



Legislative Assembly of Saskatchewan

BOARD OF INTERNAL ECONOMY

MINUTES AND VERBATIM REPORT

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The Honourable Don Toth
Speaker



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BOARD OF INTERNAL ECONOMY

Hon. Don Toth, Chair
Moosomin

Mr. Dan D'Autremont
Cannington

Ms. Doreen Eagles
Estevan

Hon. Jeremy Harrison
Meadow Lake

Hon. Don Morgan
Saskatoon Southeast

Mr. Len Taylor
The Battlefords

Mr. Kevin Yates
Regina Dewdney

BOARD OF INTERNAL ECONOMY

Room 8 Legislative Building
Monday, April 26, 2010

Present: Members of the Board of Internal Economy

Hon. Don Toth, Speaker, Chair
Mr. Dan D'Autremont
Ms. Doreen Eagles
Hon. Jeremy Harrison
Hon. Don Morgan
Mr. Len Taylor
Mr. Kevin Yates

Staff

Ms. Irene Bauer, Secretary to the Board

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Mr. Gregory Putz, Clerk of the Legislative Assembly
Ms. Marilyn Borowski, Director, Finance and Member Payments
Ms. Lenni Frohman, Director, Parliamentary Publications
Mr. Darcy Hislop, Chief Technology Officer
Ms. Linda Kaminski, Director, Human Resource and Payroll Service
Ms. Iris Lang, Principal Clerk
Mr. Kenneth Ring, Law Clerk and Parliamentary Counsel

AGENDA Moved by Ms. Eagles, seconded by Mr. Yates, that the proposed agenda be adopted. The question being put, it was agreed to.

Minute #1746

MINUTES Moved by Ms. Eagles, seconded by Mr. Yates, that the Minutes of Meeting #01/10 be adopted. The question being put it was agreed to.

Minute #1747

ITEM 1 Decision Item: Appointment of the Conflict of Interest Commissioner

Moved by Mr. Yates, Seconded by Mr. D'Autremont:

That the Board recommend to the Legislative Assembly that Mr. Ronald L. Barclay, be appointed as the Conflict of Interest Commissioner in accordance with section 18 of the *Members' Conflict of Interest Act*.

The question being put, it was agreed to.

Minute #1748

ITEM 2 Other Business**Decision to Release the Hamilton Report on the Administration And Management for the Office of the Chief Electoral Officer**

Moved by Mr. D'Autremont, Seconded by Mr. Yates:

That the Hamilton Report on the Administration and Management for the Office of the Chief Electoral Officer be made available to the public, and further, that the report be made available on the Legislative Assembly website.

The question being put, it was agreed to.

Minute #1749

The meeting was adjourned at 10:15 a.m. to the call of the Chair.

[The board met at 10:00.]

The Chair: — Being nearly 10:02, I will call this meeting to order. And first of all let me say thank you to each one of the members for being so prompt in arriving for our meeting, given the fact that notice went out late Thursday afternoon in regards to this 10 a.m. meeting this morning, Monday the 26th of April. So thank you to each and every one of the members.

I trust members have had a moment to at least peruse the minutes of our last meetings of Monday, February the 8th, and Tuesday, February the 9th. And if members have had an opportunity to peruse the meetings, could I have a motion to move the adoption of the minutes for the dates of Monday the 8th and February the 9th?

So moved by the member from Estevan, Ms. Eagles, and I'll have Ms. Eagles sign this. Do we have a seconder? These you don't have to sign; we'll fill your name in. Moved by Ms. Eagles, seconded by Mr. Yates that the minutes be adopted as read. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — It's agreed. That's carried. Now the main purpose of any . . . First of all, I should have asked if there were any questions. I take it there were no questions. We are all in agreement. My apologies for neglecting to ask if you had any questions.

The main purpose for our meeting this morning is to discuss the issue of the appointment of the Conflict of Interest Commissioner. As members are aware, the previous conflict of interest commissioner . . . actually previous . . . 24th was his date. Mr. Gerrand sent a letter a while back indicating that he was stepping down or had fulfilled his commitment and obligations under the Act of his term as Conflict of Interest Commissioner and was quite adamant in the fact that he would no longer or wouldn't allow his name to stand for reappointment if that was so offered. And as a result, given the fact that his term . . . and he was stepping aside effective April the 24th, he'd asked us to consider having a new Conflict of Interest Commissioner, the proposal put in place to do the search and to come up with a recommendation.

As of last week I had the privilege of sitting down with the leads of government caucus, Mr. Morgan, and lead of the opposition caucus, Mr. Yates, to sit down with the gentleman whose name had come forward — and discussion had been, I believe, undertaken in both caucuses — and just to discuss whether Justice Barclay would consider the position of Conflict of Interest Commissioner. And after our discussion there was a sense that, if the invitation was extended, Mr. Barclay would be more than willing to step forward to fulfill the position of the Conflict of Interest Commissioner.

One of the questions that did arise, however as you have known over the last period of time, our conflict of interest commissioner has had the opportunity of operating his office out of the law firm he had been involved with in the past. And if you recall from our meetings in February, our conflict of interest commissioner, Mr. Gerrand had presented two budget

proposals to the committee in view of the fact that he had been able to operate out of an office he was currently involved in. And therefore the expenses, expenditures weren't that high, but he also felt it was important to ask us to consider the fact that the next Conflict of Interest Commissioner may not have the same luxury. We may have to look at more funding to provide office space.

So that discussion did come up as well: if Mr. Barclay was appointed, that at least in the short-term, would need some access to some office space. And the Clerk and I have discussed this, and we've been looking at potential office space that might be available. And I'm not exactly sure, Greg, if you have any comments or whether you've had the opportunity to look into this seriously, but maybe we should give you an opportunity just to mention that before we move further.

Mr. Putz: — Mr. Speaker, it's still at the discussion stage. We felt we should wait until the House actually makes the appointment before we proceed in that regard. And if that is imminent, then we'll actively start looking for some temporary accommodation for Mr. Barclay, at least to see him through the next month or two so that he can finish the job that his predecessor started in reviewing the members' forms for that June deadline. And in accordance with the Conflict of Interest Commissioner's Act, there is a provision where he may seek some support from the Legislative Assembly

And what we propose is that once the appointment is made, that we'd get the new Conflict of Interest Commissioner to write you to request the office space and some temporary office support until he can establish his office according to his own specifications, and of course perhaps an increased budget allocation from the Board if it's not within an arrangement as you have just outlined that Mr. Gerrand had for many, many years. So I guess I can just leave it at that for the moment.

The Chair: — Thank you. Thank you, Greg. Just one other final comment before I entertain a motion. In discussion with Mr. Morgan and Mr. Yates, I got a sense that there had been discussion with members on both sides of the House, government and caucus, in regards to Mr. Barclay's appointment; and therefore the fact that we felt it was really important that a resolution come from the Board of Internal Economy unanimously supported by all members, if that was the wish of the Board, to a recommendation to the House.

So at this time I'm prepared to entertain a motion to appoint Mr. Ronald L. Barclay as a Conflict of Interest Commissioner.

Do I have someone to move the motion? Mr. Yates. A seconder? Mr. Morgan. Do we have any discussion around the motion before us to appoint Mr. Ronald Barclay as the new Conflict of Interest Commissioner? Any questions? I recognize Mr. Morgan.

Hon. Mr. Morgan: — I think you may want to rephrase that. We're not appointing; we're merely recommending.

The Chair: — Recommending, right, correct. Duly noted that this committee is recommending to the House that Mr. Ronald Barclay be the new Conflict of Interest Commissioner.

Any comments from other members? Seeing none, is it the wish then of the Board of Internal Economy that Mr. Ronald Barclay be appointed the new Conflict of Interest Commissioner?

Some Hon. Members: — Agreed.

The Chair: — Agreed. I've taken that we've agreed unanimously. That's agreed. Thank you, members. Mr. Morgan.

Hon. Mr. Morgan: — Mr. Chair, before we adjourn, I'd spoke with Mr. Yates earlier and would like to make a motion that we authorize the release of the Hamilton report that was given to this committee some months earlier. I think the recommendation and issue was that it not be released until after the appointment of a Chief Electoral Officer, but I think there's been enough discussion about it. It's probably appropriate to have that in the public domain at this point.

The Chair: — My question is, do we actually . . . Should we have a motion from the board that we actually move that forward? It might be appropriate to do that. So if Mr. Morgan is . . . [inaudible interjection] . . . Yes. Just give us a second; we might need a motion paper.

While we're waiting for the motion paper to officially be brought forward, any discussion around the motion to release the report, the Hamilton report? Mr. Yates.

Mr. Yates: — Would this be then released, put up on a website, or just open for public if someone requests it, or released to the members?

Hon. Mr. Morgan: — Perhaps the Speaker would just authorize the Chief Electoral Officer to post it on the website. And you know, it's not the type of thing you do a news release on, but I certainly would expect the Speaker's office would notify the media in the building that it's available.

The Chair: — Mr. Putz.

Mr. Putz: — If it's the desire of the board to release it via website, my suggestion would be it would be more appropriate to have it under the board tab on the Assembly page because that's who commissioned the report, rather than confusing that it was something commissioned by the Chief Electoral Officer. That would just be my suggestion.

Hon. Mr. Morgan: — I'm fine with that.

The Chair: — Given the fact that it was the board that actually made the decision to hold the report until a time that we felt appropriate, I would certainly accept what Mr. Putz is saying, that it'd be more appropriate to be released via the board and in that manner through the Legislative Assembly.

And also the fact that we had at the time had agreed not to release it given the fact that Mr. Wilkie, we anticipated, would be putting his name forward. We just felt that to make sure we had a level playing field, that the report not be released at that time. So in the same manner, Mr. Wilkie will now have access to it. He hasn't had access to it before. Yes, Mr. D'Autremont.

Mr. D'Autremont: — Yes, I think Mr. Putz's

recommendation, that it be released under the board's directive rather than Chief Electoral Officer, is appropriate. This is a board report; it's not a Chief Electoral office report. The board commissioned it.

Hon. Mr. Morgan: — I agree with that. I'm fine with that.

The Chair: — I'll ask Mr. Morgan to actually read the motion into the *Hansard* first, please.

Hon. Mr. Morgan: — I move:

That the Hamilton report on the administration and management of the Office of the Chief Electoral Officer be made available to the public; and further,

That the report be made available on the Legislative Assembly website.

The Chair: — And we have a seconder to the motion? Mr. Yates. Thank you.

So we have the motion by Mr. Morgan, seconded by Mr. Yates:

That the Hamilton report on the administration and management of the Office of the Chief Electoral Officer be made available to the public; and further,

That the report be made available on the Legislative Assembly website.

I trust I've read it correctly. Any further questions? If not, are the committee members agreed with this motion?

Some Hon. Members: — Agreed.

The Chair: — Agreed. Carried. Do we have any further business to bring before the committee at this time? Seeing none, I move that this committee stand adjourned to the call of the Chair. Thank you so much, members.

[The board adjourned at 10:15.]