



Legislative Assembly of Alberta

The 29th Legislature
Third Session

Standing Committee
on
Legislative Offices

Tuesday, March 7, 2017
6:33 p.m.

Transcript No. 29-3-1

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Standing Committee on Legislative Offices

Shepherd, David, Edmonton-Centre (ND), Chair
Malkinson, Brian, Calgary-Currie (ND), Deputy Chair

Dach, Lorne, Edmonton-McClung (ND)*
Drever, Deborah, Calgary-Bow (ND)
Ellis, Mike, Calgary-West (PC)
Horne, Trevor A.R., Spruce Grove-St. Albert (ND)
Kleinsteuber, Jamie, Calgary-Northern Hills (ND)
Littlewood, Jessica, Fort Saskatchewan-Vegreville (ND)
Nixon, Jason, Rimbey-Rocky Mountain House-Sundre (W)
Pitt, Angela D., Airdrie (W)
van Dijken, Glenn, Barrhead-Morinville-Westlock (W)
Woollard, Denise, Edmonton-Mill Creek (ND)

* substitution for Deborah Drever

Legislative Officers

Jill Clayton	Information and Privacy Commissioner
Del Graff	Child and Youth Advocate
Peter Hourihan	Ombudsman, Public Interest Commissioner
Glen Resler	Chief Electoral Officer
Merwan Saher	Auditor General
Marguerite Trussler, QC	Ethics Commissioner

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Stephanie LeBlanc	Parliamentary Counsel
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Sarah Amato	Research Officer
Nancy Robert	Research Officer
Corinne Dacyshyn	Committee Clerk
Jody Rempel	Committee Clerk
Aaron Roth	Committee Clerk
Karen Sawchuk	Committee Clerk
Rhonda Sorensen	Manager of Corporate Communications and Broadcast Services
Jeanette Dotimas	Communications Consultant
Tracey Sales	Communications Consultant
Cheryl Scarlett	Director of Human Resources, Information Technology and Broadcast Services
Janet Schwegel	Managing Editor of <i>Alberta Hansard</i>

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[Mr. Shepherd in the chair]

The Chair: All right. Well, I guess I'll call the meeting to order. I'd like to welcome members, staff, guests to this meeting of the Standing Committee on Legislative Offices. My name is David Shepherd, MLA for Edmonton-Centre, chair of the committee.

I'd ask that the members and those joining the committee at the table introduce themselves for the record, starting to my right.

Mr. Malkinson: Thank you very much, Mr. Chair. I am Brian Malkinson, MLA for Calgary-Currie and deputy chair.

Mr. van Dijken: Glenn van Dijken, MLA for Barrhead-Morinville-Westlock.

Mr. Nixon: Jason Nixon, MLA for Rimbey-Rocky Mountain House-Sundre.

Mrs. Pitt: Angela Pitt, MLA, Airdrie.

Mr. Ellis: Mike Ellis, MLA, Calgary-West.

Mr. Kleinsteuber: Jamie Kleinsteuber, MLA, Calgary-Northern Hills.

Ms Woollard: Denise Woollard, MLA, Edmonton-Mill Creek.

Mr. Dach: Lorne Dach, MLA, Edmonton-McClung, substituting for MLA Drever, Calgary-Bow.

Mrs. Littlewood: Jessica Littlewood, MLA representing Fort Saskatchewan-Vegreville.

Mr. Horne: Trevor Horne, MLA for Spruce Grove-St. Albert.

Mr. Koenig: Good evening. I'm Trafton Koenig, a lawyer with the Parliamentary Counsel office.

Dr. Massolin: Good evening. Philip Massolin, manager of research and committee services.

Ms Scarlett: Good evening. Cheryl Scarlett, director of human resources, information technology, and broadcast services.

Ms Dean: Shannon Dean, Law Clerk and director of House services.

Ms Rempel: Good evening. Jody Rempel, committee clerk.

The Chair: Excellent. Thank you.

As noted for the record, Mr. Dach is an official substitute for MLA Drever.

A few particulars we just have to get out of the way before we turn to the business at hand, a few operational items. Microphone consoles are operated by the *Hansard* staff. Please ensure mobile devices and other electronics are in silent mode. Audio of the committee proceedings is streamed live on the Internet and recorded by *Alberta Hansard*. Audio access and meeting transcripts are obtained via the Legislative Assembly website.

First of all, we need a member to move a motion to approve the agenda. Mr. Nixon. Thank you. All those in favour of the agenda as written, say aye. Any opposed? That motion is carried.

We then have the set of draft minutes from the February 7, 2017, meeting that were distributed for consideration. Are there any errors or omissions? If not, is there a motion to approve the minutes? Ms

Woollard. Thank you. All those in favour? Any against? That motion is carried.

Excellent. Looking ahead at our next two items of business, we have the RFQ to find a firm to audit the office of the Auditor General and then some discussion regarding the officers of the Legislature. I'd suggest that the committee consider moving in camera for our discussions as we may be discussing details of the quotations received through the RFQ process as well as the contracts of the officers of the Legislature. Mr. Nixon moves that we move in camera. All those in favour? Any opposed? The committee will move in camera.

[The committee met in camera from 6:36 p.m. to 7:19 p.m.]

The Chair: Okay. Excellent. All right. We have returned to the record, and I believe we have a few members who would like to propose motions.

First of all, with regard to the RFQ for an auditing firm to audit the office of the Auditor General. Mrs. Littlewood.

Mrs. Littlewood: Yes. I would like to move that

the Standing Committee on Legislative Offices direct the Legislative Assembly Office to negotiate an agreement with Collins Barrow Edmonton LLP to complete the annual audit of the office of the Auditor General pursuant to the request for quotation, Standing Committee on Legislative Offices, dated January 9, 2017, including a provision for a one-year engagement with a four-year option to renew and an ongoing requirement to disclose any conflict of interest by the firm during the term of the engagement.

The Chair: Thank you, Mrs. Littlewood.

We do have the motion on the floor, then. I'll call the question. All those in favour of the motion, say aye. Any opposed? That motion is carried. Thank you.

Moving on, then, we have a recommendation regarding an Acting Ombudsman. Do we have a member that would – Ms Woollard.

Ms Woollard: I would move that

the Standing Committee on Legislative Offices recommend to the Legislative Assembly that Mr. Joe Loran be appointed Acting Ombudsman for the period beginning April 16, 2017, until such time as a replacement for the Ombudsman and Public Interest Commissioner is appointed.

The Chair: Thank you, Ms Woollard.

I'll call the question. All those in favour of the motion, say aye. Any opposed? That motion is carried.

All right. Do we have a motion, then, regarding the acting pay for the Ombudsman? Pardon me. Let's just go ahead with the other appointment. Let's consider: do we have a motion regarding appointing an Acting Public Interest Commissioner? Mr. Kleinsteuber.

Mr. Kleinsteuber: Sure. I'll move that

the Standing Committee on Legislative Offices recommend to the Legislative Assembly that Mr. Ted Miles be appointed Acting Public Interest Commissioner for the period beginning April 16, 2017, until such time as a replacement for the Ombudsman and Public Interest Commissioner is appointed.

The Chair: Thank you, Mr. Kleinsteuber.

I'll call the question. All those in favour of the motion, say aye. Any opposed? That motion is carried.

We then have our motions in regard to acting pay for these individuals. Does someone wish to move a motion regarding the Acting Ombudsman? Don't all jump at once.

So the recommendation, again, Ms Scarlett, is for 70 per cent? Okay.

Go ahead, Mrs. Pitt.

Mrs. Pitt: Okay. I move that

the Standing Committee on Legislative Offices approve the payment of a salary equal to 70 per cent of the development maximum for the senior official D range, April 1, 2014, to Mr. Joe Loran, Acting Ombudsman, for the period beginning April 16, 2017, until such time as a replacement for the Ombudsman and Public Interest Commissioner is appointed.

The Chair: Thank you, Mrs. Pitt.

I'll put the question. All those in favour of the motion, say aye. Any opposed? That motion is carried.

Do we have someone that would wish to move a similar motion for the Acting Public Interest Commissioner?

Mrs. Pitt: Is that 70 per cent as well?

The Chair: Sixty.

Does anyone wish to move that motion? Mrs. Pitt.

Mrs. Pitt: All right. I move that

the Standing Committee on Legislative Offices approve the payment of a salary equal to 60 per cent of the development maximum for the senior official D range, April 1, 2014, to Mr. Ted Miles, Acting Public Interest Commissioner, for the period beginning April 16, 2017, until such time as a replacement for the Ombudsman and Public Interest Commissioner is appointed.

The Chair: Excellent. Thank you, Mrs. Pitt.

I'll call the question. All those in favour of the motion, say aye. Any opposed? That motion is carried.

Finally, then, I believe we had some discussion regarding the Child and Youth Advocate. Do we have anyone that wishes to make a motion in that regard? Mrs. Littlewood.

Mrs. Littlewood: Thank you, Chair. I just want to begin by thanking the Child and Youth Advocate and the office for all the work that they do in support of children and youth in Alberta. I know that there has been a delay since discussion about this initially. However, I do appreciate all the work that they do and take very seriously the appointments that we make in this committee.

7:25

Given the work that this committee currently has ahead of us in terms of the search committee for the Ombudsman and Public Interest Commissioner as well as reviewing the Child and Youth Advocate Act and also the ongoing panel that the Legislature has before it, I believe that I would like to make a motion that

the Standing Committee on Legislative Offices address the request for reappointment of the Child and Youth Advocate in the fall of 2017.

The Chair: All right. Thank you, Mrs. Littlewood.

We have a motion to defer further decision regarding the reappointment of the Child and Youth Advocate until the fall of 2017.

Mr. Nixon: I speak in support of this motion. I think we have kind of an interesting time, unfortunately, that is all colliding at once. We have, of course, the legislation that's required to be reviewed by the end of June, and we have the unique situation with the panel doing its work, and we're expecting significant recommendations from the panel sometime in the next six months. To be able to do an appointment right now, I think, would conflict with that, but I

think it's also important that we make it clear to the advocate that this is not a reflection on anything the advocate has done. I think most of us think the advocate is doing a great job.

This motion: why I support it is that it'll provide some clarity on when this process will move forward but allow us to deal with the outstanding items that are before several different bodies going forward.

The Chair: Thank you, Mr. Nixon.

Mrs. Littlewood.

Mrs. Littlewood: Thank you, Chair. I just want to concur with what Mr. Nixon is saying and say that we take our roles here very seriously, and given the amount of work that is directly involved with that office, it would be best to readdress this in the fall.

The Chair: Thank you, Mrs. Littlewood.

Any other discussion on the motion?

Seeing none, I'll call the question. All those in favour of the motion say aye. Any opposed? That motion is carried.

Excellent. That brings us, then, to other business. Is there any other business that committee members wish to raise?

Mr. Nixon: I don't know if this is the right spot, Mr. Chair, but the process to review the act, I guess: is that what we would be doing at the next meeting? Where are we at on that?

The Chair: Thank you for the question, Mr. Nixon. Absolutely. That would be the next item of business, then, that would be before the committee. I understand there's been some discussion, and at this point my understanding is that all members are prepared to go ahead with discussion on those recommendations. Would that be correct?

Mr. Nixon: Certainly. Maybe we'll talk about them at the next meeting. The one caution I would have is that I think we should start the process, but again to the panel: the panel will report specifically on the death portion within the next four weeks or so. My understanding is that there are going to be significant recommendations associated – in fact, the work the panel will do during the second stage will have not nearly as much to do with the legislation that we're being called upon to look at whereas the recommendations that we'll see in April will have specifically a lot to do with the Child and Youth Advocate, I suspect. It may be something that we do want to start but we don't want to complete until we get the report in four weeks.

I'll just leave that out there for a thought. Maybe we can talk about that at the next meeting. We're ready to proceed, for sure.

The Chair: I appreciate that additional context. Thank you. It's helpful in considering how we move forward. Is your recommendation, then, Mr. Nixon, that we wait to proceed until you've completed the section on the death review, or is it something where you think we could hold a meeting or a couple of meetings just as long as we keep the door open to consider those portions after?

Mr. Nixon: I think we should start the work. I'm open to what everybody else thinks, of course. I think we should start the work. I threw it out there because I think we should consciously try not to complete it, knowing that we're going to get a report like that within the next four or so weeks that has such a direct impact on the Child and Youth Advocate and the legislation associated with it, and then see what those recommendations are because we may be able to help speed up some of those recommendations for the panel. It may be a way, because not all of it's going to be – I think we should just

commit that we don't finish it until we see the first report, which will be done at the end of the end of this month or early April.

The Chair: Understood. Thank you, Mr. Nixon.
Mrs. Littlewood.

Mrs. Littlewood: Thank you, Chair. I was just wondering, in line with the questions of timing: I believe that we were given a year to review this act and have it done. What date does that come up?

Ms Rempel: Mr. Chair, we started on June 22, 2016.

Mrs. Littlewood: Thank you.

The Chair: Excellent. Well, of course, we do know the budget is going to come forward on the 16th, and then we will be going forward into the estimates process. Would it be fair to say that the

next time, then, to consider planning the next meeting might be once estimates are concluded? Would that be generally agreed on by members? Excellent. I do get the sense that we've got a little bit of time to work with. We do have that hard deadline in June, but I'm not feeling at this point that we're stifled for time. I think it'd be good to give us all a little bit of breathing room through that budget process, and then we'll look for the opportunity to poll some dates where members can come back together.

Excellent. I guess that also covers, then, the last agenda item, date of the next meeting.

Do we have a member, then, that would wish to move to adjourn? Mr. Malkinson. All those in favour of adjournment say aye. None opposed, I'm assuming. Excellent.

Thank you. Have a good evening.

[The committee adjourned at 7:31 p.m.]

