

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

Chairperson
Ms. Bonnie Korzeniowski
Constituency of St. James

Vol. LVIII No. 4 – 10 a.m., Friday, January 26, 2007

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Eighth Legislature

Member	Constituency	Political Affiliation
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BRICK, Marilyn	St. Norbert	N.D.P.
CALDWELL, Drew	Brandon East	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CULLEN, Cliff	Turtle Mountain	P.C.
CUMMINGS, Glen	Ste. Rose	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
EICHLER, Ralph	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin	Steinbach	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HICKES, George, Hon.	Point Douglas	N.D.P.
IRVIN-ROSS, Kerri, Hon.	Fort Garry	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
JHA, Bidhu	Radisson	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McFADYEN, Hugh	Fort Whyte	P.C.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MELNICK, Christine, Hon.	Riel	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
OSWALD, Theresa, Hon.	Seine River	N.D.P.
PENNER, Jack	Emerson	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack	Southdale	P.C.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
ROCAN, Denis	Carman	P.C.
RONDEAU, Jim, Hon.	Assiniboia	N.D.P.
ROWAT, Leanne	Minnedosa	P.C.
SALE, Tim	Fort Rouge	N.D.P.
SANTOS, Conrad	Wellington	N.D.P.
SCHELLENBERG, Harry	Rossmere	N.D.P.
SCHULER, Ron	Springfield	P.C.
SELINGER, Greg, Hon.	St. Boniface	N.D.P.
SMITH, Scott, Hon.	Brandon West	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan, Hon.	Dauphin-Roblin	N.D.P.
SWAN, Andrew	Minto	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.
VACANT	Kirkfield Park	

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

Friday, January 26, 2007

TIME – 10 a.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Ms. Bonnie Korzeniowski (St. James)

VICE-CHAIRPERSON – Mr. Rob Altemeyer (Wolseley)

ATTENDANCE – 11 QUORUM – 6

Members of the Committee present:

Hon. Mr. Chomiak

Messrs. Aglugub, Altemeyer, Cullen, Dewar, Goertzen, Ms. Korzeniowski, Messrs. Lamoureux, Maguire, Mrs. Mitchelson, Mr. Santos.

MATTERS UNDER CONSIDERATION:

The re-appointment of the Conflict of Interest Commissioner.

* * *

Clerk Assistant (Mr. Rick Yarish): Good morning. Will the Standing Committee on Legislative Affairs please come to order.

Your first item of business is the election of a Chairperson. Are there any nominations?

Mr. Gregory Dewar (Selkirk): I nominate Ms. Korzeniowski.

Mr. Yarish: Ms. Korzeniowski has been nominated. Are there any other nominations?

Hearing none, Ms. Korzeniowski is elected Chairperson. Would you please take the Chair.

Madam Chairperson: Could we deal with the next item, please, which is the election of a Vice-Chairperson. Are there any nominations?

Mr. Dewar: I nominate Mr. Altemeyer.

Madam Chairperson: Mr. Altemeyer has been nominated. Are there any other nominations?

Hearing no other nominations, Mr. Altemeyer is elected Vice-Chairperson. *[interjection]*

Could we have some order, please, before I proceed.

This meeting has been called to consider the re-appointment of the Conflict of Interest Commissioner. Copies of the applicable legislation for this position 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 the commissioner is to be appointed on a part-time basis.

I would like to advise the committee that Mr. Bill Norrie's term as the Conflict of Interest Commissioner will expire on February 1, 2007.

How long does the committee wish to sit this morning?

Hon. Dave Chomiak (Minister of Justice and Attorney General): Until we are finished, Madam Chairperson.

Madam Chairperson: Agreed? *[Agreed]*

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

Mr. Chomiak: I guess I move

THAT the committee recommend to the Lieutenant-Governor-in-Council that Bill Norrie be re-appointed as Conflict of Interest Commissioner until his term to expire February 1, 2009.

Madam Chairperson: Agreed?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Madam Chairperson: It has been moved by Mr. Chomiak that the committee recommends to the Lieutenant-Governor-in-Council that Mr. William Norrie be re-appointed as Conflict of Interest Commissioner, with his term to expire February 1, 2009.

The motion is in order. The floor is open for questions.

Mr. Kelvin Goertzen (Steinbach): First of all, let me say on behalf of members of the Conservative Party that we certainly appreciate the fine work that Mr. Norrie has done in his position as the first, I believe, conflict of interest officer in Manitoba operating under the act.

I have a question, although I'm not really sure who it would be posed to. I understand that one of the individuals might not be here who would normally pose this, so perhaps I can leave it for the Government House Leader (Mr. Chomiak) to look at.

Just regarding inquiries, and I refer to the act, section 19.6(2), that the commissioner may make inquiries. I did have this discussion with Mr. Norrie on another occasion. My understanding, and I believe it's his understanding as well, that he may only make inquiries on behalf of a member who individually asks for an inquiry to be made on their own potential conflict of interest. I think that at one point, in regard to a question the Liberals may have raised in the Legislature, I may have incorrectly advised my friend from Inkster that the conflict of interest officer could in fact look at a concern that he had raised in the Legislature. That might not be the case, so I wonder if the Government House Leader could just take under advisement, look at other acts and report back to this committee or to myself individually about whether or not other conflict of interest officers have the ability to undertake an investigation of conflict that's made by a member other than the member who is being alleged to have been in conflict.

Madam Chairperson: Order, please. I would like to remind members that the business before this committee is the re-appointment of the Conflict of Interest Commissioner, and this is not relevant at this meeting.

Mr. Goertzen: Well, I wonder if we could ask leave of the committee if the Government House Leader could just simply undertake or have it undertaken that a look be made to compare the acts. It's not anything scurrilous or anything. I just simply want to know if there are other acts that occur differently. It doesn't have to be reported back at this moment, just some point in the future.

Madam Chairperson: Is there leave?

Mr. Chomiak: Yes, Madam Chairperson, in the spirit of assisting all members of the House, I will

undertake to make those inquiries and probably report back to the member for his review and consideration.

Madam Chairperson: Is the committee ready for the question?

An Honourable Member: Question.

* (10:10)

Madam Chairperson: The question before the committee is as follows: I move that the committee recommends the Lieutenant-Governor—

An Honourable Member: Pass.

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

Given that the committee report containing this recommendation will not be presented until the House resumes, we do have an issue of timing to resolve. Normally, a re-appointment like this would not be made public until all MLAs are advised by way of the committee report in the House.

Does the committee have any suggestions regarding this situation?

Mr. Chomiak: Very, very wisely I heard the Member for Steinbach (Mr. Goertzen) indicate perhaps a memo ought to be sent to the Speaker, and I concur in that. Therefore, I move that the committee authorize the Chairperson to ask the Speaker to inform all MLAs in writing of this re-appointment prior to the presentation of the committee report in the House. *[interjection]*

Madam Chairperson: Order, please. It has been moved by Mr. Chomiak that the committee authorize the Chairperson to ask—

An Honourable Member: Dispense.

Madam Chairperson: The motion is in order. Is the committee ready for the question?

Some Honourable Members: Question.

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

The hour being 10:12, what is the will of the committee?

Some Honourable Members: Committee rise.

Madam Chairperson: Committee adjourned.

COMMITTEE ROSE AT: 10:12 a.m.

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