



# Standing Committee on Privileges and Elections, Standing Orders and Printing

## Report on the Review of Motion Other than a Government Motion 501

Twenty-Ninth Legislature

Fourth Session

June 2018



**COMMITTEES**  
OF THE LEGISLATIVE ASSEMBLY

**Standing Committee on Privileges and  
Elections, Standing Orders and Printing**

3<sup>rd</sup> Floor

9820 – 107 Street NW

Edmonton AB T5K 1E7

780.427.1350

[Committees@assembly.ab.ca](mailto:Committees@assembly.ab.ca)



**STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS,  
STANDING ORDERS AND PRINTING**

June 2018

**To the Honourable Robert Wanner  
Speaker of the Legislative Assembly  
of the Province of Alberta**

I have the honour of submitting, on behalf of the Standing Committee on Privileges and Elections, Standing Orders and Printing, the Committee's final report on the **Review of Motion Other than a Government Motion 501**.

Sincerely,

*[original signed by the Chair]*

Maria Fitzpatrick, MLA  
Chair, Standing Committee on Privileges  
and Elections, Standing Orders and Printing

c. Mr. Robert Reynolds, Q.C.  
Clerk of the Legislative Assembly



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**MEMBERS OF THE STANDING COMMITTEE ON PRIVILEGES AND  
ELECTIONS, STANDING ORDERS AND PRINTING**  
**29<sup>th</sup> Legislature**

Maria M. Fitzpatrick, MLA  
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Lethbridge-East (NDP)

Erin D. Babcock, MLA  
Deputy Chair  
Stony Plain (NDP)

Jonathon Carson, MLA  
Edmonton-Meadowlark (NDP)

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Edmonton-Ellerslie (NDP)

Craig Coolahan, MLA  
Calgary-Klein (NDP)

Barb Miller, MLA  
Red Deer-South (NDP)

Nathan Cooper, MLA  
Olds-Didsbury-Three Hills (UCP)

Christian E. Nielsen, MLA  
Edmonton-Decore (NDP)

Nicole Goehring, MLA  
Edmonton-Castle Downs (NDP)

Jason Nixon, MLA  
Rimbey-Rocky Mountain House-Sundre (UCP)

Richard Gotfried, MLA  
Calgary Fish-Creek (UCP)

Angela D. Pitt, MLA  
Airdrie (UCP)

David B. Hanson, MLA  
Lac La Biche-St. Paul-Two Hills (UCP)

Glenn van Dijken, MLA  
Barrhead-Morinville-Westlock (UCP)

Anam Kazim, MLA  
Calgary-Glenmore (NDP)

**Substitutions Pursuant to Standing Order 56(2.1-2.4):**

Wayne Anderson, MLA\*  
Cardston-Taber-Warner (UCP)

Grant R. Hunter, MLA†  
Highwood (UCP)

Lorne Dach, MLA‡  
Edmonton-McClung (NDP)

Jessica Littlewood, MLA§  
Fort Saskatchewan-Vegreville (NDP)

Nicole Goehring, MLA\*\*  
Edmonton-Castle Downs (NDP)

Prasad Panda, MLA††  
Calgary-Foothills (UCP)

Trevor A.R. Horne, MLA‡‡  
Spruce Grove-St. Albert

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\* Substitute for Jason Nixon on May 9, 2018

† Substitute for Angela Pitt on June 11, 2018

‡ Substitute for Erin Babcock on June 11, 2018

§ Substitute for Barb Miller on June 11, 2018

\*\* Designated by Erin Babcock as Acting Deputy Chair on June 11, 2018

†† Substitute for Glenn van Dijken on May 9, 2018

‡‡ Substitute for Craig Coolahan on June 11, 2018

## 1.0 Introduction

The Standing Committee on Privileges and Elections, Standing Orders and Printing meets when the Legislative Assembly refers a matter to the Committee for consideration.

Motion Other than a Government Motion 501, which was moved in the Assembly by Mr. W. Anderson, MLA, on March 19, 2018, was amended by the Assembly on April 16, 2018, to refer the motion to the Standing Committee on Privileges and Elections, Standing Orders and Printing. The amended motion reads as follows:

*Be it resolved that the following proposed amendment to the Standing Orders of the Legislative Assembly of Alberta be referred to the Standing Committee on Privileges and Elections, Standing Orders and Printing for review and that the Committee submit its report to the Assembly on or before June 19, 2018:*

that the Standing Orders of the Legislative Assembly of Alberta be amended by renumbering Standing Order 52.04 as Standing Order 52.04(1) and by adding the following after suborder (1):

(2) Suborder (1) does not prevent a Legislative Policy Committee from undertaking a hearing or inquiry during the same period of time that a matter stands referred to the Committee by the Assembly if the hearing or inquiry does not interfere with the work of the Committee on the matter referred to it.

Standing Order 52.04 currently reads:

### **Orders of the Assembly take priority**

52.04 An order of the Assembly that a Bill, regulation or some other subject matter stands referred to a Legislative Policy Committee shall take priority over any other hearing or inquiry.

## 2.0 Committee Activities

The Committee met on May 9, 2018, and June 11, 2018, to review Motion 501. At its May 9, 2018, meeting the Committee agreed to invite oral presentations or written submissions from Mr. W. Anderson, the House Leaders, and the Committee Clerks. At the Committee's June 11, 2018, meeting the Committee reviewed written submissions received from Mr. W. Anderson, Mr. Nixon, and the Committee Clerks and research provided by Research and Committee Services. It then commenced its deliberations on Motion 501 at that same meeting.

## 3.0 Deliberations

During its deliberations the Committee discussed a number of matters concerning the prioritization of Legislative Policy Committee work in light of the amendment proposed by Motion 501. The Committee considered the following motion, moved by Mr. Nixon:

**That the Standing Committee on Privileges and Elections, Standing Orders and Printing recommend to the Assembly that the amendment to Standing Order 52.04 proposed by Motion Other than a Government Motion 501 be implemented in the upcoming Fall Sitting.**

The motion was defeated.

No further motions were entertained by the Committee.





## Appendix – Minority Report

At the June 11, 2018 meeting of the Standing Committee on Privileges and Elections, Standing Orders and Printing, NDP Members voted against MLA Jason Nixon's motion recommending to the Assembly that the Standing Orders be amended as proposed by MLA Wayne Anderson's Motion Other Than a Government Motion 501. The proposed change to the Standing Orders recommended in Motion 501 would provide for a clear and effective option to allow Legislative Policy Committees greater flexibility in addressing their regular course of business when an item or issue is referred to them by the Assembly. Of primary concern to UCP MLAs is that requests from multiple stakeholders for meetings have and may still be unnecessarily denied or delayed due to the current Standing Order. Hence the proposal contained within Motion 501 for amendment of Standing Order 52.04 to provide greater committee latitude and discretion.

The impetus for this change was the Government House Leader's practice of continually referring statutory reviews of legislation to the Standing Committee on Resource Stewardship, which in our view is a specific and deliberate attempt to prevent that committee from initiating any self-directed inquiries. This has allowed the NDP MLAs on Resource Stewardship to invoke or hide behind the wording and interpretation of Standing Order 52.04. This does not meet the needs of Albertans, nor does it provide timely opportunities for consultation with relevant stakeholders. Further, from our perspective, it does not serve to enhance our commitment nor accountability to the Legislative Assembly.

Opposition MLAs on Resource Stewardship were repeatedly blocked in attempts to have the committee meet with stakeholders who had long been requesting meetings. For instance, after finishing the review of the Property Rights Advocate's Report on October 10, 2017, Opposition MLAs requested the Chair schedule meetings to allow stakeholders who had originally requested meetings in 2016 to present to the Committee. Despite seven weeks before the start of the next statutory review, the Chair failed to schedule any meetings. At the start of the next statutory review on November 29, 2017, Opposition MLAs proposed establishing a sub-committee to meet with those stakeholders. At this point, the Government Members felt empowered to reject that common-sense suggestion by pointing to the latest statutory review.

The government continues to block this common-sense, accountable and responsible amendment to the Standing Orders which would grant nothing more than latitude within each committee to better serve the interests and to best meet the expectations of Albertans.

Committees often do not meet for periods of up to three months, and in waiting for the next phase in statutory review, are not able to meet due to current Standing Orders, which in their current form do not grant them this latitude. Some stakeholders or representative groups have been waiting for years to meet with committees to provide input and valuable feedback on bills and policies. This can potentially subvert the democratic process and may contribute to misinformed decisions on key issues being addressed at the Committee level.

We, as UCP Caucus representatives on this committee, are adamant that stakeholders should be able to voice their opinions in a timely manner. They should not be “put on hold” due to lack of latitude within our rules, procedures or in this case, quite clearly the Standing Orders of the Legislative Assembly, and told to wait years in their quest to provide feedback on issues that could have severe impact on their lives and livelihoods.

For these reasons, and noting our vote in favour of MLA Nixon’s motion, we cannot support the decision of the NDP majority on the committee on this vote, nor can we endorse the position that Standing Order 52.04 not be changed. It is our job as legislators to be responsive and accountable to Albertans. When the NDP block committees from doing important work, it demonstrates that they don’t want to hear from, nor consult with, Albertans.

Jason Nixon, MLA  
Rimbey-Rocky Mountain House-Sundre

Nathan Cooper, MLA  
Olds-Didsbury-Three Hills

Angela Pitt, MLA  
Airdrie

Glenn Van Dijken, MLA  
Barrhead-Morinville-Westlock

Richard Gotfried, MLA  
Calgary-Fish Creek

Dave Hanson, MLA  
Lac La Biche-St. Paul-Two Hills



