

TO THE HONOURABLE THE LEGISLATIVE ASSEMBLY OF MANITOBA:

Your Standing Committee on LEGISLATIVE AFFAIRS presents the following as its First Report.

Meetings:

Your Committee met on the following occasions:

- October 8, 2010 at 10:00 a.m. in Room 255 of the Legislative Building
- March 1, 2011 at 1:00 p.m. in Room 255 (partly *in camera*)

Matters under Consideration:

- Recommendation for the re-appointment of the Ombudsman
- Recommendation for the appointment of the Children's Advocate

Committee Membership:

Committee membership for the October 8, 2010 meeting:

- Hon. Mr. BLAIKIE
- Mr. BOROTSIK
- Ms. BRAUN (*Vice-Chair*)
- Mr. GOERTZEN
- Hon. Ms. IRVIN-ROSS
- Mrs. MITCHELSON
- Mr. SARAN
- Mrs. TAILLIEU
- Mr. REID (*Chair*)
- Hon. Mr. SWAN
- Mr. WIEBE

Committee membership for the March 1, 2011 meeting:

- Mr. BOROTSIK
- Ms. BRICK
- Mr. CULLEN
- Mr. DEWAR
- Mr. GOERTZEN
- Hon. Ms. HOWARD
- Hon. Ms. IRVIN-ROSS
- Mr. MARTINDALE
- Mr. SCHULER
- Ms. SELBY
- Hon. Mr. SWAN

At the March 1, 2010 meeting, your Committee elected Ms. BRICK as the Chairperson and Mr. DEWAR as the Vice-Chairperson.

Motions agreed to at the October 8, 2010 Standing Committee meeting:

- *THAT the sub-committee of the Standing Committee on Legislative Affairs be struck to manage the process of hiring a new Children's Advocate, under the terms and conditions as follows:*
 - (a) the subcommittee may only report back to the committee with a recommendation that has received a general level of acceptance by all members;*
 - (b) the subcommittee consist of four government members, two official opposition members and one independent member;*
 - (c) the subcommittee have the authority to call their own meetings, the ability to meet in camera, and be able to undertake duties it deems necessary in order to fulfil its responsibilities in the hiring process;*
 - (d) the subcommittee appoint an expert advisory panel of three members to assist in the hiring process and ultimately provide the subcommittee with a prioritized list of candidates;*

(e) the subcommittee establish the terms of reference for the expert advisory panel, and that Legislative Assembly staff may be authorized by the Chair to attend all meetings of the subcommittee and the expert advisory panel.

Agreements reached at the March 1, 2011 Standing Committee meeting:

- It was unanimously agreed to allow Hon. Mr. GERRARD to attend the *in camera* proceedings.
- It was unanimously agreed to permit the Legislative Assembly Human Resources Office staff to attend the *in camera* proceedings.
- It was unanimously agreed for Susan Scott to immediately advise the Lieutenant Governor in Council of the recommendation. (*in camera*)
- It was unanimously agreed that if the recommended candidate does not accept the offer, the subcommittee would meet again to consider further options. (*in camera*)

Motions agreed to at the March 1, 2010 Standing Committee meeting:

- *THAT the Standing Committee on Legislative Affairs recommends to the Lieutenant Governor in Council that Ms. Irene Hamilton be re-appointed for a second term of six years as the Ombudsman, commencing April 1, 2011.*
- *THAT the Standing Committee on Legislative Affairs now meet in camera.*
- *THAT the report and recommendations of the Sub-Committee be received. (in camera)*
- *THAT the Standing Committee on Legislative Affairs recommends to the Lieutenant Governor in Council that Ms. Darlene MacDonald be appointed as the Children's Advocate. (in camera)*
- *THAT the Standing Committee on Legislative Affairs authorizes the Chairperson to advise the Speaker of the appointment of the Children's Advocate once the offer has been accepted, and to ask the Speaker to inform all MLAs in writing of this appointment as well as issue a press release prior to presentation of the committee report to the Assembly.*
- *THAT the Standing Committee on Legislative Affairs authorize the Chairperson to ask the Speaker to inform all MLAs in writing of the reappointment of the Ombudsman prior to the presentation of the committee report to the Assembly.*

Sub-Committee Report

At the March 1, 2011 meeting of the Standing Committee on Legislative Affairs, the Sub-Committee presented its report.

Sub-Committee Meetings:

Your Sub-Committee met on the following occasions:

- October 8, 2010 at 10:28 a.m.
- November 18, 2010 at 10:00 a.m.
- January 20, 2011 at 10:00 a.m.

All meetings were held *in camera* in Room 255 of the Legislative Building.

Sub-Committee Membership:

Sub-Committee membership for the October 8, 2010 meeting:

- Mr. BOROTSIK
- Ms. BRAUN
- Hon. Mr. GERRARD
- Hon. Ms. IRVIN-ROSS
- Mrs. MITCHELSON
- Hon. Mr. SWAN
- Mr. WIEBE

At the October 8, 2010 meeting, your Sub-Committee elected Ms. BRAUN as the Chairperson and Mr. WIEBE as the Vice-Chairperson.

Sub-Committee membership for the November 18, 2010 meeting:

- Mr. BOROTSIK
- Ms. BRAUN (*Chair*)
- Hon. Mr. GERRARD
- Hon. Ms. HOWARD
- Mrs. MITCHELSON
- Hon. Mr. STRUTHERS
- Mr. WIEBE (*Vice-Chair*)

Sub-Committee membership for the January 20, 2011 meeting:

- Ms. BRAUN (*Chair*)
- Hon. Mr. GERRARD
- Hon. Ms. HOWARD
- Mrs. MITCHELSON
- Mrs. ROWAT
- Hon. Mr. SWAN
- Mr. WIEBE (*Vice-Chair*)

Staff present for all Sub-Committee and Panel meetings:

- Susan Scott, Director, Legislative Assembly Human Resource Services
- Judy Wegner, Manager, Legislative Assembly Human Resource Services
- Monique Grenier, Clerk Assistant/Committee Clerk

Sub-Committee Agreements:

Your Sub-Committee reached the following agreements during the meeting on January 20, 2011:

- It was agreed to accept the report and recommendations of the Expert Advisory Panel.
- It was agreed to recommend to the Standing Committee on Legislative Affairs that Darlene MacDonald be appointed as the Children's Advocate.

Expert Advisory Panel Activities:

As agreed to by the Sub-Committee, the following individuals served as members of the Expert Advisory Panel:

- Don Potter
- Debra Woodgate
- David Barnard

The Expert Advisory Panel met on the following occasions:

- November 4, 2010
- November 9, 2010
- November 23, 2010
- December 1, 2010
- December 13, 2010
- December 14, 2010
- December 15, 2010
- January 4, 2011
- January 7, 2011
- January 10, 2011

All meetings were held *in camera* on the 10th Floor of the Woodsworth Building (1035 – 405 Broadway).

The Expert Advisory Panel considered applications for the position of the Children's Advocate as follows:

- Sixty-eight applications were received for the position.
- Three individuals were interviewed for the position on January 4, 2011.

Submitted by,

Ms. Marilyn BRICK, Chairperson
March 1, 2011