

Fifth Session - Fortieth Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Legislative Affairs

Chairperson
Ms. Nancy Allan
Constituency of St. Vital

Vol. LXVIII No. 1 - 11:30 a.m., Wednesday, November 25, 2015

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MANITOBA LEGISLATIVE ASSEMBLY
Fortieth Legislature

Member	Constituency	Political Affiliation
ALLAN, Nancy	St. Vital	NDP
ALLUM, James, Hon.	Fort Garry-Riverview	NDP
ALTEMEYER, Rob	Wolseley	NDP
ASHTON, Steve, Hon.	Thompson	NDP
BLADY, Sharon, Hon.	Kirkfield Park	NDP
BRAUN, Erna, Hon.	Rossmere	NDP
BRIESE, Stuart	Agassiz	PC
CALDWELL, Drew, Hon.	Brandon East	NDP
CHIEF, Kevin, Hon.	Point Douglas	NDP
CHOMIAK, Dave, Hon.	Kildonan	NDP
CROTHERS, Deanne, Hon.	St. James	NDP
CULLEN, Cliff	Spruce Woods	PC
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GERRARD, Jon, Hon.	River Heights	Liberal
GOERTZEN, Kelvin	Steinbach	PC
GRAYDON, Cliff	Emerson	PC
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IRVIN-ROSS, Kerri, Hon.	Fort Richmond	NDP
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MACKINTOSH, Gord, Hon.	St. Johns	NDP
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MARCELINO, Flor, Hon.	Logan	NDP
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MELNICK, Christine	Riel	NDP
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<i>Vacant</i>	Gimli	—
<i>Vacant</i>	Southdale	—

LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON LEGISLATIVE AFFAIRS
Wednesday, November 25, 2015

TIME – 11:30 a.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Ms. Nancy Allan (St. Vital)

VICE-CHAIRPERSON – Mr. Ted Marcelino (Tyndall Park)

ATTENDANCE – 7 QUORUM – 4

Members of the Committee present:

Hon. Mr. Chomiak

Ms. Allan, Messrs. Ewasko, Goertzen, Marcelino, Swan, Wiebe

APPEARING:

Hon. Jon Gerrard, MLA for River Heights

MATTERS UNDER CONSIDERATION:

The process for hiring a new Conflict of Interest Commissioner, Lobbyist Registrar and Information and Privacy Adjudicator

* * *

Madam Chairperson: Good morning. Will the Standing Committee on Legislative Affairs please come to order.

This meeting has been called to consider the process for hiring a new Conflict of Interest Commissioner, Information and Privacy Adjudicator and Lobbyist Registrar. Copies of the applicable legislation for these positions were circulated at the commencement of this meeting.

For the information of the committee, while for the first two positions, statutes require that the standing committee recommends the Lieutenant Governor-in-Council that a person be appointed, The Lobbyists Registration Act does not call for such a recommendation. However, given that historically the person appointed as Information and Privacy Adjudicator has also been invested with the role of Lobbyist Registrar, this committee may discuss the appointment of a new Lobbyist Registrar in today's activities, but the committee does not have the power to recommend an appointment for this position 'side' it—since it is a direct Cabinet appointment.

How long does the committee wish to sit this morning?

Mr. Kelvin Goertzen (Steinbach): Until the work of the committee is completed, Madam Chairperson.

Madam Chairperson: Agreed? *[Agreed]*

As we will be dealing with the hiring process of an independent officer and following past practices, committee should continue this meeting in camera. Once we have concluded that discussion, we can resume our proceedings on the record.

Before dealing with the motion to meet in camera, I would like to remind members that only MLAs who are members of this committee and the committee Clerk may attend. However, since Honourable Mr. Gerrard was serving on the subcommittee pertaining to this matter, is it the will of this committee to allow him to attend the in camera proceedings? *[Agreed]*

Thank you.

As well, does the committee grant permission for the Legislative Assembly Human Resources office staff to attend the in camera proceedings? *[Agreed]*

Thank you.

Hon. Dave Chomiak (Minister of Mineral Resources): I move that the Standing Committee on Legislative Affairs now meet in camera.

Madam Chairperson: The motion is in order. The floor is open—*[interjection]*

Motion presented.

Madam Chairperson: The motion is in order. The floor is open for questions.

An Honourable Member: Question.

Madam Chairperson: Is the committee ready for the question? Yes.

Shall the motion pass? *[Agreed]*

The committee went in camera at 11:37 a.m.

The committee resumed at 11:45 a.m.

Madam Chairperson: Due to the nature of the items under discussion at today's meeting, I'd like to inform that appointments or reappointments like this would not be made public until all MLAs are advised by the way of the committee report. However, the function of this Standing Committee on Legislative Affairs is to recommend to the Lieutenant Governor-in-Council a candidate to fill this position. It is the responsibility of the Lieutenant Governor-in-Council to make an offer of employment to the candidate and establish the salary. An offer should be made and accepted, in writing by the candidate, before this committee provides its report to the House and this information is made public.

In case the offer is not accepted and the report is not ready prior to the House adjourning on December 3rd, does the committee agree to authorize the Chairperson to advise the Speaker of today's deliberations once the offer has been accepted, prior to presentation of the committee report in the House? *[Agreed]*

Also, does the committee agree to authorize the Chairperson to ask the Speaker to inform all MLAs, in writing, of the appointment of the conflict of interest and Information and Privacy Adjudicator prior to the presentation of the committee report to the Assembly? *[Agreed]*

I'd like to thank the committee for your work here today, and this concludes the business before the committee.

Are there any other comments?

Mr. Goertzen: Briefly, I want to thank all the members of the subcommittee who were involved with the interview process and certainly the staff who did a large part of the work in terms of bringing forward the candidates. Also want to thank Mr. Ron Perozzo for his work as the outgoing conflict of interest officer. I believe that his successor will be exceptional, but I also know that Mr. Perozzo did a very good job for us in his various roles that he undertook, and we thank him and we wish him well in the future.

Mr. Chomiak: I'd like to suggest that the member for Steinbach's (Mr. Goertzen) comments be made unanimous by this committee.

Madam Chairperson: Thank you.

Hon. Jon Gerrard (River Heights): Yes, I agree that they should be made unanimous.

Madam Chairperson: Terrific.

The hour being 11:47, what is the will of the committee?

Some Honourable Members: Committee rise.

Madam Chairperson: Committee rise. Thank you.

COMMITTEE ROSE AT: 11:47 a.m.

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