



Legislative Assembly of Alberta

The 27th Legislature  
First Session

Select Special  
Ethics Commissioner  
Search Committee

Monday, October 20, 2008  
5:45 p.m.

Transcript No. 27-1-6



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[Mr. Campbell in the chair]

**The Chair:** Okay. We'll call the meeting to order, and I'd ask everyone to introduce themselves for the record. We'll start on my right.

**Mr. Mitzel:** Len Mitzel, Cypress-Medicine Hat.

**Mr. Lund:** Ty Lund, Rocky Mountain House.

**Mr. Marz:** Richard Marz, Olds-Didsbury-Three Hills.

**Mr. Webber:** Len Webber, Calgary-Foothills.

**Ms Sales:** Tracy Sales, communications consultant with the Legislative Assembly Office.

**Dr. McNeil:** David McNeil, Clerk of the Legislative Assembly.

**Mrs. Kamuchik:** Louise Kamuchik, Clerk Assistant, director of House services.

**Mr. MacDonald:** Hugh MacDonald, Edmonton-Gold Bar.

**Mr. Lukaszuk:** Thomas Lukaszuk, Edmonton-Castle Downs.

**Ms Notley:** I'm Rachel Notley, Edmonton-Strathcona.

**Ms Blakeman:** I'm very pleased to welcome everyone to my fabulous constituency of Edmonton-Centre, where, I will note, at a quarter to 6 it is getting dark outside.

**The Chair:** And your name?

**Ms Blakeman:** Laurie Blakeman.

**The Chair:** Thanks a lot.

**Mrs. Sawchuk:** Karen Sawchuk, committee clerk.

**The Chair:** Robin Campbell, MLA, West Yellowhead, chair of the committee.

Okay. We'll note that the meeting was confirmed and the agenda was posted on Friday and that the minutes for all of the meetings were posted this morning. I'd accept a motion to accept the agenda as circulated. Moved by Len Webber. All in favour? Carried.

Adoption of meeting minutes. Each set of minutes requires a separate motion to adopt, so I'll ask the members to make relevant motions. I'll need a motion to accept the June 3, 2008. Ty Lund. All in favour?

Okay. I need a motion to accept the minutes of August 20, 2008. Len Mitzel. All in favour?

Moving right along. September 24, 2008 meeting. Moved by Richard Marz. All in favour?

Meeting of October 1, 2008. Motion to accept the minutes moved by Len Mitzel. All in favour? Opposed? Thank you.

We need a motion to accept the minutes of October 10, 2008. Moved by Ty Lund. All in favour? Carried.

Okay. We now have to look at the draft report and the recommendation for the position of Ethics Commissioner. I would suggest that the committee move in camera to discuss the draft report, and once

we move out of camera, the relevant motion will be reiterated for the record. Dr. McNeil is available to report on contract negotiations and the screenings requested by the committee for its candidate of choice, and Mrs. Kamuchik is also available if there are any procedural questions.

With that, I'd call for a motion to move in camera. Moved by Len Webber that the committee move in camera. All in favour? Opposed? Carried.

[The committee met in camera from 5:47 p.m. to 6:02 p.m.]

**The Chair:** Okay. We're back on the record. I'll call on Richard Marz to table our next motion for the record, please.

**Mr. Marz:** Thank you, Mr. Chair. I would move that the Select Special Ethics Commissioner Search Committee recommend to the Legislative Assembly of Alberta that Mr. Neil R. Wilkinson be appointed Ethics Commissioner for a term of five years and that the Speaker be authorized to enter into a contract with Mr. Wilkinson at the time of the appointment.

**The Chair:** All in favour of that motion? Opposed?

**Ms Blakeman:** I'd like it noted, please.

**Ms Notley:** As would I.

**Mr. MacDonald:** Me, too.

**The Chair:** Is the committee also prepared to adopt the draft report containing its recommendation? Would a member please make that motion? Len Mitzel.

**Mr. Mitzel:** Yes. Thanks, Mr. Chairman. I would move that the Select Special Ethics Commissioner Search Committee adopt the report dated October 2008 containing the recommendation for the position of the Ethics Commissioner.

**The Chair:** All in favour of the motion? Opposed?

**Ms Blakeman:** Mr. Chairperson, I'd like that noted, please.

**Ms Notley:** Again for me as well.

**Mr. MacDonald:** Me, too.

**The Chair:** Okay.

Other Business. There's a draft news release.

**Dr. McNeil:** I just want to comment. You'll note that the date on this is October 23. On the previous occasions when we've done this, we've released the press release once the motion to concur was passed in the Assembly. Now, under the circumstances, given the early release of this information, the committee may want to consider releasing this when the committee's report is tabled, as an alternative. In other words, the third paragraph there, "Mr. Campbell tabled the committee's report on October 21, 2008," period, and leave the second part of that sentence out, "and the motion to concur was passed on October 23," if you want to issue this press release tomorrow, for example, as opposed to waiting till Thursday. That's a thought in terms of how to deal with the fact that the information was released, or appears to have been released anyway.

**The Chair:** Any comments on that? Do you want to release the news release tomorrow after we table, then? Okay.

**Ms Blakeman:** I think it's a moot point. The government supports this, and they have the majority motion. It's going to happen no matter what.

**An Hon. Member:** That's an assumption.

**Ms Blakeman:** Sure thing.

**The Chair:** Do we have concurrence, then, that we take Dr. McNeil's suggestion and just put a period after October 21, 2008?

**Hon. Members:** Agreed.

**The Chair:** Tracey, do you have any other suggestions for us, since you drafted this?

**Ms Sales:** Yes. Thank you, Mr. Chair. As Dr. McNeil said, if the decision is to release this tomorrow, I can do that for you. I can work further with the chair and deputy chair if there are any other changes. If not, I can release it as is tomorrow after it's been tabled.

**Ms Notley:** I have to say that I do find it a bit strange that we as a committee are reviewing this press release. I would have expected it to just go out without us really having input. But if you're giving us the opportunity, I would just suggest that it be amended to say: "A majority of the all-party Select Special Search Committee charged with selecting," blah, blah, blah. It wasn't the whole committee. As I say, I'm not sure that this is something that we necessarily all have to agree to, but if you're asking for my agreement, that's the change I would suggest making so that it reflects what actually happened with respect to the committee.

**Mrs. Sawchuk:** Mr. Chair, Louise Kamuchik could probably speak to this more eloquently than I, but a decision of the committee is the decision. It doesn't include a minority report or a dissenting report for this type of committee. Am I not right?

**Mrs. Kamuchik:** Actually, it is up to the committee to decide on how they want to release this press release. Ms Notley has a suggestion on the press release. If other committee members agree, then that's how it can proceed.

**Dr. McNeil:** The decision of the majority of a committee is the report of the committee. That's the basic principle. Our standing orders now provide the opportunity to issue either a dissenting or a minority report, but we're talking about a press release here, not the report.

**The Chair:** Right. And I'm sure, Rachel, that you'll have the opportunity to talk to as many reporters as you like on your disagreement with who the choice is.

Thomas, you had your hand up?

**Mr. Lukaszuk:** Dr. McNeil has made my point.

**The Chair:** Any other comments as to the press release? Okay.

Is there consensus, then, that we accept the suggested news release as distributed and send it out tomorrow after it's been tabled?

**Some Hon. Members:** Agreed.

**Ms Blakeman:** No.

**The Chair:** Do you want it on the record?

**Ms Blakeman:** Yes, of course.

**Ms Notley:** And also here.

**The Chair:** That goes without saying.

**Mr. MacDonald:** Me, too.

**The Chair:** Okay. Are there any other items to discuss before we come to a close?

If not, first of all, I'd like to thank the members of the committee for their work and their conscientious effort to accommodate the condensed time frame for the search process. We did this fairly quickly, being that our soon-to-be past Ethics Commissioner decided to retire. Again, I thank you for attending the meetings and getting this done.

I'd also like to thank the LAO staff who provided the assistance required to complete the committee's mandate. I'd also like to thank Alayne Stewart for the work that executive search did in going through 96 applicants, doing the interviews, and getting down to a short list as quickly as she did. She and her department are to be commended for that.

I'd ask for a motion to adjourn. Moved by Ty Lund. All in favour? Carried. Thank you very much.

[The committee adjourned at 6:10 p.m.]



