



Legislative Assembly of Alberta

The 29th Legislature
Third Session

Standing Committee
on
Legislative Offices

Wednesday, December 20, 2017
2:30 p.m.

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Standing Committee on Legislative Offices

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

Aheer, Leela Sharon, Chestermere-Rocky View (UCP)
Dach, Lorne, Edmonton-McClung (NDP)*
Drever, Deborah, Calgary-Bow (NDP)
Gill, Prab, Calgary-Greenway (UCP)
Horne, Trevor A.R., Spruce Grove-St. Albert (NDP)
Kleinsteuber, Jamie, Calgary-Northern Hills (NDP)
Littlewood, Jessica, Fort Saskatchewan-Vegreville (NDP)
Pitt, Angela D., Airdrie (UCP)
van Dijken, Glenn, Barrhead-Morinville-Westlock (UCP)
Woollard, Denise, Edmonton-Mill Creek (NDP)

* substitution for Jessica Littlewood

Legislative Officers

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

Support Staff

Robert H. Reynolds, QC	Clerk
Shannon Dean	Law Clerk and Director of House Services
Trafton Koenig	Parliamentary Counsel
Stephanie LeBlanc	Parliamentary Counsel
Philip Massolin	Manager of Research and Committee Services
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
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>

2:30 p.m. Wednesday, December 20, 2017

[Mr. Shepherd in the chair]

The Chair: All right. Well, I'd like to welcome members, staff, and guests to the meeting of the Standing Committee on Legislative Offices.

I'm David Shepherd, MLA for Edmonton-Centre and chair of this committee. I'd just like to ask that members and those joining the committee at the table introduce themselves for the record. Then we'll hear from those on the phone. We'll start to my right.

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

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

The Chair: If I may just ask that those on the phone ensure that their lines are muted. Thank you.

Go ahead, Mr. Dach.

Mr. Dach: Lorne Dach, MLA, Edmonton-McClung.

Mr. Gill: Prab Gill, MLA, Calgary-Greenway.

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

Ms Dotimas: Jeanette Dotimas, LAO communications.

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

Ms Scarlett: Cheryl Scarlett, director of HR, IT, broadcast services, and financial management and administrative services.

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

Ms Rempel: Jody Rempel, committee clerk.

The Chair: And on the phones?

Mr. Malkinson: Brian Malkinson, MLA for Calgary-Currie.

Mrs. Aheer: Hello. Leela Sharon Aheer, MLA, Chestermere-Rocky View.

Drever: Hi. Deborah Drever, MLA for Calgary-Bow.

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

Mrs. Pitt: Angela Pitt, MLA, Airdrie.

The Chair: Thank you.

For the record I'd like to note the following substitution. We have Mr. Dach substituting for Mrs. Littlewood.

Now, before we turn to the business at hand, just a few operational items. The microphone consoles are operated by the *Hansard* staff. Please keep cellphones and BlackBerrys on silent and off the table as these can interfere with the audiofeed. Audio of the committee proceedings is streamed live on the Internet, recorded by *Alberta Hansard*. Audio access and meeting transcripts are obtained via the Legislative Assembly website.

A draft agenda was distributed for consideration. Does anyone have any issue to raise or changes to propose to the agenda? Seeing

and hearing none, do we have a member that would move a motion to approve the agenda as circulated? Ms Woollard. Thank you. All those in favour? On the phones? Any opposed? Okay. None opposed. That motion is carried.

The next item, then, is the adoption of the meeting minutes. Are there any errors or omissions to note from the meeting minutes from December 1, 2017? If not, do we have a member that would move a motion to approve the minutes as distributed? Mr. Horne. Thank you. All those in favour? On the phones? Any opposed? That motion is carried.

We'll move, then, to following up on our discussion on the 2018-19 budget estimates for the officers of the Legislature. Committee members will recall that at our last meeting, on December 1, 2017, we reviewed and made decisions on the budget estimates of offices of the Legislature for 2018-19 with the exception of the office of the Ombudsman. Now, Ms Ryan and her staff did present their budget to the committee at our last meeting, and we had the opportunity to review it. However, before making a decision on the budget, the committee requested some information from the Ministry of Municipal Affairs, and debate on the motion to approve the budget was adjourned. We have received response from the minister confirming that his ministry will be reducing its budget estimates for 2018-19 by \$625,000 as the costs associated with municipal ombudsman activities will now fall to the office of the Ombudsman.

At this point we now have Member Drever's motion to approve the 2018-19 budget estimates for the office of the Ombudsman in the amount of \$4,291,000, as submitted, before us again for consideration. Do we have any discussion, questions, or concerns on that motion? Mr. van Dijken.

Mr. van Dijken: Thank you, Chair. I'm looking at the letter that we received from the Minister of Municipal Affairs. I'm not sure if you had any discussions for clarification with regard to that letter. I'll just read it out.

As requested in your December 5, 2017 letter, I can confirm Municipal Affairs plans on permanently reducing its budget estimates by \$625,000 beginning in 2018/19, for costs associated with Municipal Ombudsman activities to be incurred by the Alberta Ombudsman. This will ensure cost neutrality.

My question would be: did you have any discussion with the minister or the deputy minister as to how they plan on actually implementing such an action that it would permanently reduce budget estimates?

The Chair: I did not personally have any discussions with the minister regarding this. We forwarded the request to the ministry, and this was the letter we received in response. I have not had any further discussions with the minister since that point.

To be clear, in this instance what we're looking at is the budget of the Ombudsman, and the Ombudsman was indicating that for her office \$625,000 would be included to take over this responsibility from Municipal Affairs. Municipal Affairs has confirmed that they are reducing their budget by that amount. At this point our committee's responsibility is to review the office of the Ombudsman, and any questions, I guess, regarding the budget for Municipal Affairs would be discussed at estimates or perhaps at a meeting of the Public Accounts Committee or something along those lines.

Did you have any further concerns, then, regarding the Ombudsman's budget?

Mr. van Dijken: No.

The Chair: Okay. All right. Did any other members have any questions or concerns, then, regarding this matter?

If not, are we prepared, then, to call the question? Okay. Then the question is before us.

Clerk, could you just refresh our memories on the motion that's before us?

Ms Rempel: Thank you, Mr. Chair. Member Drever moved that the Standing Committee on Legislative Offices approve the 2018-19 budget estimates for the office of the Ombudsman in the amount of \$4,291,000, as submitted.

The Chair: Thank you, Clerk.

I will call the question, then. All those in favour of the motion? On the phones? Any opposed? That motion is carried.

We'll move on, then, to the question of our new officer of the Legislature, the position of the Election Commissioner, and look at the question of the recruitment of the officer in regard to the mandate as set forth under Bill 32. During the fall session the Legislative Assembly passed Bill 32, An Act to Strengthen and Protect Democracy in Alberta. The bill received royal assent on Friday, December 15, 2017.

Of particular relevance to this committee is the transitional provision included in the act, which reads as follows:

142.1(1) On the date Bill 32, An Act to Strengthen and Protect Democracy in Alberta, receives Royal Assent, the Standing Committee on Legislative Offices shall invite applications for the position of Election Commissioner and recommend to the Legislative Assembly the applicant it considers most suitable.

What this provision does, in basic terms, is task this committee with acting as a search committee responsible for recruiting and identifying a suitable candidate for the position of Election Commissioner.

2:40

I know that most of the members of this committee have served on search committees before and are familiar with the process. However, this is a bit of a unique situation, so before we proceed further, I'd like to turn the floor over to Ms Dean to offer some further comment. No? Okay. Ms Dean feels that we have covered that sufficiently.

Essentially, at this point we would be moving forward with this committee in a search process for the Election Commissioner. Do we have any questions on the mandate of the committee in this regard?

Ms Woollard: Is there any way in which this differs from other search committee processes?

The Chair: I guess the question, then, to counsel is: is there anything that would differ in this search process from those that have been done by special select committees?

Ms Dean: I will ask my colleagues to step in if I miss something, but obviously it's a new position, so a position profile needs to be developed. As well, a budget for that office needs to be put forward. Presumably, that would be within the purview of this committee. It's a little more unusual than filling a position that's already in place.

Ms Woollard: Thank you.

The Chair: Thank you.

Are there any other questions, then, regarding the mandate of the committee?

Mrs. Pitt: Chair, may I?

The Chair: Certainly, Mrs. Pitt. I will make note.

I'll start with Mr. van Dijken and then go to Mrs. Pitt.

Mr. van Dijken: I guess this mandate for the Leg. Offices Committee is to move forward with a position description. Is this something that a subcommittee would be appointed to? Do we decide that? How does that process happen?

The Chair: Counsel, Mr. van Dijken is, I guess, asking how a committee would normally proceed with the creation of a job posting and profile. Is that correct, Mr. van Dijken?

Mr. van Dijken: Yes.

Ms Dean: Thank you, Mr. Chair. Typically the committee would direct the LAO to put together a job profile in conjunction with related materials such as a job ad, a communications plan, et cetera, and a timeline for recruitment.

The Chair: Thank you, Ms Dean.

Any one have any further questions regarding the mandate of the committee?

Mr. Horne: Mrs. Pitt has a question.

The Chair: Oh, pardon me. Mrs. Pitt, of course. Thank you. Go ahead, please.

Mrs. Pitt: Thank you, Mr. Chair. Part of my question was answered although I got cut off a little bit there. In regard to the budget for this office how is that determined?

The Chair: I'm sorry, Mrs. Pitt. I didn't quite catch the end of the question. Could you just repeat that for me, please?

Mrs. Pitt: Sorry. Yes, definitely. In terms of the budget for this new commissioner do we set the budget, and how do we do that? What does that look like?

The Chair: Thank you, Mrs. Pitt. Yes, it's my understanding that that would generally fall within the mandate that we've been given though it wasn't specifically laid out in the legislation. An essential part of the committee being able to complete the search process and appoint someone to the role, of course, is being able to establish a budget.

There are two pieces with that, well – pardon me – I guess essentially one at this point, that being that we would need to provide that information to the Minister of Finance and President of Treasury Board before, I believe, the end of January from the discussions that I've had so far with Parliamentary Counsel. That is something that will fall to our committee, and later in our agenda I think we have some discussion about how we would go about bringing that forward.

Are there any further questions, then, regarding the mandate?

Ms Woollard: To me, if I understand correctly, it looks like we need to move on this task quite quickly. Is that correct?

The Chair: Thank you, Ms Woollard. To the best of my knowledge, the legislation doesn't in any way prescribe a specific timeline in which this work has to be completed, but it would, I guess, be a decision of the committee as to how quickly we wish to move forward.

All right. Why don't we move forward, then, to the item on committee support. As we address the remaining points under the recruitment portion of our agenda, I just want to ensure that everyone is clear that we're referring to our mandate to function as the search committee for the Election Commissioner role and not to times when we are conducting business that falls under the

customary mandate of the Standing Committee on Legislative Offices. With regard to committee support during the recruitment and selection process we will be assisted by staff from the Legislative Assembly Office, including human resources, communications, and the committees branch. At future meetings and during the recruitment and selection process we'll also benefit from the professional support of the staff at executive search. Does anyone have any questions regarding the committee support?

If not, then we can move on to discuss substitutions and attendance. Regarding the issue of substitutions, again, we want to keep in mind that we're focused on our officer recruitment responsibility that we've been assigned and not the regular business of the committee. As you're all aware, the standing orders allow for an official substitute to be designated to participate in a committee meeting on behalf of a committee member. Now, although substitutes are permitted, the members of previous search committees over several Legislatures have agreed amongst themselves not to appoint substitutes once the selection process begins in order to ensure consistency and fairness to candidates during the recruitment and selection process. Does anyone have any thoughts on how we'd want to approach that for this particular search?

Mr. Malkinson: Mr. Chair.

The Chair: Go ahead, Mr. Malkinson.

Mr. Malkinson: Thank you very much. I'm just going to start off by saying that for those of us on the phone, there is somebody near a construction site. We can kind of hear a deep, bassy pounding in the background, so if you can hear that on your phone, hitting mute would be wonderful.

To the question at hand, you know, I would imagine that we are going to be proceeding quickly on this. I think I understand that with a lot of this work happening over January and February, sometimes there might be times when somebody, an individual may practically, despite their best efforts, not be able to attend. I would think that the ideal situation would be to have no substitutions, but I think we need to be aware that that's not always possible.

So I would propose that we allow substitutions to be used sort of as a proxy vote for a particular member and be able to sort of share our thoughts and trust that person and brief the substitute coming in of what they need to do and rely on the member who's asking for the substitution to make sure that the new member understands the importance of confidentiality and not chatting about that with other members. That would be my proposal, Mr. Chair.

The Chair: Thank you, Mr. Malkinson.

Mr. Dach: I'd also concur with Mr. Malkinson in that substitutions are not desirable. But if necessary, I think, given that I am substituting myself right now on this committee, if those that are on the committee as substitutes can sort of stand by and be substitutes if need be so that there's continuity in that process, I myself would be willing to commit to be on deck if necessary, for illness reasons or whatever, to substitute on this committee so that there is an ongoing continuity and confidentiality.

The Chair: Thank you, Mr. Dach.

Any other members have any thoughts, comments regarding substitutions or absences?

Okay. Seeing and hearing none – this is not something on which a motion is normally made, is it?

Ms Rempel: Correct.

The Chair: Okay. Hearing no objections, we'll assume, then, that the committee is okay with the idea of allowing substitutions for the remainder of this process.

Now, along those lines, we do want to also discuss the issue of interview attendance and participation in selecting the final candidate of choice. Now, again, members of previous search committees have made an agreement amongst themselves that only members who have been present for all candidate interviews in their entirety should participate in the final candidate selection. Does anyone have any thoughts on that provision?

Ms Woollard: I think that we've done that for the previous – what? – two search committees, and I think that's a reasonable strategy to use. It keeps everybody informed – properly informed – of what we're doing.

2:50

The Chair: Thank you, Ms Woollard.

Okay. Any other committee members have any thoughts on the interview process, that question?

Okay. Hearing no other thoughts and hearing no objections, we'll assume, then, that the committee will proceed on that principle that only members who have been present for all candidate interviews in their entirety should participate in the final candidate selection.

One last point regarding meeting attendance relating to teleconferencing. We've already made the decision to permit teleconference participation, so I'll just remind committee members to please advise the committees branch in advance if you wish to make use of that option. In addition, I think it's safe to anticipate that the majority of our discussions regarding the applicants for the Election Commissioner will occur in camera, so do bear in mind that if you're calling in by teleconference, you need to ensure the location you're calling from would provide an appropriate measure of privacy.

Moving on, then, to the question of confidentiality of documents and proceedings. At this point I'd like to address the importance of making a commitment to all potential applicants that we will respect the confidentiality of all candidates throughout the search process. Most briefing materials provided as part of the recruitment and selection process will be distributed in hard copy for viewing by committee members only. The materials will be arranged in binders, which can be left with the committee clerk following each meeting so that documents can be shredded, reorganized, et cetera, as appropriate for the next meeting. To ensure consistency for committee members, the materials prepared by the committees branch are distributed to you in a personalized binder so you can feel free to make any notes, et cetera, on your materials. Does anyone have any questions or concerns about the handling of documents and materials?

Seeing and hearing none, we'll move on, then, to the question of next steps. Bearing in mind that any motions made will occur on the record, at this point I'd suggest that the committee consider moving in camera along with staff at the table from the Legislative Assembly Office for our initial discussion on our next steps in the recruitment and selection process and the budget preparation for the new office. Do we have a member that would be willing to make such a motion? Ms Woollard is moving that the Standing Committee on Legislative Offices move in camera.

Ms Dean: Mr. Chair, if we could request that two additional staff be allowed to stay for the in camera discussions because they'll be assisting us in terms of some of the work of the committee: Ms Tischer and Ms LeBlanc.

The Chair: Okay. Understood. Does that need to be included in the motion? No. Okay.

If members don't have any objection to those two additional staff joining, we do have the motion on the floor, then, for the committee to move in camera. All those in favour? Those on the phones? Any opposed? The committee will move in camera.

[The committee met in camera from 2:53 p.m. to 4:19 p.m.]

The Chair: All right. The committee is returning to the record.

Do any members have any motions they wish to move? Mr. Horne.

Mr. Horne: Yes. Thank you, Chair. You know, we had, certainly, a fulsome conversation. I think – at least, it was my sense – that there was general agreement, and I would be prepared to move two motions.

The Chair: Certainly. If you could give us the gist of your first motion, please.

Mr. Horne: The first. I would move that this committee direct the LAO to complete the job posting, position profile, ad, and communications plan by December 22, to be approved by the committee chair in consultation with the deputy chair and one member of the Official Opposition, and to post the ad starting December 29, with the competition open until January 19.

The Chair: Thank you, Mr. Horne.

I'll give the clerk a chance to work with that.

Did you wish to make any comment on the motion while we're waiting, Mr. Horne?

Mr. Horne: I just think that this is certainly a very important office to move forward with, to get set up as soon as we can, and I think that, you know, with the information provided, we can start moving forward in this time frame and get the office running as soon as we can.

The Chair: Thank you, Mr. Horne.

Excellent. The clerk has posted the essence of the motion by Mr. Horne. Do any other members have any comments, discussion regarding the motion?

Mr. van Dijken: I have a couple of concerns, significant concerns, with an ad running December 29. You know, we had heard that running an ad over the holidays, really, is probably going to be fairly nonproductive, and in my opinion it would probably be better, get more people and others viewing it, if it's not run in the middle of the holiday season. I also have difficulty trying to understand: "direct the LAO to complete the job posting, position profile, ad, and communications plan." The position profile: we don't have anything in place now. I would say that the chair and the deputy chair essentially approving this position profile is quite concerning to me. I don't believe this is moving forward in a manner that actually gives the due diligence that's necessary to assure Albertans that we're moving forward in a very open and transparent manner.

Mr. Malkinson: Chair, can I get on the speakers list?

The Chair: Certainly.

Thank you, Mr. van Dijken.
Go ahead, Mr. Malkinson.

Mr. Malkinson: Would it help, Mr. van Dijken, if there was a member of the opposition to approve that as well?

The Chair: That is actually contained in the current motion.

Mr. Malkinson: Oh. Okay. Perfect.

The Chair: Any other members have any thoughts, comments regarding the motion?

4:25

Mr. van Dijken: The motion was introduced, with the member introducing it using the verbiage of a general understanding that there's agreement to move forward in this manner, and I would suggest that to be inaccurate. I believe that the proper way to move forward would be to develop the position profile, be ready with the position profile so that we have a full understanding and human resources has a full understanding of the individual that we're looking for and that we're not just moving ahead without really having any kind of a true understanding of what will be required of this individual.

We are moving forward without, in my opinion, the proper consultation with the Chief Electoral Officer, who would be a key person to consult with in order to have an understanding on how we can delineate the two positions and also have some key understandings on some of the difficulties that might occur if we get that position profile wrong.

I don't support this motion at all. I believe that the timelines are not right and that we are not moving forward with proper consultation and proper due diligence to build the position profile. I think that, yeah, we can move forward with the job posting ads and a communication plan after we have a position profile in place and the committee is able to discuss that in an open and transparent manner and we have confidence that that position is clearly understood.

At this point in time, to tell you the truth – you know, other members have made comments with regard to the fact that the details are in the act as to what the commissioner's job description would be, what his position profile would be, and I don't agree with that at all. I believe that there's some understanding as to what is expected to occur with this position, but on the profile of the position, if we take a look at some of the other ones – I happened to dig up the Chief Electoral Officer's position profile. I actually think that the development of this position profile for the Election Commissioner is going to conflict, to a certain degree, with the position profile of the Chief Electoral Officer and that there will need to be some adjustments made in there also. I believe that's something that the committee would have to sit down and discuss.

To think that we're moving forward in a way that is giving it the due diligence necessary to ensure that Albertans can be confident that this position is clear, transparent – the position profile is the basic foundation that this individual will take to the job, and I believe that we really can't go with a communications plan, with an ad, with a job posting until the committee has been able to see the position profile.

I'm not comfortable with this motion at all. I believe that we should be moving forward with a motion that would essentially instruct human resources, the Leg. Assembly Office, to develop a position profile. I believe that's what we need, to have a draft position profile that we can sit down with and get an understanding of so that we're comfortable moving forward with a draft position profile. But to skip that step: I can't imagine that anybody would see that as being acceptable.

The Chair: Thank you, Mr. van Dijken.

Mr. Malkinson: Chair, can I get on the speakers list, please?

The Chair: Certainly.

I have Mr. Gill, Mr. Dach, and then Mr. Malkinson.

Mr. Gill: Thank you, Mr. Chair. As Mr. van Dijken already raised concerns about this motion and as we already heard from Mr. Reynolds and Ms Scarlett regarding the timeline and the ineffectiveness of a job posting advertisement during the holidays, that it is not a very fruitful way to do it – I mean, I don't know what the rush is on it. Like, why can't we let the LAO develop the position profile?

Also, if Ms Scarlett can answer: what timeline does the office think is sufficient in order to hit all those dates like December 29 and right now with the competition open until January 19? What is the timeline she thinks is sufficient?

The Chair: Thank you, Mr. Gill.

I will just note that members should be very cautious about referring to matters that were discussed while in camera, but certainly it is entirely appropriate to ask questions to elicit similar information if necessary.

Mr. Gill: Okay. Thank you.

The Chair: Thank you.

Go ahead, Ms Scarlett.

Ms Scarlett: I think we've indicated before that the staff of the LAO here will do everything that we can to support the committee, and we'll take our direction from the committee. I'll stop there.

With respect to the advertising deadlines, we have checked into advertising deadlines, and we do know that if we are being asked to post an advertisement in the mainstream media for December 30, it's our understanding that we need to get the finalized advertisement to them by noon on the 22nd.

The Chair: Thank you, Ms Scarlett.

Do you have any follow-up questions, Mr. Gill?

Mr. Gill: No. Thank you.

The Chair: I have Mr. Dach.

Mr. Dach: Thank you, Chair. I just wanted to express that I'm quite satisfied with the motion. I do know that the opposition members have some concerns with timelines. However, what the motion does entail is the opportunity to provide an Official Opposition member, who will act in consultation with the chair and deputy chair regarding the communications plan and the ad. That was, I think, an attempt to satisfy and placate the Official Opposition members that the process was one that they were able to give their approval to. We're attempting to approach some means of common ground here, and I hope that you'll see that in the inclusion of an Official Opposition member in the motion.

An important point to make is that there have been a number of complaints filed in the last year and that the current system is not able to properly investigate them, and those investigations and the Albertans who filed them deserve a response. The subjects of those investigations deserve to have their say and defend themselves, and most importantly Albertans need to know that their democracy is being protected from external, potentially international dark money that currently could be corrupting the system. We just don't know because Elections Alberta doesn't right now have the capacity to investigate, and it's the responsibility of members of the committee to get that capacity established by getting this position filled as quickly as possible.

That's the reason and motivation for wanting to be expeditious here. That's our responsibility, we believe, so that's why we want to make sure the position is filled as soon as possible. Given the ample opportunity for the opposition member to communicate with the chair and the deputy chair in considering the job posting, the profile, and the communications plan, I think that goes a long way to addressing concerns over time.

Thanks.

The Chair: Thank you, Mr. Dach.

Mr. Malkinson.

Mr. Malkinson: Thanks very much. You know, I think we should vote on this motion. I was hearing what Mr. van Dijken was saying and what Mr. Gill was saying. That was a lot of what we chatted about while in camera, and we chatted extensively about that in camera. Mr. Gill didn't speak up during those conversations, and I think we should vote on these . . .

The Chair: Mr. Malkinson, I would caution you as to referring to what members did or did not say in camera.

Mr. Malkinson: If we want to revisit those conversations in camera, then perhaps we should go back in camera. But I think we are ready to vote on that. That was the agreement we made while in camera, that we are ready to vote on these.

The Chair: Mr. Malkinson, again, we cannot reference agreements or things that were made while in camera.

4:35

Mr. Malkinson: I think we should go and do those votes. I mean, you know, I don't want a rehash of what we did in camera, and I think we should go to the vote.

The Chair: Mr. Malkinson, I apologize, but I'm going to have to rule you out of order there. Again, to be clear, members do not discuss what was discussed or what was decided while in camera. That is not appropriate.

Mr. Malkinson: My apologies, Mr. Chair. I would withdraw that comment. It just seemed, you know, that if we were going to talk about what was in camera anyway, then we may as well go full hog on that. I apologize, and I withdraw my comment.

The Chair: Thank you, Mr. Malkinson.

I have Mr. van Dijken.

Mr. van Dijken: Thank you, Chair. One question to the LAO. The ability to actually be posting ads for December 29: from what I heard, there would be a need to have something confirmed by noon December 22 to even post by December 30. Am I correct on that?

Ms Scarlett: That is our understanding, yes.

Mr. van Dijken: If I may, one more question?

The Chair: Yes.

Mr. van Dijken: Is it realistic to have a position profile developed before noon on the 22nd? It's got to get approved by the committee chair, the deputy chair, a member of the Official Opposition. A position profile needs to be developed in time for December 22. Is that doable?

Ms Scarlett: If that is the direction of the committee. As I indicated, I believe, earlier on, at the beginning of the meeting, we have started

preliminary work on the materials, and we will work very diligently and do the best that we can to complete a job profile for review if that is the will of the committee.

The Chair: Thank you.
I have Mrs. Aheer.

Mrs. Aheer: Thank you, Mr. Chair. I would just like to have it on the record and say that if – and thank you to counsel and to Ms Scarlett if you're able to put that together so fast. I mean, bless your hearts for being able to do that. However, I think that it is extremely disrespectful to Albertans and those that will be applying to this position to be putting this position forward at a time when many, many people will be on holidays, when, I believe, the advertisements will not reach a number of people.

In previous discussions we've heard about the fact that we are just starting to clarify what this position is going to look like, and then on top of that, the draft will be put together by only three members of the committee, if I'm understanding that correctly, before being finalized and going out to the public. With respect to the public and making sure that everybody knows what's going on – I realize that the government wants to rush this through – I have grave concerns about reaching enough people and making sure that that advertisement reaches people at a time when they're actually home to be able to get those advertisements and then to apply appropriately.

Thank you.

The Chair: I have Mr. van Dijken, then Mr. Dach.

Mr. van Dijken: Thank you, Chair. I'd like to move an amendment at this time.

The Chair: Certainly. What amendment would you like to move, Mr. van Dijken?

Mr. van Dijken: I believe I'd like to move that the motion be amended by dropping all the wording after "communications plan" and inserting "to be circulated amongst committee members prior to the committee's next meeting for approval at the committee's next meeting."

You know, essentially, the gist of my amendment is to highlight the need to do this in a manner so that, actually, we can move forward, so that all members of the committee can feel confident that the position profile is accurate and gets full input from the committee. We have not developed anything at this point in time that would even give any of our members on this committee any kind of an idea what that position profile is going to look like. We have not been able to have discussion and debate with regard to a position profile. I believe that that has to be done in consultation with the current Chief Electoral Officer. The due diligence needs to be done properly in order for Albertans to feel confident that the position is going to be not only justified but that the position is going to be filled in a manner that will get the person in place that is qualified.

Thank you.

The Chair: Thank you, Mr. van Dijken.
I have Mr. Dach.

Mr. Dach: Thank you, Chair. I like the original motion. I oppose the amendment, and I'd like, simply, to vote on it.

The Chair: Mr. Dach, to be clear, are you just simply saying that you'd like to get to the vote, or are you actually trying to call the question?

Mr. Dach: I'm calling the question.

The Chair: Okay. My understanding, Mr. Dach, is that it would be the normal process to allow others, if they have something to say to the piece, to do so. I do have Mr. Malkinson and Mr. Gill.

Mr. Malkinson, please go ahead.

Mr. Malkinson: Thank you very much, Mr. Chair. This is deep into rehashing things we had done in camera. You know, we have already in this motion stated that there is going to be a working group to allow the opposition as well to take a look at the ad before it goes out. In so many other committees I hear from the opposition who want that. I think that in this one we're there, and I would definitely vote no to this amendment.

Thinking back, you know, to when we fought tooth and nail on the changes by the opposition when we were doing this legislation originally, I think we are getting dangerously close to that now. I would like to call the question, and I would encourage all members to vote this amendment down because I think the original motion was certainly agreed upon in camera.

The Chair: Thank you, Mr. Malkinson.
Mr. Gill.

Mr. Gill: Thank you, Mr. Chair. I think it's an important amendment. As I was explaining previously, it's important to establish the profile of the position. The timeline between now and December 22 is, like, way too short for such an important office. I mean, if the government side truly believe that we want to reflect upon Albertans, I think that it's incumbent upon us and the members of this committee to actually give a proper, thorough thought process to this position. Therefore, the communication plan, as I said, should be circulated among the committee members prior to the next committee so that we can all agree on and establish that position before the next meeting. Therefore, I think I'd encourage and ask all the members on this committee to support this motion.

Thank you, Mr. Chair.

The Chair: Thank you, Mr. Gill.

Mrs. Aheer: May I please be put on the speakers list? Thank you.

The Chair: Please go ahead, Mrs. Aheer.

Mrs. Aheer: Thank you so much. I just wanted to mention – and I'm sorry for this – that due to the length that this meeting has gone on now, I have to leave for another meeting. I'm not sure if we can adjourn, but this has gone way beyond the scheduled time for me, and I'm actually 45 minutes late for another meeting. I would like to potentially make a motion to adjourn. I don't know if that's feasible or possible, but for me to be able to participate in this conversation anymore – I'm very, very late already.

Thank you.

4:45

The Chair: We have a motion to adjourn. I understand that with a motion to adjourn there is no debate, so I will call the question. All those in favour of adjourning the meeting? On the phones? All those opposed? On the phones? That motion is defeated.

Are we then prepared to call the question on this amendment?

Mr. Malkinson: I believe we are, Mr. Chair.

The Chair: All those in favour of the amendment? On the phones? All those opposed? On the phones? The amendment is defeated.

Mr. van Dijken.

Mr. van Dijken: Okay. We'll try and improve this some more. I'd like to make another amendment.

The Chair: Certainly.

Mr. van Dijken: That

after "direct the LAO" insert "in consultation with the Chief Electoral Officer."

I think it's important that we recognize that the Chief Electoral Officer will have very good input into developing a position profile. He has significant understanding of the operations of the elections system and also the day-to-day functioning of what possibly would be encountered by a person in this position, and I think it's important that we ensure that that consultation happens. I don't believe that to date – I can stand to be corrected – consultation has actually occurred in helping to develop that position profile, so I think it's important that we identify that here now, that the proper stakeholder is included in this development of that.

You know, I've spoken about it before, where the two positions have the potential of overlapping, and we don't want to get into a situation where one or the other is not confident, one way or the other, who's responsible for what. I believe that this would help in delineating the two positions in a manner so that everybody is sure of what their role and responsibilities are.

Thank you.

The Chair: Thank you, Mr. van Dijken.

Any members have any comments on this motion? Mr. Dach.

Mr. Dach: Thank you, Mr. Chair. I'm still satisfied with the original motion, and I encourage committee members to oppose this amendment, which I do.

The Chair: Thank you, Mr. Dach.

Mr. Gill.

Mr. Gill: Thank you, Mr. Chair. I think this is another important amendment which can actually help the new office with consultation with the Chief Electoral Officer so that we don't have, for lack of a better word, a left hand, right hand syndrome, so at least we can consult with the Chief Electoral Officer as the new office is being established. It would help the new office, with the roles and positions and the challenges.

Thank you, Mr. Chair.

The Chair: Thank you, Mr. Gill.

Any other members wish to speak to the amendment? Mr. van Dijken.

Mr. van Dijken: Yeah. Thank you. You know, when we move forward as a search committee, we need to be led, essentially, by how this position profile is developed. I think that within the position profile, when I look at the position profile of the Chief Electoral Officer, it identifies some of the key responsibilities with regard to the different acts that the Chief Electoral Officer is charged with overseeing. Also, it discusses with regard to organization, financial and human resource management, committees. A lot of this stuff needs to be fully understood in order for even the search committee to understand what they're looking for.

We're going to develop a position profile in a matter of a day. And I would suggest that to develop a position profile in a matter of a day – I understand that the staff has committed to do their best to have a position profile in our hands before the 22nd. I understand. But I also understand that work such as that, that is rushed in a way that is just destined to meet a timeline that's, in my opinion,

irresponsible, is not going to do us well in serving Albertans with this committee.

We need to be able to move forward in a way that all people involved – our human resources people, the people that will help with the executive search, the committee members, the committee members that are charged to be on this search – need to have, a full understanding of the position. The position profile will identify that. I'm not convinced that that can be developed in a day, and unless I hear with certainty that that work is able to be done in a manner that can be called on without question of the fact that we have looked into how this will also possibly impact the Chief Electoral Officer's duties and some of those delineations that are necessary, I don't believe that we are doing the due diligence that's necessary to actually move forward in a manner that's going to be helpful.

That's all I have to say for now.

The Chair: Thank you, Mr. van Dijken.

Mr. Horne.

Mr. Horne: Yeah. Thank you. You know, it's certainly important for the CEO to have some feedback on this, and that was perhaps an oversight in my original wording of the motion, but if the LAO thinks that they can work that in with the timeline, I'd be more than happy to support this motion.

The Chair: Thank you, Mr. Horne.

Mr. van Dijken: So the question is: does the LAO feel that they are going to be able to work that in with their timeline?

The Chair: Ms. Scarlett, do you have any comment?

Ms. Scarlett: I'm sorry. I don't have knowledge of the CEO's availability.

The Chair: Actually, if I may speak to that, I did have the opportunity. I reached out to the CEO earlier this week simply to gauge if he had an interest in working with our committee and indicated that we may have an interest in speaking with him as part of this process. And I do recall that when I spoke with him yesterday morning, his office informed me that that was his last day in the office before the holidays.

Mr. van Dijken: Having heard that information, we are now of the understanding that we will not be able to do proper consultation with the Chief Electoral Officer before the timelines that are within this motion and that this motion, then, in my opinion, is running under time constraints that will not afford the committee the proper due diligence necessary to ensure that we have a position profile in place that is fully considering all aspects of the role.

4:55

I would essentially request the mover of the motion consider that the timelines are too tight and that the due diligence that's necessary is not going to be able to be fulfilled in these timelines and that the motion be struck at this time.

The Chair: At this point, Mr. van Dijken, we are still discussing the amendment.

Mr. van Dijken: Sorry.

The Chair: But once we have had a vote on the amendment, we will return to the motion itself.

Mr. van Dijken: I hear you.

The Chair: Although, Mr. van Dijken, if you wish, you can withdraw your amendment, and then we could return to the motion.

Mr. van Dijken: It stands.

The Chair: Thank you, Mr. van Dijken.
Mr. Dach.

Mr. Dach: Thank you. I just reiterate my opposition to the amendment, and if there are no further speakers, I suggest we dispense with it by voting it down.

The Chair: Thank you, Mr. Dach.
Do we have any further comments on the amendment?

Mr. van Dijken: One question that might help. I have an understanding that there are similar positions in other jurisdictions, not necessarily independent offices of the Legislature, but similar positions. Is there going to be some ability to actually delve into those position profiles in other jurisdictions, to give us some assistance in developing this position profile?

The Chair: Ms Scarlett, do you have any comment on that?

Ms Scarlett: We've done some preliminary work in terms of looking at those jurisdictions and trying to pull out the information, the key components to help compare them to what we're pulling out and envisioning for this position, so that is a component of what we are doing as part of the development of the position profile.

The Chair: Do members have any further comments on the amendment?

Seeing and hearing none, I'll call the question. All those in favour of the amendment? On the phones? And those opposed? On the phones? That amendment is defeated.

We'll return to the motion.

Mr. Dach: I simply call the question.

The Chair: Mr. Dach is calling the question.
Is there any further discussion?

Mr. van Dijken: I guess I'm going to seek some consideration from the mover to recognize that the timelines are not going to be conducive to actually getting this work done in an acceptable manner. We have the inability to consult with the Chief Electoral Officer to help develop this position profile. We have heard – I'll ask LAO staff. What would be the typical timeline for developing a position profile for a new legislative office?

The Chair: Anyone from counsel wish to respond?

Ms Scarlett: I'm sorry. I can't help you with that answer. I have not been involved in developing a new one. In other recruitment activities within the LAO and the other ministries that I've worked at, you know, we endeavour to develop the profiles and the job ads as quickly as we can to respond to needs.

The Chair: Thank you, Ms Scarlett.

Mr. van Dijken: Ms Scarlett, could you reflect on the length of time that you've been in a position with human resources?

Ms Scarlett: With the Legislative Assembly I've been here for 30 years.

Mr. van Dijken: With this information we have come to the understanding that an individual that has been with the office for 30

years has not been involved in the development of a new position profile for Leg. Offices. I don't know when the last time that a new profile was developed. My guess is probably for the freedom of information individual. Again, I think we're asking more than what can be expected of our staff in order to have a proper position profile developed.

So I'm going to make another amendment. I would like to make an amendment to move that
the words "position profile" be removed from this motion.

The Chair: Thank you.

Mr. van Dijken: Essentially, I'm bringing this forward recognizing that it is going to be very difficult to develop a fully vetted position profile within the next day, and I believe that this is important work that needs to happen before we go out with a communications plan, a job posting, and the like. I would encourage the committee to recognize that the motion, the way it's worded, with the timelines that are in place, is not going to allow the time necessary to do this properly.

The Chair: Thank you, Mr. van Dijken.

We have an amendment. Any members that wish to speak to the amendment? Mr. Gill, then Mr. Dach.

Mr. Gill: Thank you, Mr. Chair. Once again, I think we already talked on this very important part of that position profile. I mean, we tried to extend the timeline, and the government side did not approve that amendment. Then we tried to include the Chief Electoral Officer and ask government to consult with that office and officer so we can strengthen and identify that position profile, and that wasn't approved. Those weren't approved, so I think it's important that we remove the words "position profile" and then let the LAO develop that position profile and take ample time to consult with other jurisdictions so that the role of this new office is strengthened. So I ask all the government members, all the members, actually, to support this amendment.

Thank you.

The Chair: Thank you, Mr. Gill.
I have Mr. Dach.

Mr. Dach: Thank you, Mr. Chair. I think it's pretty obvious that the posting has to be accompanied by the profile in order for applicants to make an appropriate assessment of what the position is before making a decision as to whether to apply, so I oppose the amendment. What we're doing, bottom line – and I know the government members are certainly expeditiously wanting to proceed. Opposition members are expressing concern about that, but what we're doing, ultimately, is protecting our democracy – and we want to expeditiously proceed by doing that – by making sure that the position is filled as soon as possible. That's the ultimate underlying motivation. We really feel that this position must be filled in order to ensure that dark money is kept out of politics, and we think this position should be filled quickly so that the individual who takes the role can hit the ground running as soon as possible, leading up to the next election, to ensure that our electoral process is fair.

So I oppose the amendment, and I wish to expeditiously deal with it, be it that there are no other speakers.

5:05

The Chair: Thank you, Mr. Dach.

Mr. van Dijken: Member Dach has raised a concern about protecting democracy, and I would suggest that that's exactly what

we're trying to do here, protect democracy, and to do it in a way that is going to be fully considered and not pull it under certain time crunches that members from the governing party feel are necessary to do a job. My question to the members from the governing party is: if they have not come forward with a position profile at this time, I would suspect that – you know, if they felt it was that easy to develop a position profile, do they feel that it can be done in a day's time? We are under a time crunch here that by Friday before noon we have to have this all approved. That would tell me that we have to have this position profile completed by this time tomorrow. Do the members from the governing party actually believe that that's achievable?

The Chair: Thank you, Mr. van Dijken.
I have Mr. Dach.

Mr. Dach: Thank you once again, Mr. Chair. I really feel this process needs to move forward as quickly as possible, and I'm frankly not supportive of any further amendments to the motion. But I also would like to really state for the record my sincere thanks to the LAO staff, who I know are being asked to turn this around in record time. We realize it's unusual and that the time frame is a little unusual because it's close to the holiday season, but we know that they will do, as they stated repeatedly, the will of the committee to the best of their abilities. We know it's extenuating circumstances and deadlines are tight, but if we didn't firmly believe on our side that it was important to do, we wouldn't be asking them to do it. We are committed to moving this process forward, and I'd really like to see us as a committee proceed and expeditiously deal with the amendment and, ultimately, pass the original motion.

The Chair: Thank you, Mr. Dach.

Mr. van Dijken: Member Dach has alluded to that the staff will do it to the best of their abilities. Absolutely. I believe that also. They will put forward a document before us to the best of their abilities before noon on Friday. But the question that was being asked is: if the members from the governing party actually believe that a proper document can be put together in such a short time frame, that we can all be confident that as committee members where it's going to be approved by the committee chair, deputy chair, and one member of the Official Opposition, so essentially pushed through by the government and the members of the governing party, do these members actually believe that this document – you know, I'll take a look, and I think you'll find that it's a similar document with all the position profiles for our independent officers and Chief Electoral Officer's position profile.

It is a document that's seven pages long. It covers many different aspects of the position summary, the purpose of the position. It allows the Chief Electoral Officer and the committee that the Chief Electoral Officer serves to get a good understanding of what's expected of that individual. It allows the individual to understand the relationship with the Leg. Assembly. It outlines all the key responsibilities that are necessary to fulfill the role. It outlines some of the responsibilities that are outlined in order to fulfill the mandate of the Election Finances and Contributions Disclosure Act. It outlines roles and responsibilities with regard to leadership with Elections Alberta. It outlines some financial and human resource management organizations.

This is a very detailed document, and, in my opinion, this committee is being irresponsible in challenging our staff to have the ability to turn that over in a day. The staff has already informed us that to have it turned over by the 22nd, we can't even meet the motion, you know? Okay. Ad starting December 29. Well, we might as well change that date to December 30 because we can't

get any ads by December 29 if it's not posted before noon on the 22nd. To me this is pushing forward in a manner that's going to be not helpful and not have clear direction to individuals looking forward to possibly putting their name forward for this position.

The Chair: Thank you, Mr. van Dijken.

Is there any further discussion on the amendment?

Seeing and hearing none, I will call the question. All those in favour of the amendment? Any on the phones? All those opposed? And on the phones? That amendment is defeated.

Are we prepared, then, to call the question on the motion? Seeing and hearing no objection, I will call the question. All those in favour of the motion? And on the phones? All those opposed? Any on the phones? That motion is carried.

Mr. van Dijken: Could we get a recorded vote, please?

The Chair: We have a request for a recorded vote. I will start to my right.

Mr. Horne: Trevor Horne. In favour.

Ms Woollard: Denise Woollard. In favour.

Mr. Dach: Lorne Dach. In favour.

Mr. Gill: Prab Gill. Opposed.

Mr. van Dijken: MLA van Dijken. Opposed.

The Chair: And on the phones.

Mr. Kleinsteuber: Jamie Kleinsteuber. In favour.

Drever: Member Drever. In favour.

Mr. Malkinson: Brian Malkinson. In favour.

The Chair: All right. That motion is carried.

Do we have any further motions that members wish to make?

Mr. Horne: Hopefully, this one will be a bit less controversial. I would move that

this standing committee invite the Chief Electoral Officer to attend the next committee meeting to discuss the considerations for preparing a start-up budget for the office of the Election Commissioner.

The Chair: Thank you, Mr. Horne.

We'll give the clerk a moment to type that up.

Do you have any comments while that's taking place?

Mr. Horne: I think the motion mostly speaks for itself.

The Chair: Thank you, Mr. Horne.

Mr. Horne has moved that the Standing Committee on Legislative Offices invite the Chief Electoral Officer to discuss considerations for preparing the start-up budget for the office of the Election Commissioner. Do we have any discussion on the motion?

To clarify, Mr. Horne, was the intention for that to take place at the next meeting of the committee?

Mr. Horne: That is correct, yes.

The Chair: All right. With that in place, do we have any discussion on the motion?

Mr. van Dijken: Do we have any indication when we'll be meeting next?

The Chair: That would be an upcoming item on the agenda, but at this time we have not yet set a specific meeting for the new year.

Any further discussion on the motion?

If not, I will call the question. All those in favour of the motion? On the phones? Any opposed? Any on the phones? That motion is carried.

5:15

Do we have any further motions that members wish to bring forward?

Seeing and hearing none, is there any other business?

Seeing and hearing none, as noted, we have not yet set the next meeting of the committee. That will be at the call of the chair in the new year.

We've had a request, before we adjourn the meeting, for confirmation of instructions regarding the salary for the Election Commissioner. It was an item that was discussed in camera, but we need a motion on the record. Okay. Do we have a member that would wish to move a motion in regard to that? Ms Woollard.

Ms Woollard: Yes. I will move that. Do I have to state it? I know that we had agreed upon schedule C as the level of the salary for the position.

The Chair: Thank you, Ms Woollard.

I'll give the clerk a moment to catch up with us.

Ms Woollard, with that, did you wish to also clarify the question of full- or part-time for the position?

Ms Woollard: And that the position be a full-time position.

The Chair: Thank you, Ms Woollard. The clerk will draft that.

We have the motion, then. Moved by Ms Woollard that the Standing Committee on Legislative Offices classify the position of Election Commissioner within schedule C of the senior officials salary schedule for the public service of Alberta and designate the position as full-time.

Mr. van Dijken.

Mr. van Dijken: Without a position profile, I'm not sure how we come to a conclusion such as this, that the position is full-time, that the position qualifies in schedule C. I believe that the work that the members of the governing party are pushing forward with here is putting a cart before a horse. At the end of the day, once we have a position profile, we can get a better understanding. Once we have the Chief Electoral Officer in here to consult with on budget, we can get a better understanding. We are making a decision here on a classification where we have no idea or a very limited idea as to the roles and responsibilities and what is going to occur and on the needs of this individual. Does this fit for this position? I can't with confidence believe that we have all the information necessary to make this decision. I'm unsure how the member has made the conclusion that it fits in with schedule C and a full-time position.

The Chair: Thank you, Mr. van Dijken.

Mr. Dach.

Mr. Dach: Thank you, Mr. Chair. I believe that the input given to us by Ms Scarlett was quite clear. Her recommendation was that schedule C would be appropriate and that, as I said earlier, over time the person who ends up with the position certainly can . . .

The Chair: My apologies, Mr. Dach. Just to remind members that we do not discuss what we discussed while in camera. We can certainly talk about issues, but if they were discussed in camera, we don't refer to the fact that that took place.

Mr. Dach: I apologize. I didn't realize I was breaching into that ground.

In any case, I do wish to simply support the motion, schedule C, and move ahead with the vote if there are no other speakers.

Mr. van Dijken: We currently have an Ethics Commissioner that's at .8, I believe, maybe at full-time for a period of time because her role has expanded for the next six months or so. I don't remember clearly. Do we have information on that role and how we discover the need for full-time, .8, and those types of things?

The Chair: Mr. van Dijken, sorry. You had a question for counsel?

Mr. van Dijken: Well, I guess, you know, like, the Ethics Commissioner, I believe – and correct me if I'm wrong. I could be wrong in this. It came forward in our last meeting with regard to some of her roles and responsibilities. Her responsibilities have expanded to where she is now temporarily full-time, I believe, and that it would revert after a few months, maybe a six-month period or so. I don't recall for sure. Is there some way of getting an understanding as to what qualifies for full-time, what would qualify for three-quarter time, and is there any way to try and make that discovery before we even have a position profile in place?

Mr. Malkinson: Mr. Chair, can I get on the speakers list, please?

The Chair: Certainly, Mr. Malkinson.

Ms Scarlett, do you have a comment? If you have nothing to contribute, that's fine.

Ms Scarlett: Yeah, I have no comment. Thank you.

The Chair: All right. I have Mr. Malkinson.

Mr. Malkinson: Thank you very much, Mr. Chair. We talked about this in camera, and it was the consensus . . .

The Chair: Mr. Malkinson, again, please do not refer to what was discussed while in camera.

Mr. Malkinson: I understand that we were going to with the wage level of C at full-time. So I say that we vote on that motion without rehashing what we did in camera.

The Chair: Mr. Malkinson, again, I'm afraid I have to rule you out of order. We do not refer to what was discussed while we were in camera.

Mr. Malkinson: I will rephrase, Mr. Chair. I recommend that we go with position C at full-time for this job ad.

The Chair: Thank you, Mr. Malkinson.

Mr. van Dijken: I'm going to seek the will of the committee. I'm going to make an amendment with regard to the position as full-time and

add after that: "for a period of six months and to re-evaluate at that time."

You know, I believe that possibly in six months' time we'll have an idea or the individual will have an idea of the work that the office is facing and that we can make a more informed decision at that time.

Mr. Malkinson: Chair, could I get on the speakers list, please?

The Chair: Certainly.

If Mr. van Dijken is finished, I have Mr. Malkinson and Mr. Dach.

Go ahead, Mr. Malkinson.

Mr. Malkinson: Thank you, Chair. I think I understand, Mr. van Dijken, where you're coming from, but to do that would start getting us – you know, we have a scheduled election in 2019, and to be reviewing this, if the position is full-time or not, when you're getting to be sort of in October, November of 2018 I don't think would be appropriate. I don't think we want to sort of be reviewing those hours just when the individual would be, I think, doing the most amount of their work, just before an election.

I don't know what the solution is, but I would not be in favour of this amendment.

5:25

The Chair: Thank you, Mr. Malkinson.

Mr. Dach.

Mr. Dach: Thank you, Mr. Chair. I speak against the amendment. I think it sends a mixed message to the applicants who may be considering the advertising. When it's advertised as for a period of six months and they possibly will end up having it changed to full-time or maintain itself as part-time, it's a cloudy message which will affect the application process in a negative way. I, for one, certainly expect fully that this will be a full-time position. That's what I seek as a committee member, to have a full-time position offered to applicants under the full understanding that their plate will be full as the Election Commissioner once they engage fully in the role.

I oppose the motion on a number of grounds, and I hope other committee members will as well.

The Chair: Thank you, Mr. Dach.

Any further comments on the amendment?

Mr. van Dijken: I might be missing something here. You know, Mr. Dach has confidence that this is a full-time position, and I don't know what exactly he is basing that on. If I could get some clarity as to: what is he basing that information on? I'm not sure that it's a full-time position right from the start, but I'm willing to give it that go and recognize that it takes time to set up the office and get things rolling. But at the same time, I'm not convinced that the work is going to be any more than what our Ethics Commissioner is working on. I would hope that the work is not full-time. To be quite honest with you, I believe that there is likely to be a very difficult time staying busy full-time. That's just my estimation with the information that's before us.

The Chair: Thank you, Mr. van Dijken.

Any further comments on the amendment? Mr. Gill.

Mr. Gill: Thank you, Mr. Chair. Again, it's going to go back to the position profile. I mean, like, we don't know the roles. We don't know the position. We don't know what this position entails, so I think this is a good amendment, "for a period of six months and to re-evaluate" after "full-time." If we haven't established the position yet, how can we say that it's full-time or it's part-time? If the government side – again, we can talk about these things until the cows come home, as the saying is. If they really want to strengthen democracy and take the dark money out of elections, let's give this office some thoughtfulness and consider all these important amendments.

I would ask members to support this amendment. Thank you, Mr. Chair.

The Chair: Thank you, Mr. Gill.

Any further comments on the amendment?

Seeing and hearing none, I'll call the question. All those in favour of the amendment? All those opposed? On the phones? That amendment is defeated.

We return, then, to the main motion. Is there any further discussion on the motion, or are we prepared to call the question?

Seeing and hearing no further discussion, I will call the question. All those in favour of the original motion by Ms Woollard? And on the phones? That motion is carried.

Do we have anything further? Mr. Horne.

Mr. Horne: Yeah. One motion I forgot, but it shouldn't be controversial. I would move that as part of the recruitment and selection of the Election Commissioner the Standing Committee on Legislative Offices direct the Legislative Assembly Office to draft a timeline and process proposal for consideration at the next committee meeting. If you can make it slightly more elegant.

The Chair: All right. We have a motion before the committee, then, that

as part of the recruitment and selection of the Election Commissioner the Standing Committee on Legislative Offices direct the Legislative Assembly Office to prepare a proposed timeline document for consideration at its next meeting.

Mr. van Dijken: It looks like this motion should have been considered right at the very beginning of our deliberations, in that the members of the governing party could have recognized that the LAO has the ability to understand what's necessary in order to develop proper position profiles, proper advertising campaigns, proper job postings, proper timelines that would allow us to be confident that it's moving forward in a way that most human resource acquisitions would take. In my opinion, the members from the governing party have pushed this all aside and bulldozed through on their timeline. To now put this in place: to me that's an insult to the people that we have sitting at the table. I believe that the members from the governing party have pushed forward on a timeline that they want to see happen without any consideration for the input that's come forward.

I don't understand why all of a sudden now it's important for them to get a proposed timeline document. That motion should have come at the very first to get an idea as to how long it does take to do a proper job of selection for an Election Commissioner. Here we are. Now we've bulldozed to the point where we're going to advertise in the middle of the holiday season without the proper due diligence necessary to prepare a position profile and without full consultation with the Chief Electoral Officer, who would definitely help in the development of that position profile. Now a member from the governing party wants to all of a sudden utilize the LAO to prepare a proposed timeline. From what I've seen in this meeting, members from the governing party have a timeline already figured out, and in my opinion they're possibly wasting the LAO's time in preparing a proposed timeline.

The Chair: Thank you, Mr. van Dijken.

Any other members have any comments on the motion? Mr. Gill.

Mr. Gill: Thank you, Mr. Chair. You know, I would echo my colleague Mr. van Dijken's comment. It's like, I think, working backwards. I mean, it seems like the government side maybe already has the timeline. Who knows? Maybe they even have a candidate. I don't know why we're going backwards and not giving consideration to the LAO to begin with. I can't support that.

Thank you.

The Chair: Thank you, Mr. Gill.

Any other members have further comment on the motion?

If not, I will call the question. All those in favour of the motion?
On the phones? That motion is carried.

Is there any further business for the committee?

If not, the next meeting, as indicated, will be at the call of the
chair in the new year.

Do we have a member that would move a motion to adjourn? Mr.
Dach. All those in favour of the committee adjourning? On the
phones? Any opposed? That motion is carried.

The committee stands adjourned.

[The committee adjourned at 5:35 p.m.]

