

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

Chairperson
Mr. Tom Nevakshonoff
Constituency of Interlake

Vol. LXV No. 1 - 2 p.m., Thursday, December 27, 2012

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MANITOBA LEGISLATIVE ASSEMBLY
Fortieth Legislature

Member	Constituency	Political Affiliation
ALLAN, Nancy, Hon.	St. Vital	NDP
ALLUM, James	Fort Garry-Riverview	NDP
ALTEMEYER, Rob	Wolseley	NDP
ASHTON, Steve, Hon.	Thompson	NDP
BJORNSON, Peter, Hon.	Gimli	NDP
BLADY, Sharon	Kirkfield Park	NDP
BRAUN, Erna	Rossmere	NDP
BRIESE, Stuart	Agassiz	PC
CALDWELL, Drew	Brandon East	NDP
CHIEF, Kevin, Hon.	Point Douglas	NDP
CHOMIAK, Dave, Hon.	Kildonan	NDP
CROTHERS, Deanne	St. James	NDP
CULLEN, Cliff	Spruce Woods	PC
DEWAR, Gregory	Selkirk	NDP
DRIEDGER, Myrna	Charleswood	PC
EICHLER, Ralph	Lakeside	PC
EWASKO, Wayne	Lac du Bonnet	PC
FRIESEN, Cameron	Morden-Winkler	PC
GAUDREAU, Dave	St. Norbert	NDP
GERRARD, Jon, Hon.	River Heights	Liberal
GOERTZEN, Kelvin	Steinbach	PC
GRAYDON, Cliff	Emerson	PC
HELWER, Reg	Brandon West	PC
HOWARD, Jennifer, Hon.	Fort Rouge	NDP
IRVIN-ROSS, Kerri, Hon.	Fort Richmond	NDP
JHA, Bidhu	Radisson	NDP
KOSTYSHYN, Ron, Hon.	Swan River	NDP
LEMIEUX, Ron, Hon.	Dawson Trail	NDP
MACKINTOSH, Gord, Hon.	St. Johns	NDP
MAGUIRE, Larry	Arthur-Virden	PC
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Flor, Hon.	Logan	NDP
MARCELINO, Ted	Tyndall Park	NDP
MELNICK, Christine, Hon.	Riel	NDP
MITCHELSON, Bonnie	River East	PC
NEVAKSHONOFF, Tom	Interlake	NDP
OSWALD, Theresa, Hon.	Seine River	NDP
PALLISTER, Brian	Fort Whyte	PC
PEDERSEN, Blaine	Midland	PC
PETTERSEN, Clarence	Flin Flon	NDP
REID, Daryl, Hon.	Transcona	NDP
ROBINSON, Eric, Hon.	Kewatinook	NDP
RONDEAU, Jim, Hon.	Assiniboia	NDP
ROWAT, Leanne	Riding Mountain	PC
SARAN, Mohinder	The Maples	NDP
SCHULER, Ron	St. Paul	PC
SELBY, Erin, Hon.	Southdale	NDP
SELINGER, Greg, Hon.	St. Boniface	NDP
SMOOK, Dennis	La Verendrye	PC
STEFANSON, Heather	Tuxedo	PC
STRUTHERS, Stan, Hon.	Dauphin	NDP
SWAN, Andrew, Hon.	Minto	NDP
TAILLIEU, Mavis	Morris	PC
WHITEHEAD, Frank	The Pas	NDP
WIEBE, Matt	Concordia	NDP
WIGHT, Melanie	Burrows	NDP
WISHART, Ian	Portage la Prairie	PC

LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON LEGISLATIVE AFFAIRS

Thursday, December 27, 2012

TIME – 2 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mr. Tom Nevakshonoff
(Interlake)

VICE-CHAIRPERSON – Mr. Matt Wiebe
(Concordia)

ATTENDANCE – 11 **QUORUM** – 6

Members of the Committee present:

Hon. Ms. Howard

*Messrs. Allum, Dewar, Gaudreau, Goertzen,
 Graydon, Marcelino, Nevakshonoff, Smook,
 Wiebe, Wishart*

MATTERS UNDER CONSIDERATION:

To consider the reappointment of the Conflict of Interest Commissioner

To consider the reappointment of the Information and Privacy Adjudicator

* * *

Mr. Chairperson: Good afternoon. Will the Committee on Legislative Affairs please come to order.

This meeting has been called to consider the reappointment of the Conflict of Interest Commissioner and the reappointment of the Information and Privacy Adjudicator. Copies of the applicable legislation for these positions were circulated at the commencement of this meeting.

For the information of the committee, section 19.5(1) of The Legislative Assembly and Executive Council Conflict of Interest Act states that on the recommendation of the Standing Committee on Legislative Affairs, the Lieutenant Governor-in-Council shall appoint a Conflict of Interest Commissioner. The act also specifies that a commissioner is to be appointed on a part-time basis.

Also, section 58.1(1) of The Freedom of Information and Protection of Privacy Act states that on the recommendation of the Standing Committee of the Assembly on Legislative Affairs, the Lieutenant Governor-in-Council must appoint an

Information and Privacy Adjudicator as an officer of the Assembly.

How long does the committee wish to sit this afternoon?

Mr. Kelvin Goertzen (Steinbach): I propose we sit until midnight or until the work of the committee is done.

Mr. Chairperson: It is proposed—agreed? [*Agreed*]

How does the committee wish to proceed with the matter before us?

Hon. Jennifer Howard (Minister of Family Services and Labour): Mr. Chair, first of all I just want to thank everybody for coming in today to the committee. I know this time of year we probably like to be with our families and our constituencies, but I want to thank everyone for making time to do this.

I have a series of motions, and I'll just maybe start with them and then we can proceed from there.

I move

THAT the Standing Committee on Legislative Affairs recommend to the Lieutenant Governor-in-Council that Mr. Ron Perozzo be reappointed as the Information and Privacy Adjudicator for a term not to exceed three years from date of commencement.

Mr. Chairperson: It has been moved by the honourable House leader that the—I recognize the honourable House leader once again.

Ms. Howard: Do you want me to start with the other one?

Mr. Chairperson: Yes.

Ms. Howard: Okay, scratch that.

I move

THAT the Standing Committee on Legislative Affairs recommends to the Lieutenant Governor-in-Council that Mr. Ron Perozzo be reappointed as the Conflict of Interest Commissioner for a term not to exceed three years from date of commencement.

Motion presented.

Mr. Chairperson: The motion is in order.

The floor is open for questions.

Mr. Goertzen: More a comment than a question for the Government House Leader.

I had some discussions regarding Mr. Perozzo with our caucus. I think we're satisfied with the work that he's done over his term in office as the Conflict of Interest Commissioner.

There are, from time to time, questions that are arisen or that rise regarding the act itself and the scope of the act and whether or not the act is fulsome enough or could do different things in a different way. But Mr. Perozzo is a servant of the act and he serves within the four squares of the legislation and doesn't have purview to go beyond that other than he might make recommendations, I suppose, from time to time, but certainly he, I think, has operated appropriately and fairly in the context of the act that he's legislated to operate within, and if there's broader discussions about whether that act needs to have changes or amendments in the future, that maybe is something we could take up with Mr. Perozzo in the future. But certainly we think that he has functioned well within the way the act currently exists.

Mr. Chairperson: Thank you, Mr. Goertzen.

Seeing no further questions, is the committee ready for the question?

Some Honourable Members: Question.

Mr. Chairperson: The question before the committee is as follows:

THAT the Standing Committee on Legislative Affairs recommends to the Lieutenant Governor-in-Council that Mr. Ron Perozzo be reappointed as the Conflict of Interest Commissioner for a term not to exceed three years from the date of commencement.

Shall the motion pass?

Some Honourable Members: Pass.

Mr. Chairperson: The motion is accordingly passed.

Ms. Howard: I move

THAT the Standing Committee on Legislative Affairs recommend to the Lieutenant Governor-in-Council that Mr. Ron Perozzo be reappointed as the Information and Privacy Adjudicator for a term not to exceed three years from date of commencement.

Motion presented.

Mr. Chairperson: The motion is in order.

The floor is open for questions.

Is the committee ready for the question?

Some Honourable Members: Question.

Mr. Chairperson: The question before the committee is as follows:

THAT the Standing Committee on Legislative Affairs recommend to the Lieutenant Governor-in-Council that Mr. Ron Perozzo be reappointed as the Information and Privacy Adjudicator for a term not to exceed three years from the date of commencement.

Shall the motion pass?

Some Honourable Members: Pass.

Mr. Chairperson: The motion is accordingly passed.

Ms. Howard: I move

THAT the committee authorize the Chairperson to ask the Speaker to inform all MLAs in writing of the reappointments of the Conflict of Interest Commissioner and the Information and Privacy Adjudicator prior to presentation of the committee report in the House.

Motion presented.

Mr. Chairperson: The motion is in order.

The floor is open for questions.

Is the committee ready for the question?

Some Honourable Members: Question.

Mr. Chairperson: The question before the committee is as follows:

THAT the committee authorize the Chairperson to ask the Speaker to inform all MLAs in writing of the reappointments of the Conflict of Interest Commissioner and the Information and Privacy Adjudicator prior to presentation of the committee report in the House.

Shall the motion pass?

Some Honourable Members: Pass.

Mr. Chairperson: The motion is accordingly passed.

The hour being 2:10, what is the will of the committee?

Some Honourable Members: Committee rise.

Mr. Chairperson: Committee rise.

COMMITTEE ROSE AT: 2:10 p.m.

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are also available on the Internet at the following address:

<http://www.gov.mb.ca/legislature/hansard/index.html>