

Third Session – Forty-First Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Legislative Affairs

Chairperson
Mrs. Sarah Guillemard
Constituency of Fort Richmond

Vol. LXXI No. 7 - 6 p.m., Tuesday, October 30, 2018

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-First Legislature

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ALLUM, James	Fort Garry-Riverview	NDP
ALTEMEYER, Rob	Wolseley	NDP
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LAMONT, Dougald	St. Boniface	Lib.
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SQUIRES, Rochelle, Hon.	Riel	PC
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LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON LEGISLATIVE AFFAIRS

Tuesday, October 30, 2018

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

**CHAIRPERSON – Mrs. Sarah Guillemard
 (Fort Richmond)**

**VICE-CHAIRPERSON – Mr. Len Isleifson
 (Brandon East)**

ATTENDANCE – 11 QUORUM – 6

Members of the Committee present:

*Hon. Mr. Cullen, Hon. Mrs. Mayer,
 Hon. Mr. Pedersen*

*Messrs. Allum, Ewasko, Ms. Fontaine,
 Mrs. Guillemard, Messrs. Isleifson, Lamont,
 Ms. Morley-Lecomte, Mrs. Smith*

MATTERS UNDER CONSIDERATION:

*Reappointment of the Conflict of Interest
 Commissioner and Information and Privacy
 Adjudicator*

* * *

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

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

Are there any nominations for this position?

Hon. Blaine Pedersen (Minister of Growth, Enterprise and Trade): I nominate Mr. Isleifson.

Madam Chairperson: Mr. Isleifson has been nominated.

Are there any other nominations?

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

This meeting has been called to consider the reappointment of the Conflict of Interest Commissioner and 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(1.1) of The Legislative Assembly and Executive Council Conflict of Interest Act states that where the position of the commissioner is vacant or will become vacant within six months, the Standing Committee on Legislative Affairs shall consider candidates for the position and make recommendations to the president of the Executive Council.

For the position of Information and Privacy Adjudicator, section 58.1(1.1) of The Freedom of Information and Protection of Privacy Act states that if the position of adjudicator is vacant or if it will become vacant within six months, the Standing Committee on Legislative Affairs must consider candidates for the position and make recommendations to the president of the Executive Council.

The term of the current incumbent, Mr. Jeffrey Schnoor, will expire on December 31st, 2018. For the information of the committee, historically, the person appointed as information and privacy adjudicator has also been invested with the role of Lobbyist Registrar, and this committee may discuss the reappointment of the Lobbyist Registrar in today's activities, but the committee does not have the power to recommend an appointment for this position since it is a direct Cabinet appointment under The Lobbyists Registration Act.

How long does the committee wish to sit this evening?

Mr. Wayne Ewasko (Lac du Bonnet): Until the work of the committee is done.

Madam Chairperson: Is this agreed to by the committee? *[Agreed]*

When this committee met to consider this matter on July 30th, 2018, a motion was moved, and that motion is still the matter under discussion. Therefore, the floor is open for questions or comments.

Hon. Cliff Cullen (Minister of Justice and Attorney General): I think you laid out the premise for our discussion tonight. As the committee knows, Mr. Schnoor has been in this capacity for a number of years now. He is extremely knowledgeable in

the area of conflict of interest laws for elected officials. And, as a government, we'd like to thank Mr. Schnoor for all his hard work as well as for the ideas and the recommendations he has put forward in his report on Manitoba's conflict of interest legislation.

Clearly indicated in his report, Manitoba has the oldest and arguably the weakest conflict of interest legislation in Canada. There is a lot of work to be done here in Manitoba. Trust and accountability must begin in the Manitoba Legislature, and that means with its elected members. Manitobans expect their government leaders to lead by example. That is why we want to reappoint Mr. Schnoor for a three-year term. With the will of this committee, Mr. Schnoor will be here in his capacity as the Conflict of Interest Commissioner to address any questions that may arise as we go through the process of updating Manitoba's conflict of interest laws.

As we know, this is extremely important and very comprehensive, so we want to make sure we get this right. Again, I'd like to thank Mr. Schnoor for all his hard work, and we hope that all the members of this committee will support our decision to reappoint him for a three-year term.

Madam Chair, in that context, I'm seeking leave of the committee to withdraw the previous motion.

Madam Chairperson: Does the committee agree to grant leave to the request of Minister Cullen to withdraw the motion moved on July 30th, 2018? *[Agreed]*

Mr. Cullen: I move that the Standing Committee on Legislative Affairs recommends to the President of Executive Council that Jeffrey Schnoor be reappointed as the Conflict of Interest Commissioner and the Information and Privacy Adjudicator for a term not to exceed three years from date of commencement.

Motion presented.

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

Is the committee ready for question?

Some Honourable Members: Question.

Some Honourable Members: Agreed.

Madam Chairperson: Shall the motion pass? *[Agreed]*

The motion is accordingly passed.

In terms of process going forward, Deanna Wilson will immediately advise the Clerk of the Executive Council of the recommendation for this position. As indicated in the legislation, it is the responsibility of the Lieutenant Governor-in-Council to make an offer of employment to the candidate and to establish the salary.

Once the offer has been made to the candidate and written acceptance is received, Deanna Wilson will immediately advise the committee clerk and the Speaker of the House. Once notified, the report from this committee will be presented in the House by the Chair. All MLAs are notified by way of the committee report and may receive a letter advising of the appointment from the Speaker.

Following presentation of the committee report, an order-in-council will be made public, and the Speaker will publish a news release.

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

Are there any other comments?

The hour being 6:06, what is the will of the committee?

Some Honourable Members: Committee rise.

Madam Chairperson: Committee rise.

COMMITTEE ROSE AT: 6:06 p.m.

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