



Legislative Assembly of Alberta

The 31st Legislature
First Session

Standing Committee
on
Resource Stewardship

Monday, January 22, 2024
1 p.m.

Transcript No. 31-1-1

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First Session**

Standing Committee on Resource Stewardship

Rowswell, Garth, Vermilion-Lloydminster-Wainwright (UC), Chair
Schmidt, Marlin, Edmonton-Gold Bar (NDP), Deputy Chair

Al-Guneid, Nagwan, Calgary-Glenmore (NDP)
Arcand-Paul, Brooks, Edmonton-West Henday (NDP)*
Armstrong-Homeniuk, Jackie, Fort Saskatchewan-Vegreville (UC)
Boitchenko, Andrew, Drayton Valley-Devon (UC)**
Calahoo Stonehouse, Jodi, Edmonton-Rutherford (NDP)
Dyck, Nolan B., Grande Prairie (UC)
Hunter, Grant R., Taber-Warner (UC)
Ip, Nathan, Edmonton-South West (NDP)***
McDougall, Myles, Calgary-Fish Creek (UC)
Sinclair, Scott, Lesser Slave Lake (UC)
Sweet, Heather, Edmonton-Manning (NDP)

* substitution for Heather Sweet

** substitution for Scott Sinclair

*** substitution for Jodi Calahoo Stonehouse

Also in Attendance

Johnson, Jennifer, Lacombe-Ponoka (Ind)

Support Staff

Shannon Dean, KC	Clerk
Teri Cherkewich	Law Clerk
Trafton Koenig	Senior Parliamentary Counsel
Philip Massolin	Clerk Assistant and Director of House Services
Nancy Robert	Clerk of <i>Journals</i> and Committees
Abdul Bhurgri	Research Officer
Christina Williamson	Research Officer
Warren Huffman	Committee Clerk
Jody Rempel	Committee Clerk
Aaron Roth	Committee Clerk
Rhonda Sorensen	Manager of Corporate Communications
Christina Steenbergen	Supervisor of Communications Services
Shannon Parke	Communications Consultant
Tracey Sales	Communications Consultant
Janet Schwegel	Director of Parliamentary Programs
Amanda LeBlanc	Deputy Editor of <i>Alberta Hansard</i>

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Monday, January 22, 2024

[Mr. Rowswell in the chair]

The Chair: I'd like to call this meeting of the Standing Committee on Resource Stewardship to order and welcome everyone in attendance.

My name is Garth Rowswell, MLA for Vermilion-Lloydminster-Wainwright and chair of the committee. I'd ask that members and those joining the committee at the table introduce themselves for the record, and we'll begin to my right.

Mr. Dyck: Nolan Dyck, MLA for Grande Prairie.

Mr. Boitchenko: Andrew Boitchenko, MLA for Drayton Valley-Devon.

Ms Armstrong-Homeniuk: Jackie Armstrong-Homeniuk, MLA, Fort Saskatchewan-Vegreville.

Mr. Hunter: Grant Hunter, MLA, Taber-Warner.

Mr. McDougall: Myles McDougall, Calgary-Fish Creek.

Ms Steenbergen: Christina Steenbergen, LAO communications.

Ms Sorensen: Rhonda Sorensen, LAO communications.

Mr. Ip: Nathan Ip, MLA for Edmonton-South West.

Member Arcand-Paul: Brooks Arcand-Paul, MLA for Edmonton-West Henday.

Ms Al-Guneid: Nagwan Al-Guneid, MLA for Calgary-Glenmore.

Mr. Schmidt: Marlin Schmidt, Edmonton-Gold Bar.

Dr. Williamson: Christina Williamson, research services.

Mr. Koenig: Good afternoon. I'm Trafton Koenig with the Parliamentary Counsel office.

Ms Robert: Good afternoon, everyone. Nancy Robert, clerk of *Journals* and committees.

Mr. Huffman: Warren Huffman, committee clerk.

The Chair: Thank you very much.

Before proceeding further, as this is the first meeting of this committee for the 31st Legislature, I would like to discuss remote participation in the committee meetings. As many of you know, section 6 of the Legislative Assembly Act permits participation in a committee by means of telephone or other communication facilities that permit all members participating in the meeting to hear each other if all members of the committee consent. Our committee meeting rooms are equipped with facilities for meeting participation by telephone and videoconference.

If this is something we want to permit, then this committee may wish to pass a motion, which needs to be passed unanimously, to approve remote participation by members for the duration of the Legislature. I would note that such a motion would not preclude the committee from determining that in-person attendance at specific meetings is required. In those cases, a motion would be considered at the end of a particular meeting requesting the attendance in person of members at a subsequent meeting.

Okay. I would open that up to a motion.

Mr. Dyck: Chair, I'd like to move that motion for online participation.

The Chair: Okay. It's up there. You can just go ahead and read it.

Mr. Dyck: I move that

the Standing Committee on Resource Stewardship consent, for the purpose of section 6 of the Legislative Assembly Act, to remote participation by any member in the committee's meetings held at the designated committee meeting rooms in the Queen Elizabeth II Building during the 31st Legislature unless the committee carries a motion in advance of a meeting that remote participation of members is not permitted at that meeting.

The Chair: Okay. All in favour? Any opposed?
That's unanimous.

Mr. Schmidt: Mr. Chair.

The Chair: Yes, sir.

Mr. Schmidt: Normally the chair offers people the opportunity to discuss motions before calling a vote.

The Chair: I'm sorry. Good point.
Any discussion?

Mr. Schmidt: Yeah. Well, it's too late now, but . . .

The Chair: No. I know. But okay; fair enough.

Okay. With that passed, we will go to those joining online. I don't think there is anybody.

Mr. Huffman: Maybe Mrs. Johnson.

The Chair: Okay. Please unmute and turn your camera on now and introduce yourselves as I call your name. MLA Johnson, are you there?

Mrs. Johnson: Can you hear me?

The Chair: Yes, we can. Go ahead and introduce yourself.

Mrs. Johnson: Yeah. MLA Jennifer Johnson, Lacombe-Ponoka. I'm just in on the phone call, not the video, as apparently Teams is not working.

The Chair: Okay. Fair enough.

For the record I will note the following substitutions: substitute Member Arcand-Paul for Member Sweet, Member Ip for Member Calahoo Stonehouse, and Member Boitchenko for Member Sinclair.

A few housekeeping items to address before we turn to the business at hand. Please note that the microphones are operated by *Hansard*. Committee proceedings are live streamed on the Internet and broadcast on Alberta Assembly TV. The audio- and videostream and transcripts of the meeting can be accessed via the Legislative Assembly website. Those participating via videoconference are encouraged to please turn on your camera, which you may not be able to do, while speaking and mute your microphone when not speaking.

Members participating virtually who wish to be placed on the speakers list are asked to e-mail or message the committee clerk, and members in the room are asked to please signal the chair. Please set your cellphones and other devices to silent for the duration of the meeting.

Approval of the agenda. Are there any changes or additions to the draft agenda? If not, would someone like to move the motion to approve the agenda?

MLA Hunter. Okay. Would you like to – MLA Hunter, that the Standing Committee on Research Stewardship approve the

proposed agenda as distributed for its January 22, 2024, meeting. All in favour? Opposed? Okay. Carried.

General mandate and committee support. As this is the first meeting, I would like to provide you with an overview of the committee's mandate. The Standing Committee on Resource Stewardship is one of three legislative policy committees. The legislative policy committee may meet to review a bill or to consider an issue referred to it by the Assembly and may also meet on its own initiative to consider issues within its mandate. The annual reports of government departments as well as provincial agencies, boards, and commissions are referred to legislative policy committees, and these committees may also review legislation and hold public meetings. Under the standing orders this committee has a mandate to consider subjects related to the following ministries: Affordability and Utilities, Energy and Minerals, Environment and Protected Areas, Forestry and Parks, Indigenous Relations, Municipal Affairs, Transportation and Economic Corridors, and Treasury Board and Finance.

The committee is supported in its work by the nonpartisan staff of the Legislative Assembly Office. Warren Huffman is the committee clerk assigned to our committee. Vani Govindarajan from Parliamentary Counsel also supports the committee, but she is unavailable for today's meeting, so Trafton Koenig has attended in her place. Other Legislative Assembly Office branches whose staff support all of our meetings include research and committee services, Legislative Assembly security services, venue services, *Alberta Hansard*, IT, and broadcasting.

Temporary substitutions. Standing orders 56(2.1) to 56(2.4) outline the process for the substitution of chairs, deputy chairs, and committee members. For convenience, substitution notice templates are available on OurHouse for members to use, or you may draft your own notice. Please note that it is the responsibility of the original committee member to ensure that the substituting member is prepared for the meeting and has all the appropriate materials. Should the original committee member participate in the meeting, then the substitution is no longer in effect. Members who are not committee members or official substitutes may attend and participate in the committee meetings. However, they may not vote or move motions. Should the proceedings move to in camera, these members would require specific consent of the committee to remain in attendance. If you or your staff have questions about the substitution process, I would encourage you to follow up with the committee clerk.

Recorded votes. After a vote on a motion has been conducted, a committee member may request a recorded vote. The process for the recorded vote in a committee is similar to the process for a division in the House. I will first ask those in the room who are in favour of the motion to raise their hands, and then the committee clerk will call the names of those who have raised their hands and record the votes. We will then follow the same process for those in the room who are against the motion. If we have remote participants, they will be asked to turn their cameras on, and if they wish to vote, the committee clerk will call their names, and the member should indicate how they would like to vote. I'll then ask one final time if all committee members who wish to vote have done so, and the committee clerk will record any final votes cast. After this, the committee clerk will tally the votes and advise the chair of the number of votes cast, which are in favour and against the motion. I will then indicate whether the motion has been carried or defeated, and the details of the vote will be recorded in the minutes.

Subcommittee on committee business. Hon. members, Standing Order 52.011(3) requires that all legislative policy committees appoint a subcommittee on committee business at their first meeting. The subcommittee on committee business is "to meet from

time to time at the call of the Chair and to report to the committee on the business of the committee." The committee may ask the subcommittee on committee business to work on matters that will assist the committee in its work. Are there any questions or comments in relation to establishment of a subcommittee on committee business?

Okay. I will entertain a motion to establish a subcommittee.

Ms Armstrong-Homeniuk: I'd like to make a motion.

The Chair: Okay.

1:10

Ms Armstrong-Homeniuk: I move that

the Standing Committee on Resource Stewardship establish a subcommittee on committee business to which the following applies:

- (a) the subcommittee will meet at the call of the chair to consider the business of the committee and report to the committee;
- (b) the subcommittee is composed of the following members: one, the chair of the committee as chair; two, one committee member who is a member of the Official Opposition; and, three, one committee member who is a member of the government caucus;
- (c) the presence of all members of the subcommittee is necessary to constitute a meeting;
- (d) substitutions from the membership of the committee may be permitted on the subcommittee.

The Chair: Thank you.

Any discussion?

Okay. We'll take a vote. All in favour, say aye. Any opposed, say no. Okay.

That is carried.

Review of the Personal Information Protection Act, Government Motion 9. As members will be aware, on December 5, 2023, the Assembly approved Government Motion 9, which referred the Personal Information Protection Act to this committee for review. A comprehensive review of the act must be undertaken by the committee of the Assembly every six years in accordance with section 63 of the act. Government Motion 9 directs the committee to submit its final report to the Assembly, including any proposed amendments to the Personal Information Protection Act recommended by the committee, within 18 months after commencing its review. As today is the first meeting of the committee, that means the committee must complete its work by July 22, 2025. Are there any questions regarding the mandate of this committee reviewing this legislation?

Okay. I'll just overview the review process. As this is the first review of the committee during the 31st Legislature, I will provide a bit of an overview on how statute reviews of this nature have historically proceeded.

First, there's an orientation meeting, which we are engaging in today, where the committee reviews its mandate and begins looking at mapping out how it wishes to proceed. It may include defining mechanisms for gathering information and engagement. This phase often involves the committee requesting technical briefings and making decisions on receiving information from stakeholders and the public. It may also involve requesting research on the topic at hand.

Following the receipt of information that the committee has solicited, analysis of that information begins, including receiving summaries of written submissions. If additional information is required, the committee may request it and also ask for summaries of the additional information received. Once it has completed this

stage, the committee moves to deliberations and the making of recommendations that will be reported to the Assembly.

Do the committee members have any questions or comments? Okay.

Technical briefings and support. Hon. members, in reviews such as the one we have before us, the first step is typically to request technical briefings on the statute from officials whose responsibility it is to administer it and who are aware of how it operates. In this case we would likely be turning to the Ministry of Technology and Innovation and the office of the Information and Privacy Commissioner.

I would like to open the floor to any comments, questions, or motions in relation to technical briefings.

Mr. McDougall: I move that

the Standing Committee on Resource Stewardship invite officials from the Ministry of Technology and Innovation and the office of the Information and Privacy Commissioner to provide technical briefings on the Personal Information Protection Act at an upcoming meeting of the committee.

The Chair: Any discussion?

Okay. All in favour, say aye. Any opposed, say no.

That is carried.

Hon. members, it is customary to invite officials from relevant ministries to provide ongoing assistance to both the Legislative Assembly Office and the committee throughout reviews of this kind. I would like to open the floor to any comments, questions, or motions in relation to inviting ongoing assistance from ministry officials.

Mr. McDougall: I move that

in support of the committee's review of the Personal Information Protection Act the Standing Committee on Resource Stewardship (a) invite officials from the Ministry of Technology and Innovation and the office of the Information and Privacy Commissioner to provide technical assistance as required to the committee and Legislative Assembly Office and (b) attend meetings of the committee when requested in order to provide technical expertise.

The Chair: Thank you.

Any discussion?

Okay. All in favour, say aye. Any opposed say, no.

Carried.

Research services. Hon. members, as you know, research services with the Legislative Assembly Office is here to assist the committee with its review. I'd like to call upon Ms Nancy Robert, clerk of *Journals* and committees, to provide an overview of the kinds of support the committee can utilize as we proceed with the review.

Ms Robert: Thank you, Mr. Chair, and good afternoon again, everyone. Some of you have been through this before, so you might find this a little bit repetitive. I apologize. But for members who are new or are just doing their first statute review, I'll go through some of the services that research services is able to provide to the committee to assist you as you undertake this process.

As the chair mentioned when he was talking about the overview, one of the things, one of the big things, that committees do when they're studying a statute is to gather information on the statute both from other jurisdictions, how those jurisdictions handle this legislation, and also from stakeholders who are affected by the legislation or possibly from members of the public, depending on what the legislation is. Research services could certainly assist the committee in putting together a prospective stakeholder list that the committee might want to review and then perhaps add or change it.

Then the stakeholder letters would go out, inviting participation of written submissions from stakeholders.

The committee could also direct research services to conduct a crossjurisdictional comparison of PIPA statutes in other jurisdictions. Uniquely, what the committee may also want to do, in particular with this act, is perhaps request other types of crossjurisdictional information or research. PIPA, for those of you who aren't aware, was first referred late in the 30th Legislature, but the Legislature dissolved before the committee was able to get too far down the road in its review. One of the things that the committee directed research services to do was to provide an emerging issues document, which would talk about proposed federal PIPA amendments and legislation and also what's happening in the European Union right now with respect to privacy legislation. It's sort of akin to a discussion guide, that type of thing. Certainly, if the committee was interested, research services could do something like that.

Then once the committee has gathered the information that it's interested in gathering, research services can certainly prepare summary documents of the information that's received to assist the committee in digesting all of the information that comes in. When it comes time to deliberate on what kind of recommendations you wish to make, research services, if you wish, which is what's happened in the past, has been tasked with gathering all of the recommendations that have come in and been received and putting them into a document that's organized by issue for the committee's use, if it wishes, while it's deliberating. It's just sometimes nice to have it all in one document, and it includes contextual information like which section of the act it would impact if the recommendation was made, what particular stakeholders had to say about the recommendation they're making, that sort of thing.

Then once the committee has completed its deliberations and it's come to an agreement on all of the recommendations it wishes to make, the committees typically in the past have directed research services to prepare a draft final report, which includes the activities of the committee as it undertook the review as well as the recommendations that it agreed to, with contextual information to help readers understand how the committee came to a particular recommendation.

That's about it in terms of past efforts that research services has made on behalf of committees at their request. Happy to also entertain other research requests, but that just gives you a bit of a flavour of it. I'd be happy to answer any questions.

The Chair: Okay. Thank you, Ms Robert.

Anyone have any questions? Okay. Thank you very much.

Another item that the committee may wish to consider for its review of the act is to call for written submissions from identified stakeholders. Commonly committees choose to direct research services to put together a draft stakeholders list for committee members to review. Some committees task the subcommittee with reviewing the draft stakeholders list and recommending any changes or additions to the committee. Others review and approve a stakeholders list without involving the subcommittee.

1:20

Are there any comments or questions or motions relative to establishing a draft stakeholders list?

Mr. Boitchenko: I move that

the Standing Committee on Resource Stewardship (a) direct the Legislative Assembly Office to prepare a draft stakeholder list as part of its review of the Personal Information Protection Act and (b) refer the draft stakeholder list to the subcommittee on committee business to review and make recommendations to the committee.

The Chair: Okay. Any discussion? Okay. All in favour, say aye. Any opposed, say no.

That's carried.

Crossjurisdictional. It is also common in reviews of this nature to task the Legislative Assembly Office with providing a crossjurisdictional comparison document outlining how other jurisdictions in Canada deal with similar statutes. Does anyone have any thoughts on this?

Mr. Dyck: On crossjurisdictional analysis: I'd like to move a motion on this.

The Chair: Go ahead.

Mr. Dyck: I would like to move that the Standing Committee on Resource Stewardship direct the Legislative Assembly Office to prepare a crossjurisdictional analysis of select jurisdictions on their privacy protection legislation.

The Chair: Okay. Any discussion?

Okay. All in favour, say aye. Anyone opposed, say no.
That is carried.

Other research. Hon. members, are there any other matters the committee would like to consider in relation to gathering research as part of our review of the Personal Information Protection Act?

Mr. Hunter: Mr. Chair, I would like to move that as part of the committee's review of the Personal Information Protection Act the Standing Committee on Resource Stewardship direct that the Legislative Assembly Office draft for consideration of the committee a no-cost communications plan and news release to invite public written submissions.

The Chair: Okay. Do we have discussion?

Okay. All in favour, say aye. Any opposed, say no.

That is carried.

Do you have another one there?

Mr. Hunter: I do, Mr. Chair.

The Chair: Yeah. Go ahead.

Mr. Hunter: I move that the Standing Committee on Resource Stewardship direct the Legislative Assembly Office to prepare a document identifying emerging issues related to the Personal Information Protection Act, including issues related to proposed federal legislation currently under consideration by the House of Commons in Bill C-27, Digital Charter Implementation Act, 2022.

The Chair: Okay. Any discussion?

Okay. All in favour, say aye. Any opposed, say no.

That is carried.

Okay. Are there any other issues for discussion at today's meeting?

Okay. The next meeting will be at the call of the chair.

If there's nothing else for the committee to consider, I shall call for a motion to adjourn.

Mr. Dyck: I'd love to motion to adjourn this meeting.

The Chair: Okay. All in favour, say aye. Opposed, say no. Adjourned.

Thank you very much, everybody.

[The committee adjourned at 1:23 p.m.]

