



Legislative Assembly of Alberta

The 30th Legislature
Second Session

Select Special
Public Health Act
Review Committee

Wednesday, June 24, 2020
6:15 p.m.

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Select Special Public Health Act Review Committee

Milliken, Nicholas, Calgary-Currie (UCP), Chair
Rosin, Miranda D., Banff-Kananaskis (UCP), Deputy Chair

Ganley, Kathleen T., Calgary-Mountain View (NDP)
Gray, Christina, Edmonton-Mill Woods (NDP)
Hoffman, Sarah, Edmonton-Glenora (NDP)
Long, Martin M., West Yellowhead (UCP)
Lovely, Jacqueline, Camrose (UCP)
Neudorf, Nathan T., Lethbridge-East (UCP)
Reid, Roger W., Livingstone-MacLeod (UCP)
Rowswell, Garth, Vermilion-Lloydminster-Wainwright (UCP)
Shepherd, David, Edmonton-City Centre (NDP)
Turton, Searle, Spruce Grove-Stony Plain (UCP)

Support Staff

Shannon Dean, QC	Clerk
Stephanie LeBlanc	Clerk Assistant and Senior Parliamentary Counsel
Teri Cherkewich	Law Clerk
Trafton Koenig	Parliamentary Counsel
Vani Govindarajan	Legal Counsel
Philip Massolin	Clerk of Committees and Research Services
Sarah Amato	Research Officer
Nancy Robert	Research Officer
Michael Kulicki	Committee Clerk
Jody Rempel	Committee Clerk
Aaron Roth	Committee Clerk
Rhonda Sorensen	Manager of Corporate Communications
Jeanette Dotimas	Communications Consultant
Tracey Sales	Communications Consultant
Janet Schwegel	Director of Parliamentary Programs
Amanda LeBlanc	Deputy Editor of <i>Alberta Hansard</i>

6:15 p.m.

Wednesday, June 24, 2020

[Mr. Milliken in the chair]

The Chair: Hi, everyone. I'd like to call the meeting to order. Welcome to members and staff in attendance for the orientation meeting of the Select Special Public Health Act Review Committee.

My name is Nicholas Milliken, and I am the MLA for Calgary-Currie and chair of this committee. I'm going to ask that members and those joining the committee at the table introduce themselves for the record, and then we will go to those on telephone and/or video conference. I guess, perhaps, just for the sake of it, starting to my right.

Ms Rosin: Great. Thank you. Miranda Rosin, MLA for Banff-Kananaskis and deputy chair of the committee.

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

Mr. Turton: Searle Turton, MLA for Spruce Grove-Stony Plain.

Mr. Reid: Roger Reid, MLA for Livingstone-Macleod.

Ms Lovely: Jackie Lovely for the constituency of Camrose.

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

Ms Gray: Good evening. Christina Gray, MLA for Edmonton-Mill Woods.

Mr. Shepherd: David Shepherd, Edmonton-City Centre.

Ms Ganley: Kathleen Ganley, Calgary-Mountain View.

Ms Govindarajan: Vani Govindarajan, legal counsel.

Ms Robert: Good evening. Nancy Robert, research officer.

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

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

The Chair: Thank you.

Then I believe we have one member on video conference if you could.

Ms Hoffman: Yeah. Sarah Hoffman, Edmonton-Glenora.

The Chair: Hi, Member Hoffman.

On teleconference as well I believe there's one.

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

The Chair: All right. Based on the recommendations from Dr. Deena Hinshaw regarding physical distancing, attendees at today's meeting are advised to leave the appropriate distance between themselves and other meeting participants.

Please note that the microphones are operated by *Hansard*, so members don't have to turn them on or turn them off or anything like that. Committee proceedings are being live streamed on the Internet and broadcast on Alberta Assembly TV. Please ensure that your cellphones and other devices are, obviously, set to silent for the duration of the meeting.

Participation in committee meetings by telephone and video conference. As you may know, section 6 of the Legislative Assembly Act permits participation in a committee "by means of

telephone [and/or] . . . communication facilities that permit all Members participating in the meeting to hear each other if all the members of the committee consent." For members' information the committee rooms are equipped to facilitate meeting participation via teleconference, and we recently started using video conferencing as well.

For members to participate at this meeting using one of these methods, the committee must pass a motion unanimously to allow for teleconferencing or video conferencing today, or members may instead pass a motion to approve meeting attendance by telephone and video conference for the duration of our mandate. This would not preclude the committee, however, from determining that members' attendance in person at specific meetings is required. Does anyone have any questions?

Seeing none, would a member like to present a motion? I see the MLA for Edmonton-City Centre, Member – my brain just suddenly . . .

Mr. Shepherd: Shepherd.

The Chair: Yes. Member Shepherd. As you know, sitting in committee in the House I often do refer to members strictly by their riding, so sometimes it may come out a little bit more difficult for me to say Member Shepherd.

Mr. Shepherd: Not a problem, Mr. Chair. I'm quite happy to identify with the fabulous constituency of Edmonton-City Centre.

I would move, then, that for the duration of our work as this committee we allow video and teleconferencing by members.

The Chair: Moved by Member Shepherd that

for the duration of the mandate the Select Special Public Health Act Review Committee permit committee members to participate by teleconference or video conference subject to the proviso that the committee may require members' attendance in person at a particular meeting upon passage at a previous meeting of a motion to that effect.

Is that ultimately something that would meet the intention of the motion that you proposed?

Mr. Shepherd: That beautifully captures the spirit of my intention.

The Chair: Perfect. Thank you.

All those in favour of the motion as proposed by the hon. Member Shepherd, please say aye. Any opposed, please say no.

That is carried.

Up next is the approval, of course, of the agenda. Does anyone have any changes to make? If not, would a member please move a motion to approve our agenda? I see Mr. Turton has raised his hand.

Mr. Turton: I make the motion, Mr. Chair, that the agenda be approved as presented.

The Chair: Moved by Mr. Turton that the agenda for the June 24, 2020, meeting of the Select Special Public Health Act Review Committee be adopted as distributed. All those in favour, please say aye. Any opposed, please say no. That is carried.

I'm just going to take one quick minute. Thank you for that. My apologies for that quick moment. Since this is our first meeting, I would like to provide you with an overview, of course, of the committee's mandate and processes. The mandate of the Select Special Public Health Act Review Committee is outlined in Government Motion 23. It tasks us with the review of the Public Health Act. For the convenience of committee members a copy of this motion is posted on the main page of the internal committee website. Our mandate does not require a comprehensive review,

and as a committee the motion empowers us to determine our focus with regard to the act. This is particularly significant as we have been given a four-month time period to complete a review and report back to the Assembly.

As we conduct our review, we have the nonpartisan support of the Legislative Assembly Office, including Dr. Philip Massolin, clerk of the committees and research services, who oversees committee operations and attends meetings to receive research assignments from the committee and co-ordinate the work of the research team to ensure completion of research requests.

Jody Rempel is actually the committee clerk assigned to this committee, and she is available to provide administrative, procedural, and general assistance as required; however, we have another committee clerk, Aaron Roth, sitting in with us here today. We have Vani Govindarajan, legal counsel with the office of Parliamentary Counsel. We have Nancy Robert, the research officer assigned to this committee. We can also request assistance from corporate communications if we need their expertise.

In addition to the staff that often join us at the table, there are staff from other Legislative Assembly Office branches who support our meetings, including committee operations staff, members of the Legislative Assembly security services, the *Alberta Hansard* staff, of course, who run the microphones and other systems during the meetings while also recording and transcribing the proceedings, and we have the experts from ITS and broadcasting, who are working very hard behind the scenes to help us with those aspects as well.

Nature and scope of the review. The time limit on our review: as noted in our mandate discussion, the Assembly has given us four months to complete our review. That four months starts actually with this specific meeting today, which means that we will need to submit our final report before the end of October. Although the Assembly has tasked the committee with reviewing the Public Health Act with regard to determining focus issues, it has also given us the ability to choose the sections of the act that we wish to focus on. We cannot expand our mandate beyond the act, but we can narrow our scope to ensure that we are able to complete a meaningful review in the allotted four months.

Determining the focus of our review is a very important task that may take, obviously, some time to do. I would like to remind all hon. members that today's meeting is, first, meant to open the discussion of what the committee needs to do to fulfill the requirements of Government Motion 23 and, second, to discuss how the committee might address these requirements, not necessarily to decide today the specific actions it wishes to take, which brings us to item 4(c), which could potentially assist us in this process of defining the focus of our review. This is the – I see the hon. Member Shepherd has a comment.

6:25

Mr. Shepherd: Yes. Thank you, Mr. Chair. Just before we move on to 4(c), on 4(b), talking about the determination of the focus of the issues, I do take note of your comments that this is not a meeting where we necessarily need to be taking action, but we have, as the Official Opposition, had the opportunity to sit down and discuss some of this work ahead of time. In fact, I do have a motion I would like to move in this regard.

The Chair: I think I'm comfortable with that. Yeah, please. Let's hear the motion.

Mr. Shepherd: Thank you very much, Mr. Chair. So I do have physical copies of the motion if any members would like a copy of that, and I believe a copy has been provided to the committee clerk to have the opportunity to post that for everyone to see.

I'll just read the motion.

The Chair: If I could just also mention, I do believe in conjunction with all of that that the motion will be put up on the screen as well for people to view it.

Mr. Shepherd: Of course, Mr. Chair. Thank you.

I would move that

the Select Special Public Health Act Review Committee

(1) approves the focus of its review to include but not be limited to

- (a) section 52 of the Public Health Act
- (b) section 17, 59, and 60 of the Public Health Act
- (c) section 12 of the Public Health Act, and

(2) encourages members of the Select Special Public Health Act Review Committee to recommend additional sections of the act to be included in its focus issues in its review in this or other meetings of the committee.

Mr. Chair, I'll try to be brief, but I think these are in particular some of the obvious areas for us to look at as part of our review with the committee. Section 52 relates to the states of public health emergency, which the Premier specifically indicated the committee should be examining.

Sections 17, 59, and 60 relate to inspections in the act, and I think, as the Minister of Health has noted, there are indeed some lessons for us to learn about inspections from what we have seen during the pandemic. In fact, the minister stated that the government could have done a better job controlling outbreaks specifically at meat-packing facilities. So I think by examining these sections, we can look at inspections broadly and, in fact, the two big issues that came up in Alberta, that being the issues of outbreaks in meat-packing plants and seniors' care facilities.

Lastly, section 12, the provision of services by the minister, I think is self-evident. It's a small section, but it defines the scope of health services provided by the minister, so I think it makes sense, then, that it should be included.

I'll end by just simply saying, noting that nothing in this motion would restrict the committee from looking at any other sections. In fact, that's why we included section 2 there. Simply put, these are just obvious sections, I think, that Albertans would expect us to examine as a committee, and we'd have the opportunity to add further as members may see fit.

The Chair: Thank you, hon. member.

Are there any further comments on this motion?

Seeing none, on the motion as proposed by . . .

Ms Govindarajan: Just as a point of clarification, 52: is that meant to be a reference to section 52.1 to 52.91? I believe 52 is about leaves of absences.

Mr. Shepherd: Yes, that's the intention. I apologize if we were unclear, if we made a mistake there, but essentially those sections which relate specifically to the states of public health emergency and sections which were, of course, amended by Bill 10 in the House of which caused quite a bit of concern and therefore the Premier noted that should be specifically examined by this committee.

The Chair: Thank you, hon. member.

Mr. Rowswell: So 52.1 to 52.91, is that correct? Not 52 where it says "leave of absence," is that right?

Mr. Shepherd: That's correct.

Mr. Rowswell: Okay. Fair enough. I just wanted to make sure.

Ms Rosin: Mr. Chair, if I could jump in?

The Chair: Yes. The hon. Member Rosin.

Ms Rosin: Thank you. While we respect the Member for Edmonton-City Centre's ambition on this file and I appreciate his excitement to get to work, I do believe that the focus of our review should be narrowed down with much more consultation and much more conversation amongst all members. Actually, the next topic on our agenda is forming a subcommittee that can hash these things out and have those in-depth discussions, so at this point I'm actually going to encourage members to vote against this motion, and I think we can move forward as a whole committee.

The Chair: First, the individual who caught my eye was Member Ganley.

Ms Ganley: Thank you very much. I think with respect to – I wanted to ask a question first, whether you need specifically a subamendment in order to alter that reference to 52 in the motion.

The Chair: Yes. My understanding is that someone would have to introduce an amendment specific to that.

Ms Ganley: So amend the amendment?

Dr. Massolin: This is not an amendment; this is a motion.

Ms Ganley: Sorry. So amend the motion? Can I do that orally . . .

Dr. Massolin: Yeah.

Ms Ganley: . . . or does it need to be in writing? In that case, I would move, in the motion moved by Member Shepherd, that under subsection (1) it be amended to strike out "section 52" and instead read "section 52.1 through 52.91."

The Chair: This is an amendment that can be discussed should there be any members who wish to discuss on the amendment aspect of it.

Ms Ganley: I suppose I'll just speak in favour of it, having made the amendment. I think it's clear that this was meant to amend these sections. I think it was simply perhaps an oversight in drafting. People sometimes confuse subsections with the point sections, if you will. I think this is a fairly straightforward amendment. I do think that the motion with the amendment captures, at minimum, the sections that we need, and I think that given the shortness of the time and the breadth of the work that this committee needs to do – you know, we've all had the opportunity to read the act already. I would propose that we can move forward with these as our focus and other sections as needed without the necessity of a subcommittee.

The Chair: Any other members wishing to speak on the amendment?

Ms Gray: I only wish to make the comment that I would encourage all members to support the amendment, separate from their decision to support or not support the original motion, as this will improve the clarity of our caucus' intention.

The Chair: I believe that Member Hoffman is looking to make comments as well.

Ms Hoffman: To the motion, rather. I'll wait and speak after the amendment has been dealt with, please.

The Chair: Okay. Perfect.

Ms Hoffman: Thank you.

The Chair: Okay. Any others wishing to speak on the amendment to the motion?

Seeing none, all those in favour of the amendment to the motion as proposed by hon. Member Ganley, please say aye. Any opposed, please say no.

That amendment is carried.

Moving back to the motion, I will now take the opportunity to go back to Member Hoffman.

Ms Hoffman: Well, thanks. I just wanted to add that when the Government House Leader moved that this committee meet simultaneously to the House, it was very clear that time was of the essence, and I was reminded again by you, Mr. Chair, in this meeting that our time frame is very short and that with four months I think we can avoid having a subcommittee, potentially, if we reach this focus today, that this is one of the areas we're going to look at. Again, my understanding from the motion and from what the mover said just now is that this wouldn't negate any additional things that the government members or, really, any opposition members want to bring forward but that this would get us off to a start immediately rather than spending more time thinking about what our area of focus is.

It definitely flows from what the Premier said when he announced that this committee was being created. From the time I found out that I was going to be put on this committee, I started to think about what our focus was going to be. I think that rather than spend more time with more subcommittees, we can really get the ball rolling here today and not cut into our four months. So my urging would be that we pass this motion today. We certainly welcome, as is the case at all committees, additional motions to come forward at later dates but that rather than us spending our precious time talking about subcommittees and other nuances, we get on with the work of the committee.

So thank you, Member Shepherd, for bringing this forward.

The Chair: Thank you, hon. member.

Are there any other members wishing to speak to this motion? I see the hon. Member Shepherd.

6:35

Mr. Shepherd: Thank you, Mr. Chair. Just to respond to the comments from Ms Rosin, I certainly appreciate that perhaps government members haven't had the opportunity to review things in full or to do the initial due diligence, but I think, as we've noted, this does not block anyone from coming forward with further areas of study. These three particular areas are very clearly what were indicated by both the Premier and the minister and others in bringing this committee forward. We have the opportunity, as other members have noted, for us to get this work done and started early. We could be running concurrent to times in the Legislature. For those of us in the opposition that means we have a lot of other responsibilities with the notable amount of legislation we have to look at in the House as well. I would appreciate the opportunity to use our time with this committee as efficiently as possible.

So unless government members have specific concerns they would like to bring forward regarding any of these areas of concern, if they feel that any of these are not the appropriate areas, I see no harm in allowing this to go forward today and then having government members bring forward their concerns or any other, additional parts that they wish to study, as we've noted in section (2), at a future meeting.

Thank you, Mr. Chair.

The Chair: Thank you, hon. member.

Any other members with questions or comments?

Seeing none, what I will do is that prior to asking the question, which I have started now, I would ask that the committee clerk, as is the usual practice, read the motion as amended into the record.

Mr. Roth: Certainly, Mr. Chair. Moved by Mr. Shepherd that the Select Special Public Health Act Review Committee

- (1) approves the focus of its review to include but not be limited to
 - (a) section 52.1 through 52.91 of the Public Health Act,
 - (b) sections 17, 59, and 60 of the Public Health Act, and
 - (c) section 12 of the Public Health Act; and
- (2) encourages members of the Select Special Public Health Act Review Committee to recommend additional sections of the act to be included as focus issues in its review at this or other meetings of the committee.

The Chair: Thank you.

On the motion as proposed by the hon. Mr. Shepherd, all those in favour of the motion as amended, please say aye. Any opposed, please say no.

That is defeated.

However, we are moving on to, obviously, the subcommittee aspect of the agenda. Many committees of the Assembly are required to appoint a subcommittee to assist in managing the work of the committee. The committee is not required to have a subcommittee, but it may be beneficial to set one up in order to help us define the scope of our review and more generally to ensure we set out an efficient review process. In most cases, unless otherwise directed by the committee, subcommittees meet off the record with the support of the committee clerk, research and committee services, and Parliamentary Counsel as required. Does anyone have any thoughts with regard to this subcommittee aspect?

Seeing none, if the committee does decide to strike a subcommittee, then we will need to determine what the membership composition will be. Are there any views with regard to membership composition?

Seeing none, if it is the will of the committee to strike a subcommittee, we will need to pass a motion. I believe the committee clerk may have some draft wording we could consider, and I believe that will go on the screen as a possible motion. I'll just have the committee clerk read it out for the record for *Hansard* as well.

Mr. Roth: Certainly, Mr. Chair. That

the Select Special Public Health Act Review Committee appoint a subcommittee on committee business to meet from time to time at the call of the chair to, among other things, define the focus of the review and organize the review process on behalf of the committee, and

- that the presence of two-thirds of the subcommittee is necessary to constitute a meeting; and
- that the subcommittee be composed of the following members: the chair, three members of the government caucus, and two members of the Official Opposition; and
- that substitutions from the membership of the committee be permitted on the subcommittee.

The Chair: Would a member like to move that?

Mr. Reid: So moved.

The Chair: The hon. Member Reid. There is, of course, a discussion on the motion should anybody be wishing to join in on that either here or perhaps on the phone or by video conference. Member Hoffman first will have the opportunity.

Ms Hoffman: Sure. I guess I am inclined to move an amendment. I don't have the wording directly in front of me – so bear with me, colleagues – but my understanding from serving on Public Accounts is that it's the chair and vice-chair, otherwise known as a member from the opposition and one member from the government. I think that the children and youth review committee had two members from the government and two members from the opposition. I would propose that we take one of those models rather than the model that's being proposed, which has more members from the government. I think it's four and two rather than one and one or two and two.

I'm fine with either, whatever the will of the room is, whether it be one and one or two and two, being the wording from my amendment.

The Chair: Well, I'd just say at this point that the next speaker will be Member Gray.

Ms Gray: I believe, although she didn't have the wording in front of her, that Member Hoffman's intention was to move a motion adjusting this. I will cede the floor back to her so she could make that, but I would suggest that that does make sense because right now we're talking about six out of 11 making up the subcommittee, more than 50 per cent of the committee meeting.

I will cede the floor back to Member Hoffman, who I think was trying to move a motion.

Ms Hoffman: Sure. Again, without having the wording for the recommendation in front of me, it's a little bit challenging. If the clerk and/or the chair could help me with it. Consistent with the review committee for children and youth, if it was two members from the opposition and two members from the government, I think that would be a fair model. Not being in the room, it's hard for me to read the will of the room, but if it's one and one, I'm fine with that.

Again, to reinforce what the Government House Leader said, what the chair said today, and what we all know, four months is very short. Having six people do this work on behalf of 11 people seems questionable given what was highlighted around it being, actually, a majority of the committee. Therefore, they actually would be in a position to make the decisions if they were unanimous in it, with five of us being cut out. I think that if it's four members or two members, the probability of it coming back and us fully owning the recommendations is much higher. I think it's just easier for scheduling, too, to be very frank.

I'm fine with one and one or two and two. Do you want me to move one and one and then see if somebody wants to further amend my motion? So one member of the government and one member of the opposition to be determined by each caucus.

The Chair: Just because we need to ensure that the amendment would be clear, are you proposing, then, the chair and one government member and one opposition member? Is that what you're proposing at this stage?

Ms Hoffman: No. I'm proposing, since the chair is a government member if he was the designate of the committee, for the government members to decide who their designate is, for the opposition members to decide who their designate is. For Public Accounts it's the chair and the vice-chair, who happen to be from two different parties.

If the government members chose you, Mr. Chair, that would certainly be the will of the government members. I would be happy to have whomever is chosen from the government side to represent

you. But there would be one member representing the opposition and one member representing the government.

The Chair: Okay. I believe that is clear enough for the clerk at this stage.

Ms Hoffman: Thank you.

The Chair: I think the clerk is just going to take the opportunity to confirm as well.

Mr. Roth: If I'm hearing you correctly, Member Hoffman, you're suggesting that the motion be amended by striking out "the chair, three members of the government caucus, and two members of the Official Opposition" and substituting "the chair and one member of the Official Opposition." Is that correct?

Ms Hoffman: I would rather it just say, "One member selected by the government caucus and one member selected by the opposition caucus" just in case the government caucus chose not to select the chair as their designate. But I wouldn't want to assume that that would be the outcome.

You can start campaigning now, hon. Chair.

6:45

The Chair: If the clerk could please read in the amendment for *Hansard*.

Mr. Roth: Certainly, Mr. Chair. Moved by Member Hoffman that the motion be amended by striking out "the chair, three members of the government caucus, and two members of the Official Opposition" and substituting "one member of the government caucus and one member of the Official Opposition."

The Chair: Are there any comments on this amendment? I see hon. Member Turton.

Mr. Turton: Yes. Thank you, Mr. Chair. I guess my only comment – and I also have served on PAC. I think the biggest difference between the two committees is that while with PAC it's more of a scheduling discussion that the subcommittee is dealing with, this subcommittee is really dealing with setting the priority or putting forth recommendations to the committee as a whole, and upon that fact I personally agree with a larger subcommittee size just so that we can have a more meaningful discussion and that it's not limited to a smaller number of members. I urge all my government caucus members to vote against it.

The Chair: I believe I saw Member Ganley.

Ms Ganley: Sorry, are we still on the subamendment?

The Chair: We are on the amendment as is on the screen.

Ms Ganley: The amendment. I think that if we're going to have a subcommittee, it ought to be a smaller subcommittee. Having a subcommittee that is half of the committee, I mean, sure, it'll result in a more fulsome discussion, but an even more fulsome discussion would be to simply have the entire committee meet. I think that if the purpose of a subcommittee is to do things in an expeditious manner, having a subcommittee that is comprised of more than 50 per cent of the members of the committee is not particularly expeditious.

So I think we ought to support this amendment.

The Chair: Any other members wishing to speak on this amendment?

Mr. Shepherd: I would just support Ms Ganley on her comments there. Indeed, this government indicated that it likes to move quickly and is not a fan of red tape. This seems to me to be creating additional work that is not necessary. I support this motion to help move that more efficiently.

The Chair: I believe Mr. Long would like to speak on the amendment.

Mr. Long: Just to clarify, including the chair there are 12 members on this committee, so this is actually half of the original committee. I'm good with a half-sized group doing some of this extra work.

The Chair: I see Member Gray.

Ms Gray: Actually, I will just say that I support this amendment and will wait to potentially speak to the larger motion.

Thank you.

The Chair: Okay. Any other takers on the amendment?

On the amendment as proposed by the hon. Member Hoffman, all those in favour, please say aye. Any opposed, please say no.

That is defeated.

All right. Moving back to the original motion, I see Member Gray.

Ms Gray: Thank you very much. With that just passed vote, we've recognized that we now are talking about a motion to strike a subcommittee that is 50 per cent of this group. The discussions of that subcommittee, the work that they do, what they consider, what they reject: none of that will be on the record. I would like to remind this committee that the reason that we are all here is to fix a drastic overreach by the government, that many in the public saw as inappropriate and concerning, and to respect the democratic process. To move the bulk of the work, the narrowing – these are very important decisions – into an off-camera space that 50 per cent of the committee is part of: I strongly object to that.

I think that it is a continuation of why we are here at this committee to begin with. I think that we should all be seeking to be operating with more transparency. Obviously, the opposition caucus was willing to consider a small subcommittee to help with efficiencies as per the amendment motion that Member Hoffman put forward, but I cannot support a subcommittee intended for efficiencies that will work off the record that is literally half the committee. That doesn't seem reasonable to me, and I think Albertans will be surprised.

Thank you.

Ms Ganley: I would just like to echo what my colleague Member Gray has to say. I think that fundamentally government, whether the legislative branch or executive branch, ought to operate on the record whenever possible. At this point when you're talking about a committee of six members, I mean, it's half of the entire committee, but it's enough members and has the sort of government majority, and we're not necessarily dealing with issues of procedure but dealing with issues of substance. The idea of having those issues of substance carried on behind closed doors, where the public can't see, where there's no record of what has occurred: I think that's a huge concern to me, and I think that it would be a huge concern to the public. It ought to be a huge concern to the public because the point of these committee meetings being on the public record is because we are all here to act for the public. So if we're using a subcommittee to consider the substance of the work of this committee and we're doing that in a way that is off the record so that nobody can ever see, I think that's a really big concern.

The Chair: Thank you, hon. member.

Are there any other members wishing to speak to the motion as proposed? I see Member Rosin.

Ms Rosin: Yeah. I just want to clarify, too, that although this subcommittee will operate off the record, all of the recommendations from the subcommittee will be brought to this committee, which is on the record. So while some of the fulsome discussion may be had off the record with the subcommittee for efficiency's sake, all of those recommendations will be brought here to this committee, put on the record, and discussed by all members of the committee. Everything we do here will end up on the record. It is in the best interests of Albertans that we are efficient but that we do get everything back on the record as soon as we are ready to do so and have that fulsome discussion with all 12 members.

So I'd just encourage all members of this committee to vote in favour of the initial motion. I'm not sure where we are, if we're on a second amendment right now, but I'll just encourage everyone to vote in favour of the initial motion.

The Chair: Okay. Any other members? I see Member Shepherd.

Mr. Shepherd: Thank you, Mr. Chair. Just to respond to Ms Rosin, indeed any decisions, recommendations from the subcommittee will come to this committee, but that subcommittee under this motion will consist of a majority of government members. So government members will use their control to determine what, in fact, is allowed to come out in front of the public. Of course, I would love to give the best of intentions to government members, but from legislation we now see in front of the House, we see that that does not tend to be the case. In fact, the government likes to put its thumb on the scale. So if these individuals from government truly want to be transparent with Albertans and have the opportunity to discuss all of this on the record, the opportunity to do that is here, on the record, and not in a subcommittee where they hold the majority.

Thank you, Mr. Chair.

The Chair: Thank you, hon. member.

I see . . .

Ms Gray: Member Gray.

The Chair: . . . Member Gray. I could only think of your constituency.

Ms Gray: That's okay. I just have a question for the support staff because Member Hoffman, in making her amendment, was using the examples of PAC and previous committees. Has there been a case where a subcommittee has encompassed 50 per cent of the membership of the committee? That strikes me as very unusual, and I would just like to know if there's precedent that you can recall.

Dr. Massolin: Sure. Mr. Chair, if I may, I can respond through you to Ms Gray. I can tell you that in the 28th Legislature there were – they were called working groups, but they had a similar function to this subcommittee and had a larger composition, four government and two opposition, I believe. It perhaps wasn't quite – because the committees, overall, were bigger back then in terms of overall membership, so not quite half, but more than Public Accounts. That's for sure.

Yeah. I'm just being told that it was one-third, actually, of the committee's composition.

The Chair: Okay. Any other members wishing to speak on this motion? I see Member Gray.

Ms Gray: Thank you so much, and thank you very much for the factual answer. So to add just my own impression in colour, this would, then, make this subcommittee unusual and not the standard practice of this Legislature while we are looking at a bill where Albertans have concerns about transparency and about seeing that things are operating cleanly.

Again, I will repeat that the Official Opposition was more than happy to entertain the idea of a subcommittee of reasonable size, but this is unreasonable. We are concerned about transparency. We are concerned about the four-month time frame, which is why we brought some of our ideas on how we can proceed expeditiously on this to this discussion.

6:55

I am strongly against the motion as currently presented but would like to invite the government members to work with us. Perhaps we can find a slightly smaller complement that might satisfy both sides. But I find this entirely objectionable right now.

The Chair: Thank you, hon. member.

Any other hon. members wishing to speak to the motion?

Seeing none, on the motion as proposed by the hon. Mr. Reid, all those in favour of the motion, please say aye. Any opposed, please say no. That is carried.

Ms Hoffman: May I request a recorded vote, Mr. Chair?

The Chair: Yes. Okay. We are perfectly amenable to that. What I will do is I will first ask all those members in favour of the motion to please raise their hand so the clerk can record them and then read them out for the record.

Mr. Roth: Member Rosin. Member Rowswell. Member Turton. Member Reid. Member Lovely. Member Long.

The Chair: I will also take the opportunity to ask on the phone because I believe Member Neudorf is on the phone and can't be seen.

Mr. Neudorf: I voted no.

The Chair: We're currently not actually considering "no." We're putting hands up potentially for "aye," for whether or not you want the motion to be carried.

Mr. Neudorf: That's correct. I'm just clarifying: I did not vote yes.

The Chair: Okay. All those opposed to the motion, please raise your hands.

Mr. Roth: Member Ganley. Member Shepherd. Member Gray. Member Neudorf. Member Hoffman.

Mr. Chair, total for the motion: six. Total against: five.

The Chair:

That motion is carried.

Moving on to item 5 of the agenda, briefings and research. Item 5(a) is "invite technical briefing," as it's stated on the agenda.

I guess what we can also do with regard to the motion that was just passed on the subcommittee – we can have a discussion on this, but there is some indication that members on both sides would be allotted some time to choose who they decided instead of forcing people right now to choose two and three and all that kind of stuff. Any thoughts on that with regard to composition? In order to make it easy for everybody, perhaps just give a couple of days, perhaps Friday, as a timeline to give the names as proposed.

Ms Hoffman: Sorry. Just to clarify: the names for technical briefings?

The Chair: Sorry. As I stated, moving back to the motion that was just carried on the subcommittee . . .

Ms Hoffman: Oh, sorry. Got it.

The Chair: No worries. There doesn't have to be a motion for anything like this, but just for the room, general consensus with regard to maybe Friday submitting names, just to ensure that we move forward.

Ms Ganley: We're prepared to proceed now if government members are prepared to proceed.

The Chair: Okay. You can indicate for the record who you'd like. There's no motion. I was trying to get clarity with regard to moving forward on it. You can definitely indicate now. If, ultimately, the decision would be to wait a couple of days, I think that you would still have the opportunity to change that.

Member Shepherd.

Mr. Shepherd: Thank you, Mr. Chair. In the interests of expediency, as we've said many times, we've been able to have a quick discussion amongst ourselves, and I think myself and Member Ganley would be happy to represent for the opposition.

The Chair: Thank you, hon. member.

Any thoughts from others in the room?

Seeing none, I'll take that as that I will as chair expect that we move quickly on this and have a list by, hopefully, the end of Friday. That would be my request.

All right. Moving to 5(a), invite a technical briefing. Although the subcommittee will provide further direction regarding the focus of our review, there are some initial steps the committee could consider today to begin the review process. One of the first steps commonly taken by committees during the review process is to invite a technical briefing on the topic before them from the appropriate ministry. Now, does anyone wish to proceed with extending such an invitation to the Ministry of Health?

There is, I believe, a possible motion that could be considered from wording from the clerk on this matter, and I'll let that get up on the screen for everybody's viewing. I would just ask the clerk to then read it in for the record for not only the benefit of *Hansard* but for the benefit of us as well.

Mr. Roth: Thank you, Mr. Chair. A possible motion might be that the Select Special Public Health Act Review Committee invite officials from the Ministry of Health to provide a briefing on the focus issues within the Public Health Act identified by the subcommittee to the committee at the next committee meeting.

The Chair: Comments or questions? I see Member Ganley.

Ms Ganley: Yes. I mean, certainly, Health is the ministry primarily responsible for the act. I think that in light of the fact that a significant number of the issues we have seen here touched on labour as well – and certainly the government is, as I understand it, if not in active litigation on this matter about to be in active litigation on this matter – inviting officials from labour and Justice to discuss those sections of the act might be useful as well.

The Chair: At this stage there has not been a mover of this motion, right? So I'm happy for the room to consider . . .

Ms Ganley: It's premature. Got it.

The Chair: No worries. No, not at all. This is a great time to discuss the possibility of the motion. This motion has not been moved. This is just a proposed potential motion, so if the room right now were to decide to do that, then of course somebody could propose that motion.

Ms Lovely: I'd like to move this motion if I may.

The Chair: Member Lovely to speak first, and then we'll go . . .

Ms Lovely: I would like to move this motion.

The Chair: At this stage we're still discussing the proposed motion, so until I see that there are no more members wishing to discuss the motion, I think that that would be – and it did look like Member Shepherd had wanted to speak on this.

Mr. Shepherd: To be clear, Mr. Chair, just to clarify where we are, you had said that so far no motion had been moved.

The Chair: This is a proposed motion, yes.

Mr. Shepherd: This is a proposed motion.

The Chair: A proposal of a motion, I think, is a more apt way.

Mr. Shepherd: A proposal of a motion. So what are our actual options at this point? Do we have to vote now as to whether we want to move this proposed motion, or does someone have to move this proposed motion?

The Chair: Someone would have to move this draft. "Draft" is probably a better word for it as there has not been a mover for any motion at this time.

Mr. Shepherd: Right.

The Chair: As of right now we are potentially drafting a draft motion.

Mr. Shepherd: My intention, Mr. Chair, would be to move a motion, but not this particular motion, with the addendum of the ministries of labour and Justice after Ministry of Health.

The Chair: For the room, I believe that also encompasses what Member Ganley had . . .

Mr. Shepherd: That is correct.

The Chair: Any thoughts? I believe Member Hoffman would like to speak.

Ms Hoffman: Thank you so much. I have some wording, and I was proposing it. I thought it might fit better under 5(c), but since it seems to fit quite clearly with what we're discussing here, if Mr. Roth would be able to pull the wording up, I think I could move it at this time instead.

7:05

The Chair: We'll just wait until the wording gets brought forward.

Ms Hoffman: Just to the committee clerk's question, it was what I was planning on, where it says: "moved that the Select Special Public Health Act Review Committee invite the following stakeholders." Many of them are folks that have been referred to so far in discussion. Basically, if (a) through (c) could be copied and pasted in what we sent in.

The Chair: Unfortunately, this is not on the agenda at this time, so it's premature. This will come up, I believe, later in the agenda, though. At this time . . .

Ms Hoffman: Okay. Except there's considerable overlap with what we're discussing now.

The Chair: This is for a different portion of the agenda. As of right now we are dealing simply with technical briefings. Once we deal with that, I will move through the agenda to research requests and then, I believe, at 5(c) stakeholder and other input. That would be the appropriate place to – if somebody was to make a motion similar to this or this, then that would be the place for that.

I see Member Turton would like to speak.

Mr. Turton: Yes. Thank you, Mr. Chair. I guess just a point of clarification for myself. It just seems a little outside of established process to be crafting a motion like this on the floor without somebody actually moving it first, and then it can be amended. Is this normal process and procedure that we go through at this stage? Typically I see an individual member moving forth a motion, and then we work with the wording, put forth amendments at that point. It just seems a little bit outside of the norm from what I've been able to see from parliamentary procedure.

The Chair: You can talk it out. You can. That said, in order to be expedient, as it sounds like everybody is trying to be, then perhaps we could have somebody propose a motion in order to see if we can move forward on it.

Ms Hoffman: I think I'm ready if you are.

The Chair: Yeah. Go ahead.

Ms Hoffman: Okay. I move that we invite the Premier, the Health Minister . . .

The Chair: No. Sorry, sorry, sorry. I intended with my previous comments that the motion that you are looking at right now, Member Hoffman . . .

Ms Hoffman: I'm amending it.

The Chair: Sure, but it's not before anybody right now.

Ms Hoffman: I would like to put a motion before us that relates to a technical briefing, and these are the folks that I would like to come and brief us technically.

The Chair: Oh. Okay. You are on technical briefing, then?

Ms Hoffman: Yes, please.

The Chair: Okay.

Ms Hoffman: I'd like to move that we invite the Premier; the Health minister; the Deputy Minister of Health; AHS CEO; CMOH, the chief medical officer of health; the Minister of Justice and Deputy Minister of Justice; as well as the minister of labour and deputy minister of labour to present a technical briefing to this committee.

The Chair: Right now we are inviting a technical briefing. We've proposed a potential motion for it.

Oh, I see you're back. Okay. I think we actually lost connection there for a little bit.

As of right now we are looking at a proposed motion with regard to a technical briefing on the Public Health Act from the Ministry of Health. At this stage that was what we were looking at for a motion. I believe that the motion that you would like to propose is something that is coming up at a more appropriate period of the agenda. Currently we are talking about the Ministry of Health and for them to give a technical briefing on the act in question, the Public Health Act. However, what I believe you intend on doing is perhaps bringing in some stakeholders in order to provide other input, which would be 5(c). So if you want to . . .

Ms Ganley: Point of order, Mr. Chair.

Ms Hoffman: I'm not doing that at this time, Mr. Chair. At this time I'm simply calling for a technical briefing from the folks that I listed, so I object to that summary.

The Chair: Okay.

Ms Hoffman: At the time of 5(c) I'd be happy to consider proposing stakeholders to come in, but at this point I'm specifically asking for a technical briefing from the folks I mentioned.

The Chair: Okay.

Ms Ganley: My point was simply to say that I think Member Hoffman was clear that she was intending a technical briefing to come from these individuals.

The Chair: Okay. I think that the reason why there is a bit of confusion is because the motion that was passed out actually, as it's proposed, specifically says: "the following stakeholders to make written submissions." Seeing that, I apologize for that. I see that Member Hoffman is looking to essentially take the motion, as we can see on the screen, and just then not only, I guess – and forgive me if my summary of it is something that you oppose, my version of the summary. However, I would say that I believe the Ministry of Health would be also included as well as the other individuals that you listed.

Ms Hoffman: The ones I listed were: Premier, Minister of Health, Deputy Minister of Health, Alberta Health Services CEO, chief medical officer of health, Minister of Justice, Deputy Minister of Justice, minister of labour, deputy minister of labour. And I stopped it there. It's different than what I submitted, yes. I'm trying to be nimble here.

The Chair: No worries. The clerk is just typing.

Ms Hoffman: I appreciate that.

Dr. Massolin: Perhaps, Mr. Chair, you could entertain discussion while the clerk is getting it up.

The Chair: Sure. I'll entertain some discussion on that should anybody want to discuss that aspect of it. I see Member Ganley.

Ms Ganley: Yes. I would be in favour of this motion. I think, you know, the incident that caused the problem with this bill that has resulted in this committee, over the objections of the Official Opposition, ultimately has resulted in objections of several friends of the government, which I believe is why we're here this evening. I believe that the initial incident makes it clear that there were considerably more individuals involved in the technicalities of this than simply the Ministry of Health.

I would propose as well that the biggest concerns we've seen during this pandemic, which is also one of the precipitating conditions of this review, are a combination of doctors leaving the province or threatening to leave the province as a result of actions of the government and, in addition, some very, very severe . . .

The Chair: I hesitate to interrupt, Member Ganley. Given the time, I just want to propose that – in order for this committee to move past 7:15, we would need unanimous consent, so I will ask this question only once. Okay. Here's how it goes. If anyone is opposed to this meeting not moving past 7:15, please say so now. Hearing none, unanimous consent, I believe, is granted. We are open to moving past 7:15.

Member Ganley, I apologize again. I hesitated to interrupt you. I cut you off midway. If you would like to continue.

Ms Ganley: No. I think the end of what I was going to say was simply that certainly one of the conditions, I think, that causes us to be here this evening – there was certainly Bill 10, but there was also the pandemic, and certainly the significant outbreak and the failure of the ministry of labour and the Ministry of Health to be able to sort of work together to prevent some significant outbreaks, I think, is directly at issue at here. So I think that having officials from both departments to understand why it is that that ability to work together sort of failed in this instance – in fairness, we haven't had conditions like this before, so the purpose of examining this act is to discuss challenges that have arisen, and I think this was definitely a clear challenge that arose. It had devastating consequences for a number of people, so I think that seeing officials from those other ministries is critical.

7:15

The Chair: For technical briefing purposes.

Are there other members? First, we have Member Turton.

Mr. Turton: Yes. Thank you, Mr. Chair. Thank you to Member Hoffman for putting forth this amendment. When I look at many of these names that are put forth, I look at them more as witnesses than actually being appropriate at this early stage.

As Member Ganley stated previously, the Public Health Act is primarily health, so I really think that if we focus on the Health ministry officials first for that technical aspect, that will really allow us to focus on the main core of this bill, which is primarily health. If in the future we decide to open it up to other ministries, obviously, at that point I personally am open to having that conversation. I really do think that Albertans require us to do a deep dive into the Ministry of Health, which is primarily what this act is, and then we can see from there about other input from stakeholders if we go in an additional direction.

At this stage I will not be supporting the motion by Member Hoffman. Thank you.

Mr. Reid: I just want to affirm the comments of my colleague Mr. Turton in terms of the purview of this act. It is under Health. I think as far as a technical briefing goes, that's who we rely on for that technical briefing. Certainly, if the committee decides that we need to dig deeper into the responses of Labour and Justice in this, we invite them and the stakeholders to talk about that. Part of the reason this committee, I think, has precipitated its existence has to do with the fact that we have now gone through a public health emergency this year for the first time in generations, and it's a time for us to reflect on existing legislation in light of real-world events over the last number of months. I also will be opposing this motion.

The Chair: Thank you.
Member Shepherd.

Mr. Shepherd: Thank you, Mr. Chair. While I appreciate the comments from the government members regarding the primary residence of this work being within Health – indeed, the Public Health Act is under Health – I would note that one of the significant portions that we're considering here is the sweeping power that the government took for itself through Bill 10, which spawned a Charter challenge. When I was briefed on this bill and I had the opportunity to speak with staff in the minister's office, they relied heavily on the Ministry of Justice, and I was told this on their advice regarding many of those changes specific to Bill 10 and specific to the vast powers that were being granted to the Minister of Health and other ministers to create entirely new legislation without ever setting foot in the Legislature. Indeed, that was based on advice and recommendations from the Department of Justice. Being that they are central to this and, I think, a large part of the impetus for why the Premier chose to bring this here, though we certainly could have dealt with this in the House with legislation that is there before us now – he did not wish to do so; he wished to have it reviewed by this committee – I think that the Department of Justice absolutely should be part of the technical briefing as they provided very clear advice and recommendations to the Ministry of Health on how they should move forward with this bill.

Thank you, Mr. Chair.

The Chair: Thank you, hon. member.

I see that Member Long would wish to speak.

Mr. Long: Thank you, Chair. When I look at the agenda, at the very top of the agenda, my agenda at least, it says, "Select Special Public Health Act Review Committee." That, to me, indicates that we are not here to talk about the government's response to COVID, nor are we here to talk about the government-physician contracts and negotiations. It indicates to me that we are here to talk about the Public Health Act and review it, which indicates to me that if we want a technical briefing, we would turn to the Ministry of Health, so I will not support this motion.

The Chair: Any others?

Seeing none, on the motion as proposed by Member Hoffman, all those in favour of the motion, please say aye. Any opposed, please say no.

This motion is defeated.

I will reintroduce the initial proposed motion as was originally worded regarding the – I can put it into the record myself. Proposed that

the Select Special Public Health Act Review Committee invite officials from the Ministry of Health to provide a briefing on the focus issues within the Public Health Act identified by the subcommittee to the committee at the next committee meeting.

Ms Lovely: I would like to make that motion, please.

The Chair: Okay. Having heard the motion as proposed by the – discussion first; question second.

Member Gray.

Ms Gray: Thank you very much. I would like to make this very simple. I would like to amend this motion

to include the Ministry of Justice and the ministry of labour.

For reasons that have been covered in previous discussions but to quickly recap, this is all predicated off of Bill 10, that had been passed in the Legislature. This committee was struck as a direct result. As we've heard from Member Shepherd, at that briefing the technical officials relied on information from the Ministry of Justice. We know that there are also very important interactions

between the Public Health Act and the ministry of labour when we are talking about public health emergencies, which, again, I would remind everyone, is the impetus for this committee and the work that we are doing.

My amendment, which simply adds the Ministry of Labour and Immigration and the Ministry of Justice and Solicitor General, allows those two ministries to also provide technical briefings for any areas related to their work and this Public Health Act review. With those technical briefings we can then move forward and decide if we need to continue any further lines of questioning or consideration with either of those two ministries going forward, but I think it's really important to hear from them and have them present to us their perspectives on this act. I will move this amendment and ask for all committee members to support it because I think it does make sense to hear from these two other ministries.

The Chair: Thank you, hon. member.

Members to discuss the amendment?

Seeing none, on the amendment as proposed by Member Gray, all those in favour, please say aye. Any opposed, please say no.

That amendment is defeated.

Moving back to original motion as proposed by Member Lovely, any discussion on that? I see Member Shepherd.

Mr. Shepherd: Thank you, Mr. Chair. I just simply want to confirm the timeline. So this briefing from Health would come after the subcommittee had met and brought its recommendations to the committee, or would the subcommittee be meeting after we've heard the technical briefing and then assembling the portions of the act which it feels should be focused on? While we have come obviously prepared and having done that review, it appears members of government have not, so I just want to be sure that they have fulsome opportunity to determine which portions of the act they find . . .

The Chair: I believe the subcommittee would work to direct on that.

Mr. Shepherd: The subcommittee would direct the areas examined under the technical briefing?

The Chair: Well, the subcommittee would work towards bringing those suggestions to the committee, and the committee would decide on that.

Mr. Shepherd: My question, Mr. Chair, is simply: would that be before or after the technical briefing, or is that at the will of the committee to determine?

The Chair: I believe, actually, that the answer to that is in the previous motion that was passed, where it would define the focus of the review, where the subcommittee – right? – would then define that scope, and that would then inform what the technical briefing would be specifically on.

Mr. Shepherd: Understood. Thank you, Mr. Chair.

Ms Gray: My apologies; I really just need to check because I believe Member Rosin said quite clearly that the work of the subcommittee would be brought on the record, and here we see the work of the subcommittee being used to inform the next committee meeting without any of that discussion informing the record. So here we are empowering the subcommittee to define what the technical briefing will bring, what information comes forward to this committee. I realize that the technical briefing on the entire act would, obviously, be lengthier, but that information will help us to narrow

our focus, and I think it doesn't make sense that the work of this subcommittee won't have the opportunity to even be on the record before the committee proceedings continue. That's my interpretation of what I'm understanding from this motion, and it concerns me.

The Chair: Okay.

Member Rosin.

Ms Rosin: Yeah. Just to clarify, you're right; this work of the subcommittee would be off the record, but it wouldn't come to the committee and then the committee have no say in it. It would come to the committee, and the committee would then discuss those recommendations and then approve them if they so chose.

7:25

Ms Hoffman: If I could clarify because I just heard two different things. I heard, one, that the subcommittee recommends to the full committee what our scope will be, and then I also heard the chair say that the subcommittee would set the scope for our committee. I just want to clarify that the subcommittee is bringing forward recommendations but that we're actually making the decisions in this committee on the record.

The Chair: How I understand it, just for clarity – and people may still comment after. I'm not going to inhibit that in any way. It's my understanding that the Ministry of Health is quite capable of giving us a technical briefing on the whole act, but if the subcommittee then decides to focus this committee into looking at specific aspects of the act as a whole, then that would inform which portions of the act the Ministry of Health would then give us information on a technical briefing.

Ms Hoffman: Just to clarify, the subcommittee can recommend; the subcommittee can't make that decision. Am I wrong in my understanding, Mr. Chair? The subcommittee is a recommendation committee, is it not? It recommends to this committee things like the scope.

The Chair: Dr. Massolin.

Dr. Massolin: Thank you very much, Mr. Chair. If I can just provide some clarity about the motion that the committee agreed to when the committee struck the subcommittee, just to reiterate that. I'm reading from the motion:

that the Select Special Public Health Act Review Committee appoint a Subcommittee on Committee Business to meet from time to time at the call of the Chair to, among other things, define the focus of the review and organize the review process on behalf of the Committee,

and then it goes on. My interpretation of that is it's pretty clear that the subcommittee has been delegated the authority to define the focus of the review and organize the review process in addition to that on behalf of the committee.

Thank you.

The Chair: Thank you, hon. member.

Member Gray.

Ms Gray: Thank you very much. I appreciate bringing us back to the original motion. I think I was perhaps misled by comments that the government members made because I very strongly understood that the subcommittee would not be making decisions in secret, that there would be transparency, that there would be accountability. That's what government members just told us, and now I'm understanding that the subcommittee is going to choose what technical information the whole committee will receive, and we

will not have the opportunity as a whole on the record to discuss different areas. This is outrageous, and I feel misled.

Ms Rosin: I will say that there appears to have been a bit of a miscommunication, admittedly, on our end here. The chair and the deputy chair cede that. You are correct that what I said, when I said that the subcommittee would bring recommendations to the committee and the committee would discuss and vote on record, was the intent of what we were to pass. Upon reading this motion, we realize that that is not what was passed. I am going to move to rescind the initial motion, and then we will move a secondary motion that amends the initial motion that hopefully encompasses the requirement for the subcommittee to bring recommendations to the full committee.

My apologies for what happened.

The Chair: Thank you, Madam Rosin.

I will say, though, that as of right now we do have a motion on the floor that we will have to dispose of first. Perhaps we can move that way to rescind the previous one.

I see Member Ganley.

Ms Ganley: Yes. I think that in light of the conversation that we're having currently, the motion which is before us perhaps ought to be amended as follows. Currently it reads: moved by Ms Lovely that the Select Special Public Health Act Review Committee invite officials from the Ministry of Health to provide a briefing on the focus issues within the Public Health Act identified by the and I'm proposing we amend it by striking out "sub" so it reads, "identified by the committee to the committee at the next committee meeting." I guess that now it says "committee" several times, but I think the point here is to have the committee discussing which issues ought to be briefed.

Ms Rosin: Member Ganley, perhaps – I'm new to this too – a way to do what you're wanting to do, perhaps a way we could do it to be extra clear would be to say "identified by the subcommittee and approved by the committee to the committee" after "Public Health Act". Does that really clarify things, to really enforce how the timeline will work?

Ms Ganley: No. I think definitely it was my intention to amend it in such a way that the committee would be identifying the focused issues, because I believe that identifying the focused issues – I don't want it to say "identified by the subcommittee." I want it to say "identified by the committee." Despite the fact that that's awkward wording, I think it captures the intent of having that conversation in the public, on the public record as opposed to behind sort of closed doors.

The Chair: Just to clarify, is what is on the screen now what you are looking for?

Ms Ganley: No. I had intended to remove "sub" before "committee," so "identified by the committee."

Dr. Massolin: If you read this, it might work. Just read it.

Ms Ganley: Okay.

Mr. Shepherd: Simply "issues identified by the committee at its next committee meeting."

Ms Ganley: Yeah, no. It's not – because I don't intend the issues to be identified by the subcommittee.

Dr. Massolin: It would read "by the committee at the next meeting."

Mr. Shepherd: It would be "identified by the committee at the next meeting."

The Chair: Okay. For clarity, what we'll do is take a second to allow the clerk to post it as it would look.

Ms Ganley: Oh. I see. Sorry. I was looking – yes. I see.

Yes. So now it would read "identified by the committee at the next committee meeting." Okay. Yes. That makes sense. Thank you. Sorry. I thought you were amending the actual language, and I'm like: that looks the same.

The Chair: Hon. members, we're just going to take this opportunity to recess for about five minutes, okay? Thanks.

[The committee adjourned from 7:35 p.m. to 7:42 p.m.]

The Chair: Okay. I will take the opportunity to call the committee to order. We have before us a proposed motion. We are currently on the amendment. The amendment is moved by Member Ganley that

the motion be amended by striking out "the subcommittee to".

Are there any hon. members looking to have discussion on that?

Seeing none, on the motion as moved by the hon. Member Ganley, all those in favour of the amendment, please say aye. Any opposed, please say no. Really? Okay. The amendment from that is defeated.

Ms Hoffman: Sorry. Maybe it's just because I'm away from the room, but it didn't sound like it was to me, so can we have a . . .

The Chair: Are you requesting a recorded vote?

Ms Hoffman: Sorry, Mr. Chair. I would like to not, but yes.

The Chair: You have asked for a recorded vote. Just for a moment of clarity, just because what normally occurs on the screen was, for visual representation, shifted from the regular course of business, we're just clearing that up.

Can you please return to the original motion proposed by Lovely?

Dr. Massolin: Mr. Chair, I know this is a little bit unorthodox here just prior to a recorded vote, but maybe to provide some clarity, the amendment proposed by Ms Ganley is to strike out the words "the subcommittee to," so if it were to be accepted, the motion would now read: moved by Ms Lovely that

the Select Special Public Health Act Review Committee invite officials from the Ministry of Health to provide a briefing on the focus issues within the Public Health Act identified by the committee at the next committee meeting.

Thank you.

The Chair: Okay. All those in favour of the amendment as proposed by Member Ganley, please raise your hand.

Mr. Roth: Member Hoffman, Member Ganley, Member Shepherd, Member Gray.

The Chair: All opposed, please raise your hand.

Mr. Roth: Member Long, Member Turton, Member Rowswell.

The Chair: Anybody on the phones?

Mr. Roth: Mr. Neudorf voted opposed.

Mr. Chair, total for the motion, four; total against, four.

The Chair: Okay. The chair casts for the amendment.

The amendment is carried.

Moving back to the motion as proposed by Member Lovely as amended, any discussion?

Seeing none, on the motion as proposed by hon. Member Lovely, all those in favour of the motion, please say aye. Any opposed, please say no.

That is carried.

Okay. As chair I am going to ask for unanimous consent to return to the subcommittee.

Ms Rosin: Okay. I propose that we move back to discussing the motion on the subcommittee, and I will request unanimous consent to do so on the agenda.

The Chair: Having heard from Member Rosin, in order to do that, the committee must have unanimous consent. If there is anyone who opposes doing that, please make yourself known now.

That is carried.

We are now moving back to item 4(c), with the intention of looking to rescind the previously approved motion.

Ms Rosin: So moved.

7:50

The Chair: Okay. Member Rosin is moving to rescind the motion that was previously accepted.

We just have to wait for the clerk.

Seeing the motion, this is a debatable motion should anybody be wishing to speak on it.

Seeing none, all those in favour of the motion from Member Rosin, please say aye. Any opposed, please say no.

That is carried.

Now we will reintroduce a proposed motion for the subcommittee. The clerk will read it in for our benefit and place it on the screen.

Mr. Roth: Thank you, Mr. Chair. A proposed motion, a draft motion, that

the Select Special Public Health Act Review Committee appoint a subcommittee on committee business to meet from time to time at the call of the chair to, among other things, propose the focus of the review and organize the review for the approval of the committee, and

- that the presence of two-thirds of the subcommittee is necessary to constitute a meeting; and
- that the subcommittee be composed of the following members: the chair, three members of the government caucus, and two members of the Official Opposition; and
- that substitutions from the membership of the committee be permitted on the subcommittee.

The Chair: Thank you, Mr. Clerk.

Are there any members wishing to speak on this motion?

Ms Ganley: I think that, first, I would like to say that I renew my concerns with respect to a subcommittee of this size. As we've now been told, the largest subcommittee previously was in the 28th Legislature. It made up one-third of the membership of the committee. This makes up one-half, so it is significantly larger. I think the idea here, again, is that we have a subcommittee that will be dealing with business. It will be dealing with business off the record. It will be dealing with business out of the public eye, and I think that fundamentally contradicts our duties, each and every one of us, as public officials to do our public business on the public record. So I continue to have objections to that.

I think another concern of mine is that we're talking about: the presence of two-thirds of that subcommittee constitutes a meeting.

So were the chair to call a snap meeting that perhaps the government members had somehow been made aware of and that the opposition members were unable to attend due to timing, the subcommittee could basically meet, again, off the record with sufficient quorum, with only government members present. I continue to be deeply concerned about the lack of transparency here. I think that if we're not willing to consider a smaller or more usual sort of one-and-one subcommittee to do sort of routinized mechanisms, then we ought to be dealing with this in the public eye and on the record. Again, we are, each one of us, public officials, and I think that we owe it to our constituents and to Albertans to put our business on the record.

The Chair: Thank you.

Any other members wishing to speak?

Mr. Shepherd: Based on the comments from my colleague Ms Ganley on this, I think she raises a fair point about the concerns around quorum. I'd like to propose an amendment, that we would amend the first point, that after "the presence of two-thirds of the subcommittee is necessary to constitute a meeting" we would add "and must contain at least one member of the opposition."

The Chair: Okay. We'll just wait for that to come up on the screen.

Mr. Shepherd: "Contain" or "include," whichever might be the more appropriate word.

The Chair: It's up on the screen. I just want to ask you, Mr. Shepherd, if this encompasses the goal of your amendment?

Mr. Shepherd: Yes, it does, Mr. Chair. Thank you to you and the clerk.

The Chair: If the clerk could please read it into the record.

Mr. Roth: Certainly, Mr. Chair. Moved by Mr. Shepherd that the motion be amended by adding "which must include a member of the Official Opposition" after "two-thirds of the subcommittee."

The Chair: Thank you.

Discussion on the amendment?

Seeing none, on the amendment as proposed by Mr. Shepherd, all those in favour of the amendment, please say aye. Any opposed, please say no.

That amendment is defeated.

I believe I see Member Hoffman would like to speak to the motion.

Ms Hoffman: Sure do. I need to state my significant disappointment that the committee is trying to create a subcommittee that can be called at the whim of the majority of committee members and can have zero representation from the opposition in that subcommittee. I think this is just a new level of unprecedented secrecy, and I am deeply concerned.

As a result, I'd like to move an amendment that the subcommittee include *Hansard* recordings of what's happening in those subcommittee meetings, that there be a written record or a recorded audio record available to the public and all members of this committee.

The Chair: We'll just give a moment for the clerk to put that up onto the screen.

Ms Hoffman: Thanks. Sorry, I was a fast talker there.

The Chair: No need to apologize.

Ms Hoffman: I can give my rationale now if you'd like that, Chair, or not.

The Chair: We'll just wait till it comes up on the screen for all. I believe that the clerk is sending it to you now.

Ms Hoffman: I'd specifically like to note *Hansard*, that the meetings of the subcommittee be recorded and published through *Hansard*. Yeah, that's my amendment.

8:00

The Chair: Okay. Before you go on, I'll just take a quick moment to note that one member who was on teleconference, Mr. Neudorf, is at the table now as well.

If you could just confirm that this is what your amendment is intended to produce and then add your comments, please.

Ms Hoffman: That's my intent for my amendment. Thank you very much to the clerk for his patience and to the committee members for ensuring due process through this.

Again, my outrage was at the size of the committee. The majority of members on this committee have decided that they want to continue to have a simple majority of our membership be able to make decisions on behalf of our entire group off the record, which is my primary concern. My colleagues raised the fact that this subcommittee could do its work without any representation from the opposition. As an amendment there was an opportunity to put at least one member of the opposition so that there was at least some subtle reference to there being some democratic component to this committee. That was voted down by government members.

At a minimum I think that all members of this committee, the six of us who won't be on this subcommittee, and the members of the House and members of the public deserve to know what's being talked about in this subcommittee, that appeared to be – I thought it was created to fix the harm that was caused through Bill 10 and that it was an opportunity for us to regain trust in the public as it related to the Public Health Act and the handling of this pandemic and future pandemics. But it seems, through some of the votes that have already taken place this evening, that that isn't the intent of all members of this committee. I find that incredibly disappointing and an affront to democracy. I believe that at a minimum we owe it to our public to give them a record of what this committee is doing, and since the subcommittee is going to be doing the majority of the work, I think they deserve to have *Hansard* at those subcommittee meetings.

Thank you.

The Chair: Okay. I see Member Ganley.

Ms Ganley: Yes. Just to echo the comments from Member Hoffman, I have to say that I was honestly shocked that the government members voted down the last amendment. I mean, I honestly believed it was an accident or an oversight that resulted in creating a subcommittee that would essentially allow government members to make the decisions in secret, off the record, without the presence of the opposition, to bring forward to this committee. I'm really surprised to discover that that was not accidental but was, in fact, the intention.

That having been the intention, I think that we all owe it to the public to have *Hansard* there. I think this gives one more opportunity for government members to indicate that they're not trying to do this intentionally in secret. I have to say that I remain incredibly surprised to discover that that was the intention, to be able to call a meeting and use the two-thirds portion that is government members to make decisions in the absence of the opposition. I think that if

government members are going to do this in this autocratic way, at minimum they could leave a public record for the public to see.

The Chair: Thank you.

The next member is Member Neudorf.

Mr. Neudorf: Thank you very much, Mr. Chair. Just following this discussion, I believe we just took a considerable interval of time to ensure that the subcommittee reports to the main committee. The main committee makes all the decisions. I understand that there was some confusion with that earlier, and we went back and corrected all of that. I think it's important to follow parliamentary procedure, and subcommittees often work almost exclusively without *Hansard*. The clerk can correct me on that. I believe it's important to have those off-the-record conversations to do the work, to have the discussion, to bring forward a fully thought through recommendation to this committee, where this committee will make that decision, have further debate as needed so that the public is aware of all decisions made. It's appropriate that subcommittees are representative of the balance of the House, which I believe that subcommittee is.

I will not be supporting this amendment.

The Chair: Next is Member Shepherd.

Mr. Shepherd: Thank you, Mr. Chair. I would just note in response to Mr. Neudorf that government members have just ensured that they have the option to make that subcommittee not at all reflect the makeup of the House as they have just voted against an amendment that would have ensured that there would always be an opposition member present at that subcommittee. They chose to vote that down.

In regard to this motion I feel it's important that we reflect for a moment on how we came to be here tonight. Bill 10 was introduced. I was briefed. We raised concerns in the Legislature. We laid out clear concerns after consulting with legal experts about the drastic overreach of the bill, the lack of sunset clauses, and the lack of transparency. The government members in the House stood and waved away those concerns. They chose not to listen to what we brought forward in good faith, and they pushed that bill through. We saw an incredible push-back from Albertans. We saw the launch of a Charter challenge to the point where the Premier himself admitted on a Facebook Live that, hmm, perhaps there are some things, actually, that we need to go back and fix on this.

Mr. Turton: Point of order.

The Chair: Hon. member, a point of order has been called.
Hon. Mr. Turton.

Mr. Turton: Thank you, Mr. Chair. I mean, I appreciate the history lesson from the Member for Edmonton-City Centre, but we're talking about the amendment before us right now, not what happened on Facebook with the Premier previously. I think it would be appropriate to speak to the actual matter at hand. You know, we've already gone past our allocated time, and I just think it would be important to stay on task so that we can do the work that Albertans are asking us to do in this committee.

The Chair: I think that the hon. member is raising this under relevancy.

I see that hon. Member Ganley would like to respond.

Ms Ganley: Thank you very much. I don't believe that this is a point of order. Certainly, we've had a considerable amount of latitude this evening, but setting that aside for a moment, the point of this amendment, the point of *Hansard* is to create a public record

of something. The history of this, the history of government overreach, the history of this government's attempt to use autocratic power to push things through with its majority and to do things, to essentially write legislation by way of ministerial order, which has no requirement to be published anywhere, is certainly relevant to whether or not *Hansard* should be present at meetings which, we now know, can be held in the absence of opposition members.

The Chair: Thank you, hon. member.

I'm prepared to rule. At this stage I do not find that there's a point of order. I would take the opportunity to remind members, though, when we are discussing specific matters such as an amendment, to ensure that the discussion relates to that. That said, I think that the hon. Member Shepherd was about to relate it to the amendment if I'm not mistaken.

Mr. Shepherd: Absolutely, Mr. Chair. Again, to the amendment and the process by which we have come, which has so far all been on the public record, thankfully, so we can continue. Indeed, the fact that it was on the public record is what has brought us here because the Alberta public themselves expressed deep concern about decisions made by the government. We are here tonight for the purposes of addressing this issue, which the government itself caused because it refused to listen to the warnings we put forward. Again, we find ourselves here tonight with the government doing precisely the same thing, wishing to do more behind closed doors, wishing to ensure it has the ability to do things without any input from the opposition on a committee that is actually intended to try to set straight this utter lack of transparency and failure of this government to check its own grasp of power. I think that at the very least if these members want to show that they have any good faith, if they want to demonstrate to Albertans that they intend to do this job with any level of integrity, they will ensure that as much of this is on the public record as possible.

Thank you, Mr. Chair.

The Chair: Thank you, hon. member.
Member Long.

Mr. Long: Thank you, Mr. Chair. I appreciate the opportunity that the opposition members have provided to speak about their gamesmanship and their ability to create their own storyline. Inevitably, the previous amendment that they keep referring to, in my opinion, gave them the ability to boycott the subcommittee meetings should they have chosen to. I'd like to reflect on where recently the government actually offered to provide 11 ministers to give a COVID update, where they offered an amendment that we supported.

Ms Ganley: Point of order.

The Chair: I see a point of order has been called by Member Ganley.

8:10

Ms Ganley: To begin with, clearly under 23(b) this has nothing to do with the substance of the issue. In addition, under 23(h), (i), and (j), Mr. Chair, it is clear – the members of the opposition asked for more time with four ministers. We didn't ask for four ministers only; we asked for more time with four ministers and to still be provided with 11 ministers. The fact that the government has chosen to deliberately misinterpret that and the fact that they're choosing to raise it again at this moment, that which was not true in the first place, I think is incredibly offensive. It's clearly intended

to create disorder in this committee, and I really think that that member ought to apologize.

The Chair: I am prepared to rule. At this stage I do not find that there is a point of order. I think that the hon. member was making statements that were relating to the comments, given the breadth that we have had.

So at this stage I would ask that the hon. member please continue.

Mr. Long: Thank you, Mr. Chair. As I have personally seen, as many others have – quite frankly, while I appreciate the gamesmanship that gets played, I don't have as much patience for it now as I once did.

With that, I'll wrap up my comments. I will not be supporting the amendment to this motion. I believe that we have shown good faith here to go back and revisit the original motion and make the intent of it clear, that we will ensure that the subcommittee does present the recommendations to the committee for approval so that everything will be on the record, no matter what the opposition members continue to try to make their storyline.

Thank you, Mr. Chair.

The Chair: Ms Rosin.

Ms Rosin: Okay. Thank you, Mr. Chair. I'll just provide some comment in line with what some of my government colleagues have said, and I will just echo that I do not believe that we need this motion to put the subcommittee on the *Hansard* record for the same reason that I don't think we needed the previous amendment in that we don't need a quorum of the opposition just as we don't need one for the government side of caucus. I like to think that the work our committee is doing is so important that all of us will be riveted and excited to make all of the subcommittee meetings, and meeting quorum should not be dependent on one side or the other's work ethic or motivation to be at those meetings.

In the same vein of thought I also don't think that these need to be recorded by *Hansard*. Subcommittee meetings typically are not. As we have actually done in very good faith, as Member Long has said, we amended a different motion. We've gone back and rescinded this motion and repropounded this motion to make sure that anything discussed in the subcommittee does come back to this committee for fulsome discussion and approval.

For those reasons I will not be supporting this amendment, and I don't think that it is necessary.

The Chair: Okay. Member Turton.

Mr. Turton: I have no additional comments.

The Chair: Okay. Member Reid.

Mr. Reid: My comments have been made by my colleagues.

The Chair: Okay. Any others?

Seeing none, on the amendment as proposed by Member Hoffman, all those in favour of the amendment, please say aye. Any opposed, please say no.

That is defeated.

Moving back to the motion as proposed by Member Rosin. Are there any members wishing to speak?

Seeing none, on the motion as proposed by the hon. Member Rosin, all those in favour, please say aye. Any opposed, please say no.

That is carried.

We are back on the agenda, and we are moving on to 5(b) research requests. Our committee has the benefit of being supported by research services staff, who are available to conduct research needed by this committee in order to conduct our review of the act. This is another initial step of the review that this committee could consider this evening while knowing that the work of the subcommittee will further clarify our request.

Ms Robert is not here currently. Dr. Massolin, would you like to make a few remarks about the research services available to this committee?

Dr. Massolin: Yes, I would, Mr. Chair. Thank you for the opportunity. I'd like to say that thankfully it's not unparliamentary to talk about the absence of a House official.

The Chair: I caught my words just as they'd left, but they had already left.

Dr. Massolin: Yes. Unfortunately, Ms Robert had to cover my House responsibilities in a unique situation here, where you've got a committee meeting during the time that the Assembly is meeting.

However, back to the agenda item. Research services, of course, is here to provide research support to the committee, and of course our research is nonpartisan research. We do research at the request of the entire committee. Sometimes that is by consensus; sometimes that is through motion. Obviously, we don't do the research for individual committee members but for the committee as a whole.

Some of the research items and documents that we prepare are as follows. We prepare written submission summaries. The written submissions that a committee would receive: we summarize those for the benefit of the committee members. We prepare something called a crossjurisdictional analysis. I'm sure members around the table are very familiar with that, and that may be very relevant to this review, I would think. We also prepare an issues summary. Towards the end of this committee's review the committee will have heard a lot, will have received lots of information from the ministry, from research services, from stakeholders, perhaps from the public as well. We will summarize that information, put it into an issue, a three-column document for the committee, if the committee so chooses to go through that, to facilitate the deliberation process. Lastly, research services prepares the committee's final report that will be tabled in the Assembly once the committee wraps up its review.

Also, we'll be assisting the committee at the table to provide support, oral support, and answer questions on the written material that we produce.

I'd be happy to be asked any questions about any of that, Mr. Chair. Thank you.

The Chair: Okay. I'll open it up to the floor. Any comments, questions?

Seeing none, perhaps members could – Member Reid has a comment.

Mr. Reid: I'm willing to put forward a motion.

The Chair: A motion. We could propose a motion based on what was spoken about by Dr. Massolin.

Mr. Reid: Sure.

The Chair: I think we will get some wording up onto the screen very shortly.

It's on the screen. Mr. Reid, does that take into account the motion that you intended on moving?

Mr. Reid: Now that we've changed the last word to "committee," yes, it does.

The Chair: Okay.

Ms Hoffman: Sorry. Just a point of order, I guess. Would it be possible for it to be pasted in the conversation tab so I can see it as well?

The Chair: Just a point of clarification, absolutely.

Ms Hoffman: Thank you.

The Chair: I believe it is perhaps there now. Okay. Thumbs up. I like that.

Okay. Discussions on the motion?

Seeing none, on the motion as proposed by the hon. Mr. Reid, all those in favour of the motion, please say aye. Any opposed, please say no.

That is carried.

Moving on now to (c), stakeholder and other input. Once the subcommittee has identified the focus issues for this review to be then confirmed by the committee, it could determine whether or not it would be helpful to solicit submissions from stakeholders or the general public. Is there an interest in empowering the committee to create a stakeholder list and work with the Legislative Assembly Office corporate communications area to implement a plan to solicit submissions as part of the review process? Are there any questions or comments?

Ms Hoffman: Myself, please, Mr. Chair.

The Chair: Sure. I see Member Hoffman would like to speak.

8:20

Ms Hoffman: Thank you very much. I'd like to propose a series of stakeholders to be invited, and I'd like to propose that here tonight. That is the piece of paper that was distributed. We could possibly amend it by striking the Deputy Minister of Health because I think she's already being called to speak at a technical briefing, but I'm also fine with her coming multiple times. Maybe just for everyone's efficiency we'll just distribute it as it was drafted prior to the meeting. I can read it all if you would like, or not since it is quite lengthy.

The Chair: Yes. If you could please read it for the record, and it will be posted onto the screen very shortly.

Ms Hoffman: Thank you. With respect to inviting witnesses and travel I move that

the Select Special Public Health Act Review Committee

(1) invite the following stakeholders to make written submissions and oral presentations

(a) with respect to a review of section 52 of the Public Health Act: the Premier, Jason Kenney; Health minister, Tyler Shandro; Deputy Minister of Health, Lorna Rosen; Alberta Health Services CEO, Dr. Verna Yiu; chief medical officer of health, Dr. Deena Hinshaw; Minister of Justice, Doug Schweitzer; Deputy Minister of Justice, Frank Bosscha; Auditor General, Doug Wylie; executive director and general counsel at the Canadian Civil Liberties Association, Michael Bryant.

(b) with respect to a review of sections 17, 59, and 60 of the Public Health Act: Alberta Health Advocate and seniors advocate, Premier, Health minister, Deputy Minister of Health, Alberta Health Services CEO,

chief medical officer of health, AHS zone lead medical officers of health, Minister of Labour and Immigration, Deputy Minister of Labour and Immigration, JBS Canada president, Cargill chairman and CEO, Revera president and CEO, Retirement Concepts CEO, Extencicare CEO, UFCW local 401 president.

- (c) with respect to a review of section 12 of the Public Health Act: Minister of Health, Deputy Minister of Health, CEO of Alberta Health Services, AUPE president, HSAA president, CUPE president, Friends of Medicare president, United Nurses of Alberta president.

(2) that the Select Special Public Health Act Review Committee convene public hearings in the municipalities of High River and Brooks relating to the committee's review of sections 17, 59, and 60 of the Public Health Act.

(3) that the Select Special Public Health Act Review Committee convene public hearings in the municipalities of Medicine Hat, Calgary, Red Deer, Edmonton, and Grande Prairie.

(4) that the Select Special Public Health Act Review Committee consider additional stakeholder invitations as required and additional public meetings as needed in order to fulfill its mandate.

Even though it's quite a lengthy list, Mr. Chair, some of these folks are on here more than once because I believe that they relate to multiple sections. It can be up to the committee whether they come once or whether they come multiple times. I'm not convinced that they need to come multiple times, but they do relate to multiple sections, so that's why I listed them twice.

The reason why I picked the municipalities that we have: obviously, we had two big outbreaks, one in Brooks and one in High River. I know the member for High River is a member of this committee. I think it would be great for a change if instead of him always having to come to my city, I could come to his hometown and spend some time doing this work in other parts of the province outside of Edmonton that were also impacted. These definitely were communities that were significantly impacted.

The other municipalities that were chosen: there's one in each of the health regions, and they are the municipalities where the medical officers of health, or the top docs, as many would say, are convened. I think that that's why we chose to propose these or rather why I put them in this motion that we're considering here today.

So those are my proposals. Again, this fits with what was said by the Government House Leader. He said multiple times that when we're Edmonton, we're here to work. Mr. Chair, I would love nothing more than for this committee to get down to work. I think these are some of the key areas that we were sent here to address and remedy as we move forward in creating the very best piece of legislation and bringing our best ideas forward to the people of Alberta through this committee and therefore to all members of our Assembly. That's some of our early work and how we think we can best meet that need through this committee.

Thank you, Mr. Chair.

The Chair: Hon. member, thank you for this. I will have to rule that this is out of order as it sits because it presupposes a review by the subcommittee and a decision by the committee. I would offer you the opportunity to perhaps propose the individuals that you have listed as potential stakeholders to bring as a list. Is that something that you would . . .

Ms Hoffman: Sure. Yeah. If you want, we can strike all the sections of the legislation that I named, and we can just put all the

titles of people that can be called as stakeholders or as witnesses. I think one of the other colleagues – perhaps it was my friend Martin Long – said “witnesses.” I'd be open to a variety of language, but, yeah, I would propose that these people be brought forward. The reason why I put these sections in is so that you could understand the rationale that we were bringing forward together today.

The Chair: Thank you.

We'll just make those changes.

Ms Hoffman: Oh, I guess, what about the municipalities that were named as well? Is there some way to leave the municipalities in?

The Chair: Yeah. We can leave the names, but we have to remove the sections that they would be speaking about at this time.

Ms Hoffman: Sure. Great. So the names and all the titles would still stand in this motion, and the municipalities that we would convene meetings with would stand?

The Chair: Yeah. Thank you for that. I think we all get the gist of that.

Ms Hoffman: Okay.

The Chair: If I could take the opportunity to open this up to discussion from the floor.

Ms Ganley: Well, I'm happy to speak in favour of this motion. I think that we've spent rather a long time in this committee meeting now, rather longer than we intended, and I wouldn't say that we've accomplished an enormous amount, to be honest, perhaps a small injury to democracy. But other than that I think certainly that we came here this evening prepared to discuss stakeholders that we wanted to call, prepared to discuss sections that we wanted to discuss. Obviously, the government members have used their majority to push that discussion to the future.

I do think that the timeline of this committee is incredibly short, and I think that it's incredibly important that a lot of these people come before the committee. As my colleague Member Hoffman has outlined, a number of these individuals are relevant to multiple sections of the act, and I would hate to see it be the case that this large subcommittee process, which is meeting off the record, is sort of used to delay and delay and delay until such time as we're up against our deadline, and then we're unable to hear from stakeholders. I'm a little concerned, again, about the transparency and the public sort of oversight of this aspect, so I think that indicating now that at least these stakeholders intend to be called, so that we can be certain to allocate a certain amount of time to talk to these stakeholders, is incredibly important.

The Chair: Any other members wishing to discuss? I see Member Turton.

Mr. Turton: Yes. Thank you, Mr. Chair. I guess there's a question about process. If additional stakeholders did want to approach this committee and have an opportunity to speak, what's the process that they would – you know, how would they reach out to us? Would that list then go to a subcommittee for initial discussion, or does it come to the committee as a whole? I guess I'm just wondering because obviously there's a lot of interest about the Public Health Act and this review. It's long overdue, I believe. I just want to make sure that we don't leave additional names off or have the ability to discuss additional names or stakeholders that may be involved or interested in becoming a part of this process.

The Chair: Thank you, hon. member.

Any other members wishing to speak? I see Member Shepherd.

Mr. Shepherd: Thank you, Mr. Chair. Having participated in a number of reviews, and indeed in the past I had the opportunity to chair a committee, I can say that in all of those processes we did see often stakeholders brought forward as a list and adopted at meetings with then the proviso that members would have until a particular date, generally within a week or so, where they could submit additional stakeholders that would be considered as part. To the best of my understanding there would be nothing even after that which would prevent the committee, if it was its larger will, to add even additional stakeholders at a later point in the review.

8:30

The Chair: Thank you, hon. member.

Are there any other hon. members wishing to speak to this motion?

Seeing none, on the motion as proposed by the hon. Member Hoffman, all those in favour of the motion, please say aye. Any opposed, please say no.

That is defeated.

There is a possible proposed motion that could be considered that could be brought up on the screen. We'll just wait for the clerk to do that. If the clerk could please read it in.

Mr. Roth: Certainly, Mr. Chair. A possible draft motion might be that

the Select Special Public Health Act Review Committee authorize the subcommittee on committee business to develop a stakeholder list and report back to the committee by July 20, 2020.

The Chair: I see Member Long.

Mr. Long: I'd like to move this motion, please.

The Chair: Discussion on the motion?

Mr. Shepherd: If we could just get clarification from our support at the table. Given the issues we had with a previous motion, I just want to clarify that this motion would not restrict any members of the committee from adding additional stakeholders or making such proposals at such time as the subcommittee reported. I just want to be sure that this would be the subcommittee making recommendations to the committee and not telling the committee what the stakeholder list would be.

The Chair: Thank you for that. It would be up to the committee to complete the list.

Ms Hoffman: I think we might need to clarify the language, then, Mr. Chair.

The Chair: I see Member Ganley.

Ms Ganley: Yes, Mr. Chair. In order to clarify that intent, I would like to propose an amendment to the motion on the floor so that it reads: to be moved by – I assume it's going to say Mr. Long – Mr. Long that

the Select Special Public Health Act Review Committee authorize the subcommittee on committee business to develop a stakeholder list and recommend that stakeholder list for the approval of the committee by July 20, 2020.

The Chair: We're just having that amendment brought up.

Mr. Roth: Sorry. Just to clarify, instead of "report back," substituting "recommend" to the committee?

Ms Ganley: Develop a stakeholder list and recommend the stakeholder list to the committee for approval. Sorry. That may not have been exactly what I said, but it's the substance, I think.

The Chair: All right. If you could please just confirm that that is the intention of the amendment that you propose.

Ms Ganley: Yes. Thank you.

The Chair: Okay. Are there any members wishing to comment? I see Member Turton.

Mr. Turton: Yes. Thank you, Mr. Chair, and I'd like to thank Member Ganley for putting this forward because I also had some of the same concerns. You know, this was actually a concern of mine as well. I'm sure that the conversations that we have here at this committee are going to elicit a lot more interest, and I'd feel a lot more peace of mind knowing that there's still the opportunity to bring in additional stakeholders later on. I appreciate the wording that's put forth.

The Chair: Any other members wishing to speak on the amendment?

Seeing none, on the amendment as proposed by the hon. Member Ganley, all those in favour of the amendment, please say aye. Any opposed, please say no.

That is carried.

We are back on the original motion from Mr. Long. I see Member Hoffman would like to speak.

Ms Hoffman: Thanks, Mr. Chair. Given that we only have 16 weeks to do the total work and that this is basically saying about four weeks from now for the first recommendations around who we should be consulting to come forward, I'm just worried that we're going to take too long. I'd like to propose that we amend the date to say July 8 instead of July 20, which is two weeks from today.

The Chair: We'll just wait until that comes up on the screen.

Ms Hoffman: So strike "20" and replace it with "8."

The Chair: I see it's on the screen. Can it be sent to her as well? I believe it's just been sent.

Ms Hoffman: Yeah. I've got it.

The Chair: Thumbs up on that? Okay.

Any members wishing to speak on the amendment as proposed by the hon. Member Hoffman? Seeing none – oh, I see the hon. Member Lovely.

Ms Lovely: Pardon me, Chair. I just feel that the date is maybe a little bit too soon. I have a full schedule during constituency week. I'm just concerned about taking proper care of my constituents, who are equally important to me as the work that needs to be done, so I feel that the change might be a little too early.

The Chair: Any other members? I see the hon. Mr. Shepherd.

Mr. Shepherd: Thank you, Mr. Chair. I appreciate Ms Lovely's comments, and indeed I too have highly prioritized my constituents in my community and the opportunity to support them. However, I know that, for our part, we were able, in fact, to complete much of this work before today. We have supportive caucus staff; we have a number of colleagues. Indeed, the government has more colleagues on this committee than we do. I believe it was Ms Rosin that talked

earlier about her hope that everybody would be excited and willing to get down to work, and I certainly share those sentiments. Given the brief time period in which we have to conduct a substantive review on a very significant piece of legislation, I am in support of this amendment.

The Chair: Are there any other members wishing to speak? I see Member Ganley. I had you on the list.

Ms Ganley: Yeah. That's fair. I think it's been covered by Member Shepherd. Thanks.

The Chair: Okay. Any other members wishing to speak?

Mr. Long: I appreciate the comments made by Ms Lovely, and I was wondering if we could maybe split the difference in there, go from July 20 and split it maybe to July 15, again understanding that the constituency break has many of our schedules extremely full.

The Chair: I think that for the purposes of ensuring an effective process here, what we will do is that we will decide on this amendment and offer up the opportunity for further amendments.

Ms Hoffman: May I provide a two-sentence close?

The Chair: Absolutely, Member Hoffman.

Ms Hoffman: Thank you very much. I did think about proposing one week, and I thought in my rationale: "You know what? That's not reasonable because we'll all be in the middle of a constituency break." Even though we could maybe do a virtual meeting, let's have three full business days, when we're all back in the Legislature doing our work here, to get what is probably a brief subcommittee meeting over with, because we already in the Official Opposition have proposed our list of stakeholders that we think are relevant.

So this gives staff, you know, a full week to work on this while everyone is off doing their work in their communities and then the subcommittee three full business days to work with those recommendations to make a decision and report back here. I think two weeks out of – we only have 16 weeks to not just meet with the people but to finish our report and bring it back to the Assembly, so I worry that if we spend four weeks at the beginning before we even decide who we want to talk to, we are really going to impede our ability to do our work effectively.

8:40

The Chair: Okay. Any other members wishing to speak to the amendment as proposed by the hon. Member Hoffman?

Seeing none, on the amendment as proposed by the hon. Member Hoffman, all those in favour of the amendment, please say aye. Any opposed, please say no.

That is defeated.

Moving back to the motion as proposed originally by Mr. Long, I see Mr. Shepherd would like to discuss it.

Mr. Shepherd: Thank you, Mr. Chair. Unfortunate, but then perhaps the government will at least have the good will, then, to take the suggestion of their colleague Mr. Long and amend the date to July 15.

I would like to propose that amendment.

The Chair: You're proposing that amendment. Okay. We will just get that on the screen. That is up there.

Are there any members wishing to speak? I see the hon. Member Long would like to speak.

Mr. Long: Just to simply thank Mr. Shepherd for the proposed amendment, and I'll support that.

The Chair: Okay. Are there any hon. members wishing to speak to this amendment?

Seeing none, on the amendment as proposed by Member Shepherd, all those in favour of the amendment, please say aye. Any opposed, please say no.

That is carried.

Moving on to other business, are there any other issues for discussion before we wrap up today's meeting?

Seeing none, the next meeting will be at the call of the chair to receive the subcommittee report with regard to the technical briefing on the Public Health Act.

Moving to adjournment, if there's nothing else for the committee's consideration, I'll call for a motion to adjourn. Would a member like to move to adjourn this meeting? I see Member Rowswell. On the motion as proposed by the hon. Member Rowswell that the June 24, 2020, today's, meeting of the Select Special Public Health Act Review Committee be adjourned, all those in favour, please say aye. Any opposed, please say no. That is carried.

Thank you, everyone, for being here today. The meeting is adjourned.

[The committee adjourned at 8:44 p.m.]

