



Alberta Roadbuilders &  
Heavy Construction Association

December 1, 2021

Mr. Nathan Neudorf, MLA  
Chair of the Standing Committee on Alberta's Economic Future  
c/o Committee Clerk, 3<sup>rd</sup> Floor  
9820 – 107 Street  
Edmonton, AB T5L 1E7  
Email: [AEFCommittee.Admin@assembly.ab.ca](mailto:AEFCommittee.Admin@assembly.ab.ca)

**RE: Comprehensive Review of the Lobbyists Act**

Dear Mr. Neudorf and Members of the Committee:

The ARHCA is a non-profit advocacy association of Alberta businesses that provide construction services to both the public and private sector. Our 700 member companies and many additional companies employ approximately 65,000 workers (as measured by WCB Occupation Codes) in Alberta. Construction contracting is a service industry, and we are proud to serve Albertans in building and maintaining their \$70 billion investment in public highways.

It is timely and appropriate that the Standing Committee on Alberta's Economic Future undertakes the task of reviewing the Lobbyist Act. Unlike the recovery from past recessions, Alberta now faces the prospect that growth of our traditional natural resource economy will be restricted, impacting employment and revenues to government to fund the ever-increasing demands for social programs. We cannot afford to let our transportation capital assets languish at the very point in time when more of our GDP will necessarily need to move by surface transportation. We therefore cannot afford to lose value to the taxpayer through miscommunication and acrimonious relations between partners in highway construction.

While the Act, standing alone, achieves the purposes set out in the preamble, as with many pieces of legislation and regulation, the intent and purpose originally envisioned create unintended consequences in real life when the effects of multiple directives and regulations are layered upon each other. Taken together, the *Lobbyists Act* in conjunction with *the Conflicts of Interest Act*, and Commission's interpretation of the *Code of Conduct of Conduct and Ethics for the Public Service of Alberta* create a perception that private sector stakeholder organized conferences do not serve the public interest to the same degree that public sector non-profit conferences do.

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Under the Lobbyist Act, the ARHCA is appropriately defined as an Organizational Lobbyist. As a group of service providers to Government, we are one of three partner organizations in the business of planning, designing, and building public roads and bridges. The Tri-Party relationship between the owner (Alberta Transportation) the engineering designers (Consulting Engineers) and constructors (ARHCA) requires ongoing exchange of ideas, understanding and trust.

Recognizing the need for open, professional communication, the Alberta Government, the Consulting Engineers of Alberta and the Alberta Roadbuilders and Heavy Construction Association signed a Partnership Charter in 2005 committing all parties to work together to deliver the safest and best value highway program for the benefit of all Albertans. Paraphrasing from the Charter it was made explicit that to create a culture that rewards excellence and enhances efficiencies to the benefit of the taxpayer, strategies for open communication through social interaction, common training, and shared work experience would provide the best value to taxpayers from this strategic alliance.

Where the Lobbyist Act has had an impact on this relationship is in the interpretation of Section 6.2 prohibiting gifts. I agree that in a free and democratic society the giving and receipt of gifts can have the appearance of seeking to unduly influence a decision maker. The *Conflicts of Interest Act* deals with this matter fully.

In practice the interpretation of these Acts and in conjunction with the Code for the Public Service has created an environment where the attendance at private sector conferences and events are perceived to be circumspect at best or “frills” at worst. Managing businesses, projects, employees and constantly seeking opportunities to remain in business is a full time job. Associations like the ARHCA are mandated to hold events and conferences to provide opportunities to efficiently interact with our clients so that both parties understand their respective concerns and challenges. Events and conferences are the lifeblood of many non-profits, both public and private.

The combined impact of budget cuts to government attendance at events and conferences with the explicit classification of Government Rate discounts as a “gift” has put a chill on the willingness of government employees to even seek approval to attend our partnering events. The necessary restrictions on in-person meetings required to combat the pandemic have put a spotlight on the value of direct social interaction in building trust between people. Technology has thankfully allowed us to continue basic operations but opportunities to build trusting

relationships that allow for project representatives to resolve unexpected problems in the field are lost. In the absence of partnership, the default process is to rely upon strict legal interpretations and ultimately dispute resolution through the courts.

For private sector stakeholder organizations, events and conferences are often a source of revenue and the ARHCA has never asked for government to contribute to the operations of our association. This is why we have always waived registration fees for representatives of the province and municipalities.

One suggestion for the Committee to consider would be to amend the Lobbyist Act and Conflict of Interest Act to state that for non-profit organization event and conference discounts to full registration fees taken to establish "Government Rates" are not to be considered as gifts to the individual public servant.

Another suggestion would be to raise the dollar value limitations on event specific and annual totals to amounts that reflect nearly 20 years of inflation.

Either way the chill on government-industry interactions needs to be lifted.

Thank you for the opportunity to provide my perspective. Should the Committee hold hearings, I would be pleased to appear and engage in constructive, in-person dialogue.

Sincerely,



Ron Glen, CEO

CC: Ken Kozakewich, CEO, Consulting Engineers of Alberta  
Ken Gibson, President, Alberta Construction Association