

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

*Chairperson*  
*Ms. Nancy Allan*  
*Constituency of St. Vital*

**Vol. LXVII No. 6 - 2 p.m., Monday, August 17, 2015**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Fortieth Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
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
DEWAR, Greg, Hon.	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	Fort Rouge	NDP
IRVIN-ROSS, Kerri, Hon.	Fort Richmond	NDP
JHA, Bidhu	Radisson	NDP
KOSTYSHYN, Ron, Hon.	Swan River	NDP
LATHLIN, Amanda	The Pas	NDP
LEMIEUX, Ron, Hon.	Dawson Trail	NDP
MACKINTOSH, Gord, Hon.	St. Johns	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Flor, Hon.	Logan	NDP
MARCELINO, Ted	Tyndall Park	NDP
MARTIN, Shannon	Morris	PC
MELNICK, Christine	Riel	NDP
MITCHELSON, Bonnie	River East	PC
NEVAKSHONOFF, Thomas, Hon.	Interlake	NDP
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PALLISTER, Brian	Fort Whyte	PC
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PIWNIUK, Doyle	Arthur-Virden	PC
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SARAN, Mohinder, Hon.	The Maples	NDP
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WIEBE, Matt	Concordia	NDP
WIGHT, Melanie, Hon.	Burrows	NDP
WISHART, Ian	Portage la Prairie	PC
<i>Vacant</i>	Gimli	

**LEGISLATIVE ASSEMBLY OF MANITOBA**  
**THE STANDING COMMITTEE ON LEGISLATIVE AFFAIRS**

**Monday, August 17, 2015**

**TIME** – 2 p.m.

**LOCATION** – Winnipeg, Manitoba

**CHAIRPERSON** – Ms. Nancy Allan (St. Vital)

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

**ATTENDANCE** – 11 **QUORUM** – 6

*Members of the Committee present:*

*Hon. Messrs. Chomiak, Kostyshyn*

*Ms. Allan, Messrs. Eichler, Gaudreau, Goertzen,  
Ms. Howard, Messrs. Marcelino, Pedersen,  
Smook, Wiebe*

**MATTERS UNDER CONSIDERATION:**

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

\* \* \*

**Clerk Assistant (Mr. Andrea Signorelli):** Good afternoon. Will the Standing Committee on Legislative Affairs please come to order.

I have the resignation letter from Mr. Gaudreau here, so before the committee can proceed with the business before it, it must elect a new Chairperson.

Are there any nominations?

**Mr. Dave Gaudreau (St. Norbert):** I nominate Ms. Allan.

**Clerk Assistant:** Ms. Allan has been nominated.

Are there any other nominations?

Seeing no other nominations, Ms. Allan, will you please take the Chair.

**Madam Chairperson:** Thank you.

Our next item of business is the election of a Vice-Chairperson.

Are there any nominations for this position?

**Mr. Gaudreau:** I nominate Mr. Marcelino.

**Madam Chairperson:** Mr. Marcelino has been nominated.

Are there any other nominations?

Hearing no other nominations, Mr. Marcelino is elected Vice-Chairperson.

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 to 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 discussions, but the committee does not have the power to recommend an appointment for this position since it is a direct Cabinet appointment.

How long does the committee wish to sit this afternoon?

**Mr. Kelvin Goertzen (Steinbach):** Until the work of the committee is complete.

**An Honourable Member:** Agreed.

**Madam Chairperson:** Thank you very much.

I have been informed the Government House Leader (Mr. Chomiak) has some comments regarding the hiring process under consideration.

**Hon. Dave Chomiak (Minister of Mineral Resources):** I want to thank committee members and all the staff for taking the time for coming to this meeting today.

We're following up on new legislation, and I believe the actions of the last few months in refining and defining rules and—as they apply to this Legislature and legislative committees which we're also going to do some follow-up rule making on.

I'm going to suggest, as Government House Leader, that given the fact that we're dealing with, for the first time under the new rules in a process, and the fact we're dealing with effectively three positions in one at this point, that I'm going to recommend to the committee that we put in place a process whereby the Government House Leader, the Opposition House Leader and the leader of the Liberal Party be—*[interjection]* Pardon me, I'm correctly corrected to the independent member for the Liberal Party; that the three of us be tasked from this committee with the opportunity to come back with a process to recommend to this committee how best to proceed in order to fulfill the mandate of the legislation and in the spirit of the non-partisanship nature of the appointments.

So I'd like to make a formal motion in that regard, if that's appropriate. I don't even have to make a formal motion; I'm recommend—I'm making a suggestion to the committee.

**Mr. Goertzen:** I thank the Government House Leader (Mr. Chomiak) for his comments. I agree at this point that the independent member for River Heights (Mr. Gerrard), myself and the Government House Leader should form a subcommittee at least to begin to look at the process.

It's worth, at this point, thanking Mr. Perozzo for his work as the Conflict of Interest Commissioner, Lobbyist Registrar and the Privacy Adjudicator. I think he's done a good job in a position that isn't always easy, that probably isn't always well defined and that might not have all of the abilities that sometimes the public or others think that it does. And I think Mr. Perozzo has served well, and we thank him for his service, certainly on our side, and I think that's echoed by all members of the Chamber and certainly of this committee.

This is the first time that we're operating under this act, under the amendments that happened in the last session, together with the government. These proposals were brought forward to have a more quick—a quicker process to hire independent officers, recognizing that they are important to not just us as

legislators, but to the public and specifically those members of the public that they often most directly deal with.

I'm pleased to say we're meeting quickly on this. The process for hiring independent officers has sometimes been mixed. We've at times had what we consider to be blue-ribbon panels formed, and they do an investigation; at other times, blue-ribbon panels haven't been willing to form. Other times, the members of the committee themselves have done interviews; there are other times when there have been HR staff that have been involved. And, of course, we also have a limited time period with this because Mr. Perozzo has, I believe, indicated that he will be vacating the position in a few months, and so I think it is appropriate that the Government House Leader, myself and the independent member for River Heights come together to ensure that we fill this position quickly, because it's an important position, but also to ensure that there's the right process and that we get a candidate that fulfills their role as responsibly as the previous one did.

\* (14:10)

So I appreciate the member's recommendation, not a formal motion, and we are prepared to proceed on that basis and we can report back at this committee at a future time on our progress from our discussions.

**Madam Chairperson:** We believe that we have a consensus in regards to how we want to move forward with the process, and we are going to have the House leaders meet with the independent member from the Liberal Party, meet and have further discussions in regards to how to move forward in regards to process. And that discussion will come back to the standing committee.

Is that agreed? *[Agreed]*

Is there any other discussion that we feel is necessary?

**Mr. Chomiak:** I just want to add, Madam Chairperson, and I want to thank the members for—thank the Opposition House Leader and the members for their co-operation in this matter.

I must also follow the comments of the member for Steinbach (Mr. Goertzen), in the outstanding way that Mr. Perozzo has conducted the office. It is—the

one thing the member for Steinbach (Mr. Goertzen) didn't mention: It doesn't pay very well either, on top of everything else.

But it's—this official or these—must undertake this task. It's complicated and complex. It calls for sound judgment, it calls for commitment, and we've seen nothing but that from Mr. Perozzo. And I don't think there's anyone in this Chamber that—in fact, I know there's no one in the Chamber that has, or anyone that's dealt with Mr. Perozzo, that has not come away feeling listened to and been given sound advice.

So I think the member for Steinbach captured it. I think there's a unanimous view in this committee

that Mr. Perozzo has been an excellent public servant, and we wish him well into the future.

**Madam Chairperson:** Seeing no further comments, I would like to thank the committee for your work here today, and this concludes the business before the committee.

Seeing no further comments, the hour being 2:14, what is the will of the committee?

**Some Honourable Members:** Committee rise.

**COMMITTEE ROSE AT: 2:14 p.m.**

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