

September 22, 2016

Mr. Rod Loyola, MLA
Chair
Standing Committee on Resource Stewardship
c/o Committee Clerk
3rd Floor, 9820 107 Street
Edmonton AB T5K 1E7

Re: Lobbyists Act Review

Dear Mr. Loyola:

On behalf of Volunteer Alberta, I am pleased to provide this submission in response to the recent call issued by the Standing Committee on Resource Stewardship relating to the mandatory five-year review of the Alberta Lobbyists Act.

Volunteer Alberta is a registered charity working to strengthen the nonprofit sector across Alberta with a focus on building the capacity of nonprofits to engage citizens, build community, and contribute to quality of life in Alberta. We have a diverse membership of over 300 Alberta nonprofits and charities.

When the Lobbyists Act Legislation was proposed in 2007, Alberta's nonprofit sector raised concerns about how they would be affected. This led to the current exemption for public benefit nonprofits. The concerns raised in 2007, and subsequently in 2011, the year of the last mandatory review, were as follows:

1. The increased administrative burden that would divert human resources in community-based organizations from the delivery of essential programs and services;
2. The "chilling" effect the legislation would have on communication with government;
3. The complexity of identifying financial supporters of lobbying activity when the mix of revenues for nonprofit organizations includes donations, membership fees, and core and project funding agreements; and
4. The fact that the legislation could prevent organizations from providing donor anonymity.

Volunteer Alberta, along with colleague organizations, recently distributed a brief survey coordinated by the Calgary Chamber of Voluntary Organizations. Of the 121 Alberta nonprofits responding to the survey, 89 percent responded that the government should be asked to maintain the current exemption.



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Because nearly a decade has transpired since the legislation with the current exemption was adopted, we felt it wise to go back to our stakeholders on this matter. The reasons provided by nonprofit stakeholders for why this provision should remain intact are consistent with what we have communicated to the Province in the past.

- Communicating with public officials is fundamental to how many nonprofits that work in the public interest fulfill their missions. These organizations are interwoven through virtually all aspects of society and it is their duty to represent community needs, priorities, and issues to elected and paid officials. They are NOT seeking personal or private benefit.
- Because the information that nonprofits and charities amass as they go about their work helps shape sound policy and effective government services, it is important that these organizations can participate with government in research, advisory councils, and other consultative processes without concerns about potential conflicts of interest or dual roles.
- If the exemption was to be removed, organizational resources would be diverted from true areas of need. Nonprofits would not only be required to register, develop systems for tracking activities, and submit regular filings, but many would also need to factor this legislation into their organizational policy, position descriptions, risk-management frameworks, and quality management processes.

It can be argued the requirements of the legislation are not onerous; however, our stakeholders raised very legitimate concerns about the cumulative or 'layering' effect of statutory reporting. Each individual piece of legislation requires an assessment of how it applies and what is required to comply.

- Information from other jurisdictions suggests that where legislation applies to public benefit organizations, it is oftentimes difficult to define the boundaries between providing timely and necessary information to government regarding programs and policies, and participation in lobbying activities. Moreover, limited administrative capacity can lead to high rates of non-compliance. This problem is exacerbated by high levels of turnover within the nonprofit sector that result in a loss of institutional memory.

The role and work of public benefit nonprofit organizations has not changed. What has changed more recently is that, owing to the state of Alberta's economy, organizations are stretched to respond to heightened need amidst a challenging funding environment. Many remain under-resourced and lack the capacity to take on a greater administrative burden.

In the absence of a strong rationale for lifting the existing exemption, we urge the Government of Alberta not to make changes to the Lobbyists Act that would create unnecessary work for Alberta's nonprofits working in the public interest and for public benefit.



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Thank you for your consideration. Should you have any questions regarding this submission, please feel free to contact me at 780.482.3300 ext. 227 or via email at jbeeston@volunteeralberta.ab.ca.

Sincerely,



Jann Beeston
Executive Director

cc: Jeanette Bancarz, President, Volunteer Alberta Board of Directors



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