

3:05 p.m.

[Mr. Langevin in the chair]

THE CHAIRMAN: Okay. It's 3:05, so I'd like to call the meeting to order. We have to look at the minutes and that, but before we do that, we have a presentation here from our new Ombudsman, who took office April 1, Mr. Scott Sutton, and his assistant, Pam McHugh. So I'd like you to proceed with your presentation. We'll handle our minutes and other stuff after so we don't hold you up.

MR. SUTTON: Thank you, Mr. Chairman and committee members. I appreciate having this opportunity to appear before you today. First off, I'd like to introduce Pam McHugh, who is director of legal services in my office.

There are two things I want to discuss with you this afternoon. One involves money and one involves legislative amendments. Prior to moving into and taking over this job on the 1st of April, I'd had considerable contact with the office, and from a number of observations and information supplied to me by members of my staff, it became apparent there were a number of significant deficiencies in the office dealing with process and morale.

Based on this, I took it upon myself to contract with the management consulting firm of Ernst & Young to do a complete process review of the office, nothing more than an independent audit, really, of what we were doing and how we were doing it. The funding for this review was taken from the '97-98 surplus. The results of that review confirmed significant process problems within the office. The processes used in daily operations were fraught with inefficiencies, and overall it was incapable of sustained growth. The IT services, or computer services, and computer programs being used were also recognized as inefficient and not capable of doing the work expected of them.

I want to reaffirm that I'm a manager who believes there must be accountability. I expect to run an office that responds efficiently and effectively to legislative mandates while providing services expected by the citizens of this province. In providing this service, I also expect and demand that allotted budgets are used wisely and that at the end of the day an independent auditor should be able to walk into my office and say confidently that taxpayers' dollars are being used wisely. Suffice to say I need to make some significant changes within my office. To do that, some moneys are required.

During the last budget deliberations there was discussion about the Ombudsman's role in the upcoming legislation dealing with the Health Professions Act, legislation that was expected in the spring of '98, as well as the Ombudsman's role in relation to the concerns resolution processes to be established by regional health authorities. During those discussions there was a motion made to allot funding in the amount of \$274,000 to offset costs associated with additional responsibilities. Treasury has approved that money, and it does show in our budget. However, there's a caveat. The condition was that aside from start-up costs the bulk of the moneys should not be used until such time as legislation is proclaimed. As you are all aware, the Health Professions Act died after second reading in the spring session and it has been slated to be reintroduced in the spring of '99.

At the moment I kind of find myself in a catch-22 position. Without substantive change in my office I cannot handle additional expected responsibilities. Although there's funding within my budget, considering the current motion, I wanted to come before this committee before I utilized any of those funds.

Process changes within the office are already under way. If I'm to complete the changes properly, I'm going to have to also look at my

IT services. I'm not a technocrat, but I do know what is available in outsourcing in computer programming. For the past 10 years our office has contracted with an independent firm called Sidus for computer services. This is a company whose reason for being is to sell hardware; it's not for LAN administration. Our current system has been band-aided to the point where it's just not functioning anymore.

I've made numerous inquiries and have found that the most efficient way to bring our system up to date is to make use of a program that is already tried and tested. The office of the Ombudsman in British Columbia has over the years developed a program called complaint tracking system, designed specifically for offices such as mine. I have sat with users of this program, and I am confident it will work for us. More importantly, it will be able to sustain significant growth. Several years ago this program was looked at by my office but was rejected because it was strictly Oracle based. It is now being converted to Windows NT, which is a universal, common, compatible program.

The B.C. office has agreed to sell us this program and customize it to meet the needs of Alberta. There have been no commitments made. Prior to any commitment being made, I am going to expect a show-and-tell, where all my users, all my people, really do a critical assessment of the program. You know, this option is not available to us until I can obtain some funding, in essence tap into those moneys that were made on the particular motion. I'm not asking for unfettered access to the \$274,000. However, if I'm going to get myself in a position where I can operate my office efficiently -- get involved with some strategic planning, business planning, and sustainable growth in the future -- I'm going to have to access a considerable amount of that money.

That in essence, ladies and gentlemen, is where I'm at. I've done just a quick précis of the costs that are going to be associated should we look at that B.C. proposal. I will just hand that out. Comparatively speaking, I have gone out and obtained an estimate to have our program rewritten and developed where it would be workable now, and the costs associated with that are much increased over just buying the existing program. As well, there's a considerable time delay and you have to work all the bugs and the problems out.

We have looked at various provinces. We have looked at municipalities. We have looked at store-bought products. Like I say, I'm not a technocrat, but I certainly feel that this is the way we should be going. It's been tried; it's been tested. There will have to be an awful lot of discussion on the contract as far as upgrades and all that sort of thing, but I'm sure that can be worked out. I leave that with you, Mr. Chairman and members of the committee.

THE CHAIRMAN: Thank you for your presentation. I have a question. You said you had a company that was hired on a service contract?

MR. SUTTON: Yes.

THE CHAIRMAN: I'd like to know more about that, and what you do about that.

MR. SUTTON: We've contracted for the past 10 years with Sidus, at the current time at a cost of \$30,000 a year. I don't think we're getting value for our service, to be very frank with you. If we go into this B.C. program, what I intend to do is terminate that contract. I intend to train one of my people in-house on some very basic LAN administration and thereafter contract out on an hourly basis, should I need to do so.

THE CHAIRMAN: I have a second question, Mr. Sutton. You said that the program that you have now on the computer has no place to expand. What do you have in place now? Can you elaborate on the present system?

MR. SUTTON: What's in place right now is the accumulation of an initial program written 10 years ago that has many additives to it. It's filling up a server at a remarkable rate. It's incapable of separating and transferring information, and it's on the verge of collapse at the present time.

THE CHAIRMAN: Is that the same system you have tied in with the Calgary office?

MR. SUTTON: Yes. It's all tied in. What I found when I went in, for example, was that if Calgary was trying to load a complaint, they would try to electronically transfer it to Edmonton and it would take everything that was in the server and try to shove it up the pipeline. It just befuddles me. We have three separate software programs running in our office in Edmonton. I come from a rather structured environment, and this just slays me. It doesn't do what it's supposed to do. It's supposed to retain information consistently. You've got to be able to retrieve information. We can't do that. I don't know.

3:15

THE CHAIRMAN: Howard, you had a question?

MR. SAPERS: Yeah. My question, Scott, is about year 2000 compliance. I'm wondering whether or not you had previously done a risk assessment in your office on just what it would cost to go year 2000. I'm assuming, of course, that this replaces that anyway. The reason why I ask the question is because if it was going to cost a certain amount of dollars to get year 2000 compliant, then the price tag on this might not have the same sticker shock because you're going to have to spend a fair bit of money anyway.

MR. SUTTON: My understanding of this program is that we'll be 2000 compliant with what we're trying to deal with.

MR. SAPERS: If you didn't do this, do you have any sense of how much money you'd have to spend?

MR. SUTTON: I don't know the exact dollar value to that, but it would be significant.

THE CHAIRMAN: To clarify this question. This program will definitely be 2000 compliant?

MR. SUTTON: I won't take it unless it is.

THE CHAIRMAN: Okay.

MRS. O'NEILL: At the beginning, Scott, you mentioned that there was an allocation of \$274,000. Would you repeat what that was allocated for?

MR. SUTTON: The motion that was made was Mr. Friedel saying: I'm going to have to go back and include approval of the 1998-99 operating estimate of \$1,186,500 and the tentative approval of the new initiatives, regional health authorities proposal of \$274,000, subject to the passage of the necessary authorizing legislation and then proportionate to the remainder of the fiscal year relative to the actual date of implementation of the initiative and subject to the prior approval of this committee for start-up costs.

That was the motion that was put forward by this committee.

I tend to be very up front and very straightforward, and I could come and fudge this and say that I'm trying to get some start-up costs and use some of this money. But in reality I've got to get systems in place, processes in place that can handle the legislation that's coming up. We're already into the regional health authorities. There is not a doubt in my mind that more business will be coming our way, for lack of better words.

THE CHAIRMAN: Pam, you had a question?

MS BARRETT: Yeah. I actually have a couple of questions. I'm very supportive of upgrading your computer system, believe me, but I don't understand why the purchase price of that custom-built complaint system is so high when it was already developed for another province.

MR. SUTTON: They have their own computer people on staff, and they're a much larger operation than us. We initially negotiated with them and they said: all right; here's a program that we've spent considerable time and expense and whatnot on, and we have to be reimbursed for it. That is the price tag that they have set on it. I intend to try and negotiate that down.

MS BARRETT: Good. I think you should. That brings me to my second point then, and that's the hardware. That's an outrageous price for pentiums with monitors. I will tell you what I just bought. For \$900 I got the fastest speed you can get, an MMX something or other, a 2.3-gig hard drive, and all the bells and whistles, and for an extra \$236 I got a fantastic monitor. So when I look at this and I see \$2,400 per computer, pentiums yet, that's outrageous. Someone is trying to rip you off.

MR. SUTTON: That's not a problem. This is just a rough estimate. I will go out competitively bidding for my hardware.

MS BARRETT: You should get top of the line, absolutely top of the line, a superfast 4-gig hard drive in each one of them at least, and at a better price.

MR. SUTTON: I understand. These are shooting fairly high. Okay. I'm going to go out with any hardware applications. I'll go out and competitively bid those, all that kind of stuff. You see, this is the company that's been supplying us for 10 years. These are their prices.

MS BARRETT: These are their prices. Oh, for God's sake. You want any help computer shopping, call me. I'll give you my home number. I love computers.

MR. SUTTON: This gives you an idea why I walked out of this too.

MS BARRETT: Oh, yeah. Absolutely. Rip it up.

Those were my questions. Thank you, Mr. Chairman.

THE CHAIRMAN: Any other comments? Ron.

MR. HIERATH: Scott, if I might just ask for some clarification here. Since the Health Professions Act was not passed and there was an allocation of \$274,000 in your budget assuming that that act was passed, are you then proposing to the committee that part of that money be used for computer upgrade? Is that what you're saying to the committee?

MR. SUTTON: Yes, I am. In essence, that's exactly what I'm saying.

MR. HIERATH: Okay. You didn't really say that to us.

MR. SUTTON: That money was allocated, pending legislation, in anticipation of extra staff to be hired and whatnot. It's foolish to even consider that until such time as we get our processes in place that are able to handle that and handle it efficiently. Once you have an efficient process in place to handle additional responsibilities, that will determine whether or not you're going to need staff. Just adding people does not make the problem any less.

MR. HIERATH: Just a follow-up then. I knew at one time, but it slips my mind. How many employees now in the Ombudsman's office?

MR. SUTTON: In total, including myself, 18. Some of that money too -- and I don't want to lose sight of the fact that we might have to complete some more work within our own restructuring, with our own office, with our own process review. That's going to take a few dollars as far as getting people together, doing some strategic planning, and getting our office up where it should be.

MR. HIERATH: Thank you.

THE CHAIRMAN: Yes, Mr. Friedel.

MR. FRIEDEL: You read back part or all of the motion that I had made. But regarding the inclusion of that part of the budget, there definitely were some fences put around it because we didn't know whether the act would in fact be passed in time, which has now become a reality, so that it wouldn't be spent on other things. I don't have a real problem with using some of it in anticipation of the act still coming into being next year. I do have a problem, however, with the amount of it that would be spent on upgrading office systems.

Without picking and choosing where I might agree or disagree on any of these line items, I would ask a general question though. The software that's in place now you said, I believe, was about 10 years old and has become very obsolete in that period of time. I think that probably has a lot to do with the equipment that's running it as well. I would likewise then question that if we're buying something from B.C., it also is age dated. Are we sure that by purchasing that software, it hasn't already expended half or, say, some part of its usable life? Would we maybe not be better to do a little bit more research, find out what is going to be money best spent on something that will have a longer lifespan for use in this office? It may be this one, but have you looked at other alternatives which might not become obsolete as quickly?

The other question I have is with the Oracle licence. Pardon me if I'm not understanding it properly, but I kind of got the impression that one of the problem softwares right now is the Oracle. Why would we purchase this thing and license its maintenance?

MR. SUTTON: I think in answer to your first question, which is a very valid observation, I gave that considerable thought. As we all know, technology, especially in computer systems, changes overnight.

One of the reasons that B.C. is attractive to me is that they handle a much higher volume than what we do. We need a basic program to do some basic elements: to capture, to retrieve, to store, those sorts of things. They have this already written. I can foresee where it's going to serve us well in expansion. We've got to have

something that could sustain, let's say, quadrupling our volume of work that we do now, just as an objective. Can it do that? Will it meet our needs five years down the road? We have looked at that.

The second part was that when this program was first developed and we went out to look at it two years ago, we would have had to start from scratch. It wouldn't absorb anything we do have. I don't know how the technical side of it works, but with the Windows NT we can take our existing data and absorb it into that system, not in the same format that we would be working with, but it will still be there, if that makes sense to you.

3:25

MR. FRIEDEL: A little bit. I'm not sure that you answered the portion: have you looked at other alternatives? Maybe I didn't say it quite this way. The development of a new software that would be specifically geared for Alberta needs, if it was developed today, would possibly -- not necessarily but possibly -- have a longer life expectation. Have you looked at that as an option?

MR. SUTTON: I have looked at that as an option. I think some of it would be gazing at a crystal ball to a certain degree. I look mostly at the cost side of it, the development period. I have in prior also been involved -- not in this particular job -- in the development of programs and whatnot. When you develop something, it's fraught with problems for the first year, and you sort that out. I went back again to cost, tried and true. Will it meet our needs five years down the road? Again, I anticipate it will, but I don't say that for certain because I don't know.

THE CHAIRMAN: Then the cost of developing a new program, like writing our own for Alberta and going through that whole process, will be more than this?

MR. SUTTON: Significantly more than that, plus a time delay in the months of writing it.

MR. FRIEDEL: What about the Oracle thing?

MR. SUTTON: Well, I don't have a problem with that. It's just one of the basics. I guess the Oracle is the engine that drives the thing, for lack of better words, and then it's one of four basics. So I don't have a problem. The biggest problem was to be able to bring it into our Windows environment, which every office uses. Now that they've got Windows NT, that allows us to do that.

MR. FRIEDEL: So you would still like to purchase this licence?

MR. SUTTON: Yes. You'd still have to purchase an Oracle licence. But we have other things, everything from PeopleSoft coming in and whatnot, where we need to make changes anyway.

MR. FRIEDEL: Is it possible -- and this is following up on Pam's observation a little bit -- that in some cases they may have seen the government coming, so to speak, and had a ready-made price available which isn't necessarily the most competitive and that this could be refined a little bit? Maybe even the B.C. portion. Being on record here, of course they would know fairly quickly that we said this. But if there's a chance we're shopping around, might that price of \$35,000 plus the support service they would be supplying with it become a little more competitive too?

MR. SUTTON: I think it's prudent upon us to obtain a fair and competitive and compatible price. Exactly what that ends up being, I think that's what we intend to do.

THE CHAIRMAN: Howard, you had a list?

MR. SAPERS: Thanks, Mr. Chairman. An observation. I recall the discussion of the Ombudsman's budget when the Acting Ombudsman presented that and querying the line item for computer hardware and software. I believe it was status quo. We went back into the record, and I think it was the same every year. A question was put at that time: aren't you anticipating some growth and some change? The answer was: well, probably, but that will be for the new guy to figure out. So thanks for figuring it out and coming back to us.

I don't see this as a price tag that's out of whack to a huge proportion, having read my latest Future Shop flyer. I don't know why it's \$2,000 per system and not \$900 per system, but, Scott, I've heard you say several times that you're going to be parsimonious. You're going to go and you're going to shop around and you're going to get quotes and all of that. The intent here, as I understand it -- this is my question -- is to tame your system and make sure it's integrated, and you are looking for the best example of something that's working. You don't want to invent something. Are those two assumptions correct?

MR. SUTTON: Those two assumptions are correct, yes.

MR. SAPERS: Well, I'd like to support the proposal. I don't have any difficulty taking you at your word that you're not going to spend all \$151,100 unless you have to.

MR. SUTTON: No.

MRS. O'NEILL: I would just like to speak to this fact that I feel that if you have an office that has a system that is not enabling you to do your job, this is a proposal that will enable you to do your job. I think what you have indicated in answer to our questions here is that you will shop around to get the best price you can possibly get.

Quite frankly, Mr. Chairman, I can't see that we can do anything else but approve this. So I would make the motion that, if you wish, we do give the direction to the Ombudsman to bring his office into working order. I don't know how it would be best to say.

THE CHAIRMAN: So basically what you would like your motion to read is that

we authorize the transfer of money from the budget part, that was made for a specific purpose, to the purchase of computers and upgrading the office to make it workable.

MRS. O'NEILL: With the understanding that the best possible prices would be obtained.

THE CHAIRMAN: Well, I am prepared to accept the motion. I would like to maybe suggest that while Mr. Sutton gathers some prices or some quotes, he keep me informed before the purchase is made. I know that the committee members are very adamant that we get the best price, and you understand that; you'll do that anyway. But if there was a problem in the tendering process and the price escalates, then we can get back and look at it again.

MS BARRETT: Speaking to the motion, I have written a note to Scott to refer him to my computer guru for a quote. I think he'll be very happy with his product, and his guarantees are superb.

MR. SUTTON: Thank you.

MS BARRETT: You're welcome.

MR. HIERATH: Well, my personal feeling is that on the hardware we should put a dollar limit on it. I think there are a lot of retail options to look at on the hardware side. I'm wondering about the necessity of doing it all in this fiscal year. So I have some real hesitation in not having a limit of dollars and then seeing how far you can go on a limit of dollars in a motion. If we just say to do the best you can on \$274,000 or do substantially better than the \$151,000 that you put forward here, to me it just isn't quite good enough for this committee. I would like to have a dollar limit. If you didn't achieve a system that is acceptable for you in this fiscal year, there may be some more dollars allocated next year. That's the approach that I would sort of take.

MS BARRETT: I understand where you're coming from, Ron, but knowing a little bit about computer systems, I know that you have to have compatibility within the system. For example, if you're working on an old warhorse like a 286 and you're expecting it to do pentium or MMX commands, it just won't be able to do it. They do need to be able to communicate.

I think you're right. The price they've got here is absolutely a rip-off; I guarantee you that. Maybe if you wanted to take it to a max of \$40,000 for hardware, I can assure you that you can come in pretty good at around that price but probably a lot less yet. But you can't have 286s trying to play with MMXs; it just doesn't work. It will work in one direction but not the other.

MR. HIERATH: That being the case, Pam, private-sector business adds on to computer systems. So as long as you're fully aware of the compatibility issue, you certainly can add on to systems.

3:35

MS BARRETT: Oh, yeah, you can, but my point is that when you've got a serious custom program that has to be installed, then they all have to be able to have the same capacity in order to function. It's the program that dictates it, not the hardware add-ons.

THE CHAIRMAN: Mary.

MRS. O'NEILL: Yes. I'd just like to say that I think if the job is going to be done, you have to have the wherewithal to do it and to do it completely. My point is that we won't piecemeal it. From my point of view, I would trust that you would get the best dollar possible, but for us to stage it in is going to be limiting in what you want to do. This is just enabling stuff; this is not the work which has to be done and be readied for. I just feel that you have to get on with this job, and this is part of it.

THE CHAIRMAN: Howard.

MR. SAPERS: Yes, speaking for the motion. We've hired a manager; I'd like to let him manage. Ron, I guess I would say that if you want to put a price limit on the whole thing, I think the proposal suggests that the price limit on the whole package won't exceed \$151,000. I'm not going to second-guess Scott's negotiations with the suppliers at this point. He said that this is not the bottom line. What he said is that this is more or less the ceiling. So, you know, if we start getting into this, I can just see us coming back and saying: "Well, gee, \$4,000 in travel expenses. Who's taking an extra trip? Why isn't it \$3,800?" I mean, I just don't think we can do that. The general direction is pretty clear. We want best value for dollar, and I think Mr. Sutton wants best value for dollar as well. So I'd like to support the motion as it was presented.

MR. FRIEDEL: Well, quite frankly, if I thought that it was going to

cost \$151,000, I wouldn't vote for it. Paul mentioned something just a few minutes ago, one of the ways of getting around this, short of having another meeting of this committee, which I don't think any of us are looking for during the summer: perhaps the Ombudsman could pursue definitive prices and show where the best possible price has been obtained in each of these cases and refer it to the chairman of this committee. You know, in that way there would be some assurance for the committee members. Not that we're talking about a lack of trust, but this would be an indication that you've gone through the process and between yourself and Paul would understand what the intent of the discussion was here today. Pursue that, and if then those prices were perceived or indicated to be the best possible for the kind of equipment you're talking about here, that would give me a comfort level.

MR. SUTTON: I have no difficulty with that whatsoever.

THE CHAIRMAN: Okay. We've had a fair amount of discussion. We all had a couple of shots at it, so I'll call for the vote. All those in favour of the motion as made by Mary? The motion is carried.

I guess, Mr. Sutton, we can start going for tenders. As understood, you'll work with me, and if for some reason they come in higher than we expect, I'll have an obligation to talk to the committee members again.

MR. SUTTON: Not a problem. Thank you, Mr. Chairman.

There's one other issue I'd like to discuss that is very important also, and it's the issue of amendments to our act. The act has not been reviewed and updated in 30 years, and to meet current and expected challenges, we must get it up to date. We've supplied all of you with an easy-read submission of the areas that I think we have to deal with. As well, you have a three-column spreadsheet. I'm going to ask Pam if she wouldn't mind just speaking briefly on it to all of you, please.

MS McHUGH: Sure. Thank you. Mr. Chairman, we have before us a three-column spreadsheet which I prepared, dated May 26, '98. I think you all have a copy of it. What I would propose to do is go through this, basically fleshing it out just a little bit more so that there's an understanding of why we feel we need these amendments.

We're here today to seek support for the principles or the concepts of the amendments that we think we need. As the Ombudsman has indicated, the act has not been substantially reviewed or amended in 30 years, and a lot has happened in 30 years. Basically, the eight amendments that are before you are a realignment of the Ombudsman's function and duty to keep up with the way government is doing business presently and also a clarification of the Ombudsman's function and his jurisdiction, which basically is, as I said, necessitated by the fact that there's been no substantial change in the Ombudsman Act, and over years things need to be clarified as questions are raised about wordings within the act.

Your support for these eight amendments is really part of a process. After this meeting what would happen is that the Ombudsman would approach the Minister of Justice and seek his approval to carry these amendments through the legislative amendment process. If the Minister of Justice agrees to carry these amendments forward and put them on the legislative agenda, we would then approach Legislative Counsel for drafting assistance, and the Minister of Justice would carry the amendments through the committees, through cabinet, and through the House.

Based on that process, what I've attempted to put together here as proposed wording is not necessarily what would happen at the end of the day. I'm not a draftsman, so I've just put together what I think might be appropriate wording, but as I say, Legislative

Counsel hasn't looked at this at all, so it could change. Also, Alberta Justice would have a look at this; they may have comments and changes that they would suggest as well.

We discussed earlier Bill 45, the Health Professions Act. We're continuing to work on how that act would link with the Ombudsman Act, and the wording there may change, as well, as we go along. So basically things may not be exactly as I've put them here, but I've tried to lay it out as clearly and as simply as possible.

The first point here that we have is the jurisdiction over agencies to which government contracts services. We see this as a realignment of the Ombudsman's duty and function to basically stop the erosion of accountability, because over time the Ombudsman's ability to investigate the administration of public service is becoming less effective as a result of privatization and contracting out of services. The trend of delivering government services through private agencies means that we're effectively becoming the watchdog of a watchdog. We're watching how the departments and agencies administer contracts, but we're not looking at the actual service that's being delivered to Albertans. As a result of that, it's our view that the private contracting agencies are less accountable, at least from the fact that we wouldn't be looking at their activities.

It's our view that we should be following public funding to the end, and we should be looking at the actual service that public dollars are buying for Albertans. If we lose jurisdiction as this delivery continues to go, Albertans will have less recourse. An example would be how children are being treated. We would simply look at how the government is administering the contract for child services and not the actual service that the child is getting or not getting. If this amendment went through, it would mean that we would be able to look at individual foster parents, at young offenders in group homes, at the actions of employment and job counseling services through Family and Social Services, at registry services and the indiscretion of sharing personal information, at inspection services. All of these examples are presently nonjurisdictional to the Ombudsman.

This amendment would not eliminate the need for departments to monitor contract services, because obviously the legal liability in relation to the contractual relationship would continue. It would raise the level of accountability for contracted services.

Those are basically my comments on the first proposed amendment. In my view, what this amendment would require in the act is adding the function of contracted-out services as an agency in section 1 of the Ombudsman Act.

3:45

MR. SAPERS: Do you want questions after?

MS McHUGH: Sure. Probably it would be best if we did that.

THE CHAIRMAN: I was just wondering how we would handle this. I know today we're very pressed for time because we have another meeting, a search meeting, that was scheduled for 4 o'clock. We won't make that. One suggestion would be -- that's my own, and I don't know if there's support from the committee members. There's probably a lot of good material and good suggestions in here, but we would have to have some time to look at it and digest that. I was wondering if we today could form a subcommittee of about three members of this committee to go through this thing. We'd have to sort out what role Justice is going to take in this, and then it may affect other acts, because we're talking about health authorities, freedom of information, FOIP, and different things. So I think it's going to take quite a review from the committee to come up with a decision on this. If we had a small group that would work on it, then we would come back to the whole committee. Maybe the small

group, if you agree and we appoint a small group, could ask Pam and Scott to come and appear in front of the group and then could report to the bigger committee. In that time, if we need information from other sources like Justice and that, we'll gather all that up so we can at one point sit down and make a decision.

MS BARRETT: I think that's a good idea.

THE CHAIRMAN: I'm just hoping there's support.

MR. SUTTON: Mr. Chairman, could I just make one comment?

THE CHAIRMAN: Yes.

MR. SUTTON: I think it's extremely important that the time elements be observed here. We're already working with the Health Professions Act and whatnot. We have to have this stuff ready to go by September. I think if we can work within that time frame, by all means, but I don't want to be caught short with legislation being passed and the inability to deal with what is being expected of me and what has been already announced. I think that by all means we should review it and discuss it, but if I can just impress what the time element has to be.

THE CHAIRMAN: Yes. I'm going to seek who from the committee members is interested in this and has time to do it so that we can do it fairly fast. I realize what you're asking of us.

MS BARRETT: I'm available all summer.

THE CHAIRMAN: Okay. I think we'll do that. I'll contact you, Scott, and let you know who the members are, and when we have a meeting, we'll have to call upon you and Pam to come and make your presentation.

MR. SUTTON: Thank you, Mr. Chairman.

THE CHAIRMAN: We thank you for coming, and we'll keep in touch on this.

[The committee adjourned from 3:49 p.m. to 3:51 p.m.]

THE CHAIRMAN: Okay; let's look at the beginning of the agenda. We have the approval of the agenda. Any concern about that? Can I have a motion to approve the agenda? By Gary. All those in favour?

MRS. O'NEILL: Have we not done item 4? I'm confused here now.

THE CHAIRMAN: What I did, Mary, is I took Mr. Sutton first because he was here waiting. Now we'll go back to the start, and we'll jump number 4. Okay; the agenda is approved.

Now the approval of the minutes. You have a copy of the minutes of April 23, and that's the second page in your binder.

MRS. O'NEILL: So moved.

THE CHAIRMAN: Moved by Mary that we approve the minutes as circulated. Any comments, errors, or omissions? No? All those in favour of the motion?

HON. MEMBERS: Agreed.

THE CHAIRMAN: The motion is carried.

Number 4 we just handled.

Number 5, Media Communications by Legislative Officers. If you look under your tab 5, you will see that after we passed the motion in this committee expressing some concern with the officers using the ACN daily communication to put some of the bulletins out, our Ethics Commissioner, Bob Clark, made a review of that and sent us a letter covering that. I hope you all have a copy of the letter. He also CCed all the members at that time. That came out April 21, so we all had good time to look at it and read it.

Gary, you had your hand up?

MR. FRIEDEL: No. I was just going to make some comments after you finished introducing all of this.

THE CHAIRMAN: I'm done with 5 if you want to make your comments now.

MR. FRIEDEL: Okay. I recall the original discussion when the debate about using ACN and other existing government services by the legislative officers came up. At that time I expressed some concern that we would make this restriction, not in any way suggesting that anything should happen that would compromise either the integrity or the independence of these officers. It seemed awfully strange to me that we would restrict them or suggest in any way that they shouldn't use services that existed, particularly if these were people of a capacity that would use discretion and use it in such a way that they could tell if what they were doing was compromised. Each of them, I think, very effectively guards the independence of those offices. Nevertheless, we did pass that motion, and I think the letter speaks for itself.

Also, I should raise the point that in another committee I'm chairing, which is the freedom of information review committee, one of the options available to us was to use ACN to distribute material to the general public. Because of the restriction which was on the books at the time, we hesitated because it would have been contrary to an expressed opinion. Yet having gone through the process, there was absolutely nothing in my opinion or I understand in the Clerk's office that would have done anything except save money and in no way compromised the independence of that committee, but we chose not to because it was contrary.

I think the quicker we rescind that instruction the better. I'm not sure if it was an order as such, but it was an instruction. Let people who are qualified and appointed to these positions use discretion in such a way that if there is a service that's available at little or no additional cost, they be allowed to use it and use their opinions if other sources of disseminating information are prudent under certain circumstances. Putting on restrictions like this was nothing but silly, and I hope we would reconsider it.

THE CHAIRMAN: I would ask Diane if she has a comment. I discussed that with her before the meeting, and she had the experience of sending one communication out.

MRS. SHUMYLA: Just referring further to the freedom of information review committee that I'm working on with Mr. Friedel, the first news release that we did send out we did not use ACN because of the background. I sent it out from our office. It meant sending out 225 faxes to media across the province. Although we can fax in a system called broadcast where we can put them all on the fax machine, it's not as effective timewise or as efficient as the way that ACN uses it. I'm not sure how they do it, but they are able to send them all out at one time. So even though we did it the most efficient way, it still took us a couple of days to get the faxes out. After we had received that letter and had discussed it with Mr.

Friedel, we chose to send our second fax out using the services of ACN because it was easier for us to do it manpowerwise and timewise.

THE CHAIRMAN: Thank you for those comments.
Howard.

MR. SAPERS: Thanks, Paul. When I read that letter, I didn't react very well to it the first time, and I reacted less well to it on my second read through. This issue is not, I believe, simply one of efficiency. It is hugely to do with the integrity of the offices. Even the contents of the letter -- I mean I'm sure it represents a fair view of the meeting and the discussion that was held, but I'm not sure that it represents the reality of dealing with the press.

The suggestion that you can't walk press releases over to the press gallery because they're not office dwellers is silly. I mean if you walk press releases over and you put them on the Premier's door and you expect the members of the gallery to go upstairs and get them off the Premier's door, then why wouldn't you expect them to get them out of their own cubbyholes? The reality is that members of the opposition parties do that and manage to communicate with some impact with the press. So even the content of the letter I take some exception to. I don't think it reflects reality. You could take this to an absurd level and say, then, that maybe ACN should be the vehicle for everybody. Maybe the opposition parties should use ACN and all the agencies under contract to government should use ACN.

The fact is that these are legislative officers that need to be seen to be as independent and as free of government as possible, and if you start using the Public Affairs Bureau and the Premier's office as the primary vehicles for distributing news and information, then that is a diminishment of that independence. I don't think there are any two ways about that. I don't think it's silly and I don't think it's an unreasonable suggestion from this committee that they be urged to communicate with the media. In fact, it's not much of a club at all. We're asking them to do something to maintain their independence. We're not prohibiting them from using the Public Affairs Bureau. I'm not satisfied that the discussions held with the members of the press gallery that are reflected in this letter are a definitive response to the concern that was raised. I would be very hesitant to do anything other than continue to urge the legislative officers to do everything in their power to act and to be seen to act as independent of government as possible.

THE CHAIRMAN: Any other comments?

MR. FRIEDEL: I think just sitting talking about this is going to get nowhere. I'm going to make a motion that we rescind that instruction and let the debate carry into it.

I'm going to disagree with Howard. You made the analogy that you might as well instruct these people or the Official Opposition that they have to use the ACN. That's not a comparison, because we weren't compelling them to do anything. What we were doing was in fact restricting their ability to use a vehicle that government on behalf of the people of Alberta put in place. If they in any way felt that this compromised their independence or integrity, they were not required to use it. Why would we restrict them from using something that we already pay for if they felt there was no compromise of the independence of that office? Simply by putting it on the record, we implied that there was possibly a compromising intent or purpose in that system, and I can't see any reason why we should suggest that.

So my motion is for the purpose of making it very clear that we would trust the officers of the Legislature to use their discretion and

use the best vehicle that's available at the time, and presumably this would be effective in terms of cost as well.

4:01

THE CHAIRMAN: Thank you. What would be the wording of the motion, or do you want me to read the original motion?

MR. FRIEDEL: Well, the original motion, as I recall it, was an instruction.

THE CHAIRMAN: The original motion as moved by Gary Dickson was that

each of the legislative officers be urged . . .
So it's not "directed."

. . . to develop a plan to communicate with media independent of the government Public Affairs Bureau and the Premier's office and to report to [the Standing Committee on Leg. Offices] prior to February 1, 1998.

Then there was an amendment moved by Mr. Jacques amending Mr. Dickson's motion, that

each of the legislative officers be urged to communicate with media, independent of the government Public Affairs Bureau and the Premier's office.

The wording is very similar; it's just a few words shorter. That motion carried.

MR. FRIEDEL: My motion is to rescind that instruction.

THE CHAIRMAN: Rescind the motion that was made at the December 9 meeting?

MR. FRIEDEL: Right.

THE CHAIRMAN: Okay.

MRS. O'NEILL: I just have a question. This sounds really crazy, but what are we talking about here? Are we going back to letting them communicate in whichever way they want if we rescind this, Gary? To be honest, I thought I was following this, but I don't know what this is all about.

MR. FRIEDEL: Okay. If you're asking me the question, "Would we allow them to communicate in whichever way they want?" the answer is yes. They would be totally independent to use the most effective and most efficient way of communicating that they felt as an officer of the Legislature.

MRS. O'NEILL: But can they not do that now?

MR. FRIEDEL: The instructions in that motion would suggest strongly that they should not use some of the existing government mechanisms. It doesn't say: if you don't compromise your integrity or such. It just says that we suggest you shouldn't do it. To me that's an unfair harness on them doing their job.

THE CHAIRMAN: I gather the intent of Gary's motion is to leave it up to them. They have the option to use it, but they're not forced to use it. They can use other avenues if they choose. That's the intent.

MR. FRIEDEL: Yes.

MS BARRETT: I'm going to agree with Gary's motion to rescind. I'm not into micromanagement.

MR. SAPERS: Except on the price of computers.

This should not be cast as a discussion about the degree of trust we have or don't have in the leg. officers, and in fact I think it's very inappropriate and unfortunate, Gary, that that would be the nature of the discussion. My concern is not the degree to which I trust or don't trust any of our officers; my concern is the relationship they have with the people they're doing the job for.

You talked about the Public Affairs Bureau being given a mandate on behalf of the people of Alberta by the government. Well, that's not true. The Public Affairs Bureau has been given a mandate by the government on behalf of the government. You know, let's not mince words about that. There is a different relationship between the Public Affairs Bureau and the press gallery than there is between the rest of the working press and government. Let's be clear about that as well.

This is not just a matter of doing something efficiently. This is not just a matter of having another government department find a quick way to communicate with the press gallery. This is about independent legislative officers acting independent of government on behalf of the people of Alberta with all media, not just the press gallery. In fact, the instruction that we gave on December 9, 1997, was about as gentle an instruction as I can imagine giving. All it said is that we urged them to do something. We urged them to communicate independent of the Public Affairs Bureau.

I am absolutely opposed to rescinding that instruction, and I want it really clear that that's not because I don't trust one of our legislative officers and it's also not because I don't think the press are smart enough to figure out who's independent and who isn't. I think it's got everything to do with the style and substance and the appearance of independence. Really it's the least we can do. I'm quite surprised that this is the first time -- and I'm told that it is -- that this issue was discussed by this committee. I mean, I can't imagine that it hasn't been noticed by somebody before.

MR. FRIEDEL: Just one clarification, if I might. You suggested that my comment was: using the mandate given to Public Affairs Bureau. I don't believe I said anything of the sort. My suggestion was that there are existing government vehicles in place which these officers should be entitled to use if they can be used without compromising the integrity of the office. This was in no way suggesting that any one or other of those communication vehicles should be used. It's totally just leaving the option at their discretion, not ruling it out simply because it was something that the government had in place.

MS BARRETT: I don't understand your concern, Howard. If I read this right, it's not that the legislative officers would be asking the Public Affairs Bureau to actually do their releases; they just want to be able to ship their own news releases out into those cubbyholes. Right? As an option. That's all they want to be able to do. They want to be able to physically put it into the cubbyhole in 403, and maybe issue their own releases through ACN. Right? That's what they want, just as one more option. They're not controlling content at all. PAB would have nothing to do with content.

MR. SAPERS: Yeah. May I? I think that's one derivative of several things that may happen going through Public Affairs Bureau and going through ACN. It could be the whole range of eventualities from "please issue a press release on this subject" to "please distribute our press release on this subject."

MS BARRETT: Oh, well, no. If it's "please issue a release on my behalf," I would agree with you wholeheartedly. But if that's not the intention, then I really don't think we have much to worry about.

MR. SAPERS: Well, my concern is maintained. I wouldn't even go that far. I don't think they should rely on distribution through Public Affairs, period. But the committee didn't support that in December. What the committee supported was just giving some sense of direction and concern to the legislative officers. On my part that sense of concern still exists. It is in no way mollified or minimized by this letter. So on that basis I'd like to leave the standing instruction. It doesn't prohibit them from doing anything; in fact, it urges them to do something. They can consider it and go ahead and do it anyway or do something else.

MS BARRETT: So motion or no motion, nothing changes.

MR. SAPERS: Yeah. So our discussion is somewhat by the way. I just think that it's important to not minimize the concern and dismiss it.

THE CHAIRMAN: Okay. We have a motion and we've had a fair amount of discussion. I'll call the vote. All those in favour of Gary's motion? Against? The motion is carried.

Number 6, Past Chief Electoral Officer Salary Request. As you know, the government, through our public servants and also with our deputy ministers, received some year-end bonuses to try and improve their wage scales. The officer has written myself as chairman asking that he receive a 5 percent salary remuneration for all the years that he worked for the office of the Chief Electoral Officer as the officer of that office. Because it's addressed to me as chairman, I brought it to the committee.

It's addressed to myself and I personally feel that it's very farfetched, but we do have to have a discussion and reply to the letter. So we either have to have a motion that we file this for information only and I can write him back and say that there's no support or we can make another motion. It depends on what members want.

MR. SAPERS: When did he leave?

THE CHAIRMAN: March 11. All the employees of this government, including anybody in the higher offices, if they were not employed on March 31, at the end of the year, they were not eligible for any of the compensation package. It was very simple.

Yes, Mary.

4:11

MRS. O'NEILL: I just want to say no to the request. Boy, my husband will line up, I'll tell you, right after this if we were to say yes.

MS BARRETT: Yeah, and so would every other former employee.

THE CHAIRMAN: Would you make a motion, then, to authorize the chairman to write him back and say that his request was not approved?

MRS. O'NEILL: Yes. I would make the motion that we as a committee deny the request of the former Chief Electoral Officer.

THE CHAIRMAN: Any discussion on that motion? All those in favour of the motion? Opposed? The motion is carried.

Office of the Auditor General, Audit Request, number 7. Iris Evans has asked the Auditor General, Mr. Peter Valentine, to do some audit work for her department in municipal district 87, the split. The reason she's done that -- I've had discussion with the

minister -- is because there's a split happening and if one side or the other side hires their own auditors to supervise the division of assets, somebody will say that whoever paid the bill for the auditor will get the benefit of the doubt if there are some gray areas in the division of assets. She was looking for somebody that's impartial.

We've had this experience in the division of assets in a committee that I chaired for Crossroads, the RHA just south of Edmonton here. We got the Auditor General to do the division, and it went very, very smoothly. Even if they disagreed with some of the dollar figures, both sides had to agree that it was impartial and eventually at the last meeting made a unanimous motion to go along with whatever was decided. So I think it's a plus.

The other thing that I like -- and I've talked to Peter Valentine -- is when he takes work outside the usual required work for his office, it's a good way to send a letter here and keep us informed of what he's doing, and I appreciate it.

Ron, do you have a question?

MR. HIERATH: My only question is: does he get cost recovery?

THE CHAIRMAN: Yes. Municipal Affairs has to transfer some dollars for cost recovery, and that's an issue that we talked about a lot at budget time, if you remember.

MR. HIERATH: Right.

THE CHAIRMAN: He did on Crossroads, and he will on this.

MR. HIERATH: Good.

THE CHAIRMAN: At the end of the year we're going to get figures on how much cost recovery there was.

MR. HIERATH: Good. Then I'm in favour of it.

THE CHAIRMAN: I understand the cost recovery is equal to what somebody from the outside would be charging.

If we're okay, we should have a motion to approve in principle. I don't think we can really dictate, but we can approve in principle or support in principle this request.

MR. HIERATH: If it's in order, Mr. Chairman, I will make a motion that

we approve the request for Peter Valentine to audit the municipal district of Bonnyville No. 87 on a cost recovery basis.

THE CHAIRMAN: Thank you. Any discussion on the motion? Those in favour of the motion? Against? The motion is carried. Thank you very much.

Item 8, New Business. I have one item of new business. I know the committee thought the meeting was 3 to 4 and it's 4:15, but if you have time, I would like to discuss the wages and remuneration of our officers. It has come up on the agenda a couple of times. It was raised by some members here that we should do that, and I as chairman always suggested that we wait until the government had a chance to deal with the public servants and to deal with the deputy ministers and other officers that work for the government and any positions of chairman or boards or in charge of different things. That's all been done now, and now that it's all been handled, I think it's the proper time to do it. We have some information that Diane has on the new schedule. Could you distribute that to the members? We made some photocopies this morning.

MRS. SHUMYLA: I guess I'll have to run out and make some copies.

THE CHAIRMAN: Okay. Maybe verbally I could go through what was approved here. It's not very complicated. The deputy ministers' -- and there are about 17 in the province -- wage is set at \$125,000. That was set through an independent study that was appointed. Also, Mr. Jim Dixon, the Public Service Commissioner, did some work on that, and then finally it was approved. So deputy ministers' maximum wage is \$125,000. There's no range; it's one figure. There is an option for ministers to pay an extra \$10,000 to their deputy ministers to meet market pressures or certain qualifications. There is an option to go over that by \$10,000.

Then there is schedule 2, which is in range D. It goes from \$93,000 to \$125,000. These are people like the chair of the Alberta Energy and Utilities Board, the chair and chief executive officer of the Alberta Gaming and Liquor Commission, the executive director of the Premier's office, the president of the Alberta Science and Research Authority. So that's range D.

Range C is \$80,000 to \$111,000. These are chairpersons of the Labour Relations Board, Land Compensation Board, Natural Resources Conservation Board, Surface Rights Board. It goes on to about 20 different positions.

Then we have range B, which is \$67,000 to \$92,000. It's the Children's Advocate, the Alberta Dairy Control Board, the director of communications and the director of public development and issue management of the Premier's office, the Mental Health Patient Advocate, Energy Resources Conservation Board, the vice-chairman of the Labour Relations Board. The chair is higher paid.

So if we keep these ranges in mind and if we look at our officers that we have now working for Legislative Offices -- what I did as chairman, I took the liberty to get a working summary worked out, and you have copies of that in my envelope.

MRS. SHUMYLA: I guess I have to run out and get a copy of that.

THE CHAIRMAN: Okay. Maybe you could do that, and just get enough copies.

Because we always had the Auditor General, the Ethics Commissioner, the Ombudsman, and the Chief Electoral Officer in that range, I didn't know what kind of background work or studies were made to justify that. When I took over as chairman -- and some of you are new in this committee also. I don't know what was done before, but it's probably a handover of a sequence: that's the way it was done, so they continued to do it. So I got a profile made here -- and I used about 15 different criteria -- for the Auditor General, the Ombudsman, the Chief Electoral Officer, the Ethics Commissioner, and the Information and Privacy Commissioner. I asked for the rating to start at 100 for the Auditor General and to look at the public profile and see if it's high or moderate, the level of the work, the complexity of the work, the volume of work, the budget, the number of employees, go through a whole bunch of qualifications and put a point system on this. What has happened out of this is that the Auditor General had 100, then the Ethics Commissioner and Information and Privacy Commissioner came out at 90, the Ombudsman between 70 to 75 points, and the Chief Electoral Officer between 50 to 60.

That really justifies what this committee has done in the past in setting the wages for these officers. It gives us a little bit of background. We could use that in the future as a working document. Then a year from now when we review -- according to the contract we have with officers, we're supposed to sit down once a year and review their wages. We've never done that since I've been chairman. It gives us something to work from. We may have to adapt this thing after we've worked with it for a year or two or three. I think we should use it as a working document, but it's a starting point. It gives me as chair some confidence that we were ranking these officers in the proper order.

Then after this was all done, I added to the bottom. This was not there when the point system was made because we just got the pay schedule for the deputy ministers and all that down the line. So I added another box which gives the qualifications and the salary in dollars so that you can see where they fall or where they were before, and the point system justifies that. They're still at the same place because the wage range in schedules B, C, and D are printed there.

4:21

MS BARRETT: I didn't realize how many people the Auditor General has working there. It's a big job.

THE CHAIRMAN: That's a fairly big office.

MS BARRETT: Yeah.

THE CHAIRMAN: So you have everything in there from their budget down to -- what I did after that is I sat down with the Ethics Commissioner and asked him what he thought of this point system. He thought on the ethics side one was a little too low and on the other side one was a little too high. He said they did a good job; I think it balances out. It might be plus or minus either way on each side, so it would balance out.

I did not sit down with the Chief Electoral Officer or the Ombudsman. We had an acting, and Mr. Sutton just started April 1. So we'll give him a year of work, and then maybe I can sit down with him and say: what do you think of your workload and your profile and this and that?

Yes.

MR. SAPERS: Paul, I want to thank you for doing this. I find it very useful, and I was one of the folks that talked about not having a sense of where these salary ranges came from and why they were pegged the way they were. So this is good. I hope that you're presenting this as a work in progress.

THE CHAIRMAN: Yes. I said to use it as a working paper, so in a year from now we can look at it, and if we feel some adjustments need to be made or if we feel we want to add some more titles here that were missed, we can just do it.

MR. SAPERS: Obviously my thinking on this -- having just seen it, I can't tell you whether I think more or less needs to be included. But I would like to formally revisit it when we have had a chance to look at it, maybe to talk to the officers about it, and just see whether or not there is agreement in the committee that the categorization and the ranking -- you know, I'd like to get some consensus on that. So we shouldn't call a special meeting over the summer or anything, but at some point I'd like to have it formally back on our agenda for that purpose.

THE CHAIRMAN: I brought it here for information today and to give you a chance to digest it. It gives me some satisfaction with how we've been rating, and it kind of justifies some of the work that was done.

Now I'd like to move along to the wages. I know we've been telling these people that we'll eventually do it after everybody else is settled because we didn't want to influence other settlements and come up with some much higher or much lower than they would be doing. I have a scale worked out here. My recommendation -- and this is totally up for discussion here -- is that if we look at the deputy minister's range of \$125,000 and the option to have an extra \$10,000 added to meet market pressures and stuff like that, I was going to propose that we pay the Auditor General \$135,000 a year,

which would make him equal to about five or six of our deputy ministers; pay the Ethics Commissioner and Information and Privacy Commissioner the same as a deputy minister, which will put him at the top of his range at \$125,000; and pay the Ombudsman \$92,000. That's taking roughly the percentages that are on that chart there and working it down. You know, if you start at \$125,000 and you work at your percentage of 70 to 75 percent and you allow that for the Ombudsman, then if you go down and you work your hundred percentage, the Chief Electoral Officer I would suggest we pay about \$80,000.

MS BARRETT: Paul, can you report on the current salaries for those positions?

THE CHAIRMAN: The current salary to the CEO is \$80,000.

MR. HIERATH: The Auditor?

THE CHAIRMAN: No, the CEO.

The current salary for the Ombudsman is \$84,000. We had a lot of discussion at that time, but we stuck with roughly what we had before because I wanted us to wait until we had everything else settled. The current salary for the Ethics Commissioner -- and that's combined. I'd have to dig that up, but I'm sure it's within a few dollars of \$95,000. The AG is, I think, \$112,800.

MS BARRETT: Good.

MRS. O'NEILL: Paul, the CEO again?

MS BARRETT: It's \$80,000 currently and being proposed.

MRS. O'NEILL: Okay. And the proposed for the Auditor General?

THE CHAIRMAN: Well, the proposed -- and that's one person's opinion here -- is \$135,000.

MRS. O'NEILL: Okay. Thanks.

THE CHAIRMAN: So if you have it in ranking order, we had \$112,000, \$95,000, \$84,000, \$80,000. Now we have \$135,000, \$125,000, \$92,000, and \$85,000.

MS BARRETT: Seems quite reasonable to me.

THE CHAIRMAN: We don't have a CEO, and that would come into effect when the new person starts. That would not affect the wages of the acting, because we settled that in a motion here on the \$80,000 before.

The only two that would not be at the top of their range would be the Ombudsman and the CEO. My reasoning for suggesting that was that if they do a good job, there has to be room to move them up, and if we're not as satisfied, we have to have range to leave them lower. If we start out too high, there's no way to go, and if we're not happy, we're caught the other way. They have to prove themselves first.

Ron.

MR. HIERATH: My comment is that probably as a committee we're in a difficult situation, but I have some heartache over just hiring a new Ombudsman and giving a big raise to him. I don't know. I mean it just doesn't seem very logical to me.

THE CHAIRMAN: Well, you can probably equate that to ministers

that will hire a new deputy minister tomorrow or next month or the month after. They're not going to start at \$85,000 or at \$92,000. And then if we don't deal with that, we'll have to come back and deal -- you know, like the CEO. We could also say, well, we're not going to move it from \$80,000, and then we're going to have to negotiate that later. So I don't know if there's much to gain there.

I have to apologize also. We're talking wages here, and I should have maybe asked for a motion to go in camera.

MS BARRETT: I so move.

MR. HIERATH: It's almost too late now; isn't it?

THE CHAIRMAN: Well, the numbers are out, but if there's some discussion that we have, we don't want it in the records. As far as the wages, once we make a motion, they're public anyway, but until now we haven't talked about personality or different persons or their work.

MS BARRETT: Right. You have the motion from me.

THE CHAIRMAN: You so move?

MS BARRETT: Yes, I do.

THE CHAIRMAN: Okay. I have a motion to move in camera. All those in favour? Against? The motion is carried.

[The committee met in camera from 4:29 p.m. to 4:48 p.m.]

THE CHAIRMAN: In regards to the wage scale for our leg. office commissioners, I would have to say that because of the concerns expressed today, we're going to be calling a meeting as soon as we can for the sole purpose to review that and to establish the wages for 1998.

Also, I'd like to remind the members that we're going to form a subcommittee to look at the request of the Ombudsman on the changes to the Ombudsman Act. I'd like you to think about that and who would like to serve, and we'll have that as a second item at the next meeting also.

MR. HIERATH: I'll move we adjourn.

THE CHAIRMAN: We have a motion from Ron that we adjourn. All those in favour of the motion?

[The committee adjourned at 4:49 p.m.]

