

[Chairman: Dr. Carter]

1:15 p.m.

MR. CHAIRMAN: Gentlemen, sorry to give you the minutes in just the last few minutes, but we didn't meet that long ago so it was difficult to get them together. Could I have a motion to adopt the minutes? Thank you, Mr. Thompson. Any errors or omissions?

MR. MILLER: Mr. Chairman, on the first page, where it reads that the Ombudsman spends two days of the week in Victoria, that should be two days of the week in Vancouver. His office is in Victoria, and he goes to Vancouver two days of the week.

MR. CHAIRMAN: Any other corrections? All those in favor of the motion to adopt the minutes as corrected? Carried.

Business arising from the minutes: with respect to Ontario, David, I wonder if you would be good enough to mention your phone call as to how they went about selecting an Ombudsman.

DR. McNEIL: I talked to Mr. McArdle, who is the two-i.c. in Ontario, I gather. He indicated to me that the Premier has a group of people who generates the names for review in senior appointments, and this is the process that was followed with respect to the appointment of the Ombudsman. So there was no public advertising at all.

I also phoned B.C. to try to get hold of the ad. I talked to Dr. Friedmann eventually, and he indicated that he was sending you a copy as well as other material he said he was going to send on to you.

MR. CHAIRMAN: I didn't see it in the pile of mail that is there today. When it comes, I'll put it on to you.

MR. THOMPSON: I wasn't at this meeting, but I notice in the middle of page 2, when referring to the organizational chart, Dr. McNeil enquired if the Ombudsman should be shown as reporting to the Speaker or the Standing Committee on Legislative Offices. What transpired from that? Did we decide the chart was correct or incorrect? Has there been anything at all done on that?

MR. CHAIRMAN: That relates to another item that I had noted in my booklet with respect to the role or profile. It's right behind that where we have the flow chart. It's my understanding that the Ombudsman's report goes to the chairman of the select standing committee, and then it goes to the Speaker. In actual fact, we have changed the flow chart. Doug, have you looked at this?

MR. BLAIN: The Ombudsman has no reporting responsibilities to the Speaker. The Speaker is simply his channel to get his report into the House.

MR. CHAIRMAN: So we need to change the wording and this flow chart. We're going to move the select standing committee right in between the Ombudsman and the Legislative Assembly — the back of the page right in front of the Person Profile.

DR. McNEIL: So if we put a box "select standing committee" there and take the "Speaker" box out of the Legislative Assembly. Or should we leave the "Speaker" box there?

MR. CHAIRMAN: The Speaker would come out.

MR. THOMPSON: The Speaker comes out.

MR. CHAIRMAN: Now it's just the chairman of the committee that tables the report in the Assembly. Is that not correct?

MR. BLAIN: Yes, that's right. The report meets the requirements of the Legislative Assembly Act. All reports not specifically ordered by another statute come under the Legislative Assembly Act.

MR. CHAIRMAN: So we'll take the Speaker out of this uppermost box. It's really redundant.

MR. THOMPSON: It's implied anyway. If you report to the Legislative Assembly, he's in charge of it. So I don't know if it's necessary to have "Speaker" there or not.

DR. McNEIL: I noticed there was a change in the new organizational manual that came out, which I got after we had put this together. Where in previous charts it had showed the Speaker, it now shows the select standing committee. That's why I raised the question.

MR. BLAIN: There's a comment I wanted to make on the wording of this job description.

MR. CHAIRMAN: It's in relationship to this?

MR. BLAIN: Yes. The two are tied together; otherwise I wouldn't raise it. On page 2, Relationship to the Legislative Assembly, it says that "The Ombudsman, as an Officer of the Legislature, is accountable to the elected members of the Assembly." The Ombudsman reports to the elected members of the Assembly; his report goes to the Assembly. But the Ombudsman is appointed by the Crown, and he can only be dismissed by the Crown on the recommendation of the Assembly. I think it's a little difficult to say that he is accountable to the Assembly when he can't be appointed or dismissed by the Assembly.

MR. CHAIRMAN: So we recommend to the Assembly, and then it's up to the Crown to appoint him?

MR. BLAIN: Yes.

MR. CHAIRMAN: Okay, if you would like to make that the suggested wording.

MR. BLAIN: I'll draft a note on that.

MR. CHAIRMAN: You could just go with a period after "is an Officer of the Legislature. Communication to the Legislative Assembly of Alberta occurs through the Standing Committee on Legislative Offices."

MR. BLAIN: That's right. That was my only . . . As it related to the chart, I thought I'd mention it to you now.

MR. CHAIRMAN: Grant, do you have your blue book with you?

MR. NOTLEY: No.

MR. CHAIRMAN: I think we're going to have to work through a few pages of this. If it's in your office, do you want to go for a short walk?

MR. NOTLEY: Sure. I'll slip down and get it. Just go ahead, and I'll catch up.

MR. CHAIRMAN: Paragraphs one and two have to be redone. We're going to come back to page 2, because there is another thing there. If we could go back to the first section of the book, Proposed Staffing Process. You see that we have some dates there, and I want us to bear in mind that these are tentative date deadlines for us to aim at. A lot of the date selection will depend on the number of applicants and the screening process and other commitments of committee members. So after we get to the middle or towards the end of January, we'll have to reassess these dates. I want that for the minutes, so no one feels locked in once we get past about January 25; then we'll negotiate dates. But some of these dates apply internally to David and his staff as they're doing the initial screening.

MR. THOMPSON: I can see that I would have some problems with some of these dates toward the end of January and the first of February because workers' compensation is off on tour.

MR. CHAIRMAN: That would be the other thing. As soon as you know the dates you're not available, you could just drop a note to me. Grant, we were just commenting that these dates here that apply to committee members, over and against the work of David McNeil and his people, are tentative after January 25 because of other legislative committee commitments and so forth. If you could send me a brief memo as to the dates you're absolutely not available, I'll be able to do some scheduling later on.

With regard to the minutes, I know Louise has given you a copy of the minutes we circulated earlier today. We have approved those.

We're probably all right to go over to the section on Legislation, which has the Ombudsman Act amendment of '83, which gave us the ability to extend the term to the end of August. Included with that is the Ombudsman Act, for your Christmas Eve reading no doubt.

I wonder if we might look at the section on Job Description and work through this a page at a time. David, you see this as being printed up in booklet form, that we would pass on?

DR. McNEIL: The objective would be to provide each applicant with this set of information, to give them a broader perspective on the role than can be conveyed in an ad. It is suggested that we use a similar kind of approach as we did with the Chief Electoral Officer. Mr. Thompson, I don't think you've seen this. This is what we used for the Chief Electoral Officer, which we sent to each individual.

MR. CHAIRMAN: Have a quick scan through, John. That's basically what this whole section is similar to.

MR. MILLER: David, that will be sent out on the basis of an application being received? That's the way you would communicate with them.

DR. McNEIL: Yes. There may be individuals that members of the committee or of the

Assembly would want to make direct contact with, at least to advise them of the availability of the position, and that might be a vehicle to inform them.

MR. CHAIRMAN: That relates to the section at the back, the letters, which we'll deal with later in the afternoon.

MR. BLAIN: Where are you now?

MR. CHAIRMAN: We're on Person Profile, page 1.

MR. THOMPSON: I thought we were on Job Description.

MR. CHAIRMAN: Sorry, we are indeed. Committee members are entirely correct.

MR. NOTLEY: Who wrote this section, David?

DR. McNEIL: One of my staff and I, based on our review of the Act, some of the annual reports, and our discussion with Dr. Ivany and three of his staff.

MR. NOTLEY: I see.

MR. CHAIRMAN: As long as that is congruent with the legislation. We're back on page 2, where we have edited paragraphs one and two. As you know, Grant, the relationship has changed so that the Ombudsman really reports to the Legislature through the chairman of the Legislative Offices Committee. That will be reflected in the flow chart at the back of this section.

I have a question with respect to paragraph three, the wording of lines two and three: The Committee reviews the annual budget estimates, the reports issued by the Ombudsman, "the operation of his office," and sets the salary paid to the Ombudsman. Is that acceptable as an amplification? Or the "general operation of his office".

MR. MILLER: Mr. Chairman, what is the time frame in getting his budget estimates. As I understand it, he would submit these to this board, the board would sit down with the Ombudsman and go over his proposed budget and make recommendations to the Ombudsman as to what our specific concerns might be. Then, once we agree, does it go from us directly to Treasury?

MR. BLAIN: Yes.

MR. CHAIRMAN: You know that we're having a meeting of the full Committee on Legislative Offices on January 17. In discussion with Bob Elliott on that, we're hoping to move that process ahead another three months next year. As it is, our January meeting is just squeaking in under the deadline.

MR. MILLER: Has this been the policy in the past? I think it might be a cursory examination, maybe just approval in principle without looking at it more in depth. I can see that if we haven't missed the boat by January 17, we just about will have missed the boat.

MR. CHAIRMAN: Because of the election and so forth last year, and the committee not being set up until the spring sitting, we were put completely out of phase with respect to their budgets. As the umbrella committee, we then tended to focus just on the matter of

salaries. I hear you loud and clear that we don't think that's good enough, and we're going to try to deal with that in a better fashion.

MR. THOMPSON: Mr. Chairman, on this business, "The Committee reviews the annual budget estimates", what is your interpretation of the word "review"? This ties into the same thing. If we are expecting to have a little more control or input in that budget, the word "review" is somewhat mild. We reviewed it last year. "Review" to me is just to check it over, take a look at it, and nod your head. If that's what we're going to do, "review" is fine. What I hear you and Bud say is that we're going to approve it or give it a little more thought than we've done in the past. I don't know if the word "review" is applicable.

MR. NOTLEY: Could I not suggest, John, that we would have to take a look at the legislation to examine our authority. I don't think we have the authority by resolution to do anything other than . . . I think we have unlimited authority with respect to salary; no question about that. But I'm not sure to what extent we would be able to have unlimited authority with respect to the budget of the office. I don't know; maybe Doug could give us some indication.

MR. THOMPSON: I'd like to find out just where we stand in the process before we go much farther in setting out our requirements.

MR. BLAIN: Before I say anything off the top of my head, I'd like to refresh my memory from the legislation. It was changed. If you'd like to carry on for the time being, I'll go and . . .

MR. NOTLEY: It might be useful to know what the parameters are with respect to the authority of the Committee on Legislative Offices.

MR. CHAIRMAN: We exist by motion of the Assembly, don't we? We don't have an Act that tells us . . .

MR. NOTLEY: We don't have that authority; it would be another committee. Most of us wear two hats, because I think we're all on the other committee.

MR. THOMPSON: Mr. Chairman, I wasn't getting into that area. I'm just talking solely of this committee. When we as this committee are putting this into the requirements for the Ombudsman, we have to know what the word "review" means in its context with the other committee. That's what I'm getting at.

MR. NOTLEY: Exactly. I think that's quite right.

MR. CHAIRMAN: In the Ombudsman Act:

The Ombudsman shall be paid a salary at a rate set by the  
Select Standing Committee and the Select Standing Committee  
shall review that salary rate at least once a year.

MR. NOTLEY: The other committee clearly has unlimited authority with respect to the salary. I think we have to check not the Act so much as the resolution setting up the Select Standing Committee on Legislative Offices, to determine whether the Legislature gave us any other authority or whether we're just stuck with the salary. In actual fact, between '79 and '82, when David and I served on it, on several occasions we went over the

budget in a fair amount of detail, discussed and asked questions, and what have you. I don't recall, David, whether there were any changes made in any of the budgets as a result of our discussions. Do you recall?

MR. CHAIRMAN: No. I think we had to waste — excuse me — spend so much time working on the salaries of those three to try to get them into sync that we found ourselves with precious little time. As you recall, we didn't go over and tour the offices as we have this past year.

There is one other part of the Ombudsman Act here, called Rules for Guidance:

The Legislative Assembly may,

(a) of its own volition, or

(b) on the recommendation of the Select  
Standing Committee,

make rules for the guidance of the Ombudsman in the exercise  
of his functions and duties.

That's 28. That's fairly broad. But as you say, we'll look up the terms of reference of the select standing committee, although I don't think there's anything in it that would give added jurisdiction.

MR. THOMPSON: That's fine then. I agree with "review" if that's all we're going to do. I have no problem with it. I just don't want anybody to expect something that isn't there.

MR. NOTLEY: I certainly think, though, that just by precedent we would be correct in terms of the description of the position in having some reference to the review of the budget or the operation, because in fact that has happened. That is clearly established. Whether or not we have the authority to change, alter, or approve, we certainly have the mandate to review.

MR. CHAIRMAN: The overall operation.

MR. NOTLEY: Yes. I'm not quite sure how you had worded it, but it seemed to me that the way you had worded it was . . .

MR. CHAIRMAN: Something along the lines of:

The Committee reviews the annual budget estimates, the  
reports by the Ombudsman, the operation of the Ombudsman's  
office, and sets the salary paid to the Ombudsman.

The next sentence

Should questions be raised regarding any of these matters,  
including issues raised in the Ombudsman's Special and Annual  
reports, the Chairman of the Select Standing Committee is in a  
position to advise the elected members.

DR. McNEIL: That means he's answerable in the House.

MR. CHAIRMAN: We'll go on to page 3. . . . Page 4.

MR. THOMPSON: Mr. Chairman, could I ask Dr. McNeil a question? Obviously you put this together and did it basically by talking to the Ombudsman for an hour and a half. So on the whole this is not your interpretation, it's his interpretation of the duties of the Ombudsman. Is that right or wrong?

DR. McNEIL: I'd say it's sort of in between. The first base we touched was the Act itself. We drew from what the Act says. The second aspect is definitely his and his staff's perception. We met not only with Dr. Ivany but with Alex Weir and the other two people, the executive assistant, Bob Wyatt. So it was almost a collective perspective.

MR. THOMPSON: What I was getting at, Dr. McNeil, is that anybody knows the bare bones of the Act. It's the interpretation that really is the point I was getting at, and this comes from their office.

DR. McNEIL: Very definitely, yes. As an example of that, the second sentence on page 4, "The complexity of complaints has been increasing in recent years", is their perception.

MR. CHAIRMAN: The first paragraph is okay. In the second paragraph, I'm not so certain we need to have the last three lines, with respect to foster care. When we get to serious applicants, they will probably want to get ahold of the Ombudsman's report for this year. It's not up to us in this thing to be doing that. The first part of that paragraph is a statement that is correct, so we'll put that in.

I question whether we need to leave in the last sentence of the third paragraph, "Referrals are not binding on the Ombudsman". Again, the first sentence says it, and the rest comes out. I think the appropriate way to write that sentence would be "are not necessarily".

MR. NOTLEY: What are you suggesting?

MR. CHAIRMAN: Just that we take out the second sentence in the third paragraph.

MR. MILLER: Let's have "may".

MR. THOMPSON: "Referrals are not binding on the Ombudsman." That means we can ask him to do something, Bud, but he doesn't necessarily have to do it.

MR. MILLER: Well . . .

MR. CHAIRMAN: It means something else; it's sort of thumping you on the nose.

MR. NOTLEY: That's correct as far as it goes. Investigations "may", so you don't need that sentence. If it were investigations "shall", it would be a different thing. The "may" is with respect to a committee or a minister. Where it would be "shall", it would be a direct order of the Legislature. If it were a direct motion of the Legislature, there would be no question about it, because he's a servant of the entire Legislature but not of any legislative committee or of the government as such.

MR. CHAIRMAN: So we take off that last sentence?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: Okay on 4? Page 5 is quoting from the Act, so we can go to 6. There's only one word that catches me in that first paragraph on page 6. I hope it is true that "since most departments and agencies are anxious to resolve any justified complaint", or are "willing" or whatever. That's picayune.

MR. MILLER: I think "willing" would be a better word than "anxious" in this context.

MR. CHAIRMAN: Does the Leader of the Opposition agree to that?

MR. NOTLEY: It's the ecumenical time of the year.

MR. CHAIRMAN: A time to brim over with anxiety.

MR. MILLER: I've seen people who are anxious but they weren't willing.

DR. McNEIL: Do you want that "willing"?

MR. CHAIRMAN: "Willing". At the bottom, under section 3, I think that referral, "(Please refer to attached organization chart.)", is superfluous.

Page 7.

DR. McNEIL: This is an area where we wondered whether the same level of liaison and education activities would take place with a different person.

MR. CHAIRMAN: Would you like to embroider that a bit more?

DR. McNEIL: We gathered from talking to Dr. Ivany that he had a real inclination to be out in the constituencies, giving speeches here and there, and so on. He mentioned that he wondered if a person with a different orientation personally would have the same desire to be as visible.

MR. CHAIRMAN: In that regard, paragraph three should probably come out in its entirety.

MR. NOTLEY: It seems to me that that becomes the kind of question that we as committee members would want to put when we get into the final interview stage: to what extent does he or she see the role of communication involving extensive travelling?

MR. CHAIRMAN: Will we remove paragraph three on page 7, and follow Grant's advice in the questioning process later?

MR. THOMPSON: Mr. Chairman, the last half of paragraph of paragraph two gives the same impression. Paragraph three just embroiders on it a little and explains it. I'm not trying to restrict his activity in any way. I'm like Dr. McNeil; I think everybody operates in a somewhat different way. Possibly you could have just as good an Ombudsman without this PR stuff that goes on.

MR. NOTLEY: The only thing, though, John, there is a slight difference.  
The Ombudsman, in the course of investigation consults [quite correctly] with Ministers, Elected Officials, Senior Officials and government employees. The Ombudsman also meets with a wide variety of persons, including complainants, interest groups, the academic community and other persons whom the Ombudsman may feel can be of assistance in resolving complaints.

You're dealing with the resolving of complaints.



MR. THOMPSON: I see that.

MR. NOTLEY: I think we wouldn't want to restrict the capacity of an Ombudsman to check with whoever when a complaint comes in, and not be restricted to whether it's a complaint from an elected official or whoever.

MR. THOMPSON: Agreed. You've convinced me.

MR. CHAIRMAN: So we'll leave that.

DR. McNEIL: The last paragraph refers specifically to Dr. Ivany's objective of meeting with each department's senior officials to get to know them better and vice versa.

MR. CHAIRMAN: But is that not also what the first sentence of the second paragraph says? Oh, one is investigation.

Page 8.

MR. NOTLEY: All Ombudsmen of all the provinces are directors of the international institute, or is just our current Ombudsman a director? It would strike me that the international institute surely would not have every Ombudsman in the world as a director, would they?

MR. CHAIRMAN: You are correct. My understanding and correspondence with the Ombudsman in this regard is that the two Canadian Ombudsmen from Ontario and Alberta have been on it, because Ontario and Alberta supply the major funding. I've asked him for some further elaboration on all that. I understand that at the international meeting in Sweden at the end of next June, they're going to recommend that the new Ontario Ombudsman be made a director and also the Ombudsman here. Whether they choose to agree with it or not . . . We might put in a provisionary word there: the Ombudsman may be appointed as . . .

MR. MILLER: Who makes these appointments, Mr. Chairman?

MR. CHAIRMAN: I think in this case it's just made by the executive committee or however they put together the Ombudsmen at their international conference. They're the ones who decide.

MR. MILLER: And who funds it?

MR. CHAIRMAN: I understand that primary funding is coming from Ontario and Alberta, but I haven't got the figures on how much that is. I've also raised the other question — and I guess this is a good a time as any that I might read into the record a letter from Dr. Ivany to me as chairman of this committee:

There is yet another matter that I should raise with you at this time, and that is regarding the International Ombudsman Institute. I should point out to you that it is not automatic that the new Ombudsman appointed in Alberta will necessarily take on the work of the institute. The institute is a separate entity with its own international board of directors.

I will suggest to the board of directors at our meeting in Copenhagen prior to the conference that the new Ombudsman for Alberta will be given a seat as a director of the institute.

There is a precedent for this in that we have done exactly that for the new Ombudsman in Ontario. The reason for this is that the institute is supported by both Alberta and Ontario governments.

I have little doubt that the board will agree with my suggestion and that the new Ombudsman will indeed take his seat as a director of the institute.

That's one for committee members. Now we have the next item, in the same paragraph, which I think raises some other questions.

The position of executive director of the institute, which is located at the University of Alberta, which I have filled for the past three years will likely continue to be invested in me for some time in the future. I thought that I should clarify this matter for you in view of your conversation with me last week, and I think they should be aware of the fact that the International Ombudsman Institute is very much a separate entity, apart from the provincial Ombudsman itself.

In my letter to him, the one paragraph that relates to this:

You state the position which you filled for the past three years will likely continue to be invested in you for some time in the future. Would you be good enough to elaborate on your comment, especially with regard to the operation of the institute, time expectations, overlapping concerns of the Alberta Ombudsman, if any, and length of term?

When Bud Miller and I were in Victoria and Vancouver and met with the Ombudsman out there, he let it be known that our Ombudsman here had made some approach, I gather, to the University of Alberta that they find some funding to create some salary to be attached to the executive position. That's why he and I are now engaged in a little correspondence.

I think committee members should have some opportunity right now to discuss whether, now or in the future, when we get some more information back after the Ombudsman returns from his three weeks' holiday, we need to know if we're getting our ... We don't want to have the sticky wicket, where we have the present Ombudsman across the river at the U of A, sitting in judgment or in the media upon the new Ombudsman, whoever he or she may be. Am I looking at a paper ghost, or we'll just wait and see what comes with the response.

MR. THOMPSON: Mr. Chairman, I think that's a question we should discuss in our other committee. I don't think it has anything to do with setting up these requirements today. I think it's an important thing, that we have to spend some time on, but not in this context right now. However, I don't care. If you want to discuss it now, fine.

MR. MILLER: Mr. Chairman, I appreciate what John says. But I can see where there could be a potential conflict if we had an Ombudsman who had a different philosophy or approach than the present Ombudsman. They could be at cross-purposes on the odd issue. We wouldn't want that to happen.

MR. NOTLEY: That's possible. But to what extent do we have any say whatsoever? Surely if they as a board — whoever they choose as executive director is up to them, is it not? If they choose the current Ombudsman to serve as executive director, then that's just going to be something we live with.

MR. CHAIRMAN: Of course, he's already chosen.

MR. NOTLEY: I gather that the only issue at the moment is whether he's going to be salaried or not. Is that correct? Whether it's a full-time or essentially a part-time or spare-time position.

MR. CHAIRMAN: Yes, that's why we need to see what the response is. I think John Thompson is right. It's a matter that we'll refer to the Standing Committee on Legislative Offices.

MR. NOTLEY: Indeed. I think it would be a mistake to get into any kind of hassle over this issue while we're advertising. I think we must absolutely separate any possible discussions we may have as legislators with the current Ombudsman from the proper search for candidates at this point.

HON. MEMBERS: Agreed.

MR. BLAIN: The status of the Ombudsman and any problems that the Ombudsman may meet are properly the concerns of the Legislative Offices Committee rather than the search committee.

MR. CHAIRMAN: I had a two-page summary prepared on the International Ombudsman Institute by one of the researchers. Perhaps for interest's sake, we could have this xeroxed and hand it out to you. On the back it has about a 14-person directorship, and they really reflect the whole world. The ones from Alberta are Dr. Horowitz, in an honorary position at the university, and also Dean Frank Jones. Is he at the law school?

MR. NOTLEY: Yes, at the law school.

MR. CHAIRMAN: And the Ombudsman. So we could have that. Then I'll take the committee's wisdom and communicate to Bob Elliott, chairman of the other committee.

DR. McNEIL: This next paragraph is one that [inaudible] generate some discussion. In terms of the profile, the kind of person you want, you probably want a person who can deal effectively with the media. It's a question of what "dealing effectively with the media" means in particular.

MR. THOMPSON: Personally, I think that "a contributor to various learned publications" and that kind of thing is not a job requirement. That is the personal preference of the man himself if he feels he wants to. I don't think it's part of his job requirement that he must do it. So I suggest we delete that whole paragraph.

MR. CHAIRMAN: Thank you, John. Other comments?

MR. NOTLEY: That's fair enough. When we talk about liaison, what does that mean? Obviously when the Ombudsman makes a report, we know that that's news. That's not liaison. In terms of being in demand as a public speaker, that's something that may or may not come as the case may be. It probably will come, but it's not necessarily a job description.

MR. BLAIN: No public servant should liaise with the press unless they're professionally appointed for that purpose.

MR. CHAIRMAN: Mr. Notley's point is well taken, that when an annual or specific report is there, that's only natural. The word "liaise" raises a whole other kind of image. So, general agreement to delete all the second paragraph.

MR. MILLER: What does the next paragraph mean? Here he will "liaise with federal and municipal officials". Does he do that directly, or does he tell the complainant to take his concerns to the municipal or federal people? I think he would advise the complainant.

MR. NOTLEY: Will "advise" persons with complaints outside of his/her jurisdiction.

MR. CHAIRMAN: "Advise" instead of "direct"?

MR. NOTLEY: He really doesn't have the power to direct anyone.

MR. BLAIN: That's right.

MR. THOMPSON: He may be using it in a different context, like to point them in the general direction of.

MR. CHAIRMAN: I think the word "advise" is crystal clear.

DR. McNEIL: The last clause in that paragraph may not even need to be there.

MR. CHAIRMAN: Just stop after the word "appeal".

DR. McNEIL: The impression we got in our discussion was that in some instances, he or his staff seemed to do some contacting of municipal or federal officials to set things on their way.

MR. BLAIN: I think you could more properly say "consult" than "liaise". Liaison indicates an ongoing relationship, which is not necessarily true here.

MR. CHAIRMAN: If we put a period after "sources of appeal", the thought is there to direct them. It really isn't up to the Ombudsman to be doing that work, given the workload he does have. He can just direct or advise people as to whom they go to talk to. Agreed?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: The next few pages really reflect what happens in terms of the ad.

DR. McNEIL: This is more or less a summary of the person profile.

MR. THOMPSON: Mr. Chairman, on that point, and I know it's a very small one and that they're put down here in a list, but do you think we should prioritize them to some extent, or do we just throw them all out there like that? I honestly think that some of these things are more important than others. For instance — and this is just my own personal opinion — I would suspect that one of the first things we're going to look at in a new Ombudsman is somebody who has been a success in his chosen field or is widely respected within the profession, and that type of thing. Not that this other one isn't important, but I wonder if the committee would care to maybe change the order. Not that it makes that

much difference, but in our own minds I think it would be good if we set down what we think today are the primary priorities when we start to look at people.

MR. CHAIRMAN: I see our consultant bobbing his head like it's going to fall off.

DR. McNEIL: I think that's a good idea to lay out the priorities as far as these criteria.

MR. CHAIRMAN: Do you want to deal with that with section IV, subsection 1, Personal Qualifications?

MR. NOTLEY: I think success in a chosen career is important, but I really wonder if we aren't right in saying "Wide experience in dealing with people from all walks of life" is your most important starting off point.

MR. THOMPSON: I used it as an example only. If the committee decides that's the most important qualification . . .

MR. NOTLEY: I can think of someone who would be eminently capable in a particular career . . .

MR. THOMPSON: As a doctor or a nurse.

MR. NOTLEY: Or as an accountant or something, who wouldn't have the foggiest idea of how to relate to people. Dealing with people as an Ombudsman . . .

MR. THOMPSON: Maybe this is the right priority. I just brought the point up, because I thought we should look at it.

MR. NOTLEY: I think demonstrated achievement in a career is an important element; no question about that. But I think the ability in an Ombudsman to deal with people is crucial, in my judgment.

MR. THOMPSON: Personally, I think "common sense, maturity, tact, perseverance, fairness, integrity, tolerance and sound judgment" is all-inclusive.

MR. NOTLEY: Absolutely; pretty hard to beat.

MR. THOMPSON: If you have all those things . . .

MR. CHAIRMAN: Let's make that number one, and add "patience".

MR. NOTLEY: So what we want is Gandhi.

MR. CHAIRMAN: We can add "patience" in there somewhere, please.

DR. McNEIL: Do you think it would be useful to separate out "sound judgment"? When it comes down to it, the judgment of that individual is really . . .

MR. CHAIRMAN: Okay, we'll make that separate. What about if we make "common sense", et cetera, as number one, or do you want "sound judgment" as number one?

MR. MILLER: I have no problem with the first one, "Wide experience in dealing with

people from all walks of life".

MR. CHAIRMAN: You want that to be number one?

MR. MILLER: I think so.

MR. THOMPSON: We need a vacuum cleaner salesman.

MR. NOTLEY: Maybe that's okay.

MR. THOMPSON: I was just talking.

MR. CHAIRMAN: The office seems to suck up an awful lot of dust.  
"Sound judgment" number two or three?

MR. BLAIN: Isn't "sound judgment" a bit woolly by itself? Sound judgment in what?

MR. CHAIRMAN: In having to weigh the decisions in case load.

MR. BLAIN: We all may have sound judgment but not in the same . . .

MR. NOTLEY: Maybe that's why it's valuable having it linked with the other: "Common sense, maturity, tact, perseverance, fairness, integrity, tolerance and sound judgment".

MR. BLAIN: Yes. Standing by itself I think is woolly. Somebody could reasonably say, sound judgment in what? Horse breeding?

MR. THOMPSON: So we're going to put the first one down as number one priority.

MR. CHAIRMAN: We seem to be keeping intact number two.

DR. McNEIL: Adding "patience" to it.

MR. NOTLEY: "Common sense, maturity, tact, patience, perseverance, fairness . . .

MR. BLAIN: Pity I'm spoken for.

MR. MILLER: That's why we put "patience" in there.

MR. CHAIRMAN: Doug, I didn't tell you. We have a cross outside on the front steps; it's not a Christmas tree.

Where would the committee like to go with the following three?

MR. THOMPSON: "Demonstrated achievement in their chosen career" and "widely respected within their chosen profession and in the community at large": I think "widely respected within their chosen profession" takes in "demonstrated achievement" in their field, unless you're talking about a specific thing like a Nobel Prize winner or something.

MR. NOTLEY: Indeed.

MR. CHAIRMAN: So we're deleting "demonstrated achievement" as being subsumed.

MR. NOTLEY: You might want to say chosen "career" rather than chosen "profession", would you not? That would tend to limit.

MR. THOMPSON: That's wider.

MR. CHAIRMAN: Agreed. That's number three, and the last one is number four.  
Subsection 2.

MR. NOTLEY: I like "Knowledge of Alberta and its people". I think that's an important beginning. Nothing is more important basically in a candidate for Ombudsman than having some understanding of what this province is all about.

MR. THOMPSON: Agreed.

MR. CHAIRMAN: Where we have sound knowledge "is" desirable, practical knowledge "is" desirable, is contrary in style to what we're doing in the first three. "Knowledge of Alberta and its people" and "An understanding of the distinction between natural and legal justice" are desirable also.

MR. THOMPSON: Would you explain natural and legal justice? I have an idea in my mind, but how can an Ombudsman, or anyone else, put natural justice ahead of legal justice as far as anything to do with government is concerned. If it's in the Act, whether it's unjust or just . . . Surely legal justice must take precedence.

MR. CHAIRMAN: If you want me to go back to my theological days and trot out some canon law for you — if you lived in a province where abortion was not to be performed and you came to the situation where a wife whose husband had recently committed suicide was in a state of traumatic shock and got into bed with the next-door neighbor, who got her thoroughly pregnant, and she didn't have enough money to look after her other two kids and she then wanted an abortion, from a natural law point of view you could say it was right to abort, whether the state allowed it or not. So there would be the odd case where natural law would be more just than the legal situation, but those would be very few and far between, especially with respect to the way the Ombudsman's office operates.

We won't go into the topic of abortion.

MR. THOMPSON: I have problems — I think we all have an understanding of that, but I don't know if it should be put in our requirements. I'm not particularly against it. I just think it makes it somewhat complicated for an Ombudsman to say that whether the law says what you did is right or wrong — it puts the Ombudsman in a . . . I think you'll have questions. When you get to your interviews, somebody is going to come up to you and say, what do you mean by this statement? With respect, Mr. Chairman, we had better be prepared with a better explanation than I got regarding abortion.

MR. CHAIRMAN: I don't question that with respect to the example.

MR. NOTLEY: Surely, in a sense isn't that part of the Ombudsman's job? When a complaint comes in, there may be a very valid legal case as to why the government or the department has done X, Y, and Z, but it may in fact be wrong. We sometimes have to be jolted to make changes. Some of the reports that have been brought down by ombudsmen have led to changes in what is legal justice as opposed to natural justice.

MR. THOMPSON: I concede that maybe we had better — as long as when we talk to these people, we understand and they understand what we are saying. I'm not particularly against the statement itself, but we have to be prepared to explain it to people.

MR. CHAIRMAN: It's one that sort of tripped me up has I read through it as well. I don't see it as being number two when we get into all this.

MR. BLAIN: What does justice have to do with the law?

MR. THOMPSON: Basically, Doug, the whole Ombudsman theory is put up there to do what we have there, for people who felt they were being persecuted under the law.

MR. MILLER: I don't like the way it's worded, but I have no suggestions as to how to reword it.

MR. THOMPSON: I think it's all right as long as we understand what we mean. Anyway, is that our number two priority?

MR. CHAIRMAN: We haven't determined number one yet.

MR. THOMPSON: Grant and I did.

MR. NOTLEY: Could I suggest that we keep number one as number one. I think we should start with "Knowledge of Alberta and its people".

MR. CHAIRMAN: Okay, we're all agreed on that.

DR. McNEIL: The difference between the absolutes and the desirables is that the absolutes are sort of a necessary condition that they have to have, and the desirables would be nice to have.

MR. NOTLEY: I think that the first three are all important in a sense. Obviously you have to have some understanding of natural and legal justice, and obviously you have to understand the workings of the parliamentary system; you're the servant of the Legislature. All these other things are extremely important; leading a team effort and management ability are factors. But what is an Ombudsman? He's not a manager; he's not the administrative officer of the Ombudsman's department. He is the person who has an awful lot to say about people's rights, and he is a servant of the Legislature and has to understand the problems. It seems to me that those would be the three fundamentals that have to be there. All these other things are embellishments that strengthen a candidate's credentials.

MR. CHAIRMAN: I wonder if in actual fact the one at the bottom of the page — practical knowledge of law and familiarity — moves up in this order, if you don't want it to supplant number two.

MR. NOTLEY: Make it number four.

MR. CHAIRMAN: Agreed?

HON. MEMBERS: Agreed.



MR. THOMPSON: Basically, this exercise we're going through right now is for ourselves.

MR. CHAIRMAN: Okay. With respect to "A knowledge of sound administrative and management practice" — a period after "practice"? I believe that then picks up the senior management thing — no, not necessarily.

MR. NOTLEY: I'm not sure that you need either that or "Experience in dealing effectively with the media". I really don't think that the Ombudsman's job — he's not a media consultant; he's there to do a job with respect to people's rights. Whether he's good or bad with the media is not a job description at all.

MR. THOMPSON: Agreed.

MR. CHAIRMAN: Agreed on both counts. Agreed, Mr. Miller?

MR. MILLER: Agreed.

MR. CHAIRMAN: Do you want the last one included, or do you want it added to what is now number five, which reads "A knowledge of sound administrative and management practice". Is that subsumed, or are they trying to get across that they want to have a particular style, that we want to have something that's co-operative rather than dictatorial?

DR. McNEIL: The reason it is there is to reflect that. I guess that's the impression we gained of the way the office operates now. Whether that's an appropriate style is something — each individual has to develop their own. It may be that kind of small operation, that style is more effective.

MR. CHAIRMAN: In that regard, are we really saying "willingness" to manage in a team-oriented environment? You might not have had the experience but at least you have the inclination to examine it as one of the real possibilities.

MR. THOMPSON: Put "willingness" in?

DR. McNEIL: If that's the case, since you're looking under managerial knowledge/experience, I think you could just take that whole thing out and get at that when you talk about leadership, their skills, how they do things.

MR. NOTLEY: I think that's obvious. You can't have a very effective office unless you have a sense of working together, team orientation.

DR. McNEIL: The managerial skills are the standard set of management dimensions that we use to analyse any managerial candidate. We have a set of questions related to each of those skill dimensions that tends to bring out . . .

MR. CHAIRMAN: Would you care to comment as to what you mean by C(c), the ability to control?

DR. McNEIL: The ability, once you have delegated something to your staff, to make sure it gets done, to keep on top of what's going on.

MR. THOMPSON: To see that the stuff doesn't pile up.

DR. McNEIL: To see that deadlines are met, reports are completed on time, and people are carrying out their appropriate responsibilities and not going beyond.

MR. CHAIRMAN: Are we finished with that section? This Person Profile supposedly picks up all the things we've had here but seems to add one or to additional things. Is that not correct? Perhaps when you look at this once again, you might reflect the ordering we've gone through. For example, we're going to take out "Experience in dealing effectively with the media". So can we assume you'll go through and do the necessary deletions? Okay.

DR. McNEIL: The only difference here is that this is something for the committee that sort of defines the ideal candidate. In assessing applicants in the preliminary and final interview processes, this will be the blueprint that's utilized to judge and compare them.

MR. CHAIRMAN: This is for our use; this is not going out with your brochure.

DR. McNEIL: Really the only difference is that we've defined the dimensions.

MR. CHAIRMAN: In that regard, on page 3 — you say we've had two applicants already, and you tell me that the other one who has applied may have been a Member of the Legislative Assembly by the name of Notley or Martin or Speaker or Buck or Loughheed.

MR. NOTLEY: Not a bad idea. You'd love me as an Ombudsman, David.

MR. CHAIRMAN: Do you get that sad little tinge of regret, that you don't love me now or we don't love you to your full potential of being loved?

MR. NOTLEY: I'm just going to wait. You see, the last NDP Leader of the Opposition was appointed Governor General, so maybe there's a better offer.

MR. CHAIRMAN: I think we should stretch for two seconds and see if you want to have another bun or juice or a cup of coffee.

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MR. CHAIRMAN: If we could look at the advertisement, please. This is where you may well want to rearrange the order of characteristics or attributes. Perhaps we'll go over it line by line.

MR. THOMPSON: Mr. Chairman, did they do this "direct sourcing" last time round? I can't remember.

MR. CHAIRMAN: Direct sourcing?

DR. McNEIL: That's on page 1.

MR. THOMPSON: That's where all the MLAs and . . .

MR. CHAIRMAN: I don't know whether they did or not. I assume so.

DR. McNEIL: I know they did with the Chief Electoral Officer. Individual members of the Assembly and the committee had some thoughts as to who they thought might be interested and provided them with information. That's as far as it went. You have to be careful how it's done so as not to create a great expectation.

MR. CHAIRMAN: Throughout we've been doing his/her, so we can fix up the other section. Can we go to the ad itself? If the first three paragraphs are acceptable to you, the next section is where we try to run together an amalgam of pages 8 and 9 in the job description profile, where we did the listings. So we have two "one"s. The first one we had under personal qualifications was "wide experience in dealing with people". We still want that to be number one. The first under the second section was "knowledge of Alberta".

MR. NOTLEY: Why don't we reorder the ad to meet the agreed — is that all right from a professional point of view, David?

DR. McNEIL: Yes.

MR. CHAIRMAN: The first five do stick within the first two or three. We'll just leave that to our adviser to do.

HON. MEMBERS: Agreed.

MR. CHAIRMAN: One other thing here, David. The short paragraph that comes right after the attributes — do we want to have a separate paragraph, "salary is dependent on qualifications"?

DR. McNEIL: Yes, we could have that.

MR. CHAIRMAN: And do another spacing in there; that's all.

DR. McNEIL: One thing I put in the ad, which is in the profile, is "strong communication skills". I sort of highlighted that. By that I mean ability both to speak and deal with people face to face, one on one and in a large group, but also to be able to listen. I thought that should be highlighted.

MR. CHAIRMAN: Okay.

DR. McNEIL: The only other thing I suggested — please address "resume" rather than "application". If you put "application", a lot of people would say, what application do we use?

MR. CHAIRMAN: Okay. The advertising approach we dealt with last time, and you see from the minutes the additions to be made with regard to the territories and Prince Edward Island. Is this Intergroup Calgary or Edmonton?

DR. McNEIL: Both.

MR. CHAIRMAN: Did we, or shall we now, have a motion to approve the expenditure of funds with regard to the advertisement?

MR. NOTLEY: I would so move.

MR. THOMPSON: Mr. Chairman, I would like to go back — and I wasn't at the last meeting, so I need to get a little fill-in.

MR. CHAIRMAN: Could you give me a page, please?

MR. THOMPSON: This would be D, Other Publications. We have Ontario Law Report. What's so special about the Ontario Law Report? Is it Canada-wide, or something?

DR. McNEIL: In the east, it's read quite widely by the legal profession, as the Western Weekly is in the west. That's the reason it was put in.

MR. THOMPSON: It takes in the maritimes, Quebec, and the whole works, does it?

DR. McNEIL: It's read that broadly.

MR. THOMPSON: That's what I'm getting at. That's fine, then. I was wondering if it was just strictly Ontario.

MR. CHAIRMAN: Is there such a thing as a Canadian Law Report?

DR. McNEIL: Not with the same reach as the Ontario Law Report.

MR. CHAIRMAN: We have a motion before us to authorize expenditure of funds, wherever Mr. Blain can find them, to deal with the advertising as suggested. All those in favor of the motion, please signify. Carried unanimously. Thank you.

MR. MILLER: Mr. Chairman, I assume this ad will be out the first part of January. Is that your understanding?

MR. CHAIRMAN: The 5th to the 7th. So adding the other newspapers didn't cause any time delay.

If you'd like to scan through the letters, the first one acknowledges the inquiry and sending out what is in the brochure we've gone through today. There was one prior letter in the package, at the back of which section?

DR. McNEIL: The Advertising Approach. That was the letter we might send to individuals who may have an interest themselves or who might know of individuals who might have the appropriate qualifications or interest.

MR. CHAIRMAN: The question I have is, is there any point in our sending this to all Members of the Legislative Assembly? They know it's been on the Order Paper, they know the committee exists. Surely we don't need to send this to all members?

MR. NOTLEY: Which?

MR. CHAIRMAN: This is the last page, just ahead of the blue chip that says Advertising Approach; there's one letter there.

MR. MILLER: Mr. Chairman, by writing directly to people, are we giving them a sense of expectancy by requesting as a committee that they submit an application.

MR. CHAIRMAN: That's a pretty delicate balance. If we're going to do this kind of thing, I think you'd do it individually. If you have someone who is on your list . . .

MR. MILLER: Wouldn't it be better done by — or if an MLA were doing it, as an MLA. If you were going to do it, Grant, you would do it as yourself rather than the committee.

MR. NOTLEY: You mean if I were going to encourage someone to apply?

MR. MILLER: Yes.

MR. NOTLEY: Oh, indeed.

MR. CHAIRMAN: Not the committee.

MR. NOTLEY: No. That in itself would be destroying the whole value of the competition and prejudice our effectiveness as interviewers.

MR. THOMPSON: On this subject, we'll say that I have what I think is the ideal candidate, or Frank Appleby has, who isn't on the committee. Don't you really feel it's better for him to encourage the fellow on his own initiative to apply than to have us, an MLA, send in a name to the committee? When we were into this source business, that was my concern. I really think that if you, Bud, or I, or anyone else feels there is someone who should have consideration, he should be encouraged to make his own application and not us make an application on behalf of somebody.

MR. MILLER: I agree. My concern with this letter is who is going to send it out.

DR. McNEIL: In terms of women's groups, for example, I could send a letter like this saying that as president of the Alberta Status of Women Action Committee, be aware that this is going on and if you know anybody, here are some brochures describing the position; please pass them on to anybody. That removes it from the committee, provides them with the information, and gives them the opportunity to follow up on it.

MR. NOTLEY: I think there's some merit in that. We might even authorize you to do that as opposed to David. One of the problems with David doing it as chairman of the committee is that it might give some inadvertent credence in people's minds to the application, whereas if you do it, it is clearly up to the committee to make the choice.

MR. CHAIRMAN: That's fine by me. Agreed?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: One other thing we might do, if the committee agrees, is that when the ad has been struck, a copy should go to every Member of the Legislative Assembly.

HON. MEMBERS: Agreed.

MR. NOTLEY: Getting back to John's point, just in terms of the way in which all caucuses deal with it, it's a good deal better if individuals apply, because it puts us in somewhat of a difficulty if we have an application that is sent to us by any MLA. It adds a degree of complication to the process that would not be helpful.

MR. CHAIRMAN: It's sometimes known as the kiss of death.

MR. THOMPSON: I'm not naive enough to say that we're not going to get some gentle arm-twisting and such lobbying anyway, but I don't like it to be on an official basis.

MR. NOTLEY: That's right.

MR. CHAIRMAN: So in the letter section, we have an acknowledgment of the application and making sure they get the information and that they do indeed send a detailed resume; then the acknowledgment that the resume has been received. One doesn't necessarily get this whole plethora of letters, does one?

DR. McNEIL: No, hopefully just one or two depending on where in the process they are.

MR. CHAIRMAN: Then the Dear John or Dear Jo-Ann letter. This may be the day, gentlemen, when you have to put into your sealed envelope your guess as to how many resumes and applicants.

MR. THOMPSON: On number six, Mr. Chairman, how do you conceive this telephone interview thing is going to work? We must be getting fairly close to the short list, or at least we're into the weeding out process. We have the resume and have questions in the resume that — this telephone interview is basically for clarification?

DR. McNEIL: No. Clarification is one objective, but evaluation is another one.

MR. THOMPSON: And you can evaluate over the phone?

DR. McNEIL: We do a lot of telephone interviews. On the Chief Electoral Officer, we interviewed about 40 people on the phone. Based on those 40 interviews, the committee decided to interview 25 and not to consider some. So it's really part of the screening process.

MR. THOMPSON: And you do the phoning?

DR. McNEIL: Yes. Myself or one of my staff.

MR. THOMPSON: I mean it's not us getting a list of telephone numbers.

DR. McNEIL: Oh, no. What we do is prepare a report for committee members on each of those individuals we have interviewed, saying that these appear to be his or her strengths and weaknesses.

MR. THOMPSON: I just wanted clarification.

MR. NOTLEY: In fact you have two interviews, a phone interview with all the obvious people and the final interview of the people we choose from among David's reports.

DR. McNEIL: What we did last time as well was tape all the telephone interviews, so that any member of the committee who wanted to review the tape in relation to the report had that opportunity. I'm not sure if any did, but we had that information available.

MR. THOMPSON: It was there if requested.

DR. McNEIL: It was there if requested.

MR. CHAIRMAN: And they're all notified that they're being taped.

DR. McNEIL: Oh, yes. That's right up front.

MR. CHAIRMAN: Any questions on the letters?

MR. THOMPSON: Mr. Chairman, I have another one. On number eight I have problems with your third paragraph, which says "If you have not already done so, please return a copy of your latest or most significant university degree or studies". I suspect they're going to do it anyway, but surely we're not going to eliminate anybody who hasn't gone to university. I suspect they will have degrees, but I don't really think that that little paragraph should be in there.

MR. NOTLEY: I agree.

MR. CHAIRMAN: Deletion?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: David, thank you to you and your staff and the other people who worked so hard on this.

MR. MILLER: As I go down there . . .

MR. CHAIRMAN: Sorry. This doesn't negate the thanks.

MR. MILLER: Sorry, Mr. Chairman. The same letter speaks of travelling to Edmonton. There was some thought given that if there were an exceptionally large number of candidates — for example, in Vancouver or Victoria — perhaps the committee might go there to interview the applicants, in which case "travelling to Edmonton", as it says in the second-last paragraph, might have to be modified to some other centres.

MR. CHAIRMAN: A point well taken. We did discuss that earlier. That's one of the complicating factors we have to build into that projected budget. This would be all right for the ones who come here, and then we'll make the adjustment.

MR. THOMPSON: On that point, Mr. Chairman, all it says is, would you be prepared to come to Edmonton. It just throws the idea out. If we decide later, no, you don't have to; we'll come to you — I don't think they'd object to that at all. But it just says, you may be required to come to Edmonton. From that point, I don't see anything wrong with leaving it in.

MR. NOTLEY: We probably shouldn't close the door, but I really wonder whether it is seriously likely that we would have to travel. If we get a short list of 40 or 50, it may well be that there would not be any more than five in one location, in which case it's probably more sensible to bring them here rather than our going there.

DR. McNEIL: Just one other question. How many brochures? That relates to your other

point about how many applications.

MR. CHAIRMAN: First on the matter of whether we as a committee go someplace or they all come here, we've raised it, so we may adjust to it one way or the other. On the matter of the number of applicants, I have no idea. Guesses from the committee can go anywhere from 400, 500, 1,000, 1,500. If you want to send that to every single applicant, you might have to deal with a more economical form in which to produce it.

DR. McNEIL: That's right. They told me they could produce this for a dollar each. I don't think that's true, but the estimate I had was a dollar each.

MR. THOMPSON: Would it have to be quite as elaborate as that?

DR. McNEIL: Not necessarily.

MR. THOMPSON: The information is what the person wants, not the artistic design of the thing.

DR. McNEIL: Typically, on every executive competition we do, we prepare these just on 8 1/2 by 11 paper, stapled. That's the norm.

MR. CHAIRMAN: Let's do that.

MR. THOMPSON: So you run off 500, and if you need another 300 you just copy them.

MR. CHAIRMAN: Agreed?

HON. MEMBERS: Agreed.

MR. BLAIN: For that volume, would you go to Quick Print?

DR. McNEIL: Yes. You might want to put it on specially colored paper to make it a little different.

MR. THOMPSON: Jazz it up just a little.

MR. CHAIRMAN: What other business, gentlemen?

MR. BLAIN: You had a question about the estimates that I wanted to verify. I'm sure you will recall that originally, the Legislative Offices Committee was the Auditor General and Ombudsman Committee. It was subsequently changed to the Legislative Offices Committee to embrace the Chief Electoral Officer. I can't remember, and I admit without shame that I don't attempt to remember when all these amendments took place, but section 13 of the Auditor General Act says:

(1) The Auditor General shall submit annually to the Select Standing Committee an estimate of the sum that will be required to be provided by the Legislature for the payment of the salaries [et cetera].

(2) The Select Standing Committee shall review each estimate submitted pursuant to subsection (1) and, on completion of the review, the chairman of the Committee shall submit the



estimate to the Treasurer for inclusion in the estimates. That does not appear in the Ombudsman Act or the Chief Electoral Officer Act, but I think it's implicit by the nature of the committee being the Legislative Offices Committee that the same thing applies to both those other offices.

MR. CHAIRMAN: I should have a xerox of that page of the statute, please.

MR. BLAIN: Okay.

MR. CHAIRMAN: Then we'll refer it to the . . .

MR. NOTLEY: How would you define "review" as opposed to "approve"?

MR. BLAIN: I would define "review" as a "careful examination" of the estimates.

MR. NOTLEY: And an ability to change.

MR. BLAIN: Yes.

MR. NOTLEY: Okay, fair enough.

MR. BLAIN: Yes, to say to whichever of the offices it is that in the committee's view, this is too much and we would like you to recast this.

MR. THOMPSON: You just don't review it till you get the number you want.

MR. NOTLEY: You keep coming back: we'll have a meeting next week.

DR. McNEIL: In terms of the ad, I assume you would like to see a copy of it before it goes in, just as a final check.

MR. CHAIRMAN: We did want to look at that, to make sure it had the right logo. Can Intergroup, Edmonton, have it sent to its Calgary office and shipped over to me at my house? That would be the easiest.

DR. McNEIL: Yes.

MR. CHAIRMAN: Do we really need to meet on January 5, given what we've gone through today? We've done the profile and the booklet. I don't think there's any work for us to do until we start getting some feedback.

MR. NOTLEY: If there is no compelling reason to have a meeting, let's not have one.

MR. BLAIN: We should have a resolution for the money.

MR. CHAIRMAN: Yes, that's our problem.

MR. NOTLEY: Could I expedite things by — you're suggesting a committee of the chairman, the vice-chairman, and David and Doug. Could I move a resolution to authorize the preparation of a budget as presented by those four people.

MR. CHAIRMAN: All those in favor?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: That part is agreed. That still does not give us the authority to spend a fixed amount.

MR. THOMPSON: We're going to "review" your budget.

MR. CHAIRMAN: The Legislative Offices Committee must meet on the 17th. You want it for the 15th. What's our way around this dilemma? We can meet for half an hour prior to or following that other meeting, to give approval to the proposed budget. You're nodding your head in a cherubic manner.

MR. BLAIN: I'm agreeable to anything my political masters suggest.

MR. CHAIRMAN: That's tough to follow.

MR. NOTLEY: Is there any overwhelming problem, Doug, with having it on the 17th?

MR. BLAIN: I don't think so.

MR. NOTLEY: Since it is a relatively pro forma meeting, it would be a bit silly to have two meetings when we're all on both committees.

MR. BLAIN: If the committee decides to have it on the 17th, then my strength is as the strength of ten when questioned.

MR. CHAIRMAN: Next committee meeting January 17. On that day, are the members able to stay for all the meeting examining the budgets of the three offices? Could we then strike our meeting to occur after?

MR. THOMPSON: I may have a problem. I'd like to get out of here at five to five. So I would prefer to have our meeting 15 minutes before the other meeting, if we possibly could.

MR. CHAIRMAN: All right. We'll meet before.

MR. NOTLEY: Do we have a time on that other meeting?

MR. CHAIRMAN: One o'clock. We'll meet at 12:45.

Thank you very much, everyone, staff included. I appreciate your time. Safe trips home and happy holidays, and may you get some.

MR. BLAIN: Thanks.

[The meeting adjourned at 3:10 p.m.]