



Legislative Assembly of Alberta

The 29th Legislature
Second Session

Standing Committee
on
Resource Stewardship

Lobbyists Act Review

Thursday, August 18, 2016
1 p.m.

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Second Session**

Standing Committee on Resource Stewardship

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Standing Committee on Resource Stewardship

Participant

Ministry of Justice and Solicitor General
Philip Bryden, QC, Deputy Minister

1 p.m.

Thursday, August 18, 2016

[Loyola in the chair]

The Chair: Good afternoon, everyone. I'd like to call this meeting of the Standing Committee on Resource Stewardship to order and welcome everyone in attendance. My name is Rod Loyola, MLA for Edmonton-Ellerslie, and I am the chair of this committee.

I'd ask that members and those joining the committee at the table introduce themselves for the record, and then we'll hear from the members on the phone. If we can please start to my right.

Mr. Loewen: Todd Loewen, MLA, Grande Prairie-Smoky.

Mr. MacIntyre: Don MacIntyre, MLA, Innisfail-Sylvan Lake.

Mr. Hanson: David Hanson, Lac La Biche-St. Paul-Two Hills.

Mr. Drysdale: Wayne Drysdale, Grande Prairie-Wapiti.

Ms Woollard: Denise Woollard, MLA, Edmonton-Mill Creek.

Mr. Kleinsteuber: Jamie Kleinsteuber, MLA, Calgary-Northern Hills.

Mr. Malkinson: Brian Malkinson, MLA for Calgary-Currie.

Mr. Dang: Thomas Dang, MLA for Edmonton-South West.

Ms Babcock: Erin Babcock, Stony Plain.

Mr. Rosendahl: Eric Rosendahl, MLA, West Yellowhead.

Mr. Nielsen: Chris Nielsen, MLA, Edmonton-Decore.

Ms Sorensen: Good afternoon. Rhonda Sorensen, manager of corporate communications and broadcast services.

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

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

The Chair: I understand that we have Mrs. Leela Aheer on the phone.

Mrs. Aheer: That is correct. Leela Sharon Aheer, Chestermere-Rocky View.

The Chair: Mr. Greg Clark? No.
Ms Anam Kazim.

Ms Kazim: Yes. MLA Anam Kazim from Calgary-Glenmore.

The Chair: Okay. Thank you.

A few housekeeping items to address before we turn to the business at hand. The microphone consoles are operated by the *Hansard* staff, so there's no need for the members to touch them. Audio of committee proceedings is streamed live on the Internet and recorded by *Hansard*. Audio access and the meeting transcripts are obtained via the Legislative Assembly website. Please do your best to keep your cellphones off the table and on vibrate or silent as they may interfere with the audiostream.

The first item on the agenda is the approval of the agenda. Are there any additions or changes to the agenda as distributed?

Okay. Seeing none, would a member like to move that the agenda for the August 18, 2016, meeting of the Standing Committee on Resource Stewardship be approved as distributed?

Mr. Nielsen: So moved.

The Chair: Okay. Moved by MLA Chris Nielsen. All in favour? Any opposed? On the phones? Okay. That motion is carried.

We're now going to move on to item 3, approval of the minutes from the February 11, 2016, meeting. Do members have any amendments to the February 11, 2016, minutes as distributed?

Okay. Hearing none and seeing none, would a member like to move that the minutes of the February 11, 2016, Standing Committee on Resource Stewardship meeting be approved as distributed? Okay. MLA Denise Woollard. Thank you very much. All in favour? Any opposed? On the phones? Okay. That motion is carried.

We'll now turn to the review of the Lobbyists Act, item (a), mandate and information for the review. Under this section we have Government Motion 21 and the statutory requirement for the review. As you are aware, on June 2, 2016, the Legislative Assembly referred the statutory review of the Lobbyists Act to the Standing Committee on Resource Stewardship through Government Motion 21. In accordance with section 21 of the Lobbyists Act a special committee established by the Legislative Assembly shall begin a comprehensive review of this Act and shall submit to the Legislative Assembly, within one year after beginning the review, a report that includes any amendments recommended by the committee.

The Standing Committee on Resource Stewardship is deemed to be the special committee of the Assembly for the purpose of this comprehensive review.

Legislative Assembly Office research services will assist us in preparing the report based on guidance from the committee.

The last review of the Lobbyists Act occurred in 2011. The report from that review has been posted to the committee's internal website. In the course of the 2011 review the committee met five times and made one recommendation to the Legislative Assembly. In gathering information for the 2011 review, the committee advertised for public submissions and sent letters to specific stakeholders asking them to participate. The committee received 18 written submissions from individuals and organizations and heard six oral presentations.

At this time would research services have anything to add in regard to the process of the review?

Dr. Massolin: No. Thank you very much, Mr. Chair.

The Chair: Okay. Are there any questions about the process from members sitting around the table?

Okay. Let's move on, then. Pardon me. Ms Woollard.

Ms Woollard: I think this is a good time to ask Dr. Massolin a question.

The Chair: Please go ahead.

Ms Woollard: All members of this committee are committed to offering practical recommendations to improve the Lobbyists Act. The act was last reviewed in 2011. Did this process work well for the committee in 2011?

The Chair: Dr. Massolin.

Dr. Massolin: Thank you, Mr. Chair. I'm not exactly sure what you mean, Ms Woollard, by the process generally, but in terms of having a review referred to the committee by the Assembly, I guess, and having a comprehensive review by the committee, I would say that, you know, the committee did its work and made one recommendation. I would also say that the submissions to the committee were not overwhelming in terms of being numerous. I think maybe

that's what you're getting at as I see you're nodding your head. I think there were only about 18 submissions all told, and of those, the vast majority were from stakeholders. But even though they were not perhaps as numerous as the committee would have liked, the submissions were of good quality and, I think, helpful in terms of the review.

Thank you, Mr. Chair. I hope that answers the question.

Ms Woollard: Thank you.

The Chair: Any other questions at this time? No.

Okay. Let's move on, then, to discuss the resources that are available to us as part of our review. First, we will hear from research and committee services. Dr. Massolin, if you could give us a quick overview of the services that your area is able to provide us.

Dr. Massolin: Sure. Thank you, Mr. Chair. Well, looking around the room, I see that most people if not everybody here have participated in this type of review during this Legislature, so I won't go too long in terms of indicating what services research services may provide. But what I'll say is just to reiterate that research services provides nonpartisan research services to this committee – to the committee as opposed to individual members – through the duration of its review of the Lobbyists Act. That means that we provide a variety of services in terms of, you know, writing reports, briefings, summaries of written submissions, stakeholder lists, as committee members have already noted, crossjurisdictional analyses, all at the direction of the committee. Of course, at the end, as you've already mentioned, Mr. Chair, we will help the committee in preparing its final report, which will be presented in the Assembly at the appropriate time.

Thank you.

The Chair: Okay. Thank you, Dr. Massolin.

Any questions for Dr. Massolin at this time?

Ms Kazim: Yes, I have a question.

The Chair: Yes. Go ahead. That's MLA Kazim?

Ms Kazim: Yes. Thank you very much, Dr. Massolin, for providing a bit of background in terms of how the research is performed. I have a question in terms of the kind of services that were utilized in 2011. You did mention a little bit about it, which sounds great. I was curious to know the specific services that you think were valuable to the review and how helpful they were to performing the review. If you can elaborate a little bit more on that, that would be great.

Dr. Massolin: Well, we provided as research services most of the committee's research. However, I would also note that the committee at that time passed a motion enabling us to work with the lobbyist registrar and with the ministry as well. Of course, through that we could tap into their expertise on the issues pertaining to the Lobbyists Act, so that was very helpful. But I would also say, Mr. Chair, through you to Ms Kazim, that the committee itself initiates a lot of those research requests, so we're at your disposal in terms of providing that information. I mean, we will offer up sort of suggestions, and later on I will suggest to the committee that you ask me to prepare a crossjurisdictional analysis, and I'll ask somebody else to do that. That's my role.

Anyway, there you have it, and hopefully that was helpful. Thank you.

Ms Kazim: Thank you very much.

The Chair: Any other questions for Dr. Massolin on this issue?

Okay. Hearing and seeing none and moving on, we'll ask Ms Rhonda Sorensen from Legislative Assembly Office communications to give us an overview of the services that she and her team can provide the committee. Ms Sorensen.

1:10

Ms Sorensen: Thank you, Mr. Chair. As many of you know who have sat on other committees, communications supports the committees in much the same way that research does. What we aim to do is to take the extent of the stakeholder list and broaden it to the general public. We can do that in any number of ways. There are a number of paid options such as province-wide advertising, targeted advertising, and social media advertising, which do carry costs with them, as well as a number of noncost communication strategies such as leveraging the website, social media avenues, media relations, e-cards, and constituency newsletters.

I offer that only as information because we're looking for direction from the committee on really how far they want to go with any of the paid or unpaid strategies in order to reach your mandate. I'm happy to answer any questions that the committee might have.

The Chair: Okay. Any questions for Ms Sorensen?

Ms Woollard: Ms Sorensen, you've outlined a few options for the committee to consider, and as I understand it, the committee can choose one option or combine them. Although we want to reach as many Albertans as possible, we must also be mindful of the costs and strategize accordingly. Can you speak to the services used in 2011 and some of the expenses?

Ms Sorensen: Thank you, Chair. I know that it was noted earlier by the chair that the committee did advertise. I don't have the numbers in front of me in terms of exactly the extent of that advertising. I guess if you were looking for a recommendation, I would probably lean more towards leveraging some noncost options to enhance the stakeholder list, which is likely where you're going to see most of your return on investment.

Ms Woollard: Okay. Thank you.

The Chair: Any other questions for Ms Sorensen at this time?

Mr. Kleinsteuber: Hi, Ms Sorensen. I'm just wondering which communication strategies were some of the most effective or best used during the last experience in getting input from Albertans?

Ms Sorensen: Thank you. If I may, Mr. Chair. Again, I don't have the measurement statistics from the 2011 review. However, I believe it was mentioned earlier that 18 submissions were received, so you'd have to balance that against what exactly was spent on that, which I could come back to the committee with. But, again, I think there are probably a number of noncost opportunities that could be taken advantage of here to supplement the stakeholder list, if that answers your question.

Mr. Kleinsteuber: I think so.

The Chair: Mr. Hanson.

Mr. Hanson: Yeah. I just want to confirm that we would also include the dailies and weeklies in rural areas. A lot of the seniors that don't have social media access depend on those, you know, for their information, and they're more likely than most to participate in this, so if we could make sure that we're targeting specific dailies and weeklies.

Ms Sorensen: Certainly. If I may, Mr. Chair. Are you looking for an actual strategy to be formed for paid or unpaid ways?

Mr. Hanson: If we're going to do paid advertising, that we include the dailies and weeklies in rural areas.

Ms Sorensen: Certainly, and I can expand a little bit upon that in terms of providing the committee with costs, what that would cost. If you were to go with paid advertising for weekly newspapers, you're probably looking at somewhere around the realm of \$30,000 to \$35,000; daily newspapers about \$10,000. That's for one single campaign.

The Chair: Yes, Mr. Loewen.

Mr. Loewen: Yes. With the communications, is it to target the public at large for input on this, or is it for stakeholders?

Ms Sorensen: A combination of both. Certainly, the stakeholder list targets the stakeholders. We can sometimes further that with an e-card, that we leverage through the stakeholder list, but typically we're looking at the public at large to supplement the targeted audience through the stakeholders.

Mr. Loewen: Thank you.

The Chair: Please go ahead, Dr. Massolin.

Dr. Massolin: Thank you, Mr. Chair. If I can just sort of chime in here, I think that later on in your agenda you have decision items in terms of the stakeholder list plus a decision to be made on whether or not you want to reach out to the public in this regard. So I think Ms Sorensen, if I can speak for you, Rhonda, is just providing the committee some options, but it's the committee's decision, of course – I assume you know that – as to what strategy and what approach the committee would like to take.

Thank you.

The Chair: Yeah. These are simply points of information at this point. I mean, it is further down in the agenda, under consultation, to go into a little bit more depth in a discussion around that, but I'll gladly entertain a discussion right now if people want to have it. How do people feel? Do you want to wait?

Mr. Hanson: Let's carry on.

The Chair: Carry on with the agenda as is? Okay. Perfect. Thank you.

Any other questions for Ms Sorensen at this time before we move on?

Mr. MacIntyre: I have one, Mr. Chair.

The Chair: Please go ahead, Mr. MacIntyre.

Mr. MacIntyre: In the previous review that was done or other comms jobs that you have done, was there any benefit whatsoever to pushing out news releases that this is taking place, and have the newspapers just run it as a small story rather than as a paid ad? Does it work, I guess, is my question.

Ms Sorensen: It's a fair question, for sure. Certainly, in many reviews that we have done, we do put out news releases. Of course, the only way to guarantee that that message gets out is to pay for it. The news releases do go out to the same audience as the weekly newspapers and the daily newspapers, but it's really up to the papers to choose whether or not they follow up on it. Certainly, it's a

strategy that we do use. It really depends on the issue at hand in terms of the interest you're going to garner from a news story.

Mr. MacIntyre: Okay. Thank you.

The Chair: Any further questions at this time for Ms Sorensen?

Okay. Hearing none, we'll move on to item (b). Hon. members, the deputy chair and I thought it would be a good idea in the interests of time to receive technical briefings as we start off the review process, first from the Ethics Commissioner and then the lobbyist registrar and also from Alberta Justice and Solicitor General. The hon. Marguerite Trussler is the Ethics Commissioner of Alberta, and Ms Lana Robins is the lobbyist registrar. I would invite them to give us a technical briefing on the Lobbyists Act and how it has functioned since it was last reviewed in 2011. I'll now invite Ms Trussler up to the table, please.

Okay. We have a request that the deputy minister go first, so we'll take the technical briefing from Alberta Justice and Solicitor General, Mr. Philip Bryden. Deputy Minister, please go ahead.

Mr. Bryden: Thank you very much, Mr. Chair. I appreciate your flexibility in changing the order. When Commissioner Trussler and I discussed how we would approach our presentations, we thought that it might be helpful if I were to give a sort of broader conceptual overview and then have her office give a bit more of a detailed presentation, so it made a bit more sense for me to go first.

I'd like to begin with a brief historical background to this legislation. Alberta was relatively late to the table in terms of creating a Lobbyists Act and setting up a lobbyist registry. There had been a proposal in 1996 as a result of the Conflicts of Interest Act Review Panel chaired by Dr. Allan Tupper that Alberta adopt lobbyist registration, but nothing happened with respect to that recommendation for about a decade. Then the Stelmach government decided that it would introduce conflict-of-interest legislation, and it did so in 2007. In fact, former Premier Stelmach introduced the legislation. It was subsequently referred to a policy field committee for further review. Input was sought from stakeholders. There were some amendments to the bill, and the bill was passed in December 2007. The act itself and its regulations came into force on September 28, 2010, and the lobbyist registry was operational on that date as well.

I want to begin by dealing conceptually with what the Lobbyists Act is designed to address. It seems to me that the first principle that the committee ought to bear in mind is that lobbying government is a legitimate activity, and I would even go further and say that it is a desirable activity. This is something that's set out in the preamble to the legislation. It was something that was emphasized by Premier Stelmach when he introduced the legislation and by the first opposition speaker in response to it.

1:20

I think that it's fair to say that people want to influence government and that in a democratic society this is a legitimate thing for them to do. From the standpoint of public officials in the public service and from the standpoint of members it's useful for people to tell us what they want, how they think particular initiatives might affect them. That's valuable information for us, and we don't want to constrain that.

Finally, it might be desirable in an ideal world that everybody be equally articulate and equally able to represent their own views without seeking assistance from paid professionals, but in a practical sense it's often desirable that people hire other individuals who have skills, expertise, and knowledge to present their views in a way that may be more effective. My own profession, a lawyer, is one in which we are hired to give advice and offer advocacy

services to our clients, and lobbyists do something similar for their clients or their organizations. At the same time we are, I think, concerned as a society that the lobbying that takes place not be the subject of undue influence and that it be something that's transparent.

If the first principle of the Lobbyists Act is that lobbying is legitimate, the second principle is that lobbying ought to be transparent. That's why we set up a lobbyist registry, and it's why we have relatively limited restrictions on the types of activities that are prohibited by the Lobbyists Act. Generally those types of activities are ones where we think there might be some sort of conflict of interest that's associated with the lobbying activity, and that as a general proposition is a theme that exists in lobbying legislation across Canada. In some of its specifics Alberta is somewhat different, but in the general structure, the general theme it is consistent with legislation in other jurisdictions across Canada.

The first question is: who is a lobbyist? Only those who are paid to lobby are required to register as lobbyists, and those who are considered to be lobbyists are those who are paid to communicate with public office holders in an attempt to influence certain types of governmental decisions.

There are two types of lobbyists, those who are hired by a client to lobby and those who lobby on behalf of their employer. The lobbyists who are paid to lobby on behalf of a client are called consultant lobbyists, and in Alberta those who lobby on behalf of their employer are called organization lobbyists. Some jurisdictions have different terminology. Sometimes in other provinces or other jurisdictions the term "in-house lobbyist" is used. In general, consultant lobbyists are required to comply with additional rules that don't apply to organization lobbyists; for example, only consultant lobbyists are required to report when they set up meetings with public office holders or attempt to influence the awarding of a contract.

There are other features that are common to Canadian lobbying legislation; for example, the use of the term "public office holders" to identify those who are the targets of lobbying activity, people who are in positions of decision-making or recommendation authority. While there are differences between jurisdictions as to who's a public office holder, the legislation only applies when lobbying activity is directed at a public office holder.

Furthermore, most Canadian jurisdictions have adopted the concept that lobbying includes an attempt to influence. The federal regime, on the other hand, requires reporting of all communications with public office holders whether or not there's an attempt to influence. The most common examples of lobbying are attempts to influence decisions about legislation, the formation or alteration of government policies and programs, and the awarding of grants and contracts.

Not all communications with public office holders have to be reported. For example, when government asks for input as part of a consultation process, individuals who provide input are not required to register as lobbyists. In addition, not all individuals who are paid to communicate in an attempt to influence are required to register. For example, people from various levels of government can communicate with each other in an attempt to influence each other's decisions even though this is part of our employment responsibilities and something that we're paid for. Once again, this is a common exception to the requirement to register as a lobbyist, and I understand that Ms Robins is going to give you more detail about these rules.

Finally, I'd like to highlight just two key features of Alberta's legislation. Alberta was one of the first jurisdictions to adopt a prohibition against a dual role; in other words, being both a lobbyist and providing paid advice to government on the same subject matter. The other important feature of the Alberta legislation is that

it contains not just offence and penalty provisions but also authority on the part of the Ethics Commissioner to impose administrative penalties, which enhances the enforcement of the act. There may be situations in which administrative penalties are more effective than the offence and penalty provisions.

The last observation that I would like to make is that a number of the provisions in the act are interrelated, and it's important to understand not just the specific provision but also how it interacts with other elements of the legislation and that the overall theme of the legislation is not to constrain opportunities to communicate with public officials but to make sure that that's done in a transparent way and that it's done in a way that's not subject to inappropriate conflicts of interest.

Those are my remarks, Mr. Chair.

The Chair: Thank you very much, Mr. Deputy Minister.

Would people like to ask questions now or wait until all three presenters have gone? Should we go on? Okay. We'll go on to Ms Trussler, the commissioner, and Lana Robins, please.

Ms Trussler: Thank you for inviting us to present today on the review of the Lobbyists Act. I have a few introductory remarks, and then Ms Robins will do the technical briefing.

Anyone who has talked to me for more than five minutes knows that I have some serious difficulties with the act as it's now drafted and that it's my view that it's just political window dressing. At some point we would like to make a detailed presentation on some of the changes that we feel would be useful with respect to the act. We're working on a document comparing the provisions in all the provinces. It's not quite ready, but we'll be sharing it with you.

What I'd like to say at the outset is that this is a great opportunity for this province to take the lead and to set new standards with respect to lobbying.

The other point I'd like to make before turning it over to Ms Robins is that I know that you're on a tight timeline, and we do have some scheduling difficulties because at the moment we're working on the implementation of the new lobbyist registry, which we hope to have on stream by November. The final stages of getting it up take a lot of our staff time, but we'll do everything we can to meet your deadlines and to co-operate because we really do want to give you some input on the changes to the act.

I'll now call on Ms Robins, who will take you through the act.

1:30

Ms Robins: Good afternoon. It's a pleasure to be appearing before you today. In Alberta lobbying is regulated under the Alberta Lobbyists Act and the Lobbyists Act general regulation. The act and regulation are administered by the office of the Ethics Commissioner. The Lobbyists Act is a complex act. I did my best to get the presentation down to approximately 10 to 12 minutes for you, but I do have to mention that the last time I gave this presentation, it took approximately an hour to get through the various provisions, to put it forward in an understandable manner. So what I'm going to be talking about today is a very sort of high-level review, and some of it will repeat some of what Mr. Bryden has mentioned already, but hopefully after today you'll have a good understanding of the Lobbyists Act.

Administering the Lobbyists Act and operating and maintaining the lobbyists registry is a team effort, with our dedicated team consisting of myself as the lobbyist registrar and general counsel; our chief administrative officer, Kent Ziegler; our executive assistant, Heidi Horne; and the commissioner, the hon. Marguerite Trussler. We're soon hoping to add another person to assist with our very busy lobbyist registry.

There are three main areas of administration, which involve overseeing the lobbyist registration process, interpreting the act, and compliance enforcement. The majority of our time is spent on lobbyist registrations, involving approving registrations and managing registry operations, followed by answering inquiries related to interpreting the act and dealing with compliance enforcement issues.

This slide probably will be a bit repetitive, but I'm going to go through it again. It's useful to understand the different types of lobbyists under the act. There are two different types of lobbyists, consultant lobbyists and organization lobbyists. A consultant lobbyist is "a person who, for payment, undertakes to lobby on behalf of a client." I'm going to mention as well that consultant lobbyists do not work as in-house employees, and they usually have multiple clients that they lobby on behalf of. An organization lobbyist means a paid, in-house employee, officer, or director of an organization who lobbies or whose job it is to lobby for at least 100 hours per year either individually or collectively with others in the organization. We refer to this 100-hour requirement as the 100-hour threshold, and this 100 hours does not include preparation time. There are different registration obligations under the act for each different type of lobbyist.

So what is lobbying? Broadly defined, lobbying is to communicate with a public office holder in an attempt to influence their decisions. It's a legitimate activity in a free and democratic society. The purpose of the act is not to restrict lobbying activities but to balance free and open access to government with the right to know who is accessing government.

The more technical definition under the act is communicating with a public office holder in an attempt to influence matters relating to legislation. This includes legislative proposals; bills or resolutions; regulations and orders in council; programs, policies, directives, or guidelines; the awarding of any grant or financial benefit; and decisions by the Executive Council to transfer assets from the Crown or to privatize goods and services. Only in relation to consultant lobbyists lobbying also includes arranging "a meeting between a public office holder and any other individual" or communicating "with a public office holder in an attempt to influence the awarding of [a] contract." In general "lobby" is a broadly defined term that captures the majority of communications made with government to attempt to influence government decisions.

A key part of what lobbying is is that a person must be communicating with a public office holder. Who is a public office holder? A public office holder is defined in the act as an MLA or their staff; an employee of a department; a person appointed to a government board, committee, or council; an employee, officer, director, or member of a prescribed provincial entity. Persons are therefore lobbying if they are trying to influence decisions of department employees, government, board, or committee members as well as employees, officers, directors, or members of prescribed provincial entities.

What is a prescribed provincial entity? It is a government-funded or -controlled agency or entity. Prescribed provincial entities are listed in the regulation, in schedule 1 of the Lobbyists Act general regulation. Currently there are over 250 prescribed provincial entities on the list. Some examples include Alberta colleges and universities, Alberta financial services corporation, Alberta Energy and Utilities Board, and Alberta Health Services. The list in the regulation is in need of an update.

Grassroots communication is also a form of lobbying. What is grassroots communications? Grassroots communications is defined in the act – I'm going to read out the full definition; it is helpful to hear the full definition. It is:

appeals to members of the public through the mass media or by direct communication that seek to persuade members of the public to communicate directly with a public office holder in an attempt to place pressure on the public office holder to endorse a particular opinion.

Examples of grassroots communication include mail-outs, newspaper advertisements, and website messaging asking the public to contact government to endorse a particular position or opinion. Lobbyists engaging in grassroots communications are required to include it as a technique of communication on their registrations.

The recent decision of the Ethics Commissioner regarding Robin Campbell found that engaging in grassroots communications is a form of lobbying in and of itself and is not just a technique of communication.

Here are some examples of lobbying. A coalition of businesses hires a consultant to approach an assistant deputy minister to arrange a time to present their desired changes to the employment standards act to a department. An in-house government relations person for an organization invites a deputy minister to talk with her about the need for regulation changes over a cup of coffee. An organization posts an ad in the newspaper calling for changes to the Education Act, asking the public to contact their respective MLAs to endorse a particular opinion. An employee of an organization is at a social event and initiates a conversation with a director of a department to try and influence them toward a grant to the organization. Those are all examples of lobbying.

There are some times when communications with the government, however, do not constitute lobbying. These are: taking part in official proceedings such as of the Assembly or in a court of law; communications relating to the enforcement, interpretation, or application of any act to the person or organization; communications relating to the implementation of any program, policy, directive, or guideline by a public office holder with respect to that person or organization; communication to a public office holder in response to a request initiated by the public office holder for advice or comment on a matter; and communication to an MLA by their constituent unless it deals with a private bill for the special benefit of that constituent.

There are also certain people who when acting in their official capacity are exempt from application of the act. You're not a lobbyist if while acting in your official capacity you are a Canadian Senator, a Member of Parliament, or their staff; you're an MLA from another province or territory or their staff; a municipal officer, employee, council member, or their staff; an employee of the government of Canada or another province; a Métis settlement council officer, employee, member, or their staff; an Indian band council employee or member or their staff; an official representative in Canada of a foreign government; United Nations official; and a school board of trustees employee, member, or their staff.

The act also addresses nonprofit organizations and volunteers. Nonprofit organizations are only required to register if they are constituted to serve management, union, or professional interests or if . . . [A timer sounded]

The Chair: Please continue, Ms Robins. We'll give you another five minutes.

Ms Robins: . . . a majority of their members are profit-seeking enterprises. Some examples of these purposes are Building Owners and Managers Association, Alberta Union of Provincial Employees, and for professional interests, Chartered Professional Accountants of Alberta.

Volunteers are also exempt from application of the act. You must be receiving payment to be considered to be a lobbyist.

Lobbyists are required to file registrations under the act, both types of lobbyists. This is done through our website at www.lobbyistsact.ab.ca. The designated filer, the most senior officer, is required to file the registration, but they can designate a primary contact to create and edit registrations.

Consultant lobbyists are required to file within 10 days of entering into an undertaking on a client's behalf whether or not they've lobbied, and organization lobbyists are required to file their initial return within two months of their employees, officers, or directors meeting a 100-hour lobbying threshold. They also have to file semi-annual renewals. Once submitted, registrations are approved by our office. They then go onto the public registry.

Certain information must be included on all returns, and this is specified in the act. There's quite a long list in there, but it includes the name of the department or prescribed provincial entity being lobbied and the subject matter and details of their lobbying activities.

1:40

There are some prohibitions on lobbying as well. Under section 6 if a person is lobbying, they cannot enter into a contract to provide paid advice to government, and if they hold a contract to provide paid advice to government, they cannot lobby. They cannot hold those dual roles. In addition, under the Conflicts of Interest Act former ministers and former members of Premiers' or ministers' staff are not permitted to lobby for 12 months from their last day with government.

Enforcement of the act is also part of our administrative functions. To reduce the amount of enforcement required, we have many educational resources and materials available on our website. We also interact regularly with lobbyists to help them understand their obligations under the act, and we also provide presentations. Enforcement provisions are found in sections 15 to 19 of the act. The registrar may issue administrative penalties for late filings as well as conduct investigations for breaches of the act as necessary.

For your information I've included some statistical information from our last annual report just to give you an idea of how many users we currently have in the system. Consultant lobbyists: currently 199 registered users, having 293 active registrations. For organization lobbyists: 343 registered users, with 224 active registrations. We have a number of inactive accounts. There's approximately a 10 per cent increase in registered users this year over the past year. There's been a 17 per cent decrease in the number of visits to the website, although there has been an increase in the number of pages actually viewed. The top five subject matters for lobbying, starting with the most popular: environment, energy, health and wellness, finance, and economic development. The bottom five subject matters registered for lobbying, starting with the least popular: social programs, culture, seniors, forestry, and housing.

In conclusion, I'd like to give you an update on the new Alberta lobbyists registry. We're currently working with a vendor, selected through an RFP process, on developing a new lobbyists registry. The rollout date is anticipated to be October 31, 2016. The new registry will be designed to be more user friendly, with fewer technical issues encountered by users and will also have a better search function than our current system. Feedback from lobbyists on replacing the current system with a newer, better functioning system has been very positive. We were unable to transfer data from the old system for a number of reasons, including increased cost and to prevent stale data from being brought into the new system for inactive user accounts. As a result, all current registrants will

need to file new registrations, but as with the current system there's no cost for users to create an account or to file registrations. The period for current registrants to reregister in the new system will be staggered over five months so that all registrations will be completed by March 31, 2017.

Thank you. That concludes the presentation.

The Chair: Thank you very much to all our guests for their presentations.

We will now open the opportunity for questions and discussion. Please, Mr. MacIntyre, go ahead.

Mr. MacIntyre: Thank you to all of you for your presentations to the committee. I really appreciate that. I want you to know that because you work with this act on a day-to-day basis, you really are the experts in the room on this thing.

I have a concern regarding the time constraints that Commissioner Trussler expressed a little while ago here in that the workload that your department currently has to get up to speed with the registry and also to get the report to this committee regarding your suggestions regarding this act – do you see that conflict being serious enough that this committee needs to be made aware of something that we can do to give you the time you need? The reason I ask that is because I believe that the report that's going to come out of your office is potentially going to be the most important report we see about the nuts and bolts of this act. I would not want you to be pressured into rushing that thing to us; I would much rather we give you whatever space you need in order to make it thorough.

Ms Robins: Thank you very much, Member MacIntyre, for your question. We certainly appreciate the question because it is a concern of ours as well. As we've noted, we do have a lot going on in terms of the different matters our office is undertaking right now, the most important of which is the new registry, for which the go-live date is October 31, so that is keeping us very busy at the moment with limited resources.

As Commissioner Trussler mentioned previously, we do have a number of concerns with the timeline being shortened too much because we share the same concern. We would like adequate time to put together a very good report to bring to this committee. So we certainly do appreciate you bringing that matter up for discussion. We would be looking at, hopefully, mid-November. We would like to ask the committee to consider extending the submission date for our report.

Mr. MacIntyre: If I may continue, do you feel that mid-November gives you the adequate space that you need?

Ms Trussler: We've already done some preliminary work, so we think that we could probably meet that deadline.

Mr. MacIntyre: Okay. When had the committee given you – it was October 31 that you needed to submit your report, correct?

Ms Robins: Uh-huh.

Mr. MacIntyre: So you're only asking for two more weeks.

Ms Robins: We hadn't been provided with a specific date from the committee to provide a report.

The Chair: Yeah. If I could just make a point of clarification here. Later on in the agenda we are going to be discussing the proposed timeline for completion, so we can have a broader discussion at that

time about when they could potentially submit. Up to now no submission has been requested.

Mr. MacIntyre: Okay. If you're comfortable with that, then when we come to this item on the agenda, I will be making a recommendation to the committee on mid-November, you know, that you be permitted that much time in order to get that report to us.

Ms Robins: Yes. We could work with that date.

Mr. MacIntyre: Okay. Thank you very much.
The second question I had if I may.

The Chair: Please go ahead.

Mr. MacIntyre: Regarding prescribed provincial entities, are there any of the ABCs, agencies, boards, and commissions, in this province that are exempt from the PPE?

Ms Trussler: Well, one for sure is the Alberta Gaming and Liquor Commission.

Mr. MacIntyre: No kidding?

Ms Trussler: And there's no reason for it be exempt.

Mr. MacIntyre: Hokey Dinah. Okay. All right. I assume that's going to be in your report?

Ms Trussler: It will be.

Mr. MacIntyre: Okay. Thank you.

The Chair: MLA Dang.

Mr. Dang: Yes. I have a couple of questions if that's okay, Mr. Chair.

The Chair: Sure. Please go ahead.

Mr. Dang: Thank you. I just wanted to start with a very quick clarification. You said that an organization lobbyist is somebody who lobbies for over 100 hours. For a consultant lobbyist there is no minimum. Is that correct?

Ms Robins: That's right. It's tied to when they enter into an undertaking to lobby on behalf of a client.

Mr. Dang: Cool. Sure.

I have a question around enforcement because – I believe it's in sections 15 to 19 that you speak about enforcement in the act. I'm just wondering. How common a practice is it actually for the registrar to issue any penalties or conduct any investigations in that capacity?

Ms Robins: It's not that common. Since the act was implemented, there has been a total of three investigations. The last one was done in 2013. More recently there have been two administrative penalties issued since April of this year. Those were the first issued by our office. So it's not common, and there aren't many instances when we find that it's required. Overall lobbyists are very good at complying with the act, but there are certainly instances that come up where we do have to issue an administrative penalty.

Ms Trussler: We have had to approach some enterprises and suggest to them that perhaps they should be registered when they haven't been, and if they comply right away, then we usually just accept the fact that they have registered. From time to time we find

people that have not registered that we think should have registered, and we follow up on it.

Mr. Dang: Do you find a difference at all between the types of lobbyists who haven't registered or you might have to ask to?

Ms Robins: In terms of . . .

Mr. Dang: Consultant versus organization.

Ms Robins: In terms of how often they're . . .

Mr. Dang: Yeah. How often the infractions are.

Ms Robins: Not really. The ones that we have to follow up with more, that Commissioner Trussler just referred to, tend to be the organization lobbyists. We might see something in the paper that might flag to us that they're out there doing some lobbying activity, and then they're not in our registry, so we'll contact them. Those tend to be more the organization lobbyists. The consultant lobbyists: the biggest thing with them would tend to be a late filing, for example.

1:50

Mr. Dang: Thank you.

I have one more quick question. Your presentation indicated that lobbyists have to do an online submission to register, right? Is there a mechanism in place that empowers the office to investigate when somebody hasn't registered? I know that you spoke just briefly about that right then, but is it more of an honour system, that people are registering unless there's something that you just happen to notice?

Ms Robins: Yeah. I mean, I have the ability, when I see something in the paper, something comes to my attention – like, there doesn't need to be a formal complaint – to contact that person. Like I mentioned, if there is something in the media that I've noticed, then I can contact that person and say: "You know, we saw this article. Can you please explain your activities?" That has generally resulted in a positive result where they've registered right away. I'm sorry. Did that answer your question?

Mr. Dang: Yeah. But there's no formal mechanism in place to ensure that lobbyists are registering?

Ms Robins: Well, there is the ability to investigate, and then there would be a report produced out of that. That report would be reported to the Legislative Assembly. We have the ability to issue the administrative fines as well.

Ms Trussler: Well, when members meet with the people who come to see them and it's a corporation or they're looking for some favour from the government, members can actually go online and find out whether or not the person they're meeting with is a registered lobbyist. Or if you have trouble with our current system, which would not be unusual, you can phone our office if you're going to be meeting with someone and you want to know whether they're a registered lobbyist, and we can tell you very quickly.

Mr. Dang: Right. Okay. Thank you.

Mr. MacIntyre: Just a clarification on the kinds of lobbyists that are covered under this act, consultant and organization lobbyists, for my own information here. If we have a nonprofit organization that has paid and unpaid staff and it is an unpaid staff person that is deemed the lobbyist, is that organization required to register?

Ms Robins: Well, for not-for-profit organizations we would first look at whether as an organization as a whole they're required to register. We would look at their mandate. Are they "constituted to serve management, union or professional interests"? The second part of that: if the majority of their members are for-profit organizations. It's quite a complex test that we have to currently apply to a nonprofit organization to see if they're even required to register in the first place.

Assuming that they are required to register, we would then look at: are they being paid? Are the folks who are actually engaged in the lobbying being paid? Under the act volunteers aren't captured by the act, so they also have to be paid.

If they meet that threshold, then the third threshold is: are they meeting that 100-hour requirement – that would be the third part of that – and are they engaged in enough lobbying to be required to register under the act?

Only when they've sort of passed all of those thresholds would they actually have to go in and register under the act. Then there's a particular section in their form where they would have to list all the paid employees of that organization who are engaged in lobbying activities.

Mr. MacIntyre: So if we had an organization that was, just for argument's sake, the soccer moms' association of Alberta and they were lobbying big time, they would actually be exempt from being registered?

Ms Robins: They would be exempt because they don't fall under union, professional, or management.

Ms Trussler: Most not-for-profits do not have to register.

Mr. MacIntyre: That's a substantial amount of lobbying.

Ms Trussler: It is.

Mr. MacIntyre: Is that going to be in your report?

Ms Trussler: It is.

Mr. MacIntyre: All right, then.

Mr. Hanson: I just have one quick question if I may.

The Chair: Please go ahead, Mr. Hanson.

Mr. Hanson: Thanks again, you folks, for coming in. We keep talking about this 100 hours per year. How do you monitor that? Do they submit on a volunteer basis, or is it only if you happen to pick up something – like you said, a report in a paper – that you look into it? Do you have the right to access their payroll? How does it work?

Ms Robins: Yeah. There's no formal way to monitor. I mean, it is very much a self-reporting system, where organizations, when they meet that 100-hour threshold, have to go in and – what I tell companies on the phone is: "You know, if you're out there lobbying, do you really want to be sitting there and counting hours? Did we meet the 100 hours today? Did we not meet the 100 hours today? You're far better off to go in. There's no cost to register. Make sure that you're covered. You've got your registration if you're out there lobbying." Most companies, in fact, all of them to date that I've had that conversation with, have been very receptive to that because they don't want to be in a situation where, you know, they're at 102 hours and now they're in trouble. I think it's a very difficult thing for them as organizations to actually monitor, especially when they have multiple people in their companies. Most

of them just say: "We're just going to register. We don't want to be counting hours."

Now, in terms of the ability for us to monitor that, if I do suspect that they're out there – for example, I've seen a media article – I will contact them, and it might involve doing a preliminary investigation depending on their response. We do have the ability to conduct a full investigation requiring them to provide appropriate documentation to verify if they take the position that they have not met that requirement.

Ms Trussler: But for the most part we have no ability to monitor which company meets 100 hours and which one doesn't, which is one of the many problems with the 100-hour threshold.

Mr. MacIntyre: Because Alberta was last, more or less, as jurisdictions go, to have this kind of legislation and we can learn from lessons learned in other jurisdictions, at the time when this legislation was being drafted and other jurisdictions were looked at: are there others that have this 100-hour threshold or something like it?

Ms Robins: There are some others that do have it. Saskatchewan just came out with their legislation, which is about to be proclaimed, and they have a similar – in fact, I have it.

Okay. Alberta has, of course, the 100 hours, but what's important to note about our 100 hours is that it doesn't include preparation time. We are the lone jurisdiction that does not include preparation, so our 100 hours is actually very broad, very extreme, if you will, because we don't include that preparation time.

B.C. has 100 hours, but they include their preparation time. Saskatchewan has 100 hours, but they also include preparation time. Manitoba has 100 hours, but they also include preparation time.

Ontario has 50 hours with no mention of whether or not they include preparation time, and then the other jurisdictions – Quebec, federal, Newfoundland and Labrador, Nova Scotia, New Brunswick – have very complicated tests. It's not hours based. It's more a threshold: "Does it comprise a significant part of your duties? Is it more than 20 per cent of your duties?" They have very complex tests that they have in place, which must create interesting issues for them to administer, I'm sure.

Mr. MacIntyre: Well, it raises the obvious question for me that if you don't have the resources to actually investigate and police this, why even have it there? From your perspective, Commissioner and Ms Robins, would it be sensible just to pitch the thing and not have 100 hours there at all, or is that just too far?

Ms Trussler: Well, my recommendation would be that if you're lobbying the government, you should register, and you shouldn't worry about the 100 hours because it is very difficult to monitor.

Mr. MacIntyre: Right. Thank you.

The Chair: Any further questions?

Mrs. Aheer: Mr. Chair, it's Leela. May I ask a question?

The Chair: Yes. Please go ahead.

Mrs. Aheer: Thank you so much. I was wondering if I could just get a little bit of clarity dependent upon, of course, the date that the new registry is up and running. You were mentioning something about all lobby groups. I'm just not sure if I understood this correctly. They'll all have to reregister because the previous registrations can't be transferred. Is that correct?

Ms Robins: That's correct.

Mrs. Aheer: Especially with the amount of workload that you are all under to have this up and running, how are you reaching out to your stakeholders and the lobbyists and whatnot so that they understand? Will that just go out as a general notice?

Ms Robins: We've sent to date two e-mails sort of to everybody who's registered to inform them of the process that we're going through right now. The first one actually let them know that there would be a new registry coming and asked for their input on development of that new registry. That went out a number of months ago.

The second one was more recent, approximately three weeks ago, where we informed our stakeholders of the October 31 anticipated rollout date and that they will have to in fact go in and reregister in the system because we won't be able to transfer the data over and that they will be informed with regard to the specific processes about staggering those registrations over a period of five months.

2:00

Mrs. Aheer: Okay. Thanks so much for the clarity on that.

The Chair: Anybody else on the phones have questions? No. Anybody else here in the committee room?

Okay. Hearing none, once again I'd like to thank all of our guests for coming and doing their presentations.

Before we carry on – and believe me, Commissioner Trussler, we've heard you loud and clear regarding the time constraints that you have. That being said, the committee may wish to call upon the expertise of the office of the Ethics Commissioner and the Ministry of Justice and Solicitor General as we go through this review. Therefore, could I ask a member to move the following, that the Standing Committee on Resource Stewardship invite officials from the office of the Ethics Commissioner and lobbyist registrar and the Ministry of Justice and Solicitor General to attend committee meetings and participate when requested to provide technical expertise and request that these officials work in conjunction with the Legislative Assembly staff as required to support the committee during its review of the Lobbyists Act.

Okay. Moved by MLA Dang. Any debate or discussion on the motion? Again, I'll stress that we're taking into consideration the time constraints that you have. All in favour of the motion? Any opposed? On the phones? That motion is carried.

We'll now turn the discussion over to the consultation process, item 4(d). Hon. members, the deputy chair and myself felt that it might be a good idea to have for members' consideration the previous stakeholder list of the 2011 Lobbyists Act review. This was posted on the committee's internal website in late June. We also felt that it might aid the committee's deliberation if we were to ask research services to provide the committee with some suggestions for a stakeholders list for this meeting. Committee members were contacted by e-mail on July 29, 2016, asking for their suggestions for the draft stakeholder list.

Before I actually get to opening the floor, I'd like to ask Dr. Philip Massolin to make a few comments on the stakeholders list.

Dr. Massolin: Thank you very much, Mr. Chair, for the opportunity to present the list orally to the committee. As you've said, this list has been updated and revised and was posted to the committee's website in late July for the committee's review. It's a draft list, subject, of course, to the committee's approval and revision.

What I'd like to point out specifically is item 1.0, so I turn your attention to that. It's entitled Lobbyists. What we're proposing to

do there is to work with the lobbyist registrar, Ms Robins, and the Ethics Commissioner's office generally to attain a list of current lobbyists plus also the lobbyists who have recently terminated registration so that this committee can consult those individuals through a stakeholders letter with respect to this current review. That will capture literally hundreds of stakeholders.

The other list, as you can see – sorry. The rest of the list concerns certain organizations and other interested parties, including the Members of the Legislative Assembly, excepting those on this committee because they are all stakeholders.

With that, Mr. Chair, I'm open to questions. Thank you.

Mr. Drysdale: I'm just curious. On your municipal organizations list there you have AUMA but not AAMD and C. I don't know if that's an oversight, but if not, I'd like to add AAMD and C to municipal organizations.

Dr. Massolin: Certainly.

The Chair: Okay. Thank you very much. Anybody else?

Mr. Hanson: We'd like to add some names to the list if we could. Is this the time to present them?

The Chair: Yes, most definitely.

Mr. Hanson: Would you like me to read them out, then?

The Chair: Yes, please.

Mr. Hanson: I have Elan MacDonald from the firm Impact; Bill Donahue, Bill Donahue Associates; Jim Dau from Prismatic Group Inc.; Joan Forge from Forge Ahead Communications; Gordon Olsen, GOA Inc.; Thomas Olsen, Tom Olsen Public Affairs Inc.; Lee Funke from 1076025 Alberta Ltd., operating as Torque Communications; Ken Kobly, Alberta Chambers of Commerce; and Gerald Chipeur from Miller Thomson LLP.

The Chair: Okay. Thank you very much.

Mr. Rosendahl: When I was reviewing the list, there seemed to be a considerable discrepancy here between the list that was provided on July 28, 2016. When you look at the list that we have and then you look at the list that we received or printed off for June 13, 2011, there are over 150-some entries in that list, yet the newer list is only showing about 20. Can you explain exactly why there's such a discrepancy here regarding this?

Dr. Massolin: Mr. Chair, if I may, I think I've already explained it. The fact is that under 1.0 you have the lobbyists, so what we're proposing there – and I think this also answers Mr. Drysdale's question. The currently registered lobbyists, including, I think, the AAMD and C – although we'll be certain that if they're not a registered lobbyist, we'll include them on the list. All of those lobbyists who are currently registered with the lobbyist registrar will be consulted. Instead of listing them all, you know, in one big spreadsheet or list here, what we'll do is consult with Ms Robins and her group to get that list. In effect what we're saying here is that that list is included on, you know, the committee's list. We just haven't listed every last lobbyist, but we will get that list from Ms Robins, including the recently terminated. So if you add all those in, you've got hundreds of more names.

Mr. Rosendahl: Oh, okay. Thank you.

Mr. MacIntyre: I have some organizations that I would like Dr. Massolin to communicate with as well and include on the list of these e-mails and correspondence that's going out, which is the list that you're compiling, correct? One is the Alberta Wheat Commission, and I'll give you a copy of the contact information. CanGEA, which is the Canadian Geothermal Energy Association. Now, I'm not sure about Ducks Unlimited because they are a not-for-profit organization, but they definitely do lobby. This is something, Mr. Chair, maybe we should discuss. Even organizations that are not required to register as lobbyists may want to voluntarily anyway. Does anyone have a problem with us inviting them?

The Chair: It's open for discussion.

Mr. MacIntyre: The act is open for review. They may be required one day. If we don't include their comments in this review and then at the end of the day they are included, then they will not have had an opportunity to say anything to us. That's my rationale for inviting someone like Ducks Unlimited.

The Chair: Yeah. Most definitely.

Mr. MacIntyre: CAODC. The Canadian Federation of Independent Business is another one. I don't know what you'll think of this one, but the Coal Association of Canada and Robin Campbell, that was just investigated – he's probably got some things to say. I think we should communicate with him and invite him to come and talk to us.

That's all I have on my list.

The Chair: Something we may want to consider: as I stated, an e-mail went out on July 29, but I realize that, you know, it's summertime and people are busy in their constituencies, so what we could perhaps do is extend it for another week for people to make suggestions. Would people be open to that option? Yes, Mr. Malkinson.

Mr. Malkinson: Thank you, Chair. To the point that was brought up by Mr. MacIntyre, it would make sense to allow a little bit of time for us to go back to our ridings and think about some stakeholders that we might have not initially thought of and bring those forward to Dr. Massolin. I think that would be a great idea, and I would be happy to make a motion to that effect.

2:10

The Chair: Okay. We have a motion on the table to entertain extending by a week for people to make submissions to the stakeholder list.

Any discussion on the motion? All in favour? Any opposed? On the phones? That motion carries.

I will make the suggestion that those names be submitted to the committee clerk and that the committee clerk can then pass them on to Dr. Massolin. If you don't have Mr. Aaron Roth's contact information, well, you should. He sends you all the e-mails, so you should have it.

Okay. Mr. Drysdale, you had a comment?

Mr. Drysdale: I just wanted to comment that Dr. Massolin said that it will be going out to 500 lobbyists, and I know some of the names that you listed are registered lobbyists. So, you know, without knowing who those 500 people are, I think they're going to get hit twice because I know lots of the names you mentioned are registered lobbyists.

The Chair: Dr. Massolin.

Dr. Massolin: Yes. Thank you, Mr. Chair. It's a very good point. We will cross-reference because I think a lot – I was even looking at the Canadian Federation of Independent Business. It's on the list. I just checked it out now. So any of those that are already on the list, of course, we'll only contact once.

Thank you.

The Chair: Okay.

Yes, Mr. Hanson.

Mr. Hanson: Yeah. I know it's been mentioned a couple of times, and the commissioner mentioned it as well, that the cross-jurisdictional – I just want to make sure that it's something that we're addressing here and, you know, that we can benefit from what's been done in other provinces as well as federally. If it needs to be put into a motion, I'd be happy to do that as well.

The Chair: Yeah. We were planning on discussing that under the timeline.

Mr. Hanson: Okay.

The Chair: But I'll entertain a motion right now if you want to address it right now.

Mr. Hanson: Sure. I would move that the Standing Committee on Resource Stewardship instruct committee research services to prepare a crossjurisdictional analysis for the committee's consideration at its next meeting.

The Chair: Okay. The motion has been moved by Mr. Hanson. Any discussion on the motion? Yes, Mr. Nielsen.

Mr. Nielsen: Yeah. Thanks, Chair. I think that's a really great idea. We need to have that information in front of us. You know, I'm certainly ready to support that. I certainly urge the rest of us around the table here to support that as well.

The Chair: Any further discussion on the current motion that's on the floor? Hearing none... [interjection] I don't believe it's necessary to have a seconder. All in favour of the motion? Any opposed? On the phones? Okay. That motion is carried.

Okay. Any further discussion on the stakeholder list?

If there is no further discussion or suggestions to the stakeholder list, can I ask a member to move the following, that the Standing Committee on Resource Stewardship approve the draft stakeholders list for its review of the Lobbyists Act with additions by August 25 with suggestions provided to the committee clerk and that the chair invite written submissions from the stakeholders with a deadline of September 23, 2016.

Mr. Rosendahl: So moved.

The Chair: Okay. Thank you, Mr. Rosendahl. Any discussion on the motion? Hearing none, all in favour? Any opposed? On the phones? Okay. That motion is carried. Thank you very much, everyone.

Now we're going to move on to public written submissions, item (ii) under this section. Members, in a previous review of the Lobbyists Act and in other statutory reviews decisions have been made as to whether or not a committee wishes to seek public submissions as part of the review process. The committee should decide whether or not it wishes to solicit written submissions from the public in regard to its review of the Lobbyists Act. I would now invite discussion on this matter.

Mr. MacIntyre: I think it's important to throw it out to the public for this reason as well as others, that there may be organizations that aren't going to be on the list that we are going to be sending out. This would be their only other avenue to come before this committee, so I very much support the concept of throwing this open to the public for anyone to come.

Ms Sorensen: Mr. Chair, if I may, just to provide a more fulsome answer to the committee in terms of some of the questions that were coming forward a little bit earlier in terms of what was done in 2011. I've had an opportunity to pull that information. The committee in 2011 did decide to do a province-wide advertising campaign, both with the dailies and the weeklies, as well as some media relations and some website work. The total for that campaign – granted, it was seven years ago – was around the \$30,000 mark. The basic cost that I've put forward would be more in keeping with the 2016 numbers, if that provides any clarification to committee.

The Chair: Does everybody have the options for communications in front of them? It's on the committee website if you have access to that.

Ms Woollard: Just a quick note. I agree with other speakers. I think Albertans need, deserve to have a voice in this review. Given the need to increase transparency and accountability between government and lobbyists, it's important.

Mr. Malkinson: Just a quick question. As I was not elected in 2011, when you went out to ask for submissions from the public, was there any particular wording or advertisement that you found was particularly effective then to get submissions back that the committee should be aware of?

Ms Sorensen: If I may, Mr. Chair. Certainly, we typically follow the same sort of process, asking for written submissions by a certain date. We do specify usually within that ad that those submissions would be made public. Other than that, there is really not a lot other than that we're trying to drive the traffic back to the website in all of our communications. That's where we can continually post new information. Also, I should probably point out that in 2011 it was prior to the LAO having much of a social media presence, and social media does allow us some opportunity to put additional, supplementary messaging out there.

Mr. Malkinson: Okay. Thank you.

Ms Sorensen: You're welcome.

The Chair: Just for the committee's sake, I'm just going to go over these numbers. Advertising province-wide in the weekly papers is going to cost approximately \$35,000. Advertising in Alberta's daily papers is going to cost approximately \$8,000. Then, I guess, as an alternative we could do advertising in specific communities and surrounding areas, which would be approximately \$10,000 per targeted campaign. There's also the option of social media advertising, which would cost approximately \$2,000.

I'd just like to get clarification on behalf of the whole committee as to how they'd like to proceed with advertising the request for submissions. Yes, Mr. Nielsen.

Mr. Nielsen: Thanks, Mr. Chair. I guess, just drawing on my experience on some of the other consultations and, I suppose, trying to keep in consideration what we've heard back from the last time, maybe we could start, you know, sort of at maybe a midpoint, where we choose a couple of options, see what kinds of responses we get back. If it's really sort of overwhelming and obvious that people are

engaged, then we could maybe consider going a little bit further beyond that. If we're maybe getting some of the numbers like we've seen in the last one, then we can decide not to go further and just run with what submissions we have. Just throwing out that for the committee's discussion here, seeing where it leads us.

2:20

The Chair: Okay. Anybody else wish to comment?

Mr. MacIntyre: It doesn't sound to me like it's a great big pile of money anyway we want to look at this. You said \$35,000 . . .

The Chair: Thirty-five thousand province-wide, yeah.

Mr. MacIntyre: . . . for the weeklies and another \$10,000 for the dailies that we have. So we're looking at a total of \$45,000 and a couple of thousand more for social media for a total of \$47,000, which in 2016 dollars isn't a whole lot more than what you paid last time, correct? That's really not a lot of money anyway compared to some of the advertising costs.

Ms Sorensen: I'll leave that to the committee's discretion.

An Hon. Member: Compared to the YouTube ads?

Mr. MacIntyre: Well, compared to the YouTube ads and some of the other advertising this government is doing, this is a drop in the bucket.

I would say that what's actually going to be more important than where we advertise, even, is when. Right now Albertans are in holiday mode, and the first week of September is children back-to-school mode. So what would you recommend would be a time frame for us to put ads out there that would be effective?

Ms Sorensen: Mr. Chair, if I may, I guess that's kind of what we're looking for a little bit of direction on in terms of how the committee feels about when they want to receive that information. If there's a deadline for submissions, then we would work backwards to make sure that we're getting the advertising in to allow – typically three to four weeks is what we aim for in that process in terms of when the ads run and when people have to make their submissions.

The Chair: Okay. MLA Nielsen.

Mr. Nielsen: Thanks, Mr. Chair. I guess maybe just a thought to throw out there: with the Ethics and Accountability Committee, I don't believe we spent that much money reaching out to Albertans for that, where we're reviewing four different pieces of legislation. Maybe just something to consider there.

The Chair: May I ask for a point of clarification, Ms Sorensen? Advertising province-wide in the weekly papers will be \$35,000. Now, the \$8,000, approximately, for Alberta's daily papers: is that a completely separate cost, or is that incorporated into the \$35,000? I just wanted to make sure that . . .

Ms Sorensen: Yes. That's a separate cost.

The Chair: A separate cost. Okay.

Ms Sorensen: The \$35,000 – and give me a little leeway here – is approximately 110 weekly newspapers that go throughout the province. The \$8,000 in the dailies typically covers the major centres, which do have some reach also into the surrounding communities. Then, of course, if you do a targeted campaign, that's usually on a specific issue, where you're looking to target a specific area.

The Chair: Okay. So, then, to reiterate, we're – yes, Mr. Nielsen.

Mr. Nielsen: Sorry, Mr. Chair. Would social media costs be on top of that as well?

Ms Sorensen: With social media you have a number of options. Of course, there are the free options that we would leverage, our accounts and things of that nature. In other areas we've also supplemented that with paid advertising on social media that can be geotargeted towards, well, lobbyist-type people.

The Chair: Okay. Good.

Any further discussion? Mr. Malkinson.

Mr. Malkinson: Thank you. I would suggest that, you know, it being the day and age we're in, it would make sense that we would go forward with doing \$2,000 on the social media advertising. I think that would make sense. That would be my thought if the committee . . .

The Chair: In addition to the province-wide and the dailies?

Mr. Malkinson: Yeah. I was just going to ask for a point of clarification, perhaps. I was thinking back to the review that's currently going on through Legislative Offices, where we're looking into the Child and Youth Advocate Act. This advertising budget for the newspapers seems higher than that one, and I don't know if it's different targets, bigger ad, different text. It seems like it's in line with what we'd done previously. I was just sort of wondering, for some clarification, what the differences were between those two. Those are sort of the ones I'm most familiar with in these types of communication plans.

Ms Sorensen: Certainly. If I may, Mr. Chair, usually we put approximate costs in for a reason, and that is exactly what you touched on. We don't really know what the size of the ad might be until we place the text in it. I don't have the Child and Youth Advocate plan in front of me, but I would guess that it's probably fairly similar because it does run around the \$30,000 to \$35,000 mark for the weeklies, and it usually runs \$8,000 to \$10,000 for the dailies. So it shouldn't be much of a discrepancy, but we wouldn't have the actual costs until we have the direction and can get the actual quotes in. Does that answer your question, Mr. Malkinson?

Mr. Malkinson: Sort of.

Ms Sorensen: Sort of. Is there something I can help clarify further?

Mr. Malkinson: I guess it just seems a little expensive to me. I mean, obviously we want to make sure we, you know, reach the people we want to reach. I think the social media bit is a very good idea. I just want to make sure that I have an understanding of what we're paying for and that it is in line and that those costs are reasonable.

Ms Sorensen: I can try and pull up the other . . .

Mr. Malkinson: I don't know if that's necessary. I was just trying to get an idea for clarification for myself.

The Chair: I'm just going to ask for a brief pause on this discussion because I see that we only have five minutes, so I'm just going to ask for consent of the committee that we go over our 2:30 time limit. Is everyone in agreement that we can go over? Okay.

We'll just come back to the discussion now. Mr. Nielsen, you had your hand up.

Mr. Nielsen: Thanks, Mr. Chair. Again, just rough calculations around it: if we're to do a full-blown campaign, all in – social media, the whole works – we're running somewhere in the neighbourhood of between \$45,000 and \$47,000?

Ms Sorensen: Yes. And just for the committee's clarification, we do provide approximate numbers, usually budget a little higher just because we won't know until we get the quotes. We do try and budget a little higher so that you're not surprised by a higher number than that. In most instances it will come in a little bit lower than that.

Mr. Nielsen: Sorry. If I may, Mr. Chair.

The Chair: Please go ahead.

Mr. Nielsen: What was it we spent – do you know? – for EAC, for that campaign?

Ms Sorensen: If you can continue deliberations while I look that up.

Mr. Nielsen: Absolutely. Sorry to put you on the spot.

Ms Sorensen: That's okay.

The Chair: Any further discussion on the matter while Ms Sorensen looks up that data? Okay.

Ms Sorensen: Come on, you guys. You have to keep talking. I'm not that quick.

Mr. Nielsen: Insert *Jeopardy!* music here.

The Chair: What I'm hearing is that we want to try to get out to as many people as possible. The weekly papers, the daily papers, and the social media is what I'm hearing from at least this side of the room, right? Okay.

Mr. Dang: I just want to make sure that when we are looking at this, we are comparing the costs that we're incurring here versus what we've done historically in this committee and other committees as well just so that we make sure that we are getting good return on everything that we're investing in for this. I understand that we do absolutely want to reach the highest number of Albertans that we can, but if there are some methods that we find are more efficient than others, perhaps we would want to look at those. Obviously, we can look at how other committees have done that as well.

Ms Sorensen: I have some information, perhaps not as accurate as you'd want. The exact same numbers were put forward in the options presented to the EA committee. Now, I'd have to actually go back and look at the receipts and what the costs came in at, but the exact numbers and the exact options were presented at that committee as well.

Mr. Nielsen: So which options were chosen at the EAC?

Ms Sorensen: For that I require a little bit more time to go back in the transcripts.

Mr. Nielsen: I'm sorry.

Ms Sorensen: That's okay.

The Chair: Okay. Perhaps just to give Ms Sorensen some time, let's discuss the submission date. Now, I believe it was either Mr.

MacIntyre or Mr. Hanson that made a good point about the fact that in September, you know, families, their children are going back to school. It's a busy time. Originally, I thought about September 23 as being the deadline, and I'd just like to throw that out. But it was a very good point you guys made, so I'm not too sure if you have an alternate date that you'd like to suggest or if members of the . . .

Mr. Dang: I have a question about that. Recognizing earlier that, I think, the commissioner needs a bit more time for their piece, is it possible for us to have two separate dates for the submissions, one for the commissioner and one for our public ones as well, so we have as much time as possible to digest the information?

The Chair: Yeah. I don't see why not.

2:30

Mr. MacIntyre: I would recommend that we put a deadline on this into the middle of October because, as Ms Sorensen said, you wanted a three- to four-week window in there, correct?

Ms Sorensen: That is correct; from the time the ads run until the time you want the submissions in.

Mr. MacIntyre: So if we have the deadline at the middle or end of October, then we have the ads going out at the middle or end of September. People should be back in the saddle and lives sort of normal.

Ms Sorensen: I believe that's kind of what other committees in this same time frame are looking at, advertising in mid-September for mid-October.

The Chair: Mr. Nielsen.

Mr. Nielsen: Thanks, Chair. I do believe the commissioner had some concerns, potentially, with a submission for their work. I know they're very busy. I guess maybe, Dr. Massolin, you might be able to clarify: would it be possible to have two different submission times, one for the public and then, you know, if it became necessary that the commissioner needed extra time, we'd be able to do that? Or is that muddying the waters, I guess?

Dr. Massolin: I'll pull out my favourite response. It's up to the committee, of course. You know, that's only sort of half-jokingly. It is actually up to the committee. I would say that you've already got a deadline here for your stakeholders that you've agreed to. I would make the argument that your key stakeholders here are Justice and the lobbyist registrar/Ethics Commissioner. Yes, the committee is the master of its own proceedings and receives submissions as it would like, so if you want to – it can decide on what the deadlines are. If you want to make a special dispensation for those two or just the lobbyist registrar to wait until mid-November, that's entirely up to you and, I think, entirely appropriate.

Thank you.

Mr. MacIntyre: Commissioner Trussler did specify that mid-November she felt would be adequate time for her to get that report to us, so for her department and for her report I would like that to be the deadline for them. Then, really, I don't see why we can't have different deadlines for different people, groups. We're not going to be able to look at them all in one day anyhow.

The Chair: Dr. Massolin.

Dr. Massolin: Sorry. Thank you, Mr. Chair. The only possible rationale, I suppose, is that you'd want to gather all your information at one point to have that committee meeting to discuss

the feedback, but of course that can happen following the last submissions, if you will.

Thank you.

Ms Sorensen: Mr. Chair, I have a little bit more information if that would be appropriate.

The Chair: Can I just have the committee make a final decision on a date of submissions first?

Ms Sorensen: Absolutely.

The Chair: We've agreed that Commissioner Trussler will put her submission in mid-November and that perhaps from the public we should move it to mid-October. Can we get consensus on that? Is everyone okay?

Mr. MacIntyre: Do you need a motion on that?

The Chair: Yes, we do need a motion, but just give me a second. I just want to look at what date in mid-October would seem best here so that we're not just picking it out of the air and it ends up being on a Saturday. So mid-October, we're looking at Monday, October 17. Does that sound reasonable to everybody? Okay.

At this time I'll entertain a motion regarding the Ethics Commissioner. Mr. MacIntyre, would you like to put that motion forward?

Mr. MacIntyre: Yes, I would.

The Chair: Okay. Please go ahead.

Mr. MacIntyre: I move that
the committee instruct the Ethics Commissioner that we would
like to receive her report by . . .
mid-November. Do you have an actual date?

The Chair: Mid-November. Let's give her a little bit more time. The 18th of November.

Mr. MacIntyre:
. . . the 18th of November.

The Chair: Okay. Any discussion on the motion before us? No. All in favour? Any opposed? On the phones? Okay. That motion is carried.

Now regarding the public submissions, if I could have someone move the following motion, that

the Standing Committee on Resource Stewardship solicit written submissions from the public in regard to its review of the Lobbyists Act, to be received no later than October 17, 2016.

Mr. MacIntyre. Thank you.

Any discussion on the motion?

All in favour? Any opposed? On the phones? Okay. That motion is carried. Thank you.

Now we'll go back to the advertising budget. Ms Sorensen.

Ms Sorensen: Thank you, Mr. Chair, and thank you for allowing me some time to look up the numbers from the Ethics and Accountability Committee. The total cost for the campaign strategies implemented in that review was \$41,000. That committee chose to advertise in the weeklies as well as the dailies. They also took advantage of some digital advertising in the dailies, so while the weekly number came down, the dailies went up a little bit because of the digital component. They also took advantage of Twitter and

Facebook advertising as well as some unpaid or free options that supplemented. Hopefully, that answers.

Mr. Malkinson: Yup. Thank you.

Ms Sorensen: Good.

The Chair: Okay. I think that we've exhausted discussion on that, so if I could have a motion at this time, I'd appreciate it.

Mr. MacIntyre: I'd like to move that we mirror the campaign that was launched previously and set aside sufficient funds to cover that.

Ms Sorensen: Can I just ask for clarification? When you say the campaign done previously: the one that I just described for Ethics and Accountability or the 2011?

Mr. MacIntyre: The one you just described because that was . . .

Ms Sorensen: The most recent.

Mr. MacIntyre: . . . exactly what you put forward to us as a suggestion.

Ms Sorensen: Absolutely.

The Chair: Dr. Massolin, does that suffice? Like, the information in that motion: does that suffice to give direction to Ms Sorensen, then, to move forward, in your opinion?

Dr. Massolin: I would think so, yes.

The Chair: Okay. I just want to make sure it's clear.

Okay. Any discussion on the motion?

Hearing none, all in favour? Any opposed? On the phones? Okay. That motion is carried. Thank you very much.

Hon. members, in other reviews of legislation where public submissions were sought, committees have authorized the chair and deputy chair to approve advertisements calling for said submissions. One very important component of these advertisements will be that individuals and groups who make submissions are aware that the input they provide to the committee may be made public. Are there any comments or questions in regard to advertisements for public submissions? No? Okay.

Seeing no further discussion, would a member like to move that the Standing Committee on Resource Stewardship authorize the chair and deputy chair to approve advertisements, ensuring that said advertisements highlight that any submissions received may be made public to the committee.

I'll open discussion on that motion as soon as someone moves it.

Mr. Malkinson. Thank you very much.

Any discussion on this motion?

Mr. Malkinson: I think this is pretty standard, what's been done in other committees, so I would be willing to support it.

The Chair: Any further discussion on the motion? Okay.

Hearing none, all in favour? Any opposed? On the phones? Okay. That motion is carried.

Hon. members, a proposed timeline for the completion of the review of the Lobbyists Act has been posted to the internal committee website. The timeline is based roughly on the time it took the previous committee to review the Lobbyists Act in 2011. Are there any comments or questions other than the ones that have already been brought up regarding Commissioner Trussler about the timeline?

2:40

Okay. Hearing none, is there general agreement, then, to follow the revised proposed timeline for the completion of the review? If I could get a motion that

the Standing Committee on Resource Stewardship adopt a proposed timeline and that it serves as a basis for scheduling future meetings for the review of the Lobbyists Act.

Yes, MLA Woollard.

Any further discussion on the motion?

All in favour? Any opposed? On the phones? That motion is carried.

We'll now move to item 5 on the agenda, requests to present to the committee. Hon. members, at the February 11, 2016, meeting of the committee, members agreed to defer consideration of a request from the Alberta Association of Municipal Districts and Counties to present to the committee until after the main estimates process was complete. Since that time other requests to make presentations have also been received from the Independent Power Producers Society of Alberta and from three environmental organizations – the Alberta Used Oil Management Association, the Alberta recycling management association, and the Beverage Container Management Board – who wish to present to the committee as a group. The requests of these organizations have been posted to the committee's internal website for all of you to review.

The committee finished the main estimates consideration on May 16, 2016, and then Government Motion 21 referred the Lobbyists Act to us on June 2, 2016. Standing Order 52.04 creates a scenario where an order referring a matter from the Assembly takes priority over other committee business, so while I'm certainly aware that several members would like to hear from these organizations right away, I am mindful of ensuring that we do not deviate from the rules of the Assembly that govern us. Accordingly, my recommendation as chair is that the committee revisit these requests once the Lobbyists Act review has been completed, and I would like to thank these organizations for coming forward and offering to present to the committee on what are very important matters to Albertans.

At this time I'd like to open up for questions or discussion on the matter. Yes, Mr. Loewen.

Mr. Loewen: Yes. I'm just looking at the letter from the AAMDC dated January 29 requesting a meeting, received by the Legislative Assembly Office on February 9. I understand that this was deferred because of estimates, but we sit here now having this task with this lobbyists registry review on June 2, which was basically two or three days after the Municipal Government Act received first reading in the House, which was May 31. Now we're going to have to put the AAMDC off until after we're done this lobbyists registry, for which, you know, we've just discussed a pretty extensive timeline, and of course we're going to be discussing Bill 21, the MGA review, this fall during session. So this organization that wants to meet with us and has wanted to meet with us for eight months now is not going to be met with until after the MGA review is passed in the House or presumably passed in the House.

Though I understand the rule of the committee that we can't deal with other things other than what's before us right now, I do want to express some frustration with that rule. When a committee is tasked with only one thing at a time and can't look at anything else – I guess I would ask if there's any way or how we would change this. I think it's frustrating that this group, you know, has wanted to meet us for this long and we sit here with our hands tied and not be able to even listen to them. I'm not even talking about any kind of in-depth discussion or any decisions from that meeting but just not

being able to listen to them. Is there any way that we can work around this? That's what I'd ask.

The Chair: May I suggest that you're directing your question to Dr. Massolin?

Mr. Loewen: Yes.

Dr. Massolin: Thank you, Mr. Chair and Mr. Loewen for the question. The standing orders of the Assembly, as members know, are made by the members themselves, are agreed to by the members through usually a process that's initiated by the House leadership. My suggestion is that that's one of the routes by which to make suggestions for revisions, for amendments to the standing orders, and then they can be taken up by the Assembly either through the passage of a motion or possibly through the Privileges and Elections, Standing Orders and Printing Committee.

Thank you.

Mr. Loewen: Okay. Thank you for that. I appreciate that.

I guess I just want it on the record that we don't want these organizations, these multiple organizations that have approached us, to feel that they've been slighted in any way by this committee because, speaking for myself and others on the committee, too, I'm sure that we would love to meet with these groups at their earliest possible convenience.

Mr. Hanson: I have a suggestion. We've got submissions, written submissions, and the list of stakeholders. You know, with our deadlines we have until mid-October, so the fact that we would probably not be holding a meeting of this committee until after that point, once we've had a chance to review, gives us the whole month of September and the first part of October before we go back into session. We could hold a special meeting that wouldn't interfere at all with the discussions that are being held here. Would it be possible to make a motion here that we approach the House leaders' group and present that to them, that if we held a special meeting where these people could come to present, it would in no way interfere with the functions of this committee with respect to the Lobbyists Act?

The Chair: Discussion on the matter? Dr. Massolin.

Dr. Massolin: Thank you, Mr. Chair. I think it's a good attempt and an interesting idea, but I think that it's not up to just the House leaders; it's in fact up to the Assembly, that agrees to – the House leadership is the mechanism by which proposed recommendations can be brought forward to the Assembly. One mechanism in the Assembly is that a government motion is proposed and presumably passed by the Assembly, but that can only happen, of course, after the Assembly next meets, which I understand is going to be in late October.

Thank you.

The Chair: Mr. Drysdale, you had some comments, questions?

Mr. Drysdale: Yeah. It was basically along the same lines, that, you know, this committee isn't busy now till October, so why couldn't we just take some public presentations? We could do two or three in a day. It wouldn't affect the process that we have on Bill 21 there.

Going back to the AAMD and C request, I think their question on linear taxation was actually answered in the MGA, in what's come out, so that may not be an issue for them anymore. They had a couple more on, you know, the STIP funding. I think their main question has already been answered in the MGA, so we might even

be able to contact them, and maybe they don't have a need to meet anymore.

The Chair: I was actually going to make that suggestion. If people think it's fair, I mean, I could reach out to those organizations that have contacted us, with a letter explaining kind of our situation and the protocols that we have to follow, and see, number one, if they're still interested in wanting to present to this committee. As I reviewed the letter from AAMD and C, I thought: well, there were consultations being held around the province regarding that issue, so maybe they've spoken up there. I could look into it a little bit deeper, connect with them by writing them a letter, and then kind of see where we're at there.

How would people feel about that? Mr. Nielsen.

Mr. Nielsen: Thanks, Mr. . . .

The Chair: Oh, wait. One second.

Mr. Drysdale: I wasn't quite finished. Along that same line, if you're going to do that, then I would say that we could have presentations from the Independent Power Producers Society, too, because we don't have to do one each day. We could do three of these in a day. I think that it's a very timely issue right now, with the PPAs, and it would be nice to have that one-on-one so there was a better understanding around this table before we go in to legislate in the fall. That's just my suggestion.

The Chair: Okay. Mr. Nielsen.

Mr. Nielsen: Thanks, Mr. Chair. These organizations: I mean, is the only contact they have through this committee? Maybe this is to Dr. Massolin, I guess. Can they still reach out to ministries at any point in time to discuss whatever they need to discuss, or are they, I guess, pigeonholed into just being able to come to this committee in the meantime?

2:50

The Chair: Dr. Massolin.

Dr. Massolin: Thank you. I am not an expert on the consultation process, but my thought is that they could still contact government. As the bill is properly before the Assembly, having been introduced at first reading – that's another aspect of this. I mean, members will be debating this in the fall as well.

Thank you.

Mr. Nielsen: Chair, I guess I am going back to Dr. Massolin again. Are we able, now that we have a mandate with the Lobbyists Act, to just start scheduling meetings potentially outside of that mandate as we see fit? Are we allowed to do that?

The Chair: Dr. Massolin.

Dr. Massolin: Thank you. I think, as you yourself explained, Mr. Chair, the standing order exists – and that's 52.04 – to prioritize orders of the Assembly, which is what the committee is considering in terms of the Lobbyists Act review.

Thank you.

Mr. Drysdale: Chair, I suggest that we have to do more research on it, but I would question that because we are prioritizing the Lobbyists Act. It's our priority, but we can't do a damn thing for two months, so why can't we do something else even though that's our first priority? I'll have to do some research, but I might challenge you on that. I know that's a mistake, challenging a lawyer.

Dr. Massolin: Mr. Chair, through you to Mr. Drysdale: you're in luck; I'm not a lawyer.

Mr. Drysdale: I thought you were.

The Chair: Mr. Loewen, please go ahead.

Mr. Loewen: Yeah. Just one last comment. I think that at a minimum we can at least send a letter to these groups, if there's no other way to meet with them before we're done the lobbyist registry, and express to them our regret for not being able to meet with them based on the protocol of the committee.

But we can see that some of the stuff – it would have been nice to have happen a long time ago. If we look at IPPSA, for instance, and the importance of power production and the problems that the government is having right now with PPAs, the meeting would have been nice, probably, before the carbon tax came in. That would have been probably more timely then.

So let's at least do that, anyways, and go from there. I'll make a motion for the letters, and we can work down the road on these meetings and trying to sort it out in the House.

The Chair: As I understand it, then, it would be a motion for the chair to contact these organizations to see if they're still interested in presenting to the committee . . .

Mr. Loewen:

. . . and express our regret for not being able to meet with them . . .

The Chair:

. . . and then explain the protocols that we're under.

Okay. Does that seem fair to everybody? Mr. Nielsen.

Mr. Nielsen: Yeah. Mr. Chair, I think that's probably the correct thing to do, I mean, you know, to send our regrets that due to procedures we're unable – and hopefully in the future this committee can revisit and look at trying to get together with these folks.

The Chair: Okay. Sounds good.

We have a motion. Any further discussion on the motion?

Mr. Drysdale: I'll just add, not to drag it out, that AAMDC sent that letter in January, and with our schedule here it will be into February before we're done the Lobbyists Act. Then we're getting close to budget session again, and we'll probably say the same thing. So are we saying basically that this committee won't meet with any outside groups ever? You know, once we get into the budget session again, then we're looking at – who knows? – May or June.

The Chair: In my personal opinion, I think that that's the debate that we can have once the lobbyist review is done. I think that the proposed timeline is to get it done well before the year, and we will have time, so then we can deliberate on that at a later date. By no means are we trying to close the door to organizations that want to come and present.

But I think that the motion as it's been presented, to just connect with these people, first of all, to see if they're still interested – they may or may not be – and then to go from there, I think, would be the appropriate course of action.

Any further discussion on the motion?

Okay. Seeing none, all in favour? Any opposed? On the phones? Okay. That motion is carried.

We are now at item 6, other business. When we set the agenda, I didn't hear any additional items to be brought forward. Are there any now? Yes.

Mr. MacIntyre: Given the discussion that we just had over access to this committee by the public and that standing committees of this Legislature are a door, are the forum for the public to connect with the Legislature, I want to make a clear distinction here that of course the public can always access the government, but the government is not the Legislature, and the legislators are not the government either. If we really want to enhance the democratic process in this province, I believe hamstringing committees the way this particular measure does is antidemocratic.

I would like to propose a motion that this committee petition the government to introduce a motion to change this and leave it up to the individual committees to determine whether they are so taxed in looking at one particular issue that that's all they can do or whether they believe that they can handle having submissions regarding something else. I don't believe that we should be hamstrung by a procedure from the people of Alberta being able to come and talk to us. In my opinion, that is absolutely ridiculous and undemocratic.

So I would like to propose a motion that this committee petition the government to introduce a government motion that the prioritization of committee work is up to the committee, and if the committee feels that they can handle some other presentations, then the committee should have the liberty to do so.

Is that clear? Is that a clear enough motion for us to vote on?

The Chair: Sure. Let's just get the wording down.

Mr. MacIntyre: Let the wordsmith go to work over there.

The Chair: We'll come back to it, actually, when they've wordsmithed it.

I'll open it up for discussion. First I have Chris Nielsen, then Woollard, then Malkinson.

Mr. Nielsen: Thanks, Mr. Chair. I certainly understand where the member is coming from. I guess at this moment I don't know what potentially the ramifications of something like that would be. You know, are we opening up a Pandora's box, where a committee could get, through no fault of its own, just derailed in some other direction?

Mr. MacIntyre: That would be up to the committee.

Mr. Nielsen: I don't want to open the door necessarily to that without, you know, making sure we're not opening that door.

Mr. MacIntyre: The point is that if it's a motion that's before the Legislature, that's where we can debate it, but to send a petition to the government doesn't open any door.

Mr. Nielsen: Yeah. For the moment, I mean, without knowing the ramifications, I don't know if I'm comfortable to maybe support that, but I don't necessarily want to shoot it down either.

Maybe, Chair, could I suggest we

adjourn debate on that.

Give us time to just quickly look into that.

Dr. Massolin: Mr. Chair, we have some wording. I would suggest that we put the wording and get the mover to agree to that wording first before any other procedural things come. I wanted to, as Mr. Roth is ready to read out sort of our proposal here, just understand that petitioning the government is not quite right. I mean, it's the

Assembly because the Assembly makes these rules – right? – so that’s one of the key principles here. I think the other principle is to empower the committees themselves to determine the agenda in spite of an order of the Assembly, that it stands before committee. I think that’s the principle. Okay. We’ve got some wording to that effect.

Thank you.

3:00

The Chair: Yes. Please go ahead.

Mr. Roth: Mr. MacIntyre, I just want to make sure that this reflects the intent of your motion, that

the Standing Committee on Resource Stewardship petition the Legislative Assembly to amend the standing orders to empower legislative policy committees to prioritize inquiries notwithstanding that a matter of business has been referred by the Assembly.

The Chair: Before we get to your motion to adjourn here, unfortunately I did recognize MLA Woollard and Mr. Malkinson. I’d just like to give them the opportunity to say what they were planning on saying if you don’t mind.

Ms Woollard: I’ll be very brief. I understand that it certainly looks like we could use some clarification as to what priority means here and how it’s intended to be used, and I think this is an interesting avenue but not one that we can completely address today I don’t think.

Mr. Malkinson: My comments are very similar to Mr. Nielsen’s in that I think adjourning debate on this would be a good idea as I would like a little bit of time to think and look at the standing orders – I don’t have them in front of me – and a chance to sort of think about any potential ramifications there might be. In the meantime I think it might be fine to suggest that Mr. MacIntyre could potentially make this recommendation to the House leaders as Dr. Massolin had suggested originally earlier in the conversation. It would be an option as well.

The Chair: So you’re following up on the motion to adjourn, then?

Mr. Malkinson: Yes.

The Chair: I’ll call the question. So we have a motion to adjourn on this issue. All in favour of adjourning debate? All those opposed? From what I hear, the motion is carried.

Okay. Moving on to item 7, the date of our next meeting. The next meeting of the committee will be at the call of the chair in September. As per the timeline that we discussed earlier, members will be polled shortly for dates for this meeting.

Would a member like to move that the August 18, 2016, meeting of the Standing Committee on Resource Stewardship be adjourned? Mr. Rosendahl. All in favour? Any opposed? That motion is carried. Thank you very much, everyone.

[The committee adjourned at 3:03 p.m.]

