating that if a petition is valid, that there are enough signatures over a threshold, that should generate a by-election. Yeah. I have no other opinion on that.

Ms Pancholi: Sure. Can I just ask a supplementary?

The Chair: Yeah. Absolutely.

Ms Pancholi: Do you have thoughts about the 40 per cent threshold? I know that its numbers are different from jurisdiction to jurisdiction. In other jurisdictions it's a lower threshold, but there's a requirement of there being sort of cause for a recall petition. You know, again, I realize and appreciate that this is a bit of a policy or political question, but do you think that 40 per cent, given voter turnout and given how many people are participating, seems like a reasonable number in your estimation?

Mr. Resler: I think it's important to avoid frivolous applications. We've gone through a democratic process as far as electing the member to the Legislature. You don't want to make it too easy to overturn that process. From what we've seen and discussed with Elections BC, that hasn't been a concern that's been brought forward as far as that threshold. I don't think it's easy to get those numbers. We have seen it with previous applications with B.C., so I think it's fair in that sense.

Ms Pancholi: Thank you.

The Chair: Yeah. Thank you very much.

We have about 40 seconds. Final comment? Go ahead.

Mr. Sigurdson: Just a follow-up question. Sorry. Do you know, as far as numbers in B.C., how many have actually hit the threshold at 40 per cent?

Mr. Resler: Six applications.

Mr. Sigurdson: In about how long? Is there a time frame on that?

Mr. Resler: Yeah. They were around 1996.

Mr. Sigurdson: Around 1996.

The Chair: Okay. Thank you. I'll note for the record that was Mr. Sigurdson.

Last word by anybody? A few seconds. Okay. All right. There's about 10 seconds left.

All right. Thank you so much for participating. I'd like to thank Mr. Resler and his staff, the office of the Chief Electoral Officer, for joining us here today. Thank you very much, folks, for being here.

Next up we have Mr. Paul Hinman, a former MLA. The next stakeholder this morning is, as indicated, Mr. Paul Hinman. Mr. Hinman, you have five minutes for your presentation, followed by 15 minutes of questions from committee members. Mr. Hinman, are you on the line at this time?

Paul Hinman

Mr. Hinman: Yes, I am.

The Chair: All right. Thank you very much, sir. You are ready to go?

Mr. Hinman: I am.

The Chair: All right. The floor is yours, sir. You may proceed.

Mr. Hinman: I'd like to start by thanking the committee for allowing me to share my thoughts and passion on the idea of accountability of elected representatives through recall. I'm very grateful to have the good fortune to live here in Alberta in a constitutional democracy that is based on the rule of law. That being said, there is no question in my mind that this is the worst form of government except for all of the others that have been tried.

On November 11, 1947, Remembrance Day, Winston Churchill, after one of the greatest conflicts ever battled in this world, is recognized for this statement. I quote again:

Many forms of government have been tried and will be tried in this world of sin and woe. No one pretends that democracy is perfect or all-wise. Indeed, it has been said that democracy is the worst form of government except for all those other forms that have been tried from time to time.

I'd like to add that when I look around the world today, back in history, there is no question in my mind that Alberta is the greatest place to live and raise a family. It is my prayer that we will never forget those who have given their lives so that we might be free today and live in a peaceful and prosperous land that elects our representatives and government.

We expect those elected to pass laws and regulations that will continue to protect our lives, our fundamental freedoms, our physical and intellectual property, and our personal pursuit of happiness. It was not that long ago that this was a lawless land and might was right. Today we elect our representatives with the first past the post system. Too often the political parties take on the strategy to divide and conquer in order to win.

During the campaign those seeking office will recognize the voters as the smartest people in the world and know what is best. However, shortly after that those elected and in power often believe that the smartest people in the world have elected the smartest, the most knowledgeable person in their riding, their province, or country. Too often they now believe that they have a mandate from the people for every idea in their platform along with every idea that they may have in their head or that may come into their head.

I believe this divide and conquer strategy to form government is tearing this country and our province apart. Once elected and in power, they are able to impose all kinds of legislation that the people are pretty much helpless to stop despite rallies and mounting opposition, petitions, and intense letter-writing campaigns. The people are pretty much helpless, and they know it. Our Constitution is old and is not perfect, and like all laws there are those who look to exploit or disregard the law for their own gain and power. We know power corrupts, and we also know that when people are powerless, they just tend to go into survival mode, do not spend their time and energy on things that they do not believe they can stop.

Those in power impose their ideology and love to spend future generations' wealth and buy votes with other people's money. They claim that the day of reckoning and accountability is the next election. I believe this is wrong and very divisive and dearly needs to be corrected. It can be corrected by passing recall legislation. The power must always rest with the people, 24 hours a day, seven days a week. Elected people must always be accountable to those they represent, and recall is the only way to ensure this.

There are two main benefits to recall, in my experience. First, the people are able to actually act as they have the power to do so. When they feel an individual or government is not doing what the majority believe is right, they know that they can go out and collect enough signatures to stop the elected people from passing legislation. The second is that we all believe, for the most part, that we are right and that those opposed to us are wrong, and we believe that we are in

the majority. When we can do nothing, animosity builds, and anger often follows.

With the ability to act, they start the recall petition. They can focus their energy and go door-knocking and try to get people to sign the recall petition. What is great about this is that one quickly finds out if they are in the majority and will be able to gather the signatures they need, but they may also discover that most people are not upset and will not sign the petition. This reduces the animosity and the anger and is more likely to reduce the divisiveness that can build when people are frustrated and unable to act in any productive and meaningful way.

9:40

In order for recall to work for the people and not for some disgruntled individuals or groups, the threshold must be significant. I feel that the minimum should be 50 per cent of the total number of votes cast in the last election or, to be totally safe, 50 per cent of the total number of people registered to vote in the last election for the constituency. I would be fine with the numbers in Bill 204 but do feel that the time period to collect those votes should be extended to 90 days and that those elected should be subject to recall from the day they are elected until the next election.

Thank you.

The Chair: Great. Well, thank you very much, Mr. Hinman. Ten seconds to spare.

We will continue now with questions from committee members. Again, we will start with the Official Opposition. Is there anybody there at this moment? No? That's fine, that's fine.

We will go now to the government members' side. I see Member Glasgo. Go ahead.

Ms Glasgo: Hi, Mr. Hinman. This is Michaela Glasgo. I'm the MLA for Brooks-Medicine Hat. I just have a question about your wanting 90 days instead of 60 days. What is that based on? I know the legislation that Mr. Smith is putting forward is much the same as B.C.'s, so I'm just wondering where you're getting that 90-day threshold from.

Mr. Hinman: I just feel the need from my experience campaigning and other things. First of all, I think that recall is important. Oftentimes, especially the volunteer groups and individuals, they just can't go out every day and campaign like they do during a campaign period. So to give people a little bit more time. I don't want them to feel like they're having success but they don't have enough time, and then the frustration sets in. I just feel that because it's not an election where people can go out every day and work full time, a little more time than 60 days would be effective to appease those that are trying to bring forward a recall petition.

The Chair: Do you have a follow-up?

Ms Glasgo: Yeah. The supplemental is more or less based on – you had also cited one of the 50 per cent thresholds. To me, those two kind of conflict with each other. Can you explain why you'd ask for a higher threshold if you want to make it easier for people to recall their elected officials?

Mr. Hinman: I apologize for not sending in my script. I said that I'm fine with what's in Bill 204, but I feel that when you talk to most people about recall, they're very concerned about frivolous petitions. I'm sure many of you know that in 2008 I brought forward recall legislation, but since then in studying it, I just feel that a high threshold is important so that there aren't frivolous petitions going forward.

I just originally picked, you know, 50 per cent of the total number of people that voted. So if 10,000 people voted in a riding, well, you need 5,000. Many people are concerned that because of our first past the post – this is kind of a first past the post, and maybe 35 per cent of the total number of voters would be able to upset an election. So to be on the safe side, if one was to find that, gosh, you know, we're having these petitions and we're having a recall, but no one's being re-elected, or different changeover, perhaps 50 per cent plus one of the total number of registered voters would actually ensure that the majority of the people are upset and want something out of it.

I'm happy with Bill 204, but if there's an objection that it's too low, I would not be opposed to raising it, like I say, to 50 per cent of the total registered voters if that's what would be needed to please the government and bring it forward and not end up with the situation of Aberhart, where he repealed the bill because he didn't want to be recalled.

The Chair: Okay. Thank you, Mr. Hinman. Again, I'll ask for anyone on the Official Opposition side. Nobody has raised their hand at this time.

We'll go back to the government members' side. Does anybody else have a question or a follow-up question for Mr. Hinman? Seeing none – going twice – okay. All right.

Mr. Hinman, I don't see any further questions at this time. I certainly thank you for your presentation. You certainly are welcome to stay on the line and listen to the remainder of the committee. I only ask that you put your phone on mute. Of course, alternatively, you can also watch on Alberta Assembly TV. My understanding is that we're just outside the top 1,000 programs to watch during this time period. We're looking to make that top 1,000 eventually.

At this time the committee will have a five-minute break to allow the next stakeholder, Mr. Terrazzano from the Canadian Taxpayers Federation, to dial in to the teleconference. We'll resume in approximately five minutes. We might take a little bit longer because my understanding is that Mr. Terrazzano is currently on a radio station. He is aware that we're a little bit ahead of schedule, so if you could just stay close by, we'll proceed in about five minutes or so.

Okay. Thank you very much, everybody.

[The committee adjourned from 9:46 a.m. to 10 a.m.]

The Chair: Ladies and gentlemen, I'd like to welcome everyone back. Joining us, of course, by teleconference is Mr. Franco Terrazzano, the Alberta director of the Canadian Taxpayers Federation.

Before we hear from him, I'd like to ask everyone around the table to once again introduce themselves for the record. I am Mike Ellis, MLA for Calgary-West, chair of the committee. Turning now to my right, we have . . .

Mr. Schow: Joseph Schow, Cardston-Siksika.

Mr. Neudorf: Nathan Neudorf, MLA, Lethbridge-East.

Ms Glasgo: Michaela Glasgo, MLA, Brooks-Medicine Hat.

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

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

Ms Sigurdson: Lori Sigurdson, Edmonton-Riverview.

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

Ms Pancholi: Rakhi Pancholi, Edmonton-Whitemud.

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

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

Dr. Massolin: Good morning. Philip Massolin, clerk of committees and research services.

Mr. Kulicki: Good morning. Michael Kulicki, committee clerk.

The Chair: Thank you.

Now, we did have Mr. Jeremy Nixon on the phone. Sir, are you still there?

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

The Chair: Thank you very much.

Okay. All right. Thank you, everyone.

Mr. Terrazzano, you will have five minutes for your presentation, followed by up to 15 minutes of questions from the committee members. Mr. Terrazzano, the floor is yours. Go ahead, sir.

Canadian Taxpayers Federation

Mr. Terrazzano: Perfect. First, thank you so much for having me here today. Before I go any further, I want to make sure that everyone can hear me okay. Are we good? Okay. Perfect.

Just an overview. The CTF is very supportive of recall legislation and Bill 204. Thank you so much for having us on here. Now, that being said, we do believe that there are some small areas for improvement such as introducing what's called initiative and extending recall to the municipal level, although that might be more appropriate in another type of legislation. Like I said, we're very supportive of recall legislation. Prior to the 2019 provincial election we surveyed our supporters to determine which advocacy initiative we should be focusing on and what they would like to see their next Alberta government focus on, and 87 per cent of the respondents believed that this type of legislation should be prioritized, so it's good to see the government taking steps towards implementing recall.

Now, we advocate for lower taxes, less waste, and accountable government. We believe the value of recall legislation is within that final pillar, which is the ability to increase accountability and determent behaviour even without holding a by-election. You know, recall legislation gives more authority to citizens, to voters in the political process. As I think a lot of people will appreciate, if politicians work for the people, then people should be able to give politicians pink slips for poor performance.

Now, recall legislation has been around for quite some time in many different countries, in many different peer countries, and also in our next-door neighbour British Columbia. There are at least 25 countries that currently have legal provisions for recall. In the U.S. there are 19 states plus the District of Columbia that allow recall of state officials, and 55 per cent of the recall proceedings against the legislators have been successful in the United States. Furthermore, to one of the recommendations that we have, extending recall to the municipal level, there are about 30 states that allow elections to be held for local officials as well. Now, probably – well, not probably. Our best comparison would be to our next-door neighbour British Columbia, which had recall legislation introduced in 1995. B.C. also has initiative.

I think most critics would likely think or likely fear that recall legislation would result in a never-ending cycle of elections, but this hasn't happened in B.C. Only one politician has been recalled in about 25 years since the legislation was first introduced, and they voluntarily resigned when they saw the writing on the wall. Again, there are a number of mechanisms that the Alberta government can use which are within Bill 204 to ensure political chaos doesn't ensue; for example, make sure that 40 per cent of eligible voters sign the petition to initiate the by-election. You also make sure that it takes 18 months after the politician is elected to initiate recall.

Alberta's history: we do have many examples or at least a handful of examples where recall legislation could have been used by the populace. One would have been to deal with former Premier Alison Redford, as my submission details. Another one at the municipal level would have been with Lethbridge councillor Darlene Heatherington. All of this could have been dealt with through the recall process or could have been maybe even deterred by having the quote, unquote, stick of recall legislation present. Another one which is very near and dear to Albertans, at least in the last few years: recall legislation could have been used with the carbon tax when it was introduced without being implemented in the previous party's platform.

Now, you know, while the Canadian Taxpayers Federation is very supportive of this bill and recall legislation, we have identified some areas for improvement. Again, recall legislation should be extended to the municipal level, as is done in about 30 U.S. states, and as I just discussed, recall legislation could have been very helpful at the municipal level as well. Bill 204 should contain initiative, as is done in B.C.'s Recall and Initiative Act. If you're unaware of what initiative is, it's really a process through which a registered voter can petition to change a law or to introduce a new law as well. B.C. has had this for about 25 years, and there has been one successful attempt of initiative, where voters forced a referendum after the government broke its promise to not increase taxes through the sales tax harmonization.

Now, the two other ones that are specific to Bill 204, our recommendations: lowering the processing fee of \$500. I'd be interested to hear why there is a processing fee that high. Maybe you have a good explanation, but that does seem high for . . .

The Chair: Thank you, Mr. Terrazzano. I'm afraid we're going to have to cut you off at this time. Your five minutes have expired.

We are going to continue with 15 minutes of questions from the committee members, and we're going to of course start with the Official Opposition. Is there anybody there that would like to ask a question at this moment? No. That's okay.

Mr. Schow had indicated, so I guess we'll start with the government members' side. Mr. Schow, go ahead. We'll start with you.

Mr. Schow: Thank you, Mr. Terrazzano, for your presentation. Thank you, Mr. Chair, for acknowledging me. You mentioned instances where you believe recall would have been effective. I probably think I agree there, but can you give us some examples where recall has been effective in recalling a legislator that otherwise would have cost the government a lot of money? You talked about Alison Redford.

Mr. Terrazzano: Where it has been effective? Okay. For sure. Well, first, it hasn't just been effective in Canada, but it's also been effective in other jurisdictions as well. For example, in the United States, 55 per cent of recall proceedings – again, state Legislatures have been successful, particularly in response to Canadian instances as well. The big one would be recall and initiative. They taxed

people a bunch of money when the B.C. government promised that they would be harmonizing the sales tax without increasing taxes. Then the B.C. populace found out that they were in fact raising taxes, and the whole process was initiated to, I guess, grab the HST. Just further to that, though, as I've mentioned within the presentation, recall and initiative can be quite successful in deterring that political behaviour, just as having that stick, that extra disincentive to mitigate behaviour before it even takes place.

The Chair: No follow-up? Okay.
We'll go to Mr. Neudorf.

Mr. Neudorf: Thank you. Thank you, Mr. Terrazzano. Appreciate your time today. You mentioned that 87 per cent of respondents valued this kind of legislation. Can you describe what jurisdiction you received those polling numbers from?

Mr. Terrazzano: Yes. Alberta.

Mr. Neudorf: Alberta.

Mr. Terrazzano: Alberta-wide.

Mr. Neudorf: That's Alberta-wide. Is there any other supportive information from that polling, how they expressed their support for this kind of legislation?

10:10

Mr. Terrazzano: Yes. What I can say, what I can release, is that 87 per cent were in support, which only leaves – what? – 13 per cent who might oppose. But there was a large portion of that who just weren't sure. So only a very, very small portion were actually opposed, and within the opposed category were also people who were neutral. Of the 13 per cent who weren't supportive to make this a priority, that also contains people who were neutral and people who just weren't sure. Only a very, very small percentage of the respondents opposed.

Mr. Neudorf: Thank you.

Do you have the information on how many people were polled or participated in that survey?

Mr. Terrazzano: No. I don't contain that. I don't have that on hand.

Mr. Neudorf: Thank you.

The Chair: Thank you, sir.

Mr. Nielsen would like to go next. Thank you.

Mr. Nielsen: Thank you, Mr. Chair. I've just got a question around participation in a recall. Do you think that it should be between the constituents and the sitting MLA, or should third-party advertisers and maybe even political parties be involved in that process as well?

Mr. Terrazzano: Sorry. A point of clarification: can you discuss what action a political party would take? Like, if a person was, just for the sake of the argument, a United Conservative and a recall happens, are you suggesting that the UCP or whatever political party might interfere in that election? Can you just clarify the question, please?

Mr. Nielsen: Well, that and any, you know, potential third-party advertisers as well. Yeah, you're on the right track.

Mr. Terrazzano: Well, I think limits that are discussed under Bill 204 seem quite prudent. I do believe that it should be 40 per cent of

the eligible voters within that riding who should have a stand. I don't see why someone from another riding should be eligible for a say here. But I think that what is in Bill 204 in terms of the question that you asked should satisfy. Again, I think the important thing is to have this legislation on the books, to have it in place, to have a regulation that is set out, and if over time there are issues with it, you can tinker with it then. But I think the important part is just to make sure that this is implemented as was promised within the campaign.

Mr. Nielsen: A follow-up, Chair?

The Chair: Yeah, a follow-up. Go ahead, sir.

Mr. Nielsen: Thank you. We managed to determine from the other presentations and speakers that there might be some areas that could be strengthened around third-party advertisers. I guess the sentiment is that that might not necessarily be a bad thing, so should we, then, potentially look at strengthening the language to prohibit third-party advertisers from participating in recall?

Mr. Terrazzano: Well, first I would have to – honestly, I wouldn't feel comfortable making a broad recommendation unless I would actually see the legislation before me. But, again, I would caution this government against any form of gag law and to make sure that we're not hampering freedom of speech, freedom of expression as well. Again, look at jurisdictions. If there's one thing that we should do, we should use British Columbia as a starting point, see what they're doing, and then kind of go from there. But I would caution the government against limiting freedom of speech, freedom of expression.

The Chair: Okay. Thank you.

Mr. Sigurdson is next on the list, and then we'll go to Member Sigurdson next.

Mr. Sigurdson: I've just got a quick question for you. Don't get me wrong; it's not that I agree and/or disagree with initiative and extending to municipalities. Municipal elections are essentially governed somewhat differently. As well, initiative is not something I really heard at the doors. My question is: if you pull that away and you're just looking at Bill 204 as far as the thresholds and how it's set up, what's your feeling on the bill overall? I mean, when you're talking about 87 per cent support, is this the general premise of what you think people are looking for in Alberta?

Mr. Terrazzano: Yes. Yes, supportive. Of course, you know, there's always what's good and what – everything can be done better, right? There's always something that can be improved, and extending recall to the municipal level and including initiative within this provincial jurisdiction is something that we would like to see. Yes, we are supportive of recall, and that 87 per cent who were supportive, those respondents, I think would be very supportive of this bill as well.

The Chair: Do you have a follow-up, sir?

Mr. Sigurdson: Yeah. So you would agree that as far as initiative and as far as municipalities go, that's something we can address down the road, additional legislation. I mean, the core of what we have right here is good.

Mr. Terrazzano: Yes, I would agree. We would like to see initiative done, but the core is good.

The Chair: Member Sigurdson, go ahead.

Ms Sigurdson: Yeah. Thank you. I just want to make sure that I understand. The 87 per cent statistic that you're referencing, Mr. Terrazzano: that is 87 per cent of the people that are members of your Canadian Taxpayers Federation here in Alberta. Is that correct?

Mr. Terrazzano: Here in Alberta, the supporters, yeah.

Ms Sigurdson: Right. So it's the members from your organization, though. That's who you polled, correct?

Mr. Terrazzano: Yeah. We did our supporters.

Ms Sigurdson: Okay. Thank you.

Mr. Terrazzano: In Alberta.

Ms Sigurdson: I understand. Thank you.

The Chair: Is there a follow-up?

Ms Sigurdson: No. That's fine. I just wanted to make that clear.

The Chair: Thank you very much.
Mr. Neudorf, go ahead.

Mr. Neudorf: Thank you again. Another question, just to clarify my understanding that your organization sees this bill as strongly for the deterrent that it would be, the emphasis being on that more so than even any punishments or the actual by-election/recall portion of it. Is that correct?

Mr. Terrazzano: Well, that is a good point. I mean, both come in handy, but I will say that there is a strong deterrence factor. One of the issues that we discussed, even with just Albertans day to day when we were talking about recall, which we were strong advocates of, during the provincial election was that the first thing that worried people was that recall would lead to more and more elections. But we haven't seen that. We definitely haven't seen that in British Columbia or in the United States, where recall has been introduced since 1908, and even since then we haven't seen a huge number of elections. You know, you hear about the carrot and the stick. Well, the big power of this recall legislation is the stick. It's the warning sign that says: hey, politicians, if you're going to go on, let's say, a \$40,000-plus trip on the taxpayer's dime, there are going to be some consequences.

Mr. Neudorf: Thank you very much. I believe that you already answered my second question, which is that this doesn't really bring additional cost to the Alberta taxpayer. This is about the front end of it being a deterrent and holding politicians accountable before any actions would lead to or result in costs down the road. So thank you for that.

Mr. Terrazzano: Well, look, if I could just follow up very briefly, I mean, this could save taxpayers a ton of money. Let's say that a politician or a party implements a tax increase without running on it, I mean, they'll know that there's going to be a strong push to hold them accountable, so this could save taxpayers a ton of money. Look, if we're going to be spending tax dollars, then a good place to be doing it is to increase accountability.

The Chair: Okay. Any further questions from the Official Opposition side?

Seeing none, Mr. Horner has a question.

Mr. Horner: Yes. Thank you. Mr. Terrazzano, just a quick question to follow up on MLA Neudorf. The deterrent factor: I think

we can all get onboard with that. It can save a lot of missteps of MLAs, potentially. You're asking in your initiatives to be further looked at to lower the processing fee of \$500. I just wonder if you could comment on that a little bit. That doesn't seem like a lot of money for a potential endeavour that could cause a by-election and be costly to the taxpayers of Alberta. So I just wonder if you could dive into that a little more.

Mr. Terrazzano: Well, actually, mine was more of a question mark. I didn't see anywhere in the legislation that explained why it was \$500. Respectfully, I believe that \$500 could be quite significant for some people, especially if it is a grassroots movement, you know, which it very well could be and most likely would be. So mine was more of a question mark: why is it \$500? Is that what it's costing Elections Alberta? Is it costing Elections Alberta \$500 to get this process initiated? To me, that seems quite expensive.

The Chair: Do you have a follow-up, sir?

Mr. Horner: No. That was great. Thank you.

The Chair: Thank you very much.

Once again I'll ask the Official Opposition. I don't see any hands being raised.

I will, then, go back to the government members side. Do you have any further questions at this time for Mr. Terrazzano?

Seeing none, okay. Thank you very much. There don't appear to be any further questions.

I'd like to thank Mr. Terrazzano for joining us here today. Sir, you are certainly welcome to stay on the line and on mute or also watch on Alberta Assembly TV, whatever you so choose. Thank you very much, sir, for joining us here today.

Mr. Terrazzano: Well, thank you so much.

10:20

The Chair: There we go. He will be watching us on Alberta Assembly TV, then.

All right. Thank you very much. At this time the committee will proceed to deliberations on Bill 204 pursuant to Standing Order 74.2(1). The committee must now consider its observations, opinions, or recommendations with respect to Bill 204, including whether or not the bill should proceed. The committee's process allows for up to 60 minutes of deliberations on the bill although members may extend this time limit if there is a consensus that additional time is necessary. I'd remind members that this meeting is scheduled to end at noon and that our deadline to report to the Assembly on Bill 204 is this Wednesday, November 6. I'd ask members to remain focused on the task at hand.

I'll now open the floor to a discussion on the committee's recommendations with respect to Bill 204, and I think we should start with the Official Opposition. Mr. Nielsen.

Mr. Nielsen: We're just all chomping at the bit here.

The Chair: I see that.

Mr. Nielsen: Well, I guess that after listening to all the presentations here, you know, I think everybody has maybe identified some things that could be better, maybe some things that could be changed, things like that. I think that in its current form I'm not overly supportive of it. However, I do think that all members of the House need to have a chance to see this, to weigh in on the details, potential amendments to this that could be crafted

in a larger forum with more people. Whereas I might not necessarily support it in its current form, I do support it going to the House for debate. I would welcome any other comments from members around that, but I will support moving it to the House.

The Chair: Yeah. Mr. Nielsen, I think that is an excellent point that you actually made, and I think Mr. Smith has been very open to suggestions or recommendations. Again, this is not a place – you know, it's not Committee of the Whole – where we make those sorts of possible recommendations and changes. It's something that we do – I agree with you – in the Assembly. So an excellent point.

Do we have anybody on the government side? Mr. Smith, would you like to make a comment or respond?

Mr. Smith: I think that, you know, obviously the next step is concurrence, as he said, putting it before the House. Once we get into the House, let's let the House do its job, and let's allow it to come up with amendments. I think I've made the point before that I don't see this as a particularly partisan bill, and I believe it's in the best interests of Albertans. I think we can move forward through the process. You know, if you've got some suggestions and some amendments you'd like to see happen, reach out to me, and I'd be happy to reach out to you.

The Chair: Okay. All right. Well, thank you very much, Mr. Smith. I know Mr. Schow has a question, and I'm hearing at least some consensus in regard to concurrence. Mr. Schow, would you like to make a comment?

Mr. Schow: Sure. Thank you, Chair. Like the two other members who just previously spoke, I also agree that this bill should be delivered to the floor but primarily because I do believe in this bill and the general direction of it. I know that the purpose of this committee is to ultimately determine if there's concurrence or not, so I will vote to put this to the floor because I do believe that recall is important, and I support the bill and where it's going. I do want to see it go in that direction, and that's what I'd like to add to this conversation.

The Chair: Okay. Thank you, sir.
Member Pancholi.

Ms Pancholi: Yeah. I just want to echo the comments that have been made so far. Mostly, I share the comments from my colleague Mr. Nielsen from Edmonton-Decore, simply about the fact that, you know, I do encourage that these are bills brought forward by private members, and they should have the opportunity to be heard in the House. I hope that we can all value the importance of bills that are brought forward by private members, to give them the opportunity to be heard in the House, where they should be. I echo Mr. Nielsen's comments – and I appreciate Mr. Smith's response as well – that there may be opportunities to amend it to better reflect the intention or to work on that, but primarily I would support this motion as well because I believe private members' bills should have an opportunity to be heard in the House.

The Chair: Okay. Thank you very much for those comments.
Mr. Sigurdson, go ahead.

Mr. Sigurdson: Yeah. I'd like to echo that. I mean, with Bill 204, to me, one of the number one things I heard when I was in the election was about accountability, over and over again, multiple times. This bill, in essence, embodies that. I know that we can get into the House and deliberate it and talk about subtle changes. I think that the bill really has that at heart, which is bringing that

accountability to all MLAs. As you said, this is void of political stripes. This is about being accountable to all of Alberta. So I will be supporting this to go to the House for deliberation.

The Chair: Okay. Thank you.

Are there any further questions, or would someone like to move a motion on this? I saw your hand go up first, Mr. Neudorf.

Mr. Neudorf: Yeah. I would just like to make a motion that we proceed with recommending this for debate in the House.

The Chair: Okay. Are there any further comments, though? No? Okay.

Mr. Neudorf, would you mind just reading the motion that you see before you on the screen?

Mr. Neudorf: Thank you, Mr. Chair. I move that the Standing Committee on Private Bills and Private Members' Public Bills recommend that Bill 204, Election Recall Act, proceed.

The Chair: Okay. Great. Are there any comments in regard to the motion as put forward by Mr. Neudorf?

Seeing none, all those in favour of the motion put forward by Mr. Neudorf, say aye. On the phone? Thank you very much. Any opposed? Seeing none,
that motion is carried.

All right. Great.

Are there any other comments, observations, recommendations for the report? No? Seeing none, okay. Great.

All right. Ladies and gentlemen, hon. members, it looks like, with the committee having finished its deliberations on Bill 204, the committee should now consider directing research services to prepare a draft report, including the committee's recommendations. Would a member wish to move a motion to direct research services to prepare the committee's draft report?

Mr. Nielsen: I so move.

The Chair: Mr. Nielsen. Okay. Mr. Nielsen would be moving a motion that says that

the Standing Committee on Private Bills and Private Members' Public Bills direct research services to prepare a draft report on the committee's review of Bill 204, Election Recall Act, in accordance with the committee's recommendations and authorize the chair to approve the committee's final report to the Assembly on or before noon on Wednesday, November 6, 2019.

All in favour, say aye. On the phone? Thank you. Any opposed? Seeing none,
that motion is carried.

Okay. Other business. Are there any other issues for discussion before we wrap up today's meeting?

Seeing no hands in the air, the date of the next meeting. Well, that will be determined by when the next bill is going to be presented. So the next meeting will be at the call of the chair, whenever another private member's bill is referred to committee.

Okay. Adjournment. If there is nothing else for the committee's consideration, I'd call for a motion to adjourn. Mr. Neudorf. Thank you very much. Mr. Neudorf moves that the meeting be adjourned. All in favour, say aye. Any opposed? Seeing none, okay. Thank you very much. Everybody, have a great day.

Thank you.

[The committee adjourned at 10:28 a.m.]

