



Legislative Assembly of Alberta

The 27th Legislature
Third Session

Standing Committee
on
Public Safety and Services

Financial Disclosure Rules for Leadership Contestants

Monday, September 13, 2010
1:01 p.m.

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Third Session**

Standing Committee on Public Safety and Services

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[Mr. Drysdale in the chair]

The Chair: I'd like to call this meeting of the Standing Committee on Public Safety and Services to order. I'd ask that members and those joining the committee at the table introduce themselves for the record. We'll start with Mr. Kang.

Mr. Kang: Good afternoon, everyone. Darshan Kang, MLA, Calgary-McCall, vice-chair.

Mr. Rogers: George Rogers, MLA, Leduc-Beaumont-Devon.

Dr. Brown: Neil Brown, MLA for Calgary-Nose Hill.

Ms LeBlanc: Stephanie LeBlanc, legal research officer with the Legislative Assembly Office.

Mr. MacDonald: Hugh MacDonald, Edmonton-Gold Bar.

Mr. Sandhu: Good afternoon. Peter Sandhu, MLA, Edmonton-Manning.

Ms Rempel: Jody Rempel, committee clerk, Legislative Assembly Office.

Ms Calahasen: Pearl Calahasen, Lesser Slave Lake.

The Chair: Wayne Drysdale, MLA, Grande Prairie-Wapiti, and chair.

We have two members joining us on the phone. We'll start with Mr. Cao.

Mr. Cao: Wayne Cao, MLA for Calgary-Fort. Thank you for letting me join through the high-tech media here.

The Chair: Welcome, Mr. Cao.

Mr. Boutilier: Good afternoon, Mr. Chair and committee members. Guy Boutilier, MLA, Fort McMurray-Wood Buffalo, the oil sands capital of the world.

The Chair: Good afternoon, Mr. Boutilier.

Mr. Boutilier: Good afternoon, folks.

The Chair: With that, everybody has been introduced. We'll ask for approval of the agenda. Would anybody like to propose any changes or additions?

Mr. Rogers: I move the agenda as circulated, Mr. Chairman.

The Chair: Thanks, Mr. Rogers. Any further discussion? If not, all in favour? Opposed? The motion is carried.

Adoption of the minutes from the previous meeting, the July 8, 2010, meeting. Would anybody have any additions or changes? If not, I would ask for a motion that the minutes of the July 8, 2010, meeting of the Standing Committee on Public Safety and Services be adopted as circulated.

Ms Calahasen: So moved.

The Chair: Ms Calahasen. Thank you very much. All those in favour? Opposed? Carried.

The next item on the agenda is 4, the review of financial disclosure for leadership contestants, 4(a), committee research documents, 4(a)(i), summary of oral presentations. The summary of the oral presentations received at our July 8 meeting is included with the briefing materials for this meeting. Ms LeBlanc, do you have any comments you would like to make about this document before I open the floor for questions?

Ms LeBlanc: Thanks, Mr. Chair. It's a pretty straightforward document. At the request of the committee we've done a summary of the oral presentations at the July 8 meeting of the standing committee. Each party's response to the various issues is indicated in the chart. The issues in the far left column include those posed by the minister in the initial memo to the committee as well as some additional issues that were raised at that meeting.

The Chair: Thank you.

Are there any questions from the members?

Mr. Rogers: Do you need a motion to receive that for information, Mr. Chairman?

The Chair: No, that's not necessary.

Mr. Rogers: Okay. That's fine.

The Chair: If there are no questions, then we'll move on to 4(a)(ii), the role of auditors and the Chief Electoral Officer in leadership contests in British Columbia, Ontario, Manitoba, and Canada. At the last meeting the committee directed support staff to look into the role that auditors and chief electoral officers may play during leadership contests in other jurisdictions.

Ms LeBlanc, could you please give us a quick review of the information compiled by the research section?

Ms LeBlanc: Thank you, Mr. Chair. This document was prepared by the research section, and it looks at the roles of auditors as well as the Chief Electoral Officer in relation to leadership contests in those jurisdictions that have legislation respecting financial disclosure in these contests.

As can be seen from the first section of the report, all the jurisdictions have a requirement for an auditor in certain circumstances. In Ontario and Manitoba the financial statements of each leadership contestant must be audited. Federally only a leadership contestant who has accepted contributions of \$5,000 or more or has incurred expenses of \$5,000 or more must file an auditor's report on the campaign return. In British Columbia the financing report must be audited only if the total contestant expenses or contributions amount to \$10,000 or more.

The second section of the report summarizes the role of the Chief Electoral Officer in eight different areas, including the requirement to file a report with the CEO and the CEO's powers of investigation. The Chief Electoral Officer plays a role with respect to leadership contests in each of the four jurisdictions.

Thank you.

The Chair: Thank you, Ms LeBlanc.

Any questions from the committee members?

Ms Calahasen: Mr. Chair, on the cost of audits on page 4 you have information talking about Ontario: "by paying . . . to the auditor of

a leadership contestant, the lesser of \$800 . . . and the amount of the auditor's account to the leadership contestants." Was there any information provided to you as to whether or not that cost was exceeded, or was it less? Do you have any further information on that?

Ms LeBlanc: I don't have any information at the moment, and I actually wasn't the researcher who prepared the research. What I can do is that I can check back with that researcher and provide a written response to the committee to see if we were able to uncover that information.

The Chair: Okay. Thanks.

Are there any other questions for Ms LeBlanc from the committee members? Mr. MacDonald.

Mr. MacDonald: Yes. Thank you, Mr. Chairman. I would just like for the record to say thank you for doing this. I found it very informative and interesting, and it certainly will provide, hopefully, this committee guidance.

The Chair: Okay. Thank you, Mr. MacDonald, for that.

Any other questions for the research staff?

If not, we'll move on to 4(b), committee deliberations on financial disclosure for leadership contestants, 4(b)(i), discussion and recommendations. At our meeting on April 13, 2010, this committee chose to undertake a review of financial disclosure rules in response to a request made by the Minister of Justice and Attorney General. In her request the minister listed eight points for our consideration during the review process. I would like to propose that we use these questions to give some structure to our discussion this afternoon.

Does anyone have any thoughts on this? Mr. Rogers.

Mr. Rogers: Well, thanks, Mr. Chairman. I don't know, and I'll leave it to your judgment. I'm certainly prepared to make a motion that would give some direction to the process that we take forward that this committee might recommend back to the minister based on her initial letter to us. I guess it was February 25 that that letter was sent. I'll leave to you if you want to have some more discussion first based on the findings.

Again, I, too, want to commend the staff for the information that was put before us since the last meeting. Certainly, based on what I've seen and the discussions, the presentations by the various political parties at our last meeting, I'm certainly willing to make a motion. At some time when it suits you as we move along, I'm certainly willing to do that. I'll leave that to your judgment, Mr. Chairman.

1:10

The Chair: Sure. We could have some discussion first maybe.

Dr. Brown next.

Dr. Brown: Thank you, Mr. Chairman. One thing that jumped out at me when I looked at the summary of the oral presentations by the various parties was that there seems to be a broad consensus across at least four of the parties that have replied here that we should have disclosure of contributions and that the identities of those individuals ought to be disclosed. I noticed that the Wildrose Alliance Party has an NC throughout all of the columns here. I wonder if we could get some comment from Mr. Boutilier. Mr. Boutilier, are you a member of the Wildrose Alliance Party at this time, formally or otherwise?

Mr. Boutilier: Yeah, thanks. I think you should speak to the Speaker about that and my correspondence to him because my letter

to him is very clear relative to the Legislature when it continues to sit on October 25. Again, I had sent a letter to him after the public announcement that was made in June at the Wildrose convention. He has the appropriate notification and paperwork for that.

Dr. Brown: Well, I'm just not privy to those communications that you might have had with the Speaker. If you are, in fact, a member of the Wildrose Alliance Party, that will constitute you as a formal party within the Legislature of Alberta, and I'm wondering whether or not you're prepared to enlighten us as to what the position of the party might be as you are the only one attending this committee meeting on behalf of that party.

Mr. Boutilier: Yeah. A very good point. I would direct you to the presentation of Vitor Marciano. I think there is no need to be redundant in enlightening. It's my understanding that there are numerous leaders who had not fully complied relative to the issue of contributions, including the Progressive Conservative Party and the Wildrose Alliance Party, in the previous leadership. That being said, Vitor Marciano certainly without any question was very articulate in explaining that the Wildrose Alliance Party will follow the law, whatever the law will be, relative to whatever goes back to the Legislature. Obviously, the Wildrose Alliance Party has full intentions of complying with the law, as I'm sure all other political parties are.

Dr. Brown: Well, we all want to comply with the law, but what I'm trying to establish is: what is your position? I mean, we have four parties that are shown. If you have that documentation, which is entitled Summary of Oral Presentations, very clearly there is consensus among the four parties that responded here that we ought to have contributions disclosed and that the identities of the contributors should be disclosed. So I'd like to know what your position is with respect to this matter. Do we have a consensus of the committee, or is there a lack of consensus on this committee with respect to those issues?

Mr. Boutilier: Mr. Vitor Marciano explained that very well and indicated that the Wildrose will follow whatever the majority of Progressive Conservatives of the committee will decide and, consequently, will follow the law. I hope that is more articulate to you.

Dr. Brown: Well, what is this document that you're referring to: Mr. Marciano? I'm not familiar with it.

Mr. Boutilier: The oral presentation that was made at our previous standing committee.

Dr. Brown: Okay. Does that mean that the position is that you are in favour of these contributions and the identities being disclosed?

Mr. Boutilier: I've indicated that I supported the position that was put forward by Mr. Marciano, which is quite self-explanatory.

The Chair: Okay. I think their position was: no comment. That's what they brought forward.

Mr. Boutilier: I believe the comment was that we will follow the law.

Dr. Brown: Well, following the law, whatever it might be at a certain time in the future, is not the same as taking a position, so I'm

kind of flabbergasted that your party would abdicate its responsibilities to give us an idea of what you stand for.

Mr. Boutilier: Yeah, well, I certainly am not flabbergasted that easily. I'm sorry you're flabbergasted, but it is very clear that the Wildrose will in fact follow the law and took the time to present to the standing committee as did other political parties. I appreciate all of the input from Albertans relative to their input before any final decision will be made. Clearly, the final decision will be made by the majority of Progressive Conservatives as you make up the majority of the committee. We're going to follow the law, whatever is determined by the majority of Progressive Conservatives who make up the final committee. But I welcome everyone's input, and certainly I would welcome your input.

Dr. Brown: Well, I think our party has made it fairly clear. We had a resolution passed by the party at large recommending that we proceed with disclosure.

Mr. Boutilier: Yeah, that's what I understand, and I think that's very good.

The Chair: Okay. Next on the speakers list is Ms Calahasen.

Ms Calahasen: I have some questions relative to the information. I really appreciate the fact that this research was done. As I read through it, I see where we only have 3 provinces out of the 10 that have disclosure, we have no territories with disclosure, and we have Canada with disclosure. Could you tell me from the research or in the information that you found whether or not the other provinces are looking at it in any way, shape, or form or any reasons why they don't have disclosure on party of this kind of thing?

Ms LeBlanc: We haven't come across that so far. It would be something we'd have to look at specifically. But, yes, I can say that the only four jurisdictions in Canada with this type of legislation right now are Canada, Ontario, B.C., and Manitoba. That's something that we could also follow up on if you would like.

Ms Calahasen: That's maybe something we need, I would think, if we're going to continue on what we're doing.

The other question I do have: if that's, in fact, something we're going to do, we should be looking to see what the impact is or if there has been any follow-up relative to those that have this disclosure legislation. I don't see anything in here that tells me whether it's working smoothly or not or it has even been applied or whatever the case may be.

Ms LeBlanc: I know that there certainly have been instances where there have been leadership contests and financial disclosure has been required. Certainly, the legislation has been in force for a number of years in some of these provinces and has been utilized. We could also look into if there have been any articles or other research done with respect to whether it's working or whether people feel that it's a positive approach.

Ms Calahasen: Thank you.
Thank you, Mr. Chair.

The Chair: Thank you.

At this time I have no other speakers on the list. If nobody has anything else to add, I know that Mr. Rogers was prepared to make a motion unless somebody has some discussion.

Mr. Cao: Mr. Chair, may I have a moment?

The Chair: Yes. Go ahead, Mr. Cao.

Mr. Cao: I think that, from my perspective, we talked to all the political parties, and according to the report all the parties are indicating that they favour the disclosure except the Wildrose Alliance, sort of, who say it doesn't matter either way. What I see is that the law is made to govern the political parties, and if I can brush, saying that they all agree, I don't see any problems. I will support the law that is agreed to by the ones affected by the law.

That's my comment. Thank you.

The Chair: Thank you, Mr. Cao.

Seeing no one else, I'll recognize Dr. Brown.

Dr. Brown: Well, Mr. Chairman, as Mr. Cao just pointed out, we do not have a consensus. We've got one of the four parties in the House that has not agreed that we should bring this thing forward, so I do think that we're lacking some consensus here. It's unfortunate. I was hoping that this committee could resolve this thing by consent, but evidently from Mr. Boutilier's comments that's not forthcoming. I don't know what we do about that. It would be nice to have some consensus as we move forward on the issue. I would take the absence of consent as a negative on this thing. We have some dissent, I would say.

1:20

The Chair: Thank you, Dr. Brown.
Anyone else?

Mr. Boutilier: Mr. Chairman.

The Chair: Yes, Mr. Boutilier.

Mr. Boutilier: I thank the doctor for the judgments and assumptions that he has made, but I couldn't disagree more with him on that judgment. The Wildrose indicated that they intend to follow the law based on whatever decision is made by the majority of the committee members, which are Progressive Conservative. The Wildrose indicates that it will follow the law. So I would strongly suggest that you move forward based on what the consensus is. It's very apparent to me. Move forward.

I certainly support the motion put forward by Mr. Rogers, and I'll leave it at that.

Dr. Brown: Well, with great respect, in a parliamentary democracy if you fail to vote for something, you're opposing it.

The Chair: Thank you. We'll go through the chair from now on.

Mr. Boutilier: Well, anyone could vote on anything yet. Please call the motion forward, Mr. Chair, so they can see that we move forward with the vote.

The Chair: All right. Thank you, Mr. Boutilier.
Mr. Kang is on the list next.

Mr. Kang: Mr. Boutilier, you are talking about after the fact, being the law after the fact. We are looking for a consensus here now. Do we proceed with this, or don't we proceed with this? You know, that's the issue here. You're talking about it being the law. We haven't made the law yet. After we make the law, everybody is going to obey the law, of course.

Mr. Boutilier: I'm sorry. Who is speaking?

The Chair: Mr. Kang.

Mr. Boutilier: I look forward to supporting the motion put forward by Mr. Rogers from Leduc. I don't think there needs to be any more explanation than that unless everyone would like to explain how they're planning to vote. So I would, Mr. Chair, call for the vote.

The Chair: Okay. With that, the chair recognizes Mr. Rogers to make the motion.

Mr. Rogers: Well, thank you, Mr. Chairman. I'm actually quite impressed that someone is offering to support my motion even before hearing it. That being said, I'll read the motion, and then we can have some discussion, and I can speak to it.

Basically, based on what we have seen, it would be my motion that

the committee recommend to the Minister of Justice and Attorney General to bring back to this committee a detailed discussion paper to address the practicality of leadership disclosure legislation.

I can speak to that after, Mr. Chairman.

I think it's obvious, I mean, that we don't have unanimity around the table, but there's enough of intent that this type of legislation is certainly worthy of discussion. I think that if the minister brings something back to this committee that we can study further in terms of what the legislation might look like, how it would be applied, and a number of pieces relative to that in terms of audit, where the Chief Electoral Officer might fit into the process, and so on, it would be very much worthy of our discussion around the table. In time we would engage our greater public and, hopefully, find something at the end of the day that's a consensus regardless of anybody's opinion as to how we get to that consensus, Mr. Chairman.

The Chair: Thank you, Mr. Rogers.
Next on the list, Mr. MacDonald.

Mr. MacDonald: Yes. Mr. Rogers, thank you very much for that. I have a question around the timelines of these recommendations if we were to instruct the Solicitor General or the Minister of Justice, her department, to have a look at this and present their findings or their recommendations to us. Do you have any time frame in mind?

Mr. Rogers: Well, if I may, Mr. Chairman.

The Chair: Yes.

Mr. Rogers: Back to Mr. MacDonald, I didn't propose any timelines in my motion. To be honest, I'm not sure that this committee has the ability to put a firm timeline on a request to the minister.

Now, just to work this backwards, the minister sent a letter to this committee, to you, Mr. Chairman, asking us to go through a process of investigating this and getting input from the public and the political parties and so on. We've done that. We've gotten, I guess, a sense of where this will go, but I didn't have a specific timeline in mind because I'm not sure that that would be helpful even if we had the ability to do that.

I, frankly, don't have any idea of what it would take from the minister's point of view and her staff to pull this information together. With all due respect, we've got some information from across the country, but even there I personally – for example, if I were the individual trying to pull this together as minister, I would

want more detail in terms of how something like this might work, what the experience has been, some of the questions that were asked around the table, and so on.

So I don't propose a time limit at this time, Mr. Chairman. I would look for the minister to give us something back in terms of what it will take to achieve this.

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

Dr. Brown: I just learned about Mr. Rogers' proposed motion less than half an hour ago, and I do think that there is some merit in it. I think that while we do have consensus on the fact that there ought to be public disclosure of the contributions and the identity of those making the contributions, there are some real issues on the way that we would approach this in terms of legislation. I think what we need to do is consider whether we want to have a full-blown piece of legislation with all of its complexity that would be sort of parallel to the Election Finances and Contributions Disclosure Act or whether we would perhaps consider having a sort of a skeleton piece of legislation that would be part of the existing legislation that would mandate the parties to do certain things.

In other words, do we want the Chief Electoral Officer to be the arbiter of a piece of legislation, or do we want the management and the administration of it to be done within the ambit of the constitutions of the various political parties? To what degree do we want to be involved in the minutiae of how it's structured, this disclosure? I think that while we do have broad consensus amongst most of the parties here on the fact that we should have disclosure, how do we achieve that in terms of what the legislative framework is?

So I think that there is some merit in what Mr. Rogers is proposing in terms of getting the Justice minister and Attorney General to come back with some ideas on what it might look like to do that to accomplish those ends.

The Chair: Thank you, Dr. Brown.
Next, Mr. MacDonald.

Mr. MacDonald: Yes. I have a number of questions, Mr. Chairman, and the first one is of a technical nature. If this committee were to bring forward the motion as presented to us by Mr. Rogers, how would that be done? Would it be through a recommendation to the Assembly in our standing orders, or would it be done directly to the Minister of Justice?

The Chair: Well, this committee has to report to the Legislature by October 13. So that would be our recommendation, and our report, I would think, is to have the minister bring back a more detailed plan.

Mr. MacDonald: Okay. In the initial request under Standing Order 52 from the minister one of the instructions to us was to consider proposing recommendations for financial disclosure rules for leadership contestants. Certainly, we can make our own recommendations if we so choose – it's the will of the committee or the majority of the committee – but I really think we need a time frame on this because the motion as it's currently presented is simply a convenient way of parking this matter politically. This could go on for a number of years or pass through to the next election, and there could be any number of parties with leadership races between now and then besides the political parties here that we know of, right? I think we should have a time frame in this, and I think we should be more specific in our directions to the Minister of Justice.

Thank you.

1:30

The Chair: Thank you, Mr. MacDonald.

Mr. Rogers: If I may speak to that, Mr. Chairman, I can certainly appreciate the points raised by Mr. MacDonald. My only hesitation is because of the complexity of this. I mean, we could put any artificial timeline on this – a month, six months, a year – but I have no idea of how much work is involved. That's my only hesitation, Mr. MacDonald. I appreciate your point.

Mr. Chairman, I don't know whether between now and the 13th of October we can get some indication from the minister of what kind of timelines. I have no idea. I'm reluctant to put in a timeline, Mr. MacDonald and the rest of my colleagues around the table, because I frankly have no clue. Just from my point of view, I really don't want to hamstring the minister without having some sense of the task. I suspect it's onerous. My guesstimate is that if we had to build something that's parallel to the existing process under the Chief Electoral Officer, that would be quite complex, and that's my hesitation. I don't know that for a fact.

Dr. Brown: Mr. Chairman, if I could?

The Chair: Yes.

Dr. Brown: Could I just ask for some clarification? I mean, we're not expecting this report, then, to be a draft legislation or anything. We're trying to look at the skeleton of how this might be implemented in terms of its administration and how we would implement the mandatory disclosure rules. Am I correct there? I mean, I'm not sure exactly what you're expecting to get back.

The Chair: I'll just interrupt with Standing Order 52.09.

The Government shall respond to a Policy Field Committee's report on any matter other than a report on a Bill or a report provided under the Standing Order 52.08(3) within 150 days from the date on which the Policy Field Committee reports.

You know, if we have to put our report in by October 13, that would give the government 150 days to respond to our request. They may not have to come up with the whole legislation, but at least they can respond by saying, "Yes, we'll do that in a certain amount of time" or "No, we won't do that." But they do have to respond to us in 150 days.

Ms Calahasen: If we accept your recommendation, we could look at no later than the fall of 2011. That would just about do the 150. That's five months.

The Chair: But, I mean, the minister can respond to our report, saying: yes, we'll supply that to you, but it may take a certain amount of time.

Mr. Rogers: If I may, Mr. Chairman. Just to respond, I'm comfortable with that. It gives five months. If the rules allow a response within roughly five months, then I'm fine. I wouldn't be adding any artificial deadlines in my motion. The standing orders require that the minister respond within five months. Maybe Mr. MacDonald, who raised the point, can respond further.

Mr. MacDonald: Well, I can appreciate the 150-day time limit in the standing orders, but I think what we're doing with this motion is that we're punting a political football. I think we can, certainly after what we heard – the party that I represent is the one that has a set of rules in place for financial disclosure, and it worked. It worked quite

well the last time. I think that's the route that the entire province, the political parties participating in our democracy, should follow.

I think Mr. Rogers's motion, with no disrespect, is just punting this. If we put it off without a firm deadline – if we were to get a report from the ministry or the Minister of Justice, there would certainly be recommendations to change the Election Finances and Contributions Disclosure Act and also the Election Act. I think those are the two statutes that we would be looking at changing. I could stand to be corrected on that, but it shouldn't be that much of a task to get this information back to us. If we wait until next March, it will be well past 2013 before the floor of the Assembly would see any legislation to resolve this matter. We're really stretching this out if we pass this motion and don't ask for better direction from the ministry.

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

Any other comments?

You know, there are a lot of questions that are going to take time to get answers for that this committee wasn't prepared to come up with – that's why we're asking the minister – like: when does a leadership race start? It's different than the Election Act. You can't just mirror that. You know, I wouldn't want to be the one to answer the questions: when did the leadership race start, and when did it end? It's going to take some while to figure out the answers to some of these questions.

Dr. Brown: Mr. MacDonald, you mentioned that your party has certain rules in place with respect to leadership disclosure, and I'm sure that they're very fine rules. They might serve very well as a model for what we want to do on the committee, but what I'm concerned about is with respect to the administration and the difficulties thereof of the piece of legislation.

Whether or not the model that you have there could be applied to other parties and therefore administered by the parties with some general legislative guidelines or whether we want to iterate chapter and verse all of the minutiae with respect to registrations and timelines and all the sorts of things that you might or might not have in your own party's things: in other words, are we going to set the general framework of what needs to be done and let the parties have something similar to what you have, or are we going to just take control of this whole area, take it away from these separate, independent bodies, these political parties, and administer it from, you know, a legislative framework? That's the thing that concerns me. How are we going to go about structuring this animal if you want to build a disclosure?

I'm not quite sure whether you're advocating that we just take that model and make it a supermodel that would apply to everybody or whether we have, you know, a framework up here, and then each of the parties has their own disclosure mechanisms or whatever.

Mr. MacDonald: Well, Mr. Boutilier indicated that they were willing to follow the rules as the rules are made. In this case, I don't see it as a big issue with all the infrastructure we already have in place up on Kingsway Avenue and in Calgary with Elections Alberta. The structure is already there. They already do some work on enforcing the Election Act and the Election Finances and Contributions Disclosure Act. It would seem natural that that's the place where proposed amendments to the legislation to incorporate leadership disclosure would be enforced.

I don't think this is rocket science. It's just a matter of having the will and the direction to do it, and I think this committee should give the House, through a recommendation, firm direction on where we would like it to go in respect to this matter.

1:40

Dr. Brown: Mr. MacDonald, would you envision, then, that the filing would be done with the Chief Electoral Officer's office, or would the filing be done with the parties, and there would be some sort of an audit role on the part of the Chief Electoral Officer?

Mr. MacDonald: I would be much more comfortable with it being done by independent leadership candidates from whatever party that they're interested in leading. They would make a filing through to Elections Alberta very similar to what your constituency association would do on an annual basis. The auditing function should be a separate function.

Thank you.

The Chair: Mr. Rogers.

Mr. Rogers: Thank you, Mr. Chairman. You know, with all due respect the very kind of detail that we're discussing here right now is exactly what I see at some point in the future. Once the minister has put this in some sort of a box based on discussions with her staff, more research, working wherever she gets research, we would have this kind of discussion. I'm very encouraged by the sense that I've gotten from the discussions around this table that we will see adequate and proper disclosure at some point, hopefully in the near future, covering all political parties in this province.

My motion stands, particularly since I hadn't contemplated a timeline and the fact that the standing orders prescribe that the minister respond within 150 days. If, as Mr. MacDonald suggests, this course of action is as simple as adopting something resembling what already exists in the Liberal Party, which from what I gather has worked very well – and I think they should be commended for it – if it's that simple, and also incorporating within the mechanism of Elections Alberta as it currently exists, then I would expect that the minister would be responding within a reasonable time frame. The standing orders giving out a maximum of 150 days does not mean that the minister has to take until day 149.

If it's as doable as a lot of us around this table think, then it's my expectation that once the minister has done her work, this would come back before this committee and ultimately before the Legislature. The potential is there to have something passed into legislation, if that's the way to proceed, in reasonable course.

I don't think we need to artificially try to jam this through. I would say: let's use the rules that we have as they exist, send this back to the minister, and ask for something like a skeleton or whatever it may be within that 150-day window. That gives us a very reasonable amount of time to get this done.

My motion would stand as is, Mr. Chairman, and I'll leave it at that.

The Chair: Thank you, Mr. Rogers.

Anyone else wish to comment on the motion on the floor?

Ms Calahasen: Yeah, Mr. Chair. There are questions that I've asked the research group, and I'd like to see those questions somehow either in that report that'll be coming back and that those questions are not forgotten. I'd like to see that information personally. I think any time that I have that kind of information, it helps me decide. If we can have those questions as well included, you know, in your recommendation because I really need to have some sense of where we're going.

Mr. Rogers: If I may, Mr. Chairman, I guess I could boil it down into something specific as a further requirement of the motion. You

know, I spoke to it in general terms, but in essence if it provides more, I guess, comfort to the members of this committee, I could include that this report must be detailed and include how legislation could be implemented, enforcement issues, who would do the audits, et cetera, as well as that the report must address all questions and concerns raised during the past committee meetings. I mean, I didn't add that to the motion because, frankly, I believe that goes without saying. But if it's helpful, I can certainly make sure that my motion as recorded would include those last words that I just read, Mr. Chairman, if that helps the members of the committee.

The Chair: Well, I think in our final report that research puts together to take to the Legislature, all these comments will be included in there, so that will be part of it.

I would also like to recognize Mr. Johnson, the Member for Athabasca-Redwater, for just joining us. Welcome. Mr Xiao has also joined us from Edmonton.

Is there any further discussion on the motion on the floor?

Mr. Boutilier: Mr. Chairman, I have a question through you to Mr. MacDonald.

The Chair: Okay. Go ahead, Mr. Boutilier.

Mr. Boutilier: Thank you. Hughie, just on that point, you made some very good points, and it comes back to the old adage that many of us remember: if it's not measured, it's not done. In light of the fact that it was the Minister of Justice who initiated this letter to come to the standing committee, did you have a potential recommended amendment to the motion put forward today that we could consider?

Mr. MacDonald: No. I was under the assumption that we would as a committee go through questions or the issues that she suggested we investigate and have a vote on them separately, but I don't believe that's going to occur.

Mr. Boutilier: I see. Yeah. Okay. Actually, you raise a very good point relative to the important questions.

Mr. MacDonald: We've had quite a discussion on these over the summer, and I thought we could reach a decision if not on all of them at least on some of them. But that's not the direction it looks like we're going in, so so be it.

Mr. Boutilier: Right. Obviously, to the member from Leduc, I just learned of your motion 10 minutes ago, not a half hour or an hour ago. I'm thinking it strikes me as reasonable, but would the member consider putting a time frame on there, shorten the 150 days?

The Chair: Mr. Rogers, no comment?

Mr. Rogers: No. Mr. Chairman, I think in my earlier comments – I think that gives the minister a reasonable amount of time. Again, I've listened to other members around this table, and if this is as easy to do as possible – I don't know – we could potentially see something for spring or the fall of next year. I think that this is an important piece of legislation. Should we proceed with it, I think we have a reasonable amount of time, probably within a one-year window, to see something passed that we could all abide by.

Ms Calahasen: Go by the standing orders, Mr. Chairman, Standing Order 52.08, I believe.

The Chair: Yeah. There are standing orders that the minister will have to follow to get back to our report, and nobody has made any recommendations to change that.

The motion is still on the floor. Any further discussion?

If not, I'll call the question. All those in favour of the motion? Opposed? There are two opposed here, Mr. MacDonald and Mr. Kang. The members on the telephone, I think I hear Mr. Cao was in favour. Mr. Boutilier, how do you vote?

Mr. Boutilier: Yeah, I support the motion, for sure. Motherhood and apple pie.

The Chair: So the motion is carried with two objections: Mr. MacDonald and Mr. Kang. Thank you. The motion is carried.

Ms Calahasen: We should thank – I think you did, Mr. MacDonald – the researchers. They did so much.

The Chair: Yeah. Mr. MacDonald thanked the research committee, and the chair would also recognize the amount of work done by this committee. They worked on it a long time, and we never came up to a consensus, so maybe the minister will take a little while to figure it out as well. Anyway, there was a lot of good work done by the committee even though they're not done yet because we still have to draft the final report to take back to the Legislature.

That brings us to the next order of business, item 4(b)(ii). Under the standing order we have six months to complete our review, which gives us a reporting deadline of October 13, 2010. Using this discussion and the directions outlined today, we can have staff prepare a draft report for our consideration at the next meeting. Ms LeBlanc, do you have everything you need from us at this point to be able to compile a draft report?

1:50

Ms LeBlanc: Mr. Chair, I think it will be a fairly straightforward report, so we have everything we need to go on.

If I could make a brief comment with respect to Ms Calahasen's earlier question about auditing expenses: on page 4 with respect to Ontario there is an indication that the auditor expenses ranged from \$896 to approximately \$4,200, and that was for the Progressive Conservative leadership contest. We can also go back and look and see if there is any indication for any of the other party leadership contests.

But, that said, I guess the question is whether the research that was requested from the research section at today's meeting is still to be prepared or whether that's going to be requested from the minister in the report.

Ms Calahasen: Mr. Chair, can I ask a question?

The Chair: Go ahead, Ms Calahasen.

Ms Calahasen: On page 4, as you indicated, in 2009: that's for the federal?

Ms LeBlanc: That would be Ontario, I believe. That would be the provincial leadership contest in Ontario.

Ms Calahasen: Okay. Then it says that

it appears that the auditing costs did not vary proportionately with the total expenses of leadership campaigns, since the leadership contestant who had \$896 in auditing expenses expended almost \$1 million for her campaign, while the contestant who had \$4,200 in

auditing fees had total campaign expenses of approximately \$886,000.

There seems to be a disconnect there somewhere.

Ms LeBlanc: There wasn't really a correlation.

Ms Calahasen: So it's kind of like: what are the real things, and what happens in a case like that?

Ms LeBlanc: Well, I guess first we have to address whether the research is going to be provided.

The Chair: I think that will be part of . . .

Ms Calahasen: That's part of the questions that I do have.

The Chair: But the minister will be bringing back recommendations, so those are maybe the questions that the minister's department is going to have to figure out when they bring back their recommendation.

Ms LeBlanc: Okay. Thanks, Mr. Chair. So we will bring back a draft report at the next meeting date, and that's all the information we will provide unless there's any other direction.

Ms Calahasen: Do we have to make a motion to approve the final report?

The Chair: No. That's the next question. Once the researchers draft the final report, would you like to have another meeting to go over it, or will you let the chair and the deputy chair go over it?

Ms Calahasen: To approve the final report? Yeah.

The Chair: Do we need another meeting of this committee to approve it, or do you want the chair or the deputy chair to approve the report? Does the committee have any comments on that?

Ms Calahasen: I think I would like to make that motion that the chair and the deputy chair can make a decision on the final report to go forward.

Mr. MacDonald: I'm just wondering if it's allowed.

Ms Rempel: It has been done before, although usually in those cases the committee has at least reviewed a draft report and then just given the chair and deputy chair some instructions regarding some edits.

Ms Calahasen: Oh, I see. So if we make the motion, then we make the motion saying that, pending a draft report be circulated so we can make our comments to the chair and the deputy chair.

The Chair: Okay. Maybe if there is confusion, it might be a quick meeting, but we have to do it before October 13, so somewhere towards the end of September we'll call a quick meeting.

Ms Calahasen: Or October 1 or whatever.

The Chair: Yeah.

Mr. Rogers: If I may, Mr. Chairman, just to give you and the deputy chair the option, obviously, if you've circulated that draft and you've got enough confusion or corrections from members of the committee

that you don't see a consensus, then you would call a meeting. I still believe that unless the committee members have major issues with the content of the report – you are two capable individuals in your roles – you could submit that on behalf of the committee. Maybe look for some other comments from members around the table. I mean, I don't want a meeting for the sake of a meeting. If there is a need, if there is obviously dissension for the content – in my opinion, the bulk of the content of the report is what's already before us and what we spoke of today, the motion that was passed. I'm not sure what else would be in there that would be any different than what most members around the table have already been party to.

Those are my thoughts.

The Chair: Thank you.

Any other comments? You know, we'll take direction from the committee. I think we'll wait for the final report to come, and if there is a need for another meeting, we'll have a quick meeting; otherwise, we may circulate it and just pass on the report.

I've just been informed that if we're going to do that, we need to pass a motion today to give us that authority. I don't know. Maybe we just should have another quick meeting.

Ms Calahasen: Okay. Let's do that.

The Chair: Yeah. We'll call a quick meeting towards the end of the month and finalize it. We may be able to take the presentation from SafeCom that we've been trying to get in for the last eight months or so, so we can do two things at one time there.

With that, is there any other business this committee wishes to discuss? Mr. MacDonald.

Mr. MacDonald: Yes. Quickly, Mr. Chairman, I'm wondering if you on behalf of the committee could write to Elections Alberta and ask the Chief Electoral Officer: do they have any idea the resources needed to administer, how much money, how much personnel would

be dedicated to administering something if a suggestion were to become law and each and every respective political party was to publicly disclose in some way their financial contributions for leadership races? How exactly would this work? How much time and effort would be needed? Is that something that you could do as chair, please?

The Chair: Yes, we could do that, but in light of the motion, you know, the minister may get that information because she's going to bring back recommendations.

Mr. MacDonald: "Might" is a big word. But, you know, we're independent. We don't have to have our hands held by the Minister of Justice. This is an independent committee. We have our own structure and our own independence.

The Chair: We can ask for that information and pass it on to the minister with it, but whether he'll be able to get us that information before the end of September, I'm not sure. We have to have our report in. We can ask for the information, and if we get it, fine, we'll send it along with our report.

Mr. MacDonald: Okay. Thank you.

The Chair: Is there any other business anybody else would like to raise?

So we may be calling a quick meeting the end of September. That'll be our next meeting.

If there is no other business then a motion to adjourn. Peter Sandhu had his hand up first. Thank you. All in favour? Okay. Thanks everybody who joined us on teleconference. The meeting is adjourned.

[The committee adjourned at 1:59 p.m.]

