



Legislative Assembly of Alberta

The 31st Legislature
First Session

Standing Committee
on
Legislative Offices

Tuesday, November 7, 2023
8:30 a.m.

Transcript No. 31-1-1

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The 31st Legislature
First Session**

Standing Committee on Legislative Offices

Getson, Shane C., Lac Ste. Anne-Parkland (UC), Chair
van Dijken, Glenn, Athabasca-Barrhead-Westlock (UC), Deputy Chair

Chapman, Amanda, Calgary-Beddington (NDP)
Dyck, Nolan B., Grande Prairie (UC)
Eremenko, Janet, Calgary-Currie (NDP)
Hunter, Grant R., Taber-Warner (UC)
Long, Martin M., West Yellowhead (UC)
Renaud, Marie F., St. Albert (NDP)
Shepherd, David, Edmonton-City Centre (NDP)
Sinclair, Scott, Lesser Slave Lake (UC)

Also in Attendance

Johnson, Jennifer, Lacombe-Ponoka (Ind)

Legislative Officers

Kevin Brezinski	Ombudsman, Public Interest Commissioner
Diane McLeod	Information and Privacy Commissioner
Terri Pelton	Child and Youth Advocate
Glen Resler	Chief Electoral Officer
Marguerite Trussler, KC	Ethics Commissioner
W. Doug Wylie	Auditor General

Support Staff

Shannon Dean, KC	Clerk
Teri Cherkewich	Law Clerk
Trafton Koenig	Senior Parliamentary Counsel
Philip Massolin	Clerk Assistant and Director of House Services
Nancy Robert	Clerk of <i>Journals</i> and Committees
Abdul Bhurgri	Research Officer
Christina Williamson	Research Officer
Warren Huffman	Committee Clerk
Jody Rempel	Committee Clerk
Aaron Roth	Committee Clerk
Rhonda Sorensen	Manager of Corporate Communications
Christina Steenbergen	Supervisor of Communications Services
Shannon Parke	Communications Consultant
Tracey Sales	Communications Consultant
Lyndsay Tischer	Director of Human Resources
Janet Schwegel	Director of Parliamentary Programs
Amanda LeBlanc	Deputy Editor of <i>Alberta Hansard</i>

8:30 a.m.

Tuesday, November 7, 2023

[Mr. Getson in the chair]

The Chair: Good morning, everyone. Welcome to Legislative Offices. I believe I have the right meeting room. I hope so. I really appreciate everyone coming together here at 8:30 in the morning. I'd like to welcome all the members, the staff, the guests into this meeting of the Standing Committee on Legislative Offices.

My name is Shane Getson, the MLA for Lac Ste. Anne-Parkland. I love to call it God's country. If you want to call it that, too, I'm okay with that. I'm very happy to be the chair of this committee, and I'd like to ask the members that are joining the committee here at the table to introduce themselves. We'll go around the room starting with my right.

Mr. van Dijken: Good morning. I'm Glenn van Dijken, the MLA for Athabasca-Barrhead-Westlock.

Mr. Dyck: My name is Nolan Dyck, and I am the MLA for Grande Prairie and true God's country.

Mr. Hunter: Good morning, Mr. Chair. Grant Hunter, MLA for Taber-Warner.

Mr. Long: Good morning. Martin Long, the MLA for West Yellowhead.

Mrs. Johnson: I'm just a guest.

The Chair: Yeah. That's fine.

Mrs. Johnson: It's okay? Jennifer Johnson, MLA, Lacombe-Ponoka.

Ms Chapman: Amanda Chapman, MLA, Calgary-Beddington.

Mr. Shepherd: Good morning. David Shepherd, MLA for Edmonton-City Centre.

Member Eremenko: Hello. Janet Eremenko. I'm the MLA for Calgary-Currie.

Ms Tischer: Good morning. Lyndsay Tischer. I'm the director of HR of human resource services for the Legislative Assembly Office.

Ms Cherkewich: Good morning, everybody. Teri Cherkewich, Law Clerk to the Assembly.

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

The Chair: Perfect. Do we have anyone online with us today? Okay. Well, that works out okay, then.

A few housekeeping items before we turn to the business at hand. Please note that the microphones are operated by our great friends with *Hansard*. They're up in the corner behind us to my left. If they're not picking you up, just give them a little wink or a wave or a nod or something, and they should get the mic on, but they're usually really good at this. Committee proceedings are being live streamed on television right now and also on the Internet. Members that would be participating remotely, not to make any presumptions on what the committee might vote on of how we operate allowing other members to work remotely, should be prepared to speak and to vote and to be called upon, and they're encouraged to have their cameras on as long as possible as long as, you know, everything makes sure it's parliamentary sense, and when they're not speaking,

they have the microphones off for the courtesy of others. If you have cellphones in the room, which we all do, please set those to silent mode if at all possible for us for the duration of the meeting.

Let's see. Before proceeding further, as this is the first meeting of the committee of the 31st Legislature, I would like to discuss the remote participation of the committee meetings if at all possible. As some of you that were around here last time may know, section 6 of the Legislative Assembly Act permits participation in a committee meeting, means that all "telephone or other communication facilities that permit all Members participating in the meeting to hear each other if all the members of the committee consent." Our committee meeting rooms are equipped to facilitate meeting participation by telephone and videoconference. If this is something that we want to permit, then this committee may wish to pass a motion, which needs to be passed unanimously, to approve remote participation by members for the duration of the Legislature, or if the committee chooses to do something, whether it's annually or otherwise, that would be up to the will of the committee as well.

I would note that a motion would not preclude the committee from determining that in-person attendance at specific meetings is still required. So, again, if we're doing some heavy lifting, it could be the will of the committee to make sure everyone is here and active and participating. In those cases a motion would be considered at the end of a particular meeting requesting the attendance of the persons of subsequent meetings. Any questions on that one? Okay.

If some members are participating remotely for today's meeting, they're unable to vote on this motion, so I'm glad that everyone showed up. Again, just other housekeeping notice items as well. If you're a member of the committee, then you're allowed to vote; if you're an MLA, you can absolutely come in and listen, but you're not a voting member of the committee.

Any questions, comments, concerns? This is an energetic group. I apologize; 8:30 in the morning. We're all caffeinated up here.

Would any member like to move that we – perfect. I recognize the Member for Edmonton-City Centre.

Mr. Shepherd: I move that we authorize remote participation, Mr. Chair.

The Chair: Perfect. I'm not sure if our clerks have written that up, by chance, on the screen.

Ms Rempel: I can put it on the screen.

The Chair: Sorry, guys. A little bit of a first start. It's pretty straightforward, Member, so I'm not sure if we need it on the screen, but convention is probably getting in the way here for me.

That's okay. We'll forgo that then, Clerk. Let's just read it into the record, then, to make sure we have it.

Ms Rempel: Thank you, Mr. Chair. I believe that Mr. Shepherd is moving that

the Standing Committee on Legislative Offices consent, for the purpose of section 6 of the Legislative Assembly Act, to remote participation by any member in the committee's meetings held at the designated committee meeting rooms in the Queen Elizabeth II Building during the 31st Legislature unless the committee carries a motion in advance of a meeting that remote participation of members is not permitted at that meeting.

The Chair: Perfect. Any questions or discussion for that? If not, I'm prepared to call the question. All those in favour? Any opposed?

Motion carried.

Thank you, Member.

With that settled, a very important thing that we need to do, we might as well jump back into the agenda. I would like to draw everyone's attention to the draft meeting agenda. Would anyone like to propose any amendments at this time? If not, would a member be so kind?

Mr. van Dijken: MLA van Dijken to move that the agenda be adopted as presented.

The Chair: Perfect. Any discussion on that? All those in favour? Opposed? Motion carried.

One thing, if I may just circle back on for the indulgence of the committee, we had one member just join us a little bit late here. If we could also have him introduce himself to the table.

Ms Renaud: Two members.

The Chair: Oh, two. I apologize.

Mr. Sinclair: I'm MLA Scott Sinclair from Lesser Slave Lake.

Ms Renaud: Marie Renaud, St. Albert.

The Chair: Thank you, members.

All right. A little housekeeping since we're on the theme here, on the committee orientation, on item 3 of the agenda, mandate and committee support. Like other committees of the Assembly, the Standing Committee on Legislative Offices is based on the duties assigned by the statute on instructions of the Assembly contained in specific resolutions by rules provided in the standing orders and established by practice. More specifically, the Legislative Offices Committee's mandate relates to the independent offices of the Legislature. The committee is not involved in the day-to-day administration of these offices; however, it does review the business plans and the reports of each office, and it considers and approves the final amount of each officer's operating budget. Legislation requires the committee to annually review the compensation of the officers of the Legislature to consider their terms of the office and any request for a reappointment.

In addition, while the office of the Auditor General is responsible for the audit of the other independent offices, it is this committee that works with the independent auditor to complete the annual audits of the operations and the office of the Auditor General. I don't think I've said "audits" so many times in a paragraph before in my life.

Reports of the officers include the annual reports, and special reports stand referred to the Legislative Offices Committee by Standing Order 55.01. The committee may also meet to review reports or to consider other matters such as proposed statute amendments or delegations of authority brought forward by the officers.

Finally, the Assembly may task this committee – unlike the legislative policy committees, this committee does not have the authority to initiate its own inquiries.

Are there any questions on the mandate? Please don't make me say "auditor" again. None? Excellent.

The committee is supported in its work by nonpartisan staff of the Legislative Assembly Office. Teri Cherkewich – if I messed it up, I apologize, Teri. Did I mess it up?

Ms Cherkewich: Cherkewich.

The Chair: Cherkewich. The record now shows, and I'll get that for next time. Thank you, Teri.

The Law Clerk and Jody Rempel, committee clerk – did I say that correctly?

Ms Rempel: Yes.

The Chair: Okay. Perfect.

... are both assigned to support the committee. In addition, they may be joined by other staff according to the business at hand, including Shannon Dean, who we're all a fan favourite of, the Clerk of the Legislative Assembly, and Lyndsay Tischer, the director of human resource services.

In addition to those at the table, there are staff from other legislative offices branches who support our meetings, including the Legislative Assembly security services, staff of the venue services, *Alberta Hansard* staff, and the technical experts from ITS, and broadcasting.

The committee meets at least twice a year. We will meet in the fall to do the annual compensation review of the officers of the Legislature. We'll also hold a full-day meeting on Friday near the end of November or early December to consider the estimates for each of the offices. Of course, we're likely to meet a few more times in the year to address other issues brought forward by the officers.

8:40

Also, for the past four years the Assembly has referred the consideration of the annual report of the Child and Youth Advocate to this committee. Should that trend continue, we would have additional meetings in the winter.

Is everyone comfortable with our scope and our mandate? Excellent. I'm kind of heads-down, so if you need my attention, I'll pause to look up every once in a while.

Temporary substitutions. Standing substitutions orders 56(2.1) and (2.4) outline the processes for the substitution of chairs, deputy chairs, and committee members. You may prepare your own substitution order, so for your convenience templates are available on OurHouse for members to use when providing of temporary notice of substitution. Please note that it's the responsibility of all the original committee members to ensure that the substituting member is prepared for the meeting and has the appropriate materials with them. Should the original committee member participate in the meeting, then the substitution is no longer in effect. So if you have someone stand in for you, you come back into the meeting room, the sub gets put off to the side and they don't have your voting privileges. If you choose to leave the room again at that time, then your substitution can go back in. It's kind of the old-fashioned tag, and you're in the wrestling match, so to speak, and then you're out of the ring after that. Should the original committee member participate in the meeting, then the substitution is no longer in effect.

Members who are not in the committee, members or official substitutes, may attend and participate in committee meetings; however, they may not vote or move on motions. Should the proceedings move in camera, these members would require specific consent of the committee to remain in attendance. If you or your staff have questions on the substitution process, I would encourage you to follow up with any of the committee clerks.

Now, one thing I do want to add here since we brought in the in camera portion of it – and again parliamentary privilege does apply to these committees as well. Is everyone familiar with what the term of "in camera" means and the consequences of it? Okay. When we're in camera, that means that the staff and everyone else is gone; it's just left with us elected officials. What happens in camera stays in camera. I can't emphasize that enough to everyone here. We're going to be dealing with a ton of delicate matters in this committee,

and we have to treat it with the respect that it deserves of those offices. So I appreciate that and get that housekeeping measure out of the way with.

Officers of the Legislature: the officer contracts and the annual compensation review. Moving to our main item of business, I recommend that the committee along with the appropriate Legislative Offices staff consider moving in camera as we may discuss details of the contracts of the officers of the Legislature. Would anyone like to have a motion to that effect? I recognize Athabasca-Barrhead-Westlock. Would you happen to have a motion that you would like to move? Does this look like something similar to what you might move, Member?

Mr. van Dijken: Absolutely. Looks good.

The Chair: So maybe we'll just read it into the record.

Mr. van Dijken: Okay. Van Dijken from Athabasca-Barrhead-Westlock moves that

the Standing Committee on Legislative Offices meet in camera to discuss the contracts of the officers of the Legislature and conduct the annual review of their compensation and that required staff from the Legislative Assembly Office remain in attendance.

The Chair: Perfect. Having read the motion into the record, any discussion? All those opposed? All those in favour? Okay. I believe that motion is carried, and it's unanimous.

One other item that we might want to consider before we move in camera. We do have a member that is not part of the committee. Does that member want to come in camera, or would that member like to be excluded?

Mrs. Johnson: I would understand that I must be excluded.

The Chair: Correct. Thank you. You passed the test.

Member and all the staff members, if I could ask you to leave at this time and just give us a chance to catch up here.

[The committee met in camera from 8:44 a.m. to 10:16 a.m.]

The Chair: Thanks, folks. If we can get everyone's attention here, colleagues. We're going to go back on the record, and at that point I will call any motions forward regarding item 4(a).

MLA van Dijken.

Mr. van Dijken: Good. Thank you, Chair. I move that the Standing Committee on Leg. Offices recommend to the Government House Leader that a motion be introduced in the Assembly to establish a select special committee to search for a candidate for the position of Chief Electoral Officer.

The Chair: Oh, *Hansard* is back online here again. I'm not going to mess up your life by pushing the button.

Can we get that up on the wall there, Clerk? I'm not sure if you managed to catch all of that, so we'll just give that a chance to get up on the screen.

Member van Dijken, can I have you confirm that that's what your intent was when you verbalized it?

Mr. van Dijken: Yes. And if I may speak to it as well.

The Chair: Yes. Please go ahead.

Mr. van Dijken: Okay. Thank you. I believe that the Chief Electoral Officer has done very good work, but I do also believe that at this point in time, the contract being expended in May 2024, the individual has been in the role for 11 years and that having an

open competition to ensure that we have the best qualified candidate for the position is in the best interests of that office at this time.

The Chair: Okay. We'll turn it over for discussion, if any.

Okay. I'll call the question. All those in favour? Any opposed? Motion carried.

Continuing on with item 4, are there any other motions coming forward?

Mr. van Dijken: If we could have a recorded vote on that motion, please.

The Chair: Okay. New with parlance here. Just understanding how we do the – well, this is good. Thanks, guys, for giving me a sec just to make sure I'm doing this – first time and everything. So the process for a recorded vote in this committee is similar to the process in a division in the House. I'll ask the room, those who are in favour, to raise your hands, the clerk will record, and then we'll follow the process similar for those who are against the motion. If you wish to abstain, don't raise your hand.

All of those in favour? The clerk is going to count.

Ms Rempel: Thank you, Mr. Chair. In favour of the motion I have Mr. van Dijken, Mr. Dyck, the hon. Mr. Hunter, Mr. Long, Mr. Sinclair, Ms Renaud, Ms Chapman, Mr. Shepherd, and Member Eremenko.

The Chair: Okay. Thank you.

That looks like

everybody is in agreement on that, so we don't need to count those against.

Any other motions? MLA van Dijken.

Mr. van Dijken: Thank you, Chair. I'd like to make a motion that the Standing Committee on Legislative Offices recommend to the Government House Leader that a motion be introduced in the Assembly to establish a select special committee to search for a candidate for the position of Ethics Commissioner.

The Chair: Okay. Let's see if we can get that up on the screen for you, sir. It appears it's very close except with the Ethics Commissioner, I believe. Do you just want to give it a once-over there, sir, and make sure it's okay?

Mr. van Dijken: Yes. That's it.

The Chair: Do you wish to speak to that as well?

Mr. van Dijken: Yeah, if I may. Thank you, Chair. Again, very thankful for the work that the Ethics Commissioner has done over the past 10 years. I think we are able to move to a competitive process to find and ensure that we have the best suitable candidates in place for these offices and provide opportunity for the Legislative Assembly to strike a search committee to ensure that we have that going forward. An open search for an Ethics Commissioner is, I believe, in the best interests of the work that we're doing for the people of Alberta.

The Chair: Okay. With that, I guess I'll – oh, sorry. MLA Renaud, do you wish to speak?

Ms Renaud: I just want to speak against the motion. I just wanted to point to a couple of things. The current Ethics Commissioner, Marguerite Trussler, has been with us for two terms, and in that time – and she has clearly explained that to us – she's become quite familiar with a couple of pieces of legislation that are integral to our work, the first being conflict of interest, the second being the

Lobbyists Act. I think, just based on the work that she's done in the last, I would say, year, it's just indicative of the work that we have to do in the review of these pieces of legislation. I think it would be a missed opportunity to get rid of that expertise and that experience just at a time when we need it the most. For that reason, I will not be supporting this motion.

Thank you.

The Chair: MLA Hunter, you wish to speak to this as well?

Mr. Hunter: Sure. I appreciate Member Renaud's comments. In this situation, though, I think that the motion is to have a fair and competitive competition. If Ms Trussler, who I have a great relationship with, is the best, most capable to do that, then she would get the job. This is not speaking about whether she's capable or not capable. It's just saying, "Let's have an open competition to see what we have available to serve the people of Alberta," which I think is reasonable in this situation given what we just said in terms of the Chief Electoral Officer as well.

The Chair: MLA Renaud, a follow-up to that?

Ms Renaud: Yeah. Not really a follow-up. I tried to get your attention a little bit earlier. I was actually prepared to move another motion to appoint Marguerite Trussler, but I'm just putting that out there.

The Chair: I apologize, Member. This member caught my eye first.

There is a motion on the floor if there's any other debate on this.

If not, we can move for the question. Okay. All of those in favour of the motion on the floor, please say aye. All those opposed? Okay. I believe, in the words of Mr. Speaker, that the ayes have it. Okay.

Motion passes.

Now we'll move on to the next item we have, and that's the annual compensation review of the Legislature. Does anyone have any motions they would like to put forward on that one?

Ms Renaud: Am I able to make that motion?

The Chair: Oh, absolutely, if you wish.

Ms Renaud: May I make a motion about Marguerite Trussler, appointing . . .

The Chair: Well, we've already passed a motion, so I'm not sure what subsequent motion . . .

Ms Renaud: So I can't do another motion?

The Chair: No. That would be . . .

Ms Renaud: That just supersedes?

The Chair: Yeah. Correct.

If that is clear, then we're moving on to the next item if everyone is in favour of that. That would be to the annual compensation review of the officers of the Legislature. Does anyone have any motions to put forward on that? MLA Hunter.

Mr. Hunter: With the help of Ms Rempel, I put forward a motion that the leg. officers . . .

An Hon. Member: It's on the screen.

Mr. Hunter: There we go. That

the Standing Committee on Legislative Offices approve a compensation adjustment for the officers of the Legislature that parallels the current salary ranges, including the February 2024 cost-of-living adjustment and the April 2024 salary modifier available to senior officials in the Alberta public service.

The Chair: Okay. Perfect. Thank you, MLA Hunter.

We'll just give everyone else a chance to read that. Any further discussion on this item?

If not, I'm prepared to call the question. Okay. Perfect. So we'll call the question. All those in favour? Any opposed?

Motion carried.

With that, thank you very much, members. We've made it through the heavy lifting part of the program.

Are there any other business items that we wish to discuss at this point?

Seeing none, the next meeting date: that'll be at the discretion of the chair. We'll need to have a full-day meeting in the next month to review the annual reports, business plans, and budget estimates for the offices of the Legislature. That'll be on next.

At this point that concludes the business. If someone would be willing to move a motion that we would adjourn debate. MLA Long. Oh, well, actually, let's give it to MLA Shepherd.

Mr. Shepherd: So moved, Mr. Chair.

The Chair: I appreciate it. All those in favour? Opposed? Thank you very much, everybody, for your time today. Well done.

[The committee adjourned at 10:25 a.m.]

