

[Chairman: Mr. Stevens]

[12:13 p.m.]

MR. CHAIRMAN: Here we are at our first meeting of this session of this Legislature. As we start, perhaps I would just welcome you all, thank you for coming, and indicate to you that it would not be my intention to call a meeting until after the session closes, unless the budget process begins with the three legislative officers, and that would require us then to review that in August. I am told it may be September, so we'll try our best not to call us.

I had hoped that Bob Elliott, our former chairman, would be here today -- and he may still be here -- so that he could go over some of the things that the committee has accomplished in the past.

First of all, I'd like to introduce each of us. I'd like to introduce to you our secretary. I don't know whether everybody has had a chance to meet Louise Empson, our committee secretary, and Robert Bubba. Would you like to say anything as to your role or the advice or assistance?

MR. BUBBA: I act as the Clerk of this committee, as I do with all the other standing and select committees save Law and Regs and Private Bills. Any matters that have to do with procedure, the preparation of your budget, and other administrative matters would be referred to me.

MR. CHAIRMAN: Thanks, Bob.

Louise, what about if anybody needs to get on the agenda or needs to reach me, can they get to me through you?

MRS. EMPSON: If I can find you, yes. I take the minutes of the meetings. For any travel arrangements or mailing arrangements that need to be made, requests for minutes, et cetera, just come to me. I'd be more than happy to help you.

MR. CHAIRMAN: Thank you. And then sitting above us all the time, except at these meetings, we have Doug Jeneroux. Doug, is there anything you'd like to say, as you're listening to all of us most of the time?

MR. JENEROUX: I'll just listen.

MR. CHAIRMAN: Okay.

MR. FOX: Now you're recorded in Hansard.

MR. CHAIRMAN: Perhaps we might go around the table. I'm Greg Stevens, Banff-Cochrane, and I'm really honoured to have been asked to be chairman. Stock, vice-chairman?

MR. DAY: Stockwell Day, vice-chairman, Red Deer North.

MR. FOX: Derek Fox, an enthusiastic member from Vegreville.

MR. STEWART: Fred Stewart, Calgary North Hill -- not quite as enthusiastic but trying.

MR. MITCHELL: Grant Mitchell, Edmonton Meadowlark.

MR. CLEGG: Glen Clegg, the best constituency in the north, Dunvegan.

AN HON. MEMBER: He gets a commercial out of that every time.

AN HON. MEMBER: He always shoots it in; never stops.

MR. CHAIRMAN: And of course the other members are Walter Buck, who did indicate couldn't be here today, John Drobot, and Bob Elliott.

I think Louise has sent to you the annual report which was tabled in the Legislature by Dr. Elliott.

MRS. EMPSON: Yes.

MR. CHAIRMAN: If you need minutes of the last -- however many minutes. I know that Louise made those available to you also.

What I've done in the meantime, since the Legislature approved the appointments, is just meet briefly with our three legislative officers. I had a meeting last week with Patrick Ledgerwood, the Chief Electoral Officer, because the election report was going to be tabled. So I had the opportunity to meet with him that day anyway. I met yesterday with Brian Sawyer, our Ombudsman, and I met with Don Salmon, the Auditor General.

Interestingly, other than for Bob and the fact that we're all new on this committee, we have three new officers in this Legislature. So we're all really new, other than for Bob's experience.

I've asked each of them, and two of them have been able to do it, simply because of the time — the Ombudsman was going to Calgary, so he could not do it yesterday — if they would write to me and give us as a committee an outline of the areas of activity they each have that require consultation with us, require approval or recommendation to the full Legislative Assembly, such as the budget, and any other matters that they wanted to bring to our attention. I will share these with you so that you will have an idea of what they're expecting.

I also asked if I could extend an invitation on your behalf. Could we meet with them and their staff in their offices at an appropriate time? I thought we might do that in September or October. All of us would go over, spend a couple of hours with the Ombudsman, and have him introduce us to everybody and so on. Is that what we'd all like to do?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: So we'll arrange that. I also asked each of them if they would update us. If you've had a chance to see the minutes or the annual report, there are a number of conferences that Bob, while he was chairman of the committee in the last session — Louise has a list of them, and I think they're [inaudible] in the annual report. I felt that Members of the Legislative Assembly should accompany the officers to some of these conferences, if not all of them.

As you look at that list, if you haven't seen that list yet, there was one that came up just about two days after our establishment as a committee, and I indicated that we should not be attending. I believe that was a public accounts committees conference which they asked the chairman of this committee to attend. I said we had just been appointed and that until we had a meeting I thought that we shouldn't attend and that they would be able to attend. So there's the first list, and I've asked them to update that if there have been any changes there. I don't think there have been any changes.

MR. BUBBA: I just want to point out that the reason the chairman of this committee takes a place at that conference is that the actual conference is the Canadian Conference of Public Accounts Committees. The Conference of Legislative Auditors ordinarily takes place at the same time and place. So our provincial Auditor attends that, and the chairman of our Legislative Offices Committee attends in his capacity as chairman of that committee over that legislative office. That was the one that took place July 7 to 9.

MR. CHAIRMAN: I think our report had only been tabled on the Thursday, and this was a Monday to Wednesday, so there was no time even to discuss it and go. So I didn't attend. But there are two that are coming up. We might think about the timetable on that, and I think that at our next meeting you would maybe have some interest in proposing an attendance at that.

Would you like me to go over the kinds of proposals that the two officers have told us so far? I'll give this to Louise so that she can circulate it, and perhaps when we do our minutes, you might want to attach this.

Basically the Chief Electoral Officer said that of course he does a report, and he did a report on the general election which was just held. That's been tabled.

UNIDENTIFIED SPEAKER: Mr. Drobot and Dr. Elliott are both at the Northern Alberta Development Council.

MR. CHAIRMAN: Tremendous.

UNIDENTIFIED SPEAKER: I will let you know from hereon in [inaudible]

MR. CHAIRMAN: Thank you. Well, we know where they are. They're alive and well.

AN HON. MEMBER: And busy.

MR. CHAIRMAN: Yes. Interestingly enough — and you would be aware of this, Bob and Louise — the Chief Electoral Officer's appointment expires five months after the polling day for a general election, unless he is reappointed by the Lieutenant Governor in Council prior to that date on the recommendation of this committee. So that's something I would assume

that we would want to give consideration to and express the confidence of the committee in his efforts.

He also indicated that we review his salary under section 6 of the Act. He was appointed August 1, 1985. So I assume that we would want to reassess that in the case of any of the officers, based on any guidelines that may be established for these.

He also submits his annual estimates, and I presume, Bob, the best date I have on that is likely late August, early September. But I don't know yet. So I would think we might need a half day with each of the officers. If I can do it, we'll try and do it on an overnight thing, where we at least try to conclude the estimates review, if that makes sense to you all, on an afternoon, a morning, and an afternoon, or a two-day session if we need it. I haven't been through this before, Bob. I don't know what hours are required.

MR. BUBBA: Yes. The practice has been that they submit their estimates, and it's generally taken -- what? -- one session to deal with each?

MRS. EMPSON: It takes about two hours to go over the estimates of each officer, and whether you have morning or afternoon meetings depends on whether the Assembly is sitting or not. If you want to do it consecutively or maybe if you have three or four days with time in between -- it depends on your meetings, yourselves.

MR. BUBBA: In the past I've co-ordinated their submission of those documents. As soon as we've had indications that it's time to get busy preparing estimates, I've gotten in touch with them, we've arranged a date by which they submit sufficient copies and everything else, and we've allowed a certain amount of time for the committee to look at them by themselves.

MR. CHAIRMAN: So we'll have the information.

MR. BUBBA: You'll have the information prior to the meeting. Normally the meeting was arranged based on the arrival of those estimates, to give the members individually time to look at them.

MR. CHAIRMAN: Bob, do the officers bring

their advisers as well, their financial people or their program people?

MR. BUBBA: They may if they wish. Generally, what happens is that the budget is prepared by someone else in the office. I can't recall offhand whether they brought support staff with them.

MRS. EMPSON: Yes.

MR. BUBBA: They may or may not bring them, at their discretion. But the budget is normally prepared by support staff, the executive assistant or someone else in the office.

MR. CHAIRMAN: What's the process, Bob? That committee may wish to meet and discuss it in private first. I assume that you may wish to do that and develop the questions that you may have. Once their process is there and the budget is either accepted or amended and accepted, what is its process then?

MR. BUBBA: Then it goes into the estimates without any further study. It's this committee that approves those budgets.

MR. CHAIRMAN: Okay. And in the House, when that is called upon by the Chairman?

MR. BUBBA: If there are any questions to be responded to, then presumably they're responded to by the chairman of the committee.

MR. CHAIRMAN: Would the members see this document in its final form in that small blue book?

MR. BUBBA: The estimates of the legislative offices are incorporated in the Legislative Assembly estimates book.

MR. CHAIRMAN: Just so you know, and you can look at last year's right now.

MR. CLEGG: We've got them.

MR. CHAIRMAN: I mean -- not last year's -- you could look at this current submission.

He also says that from time to time he will have to transmit reports under the Election Finances and Contributions Disclosure Act, which are transmitted to the Speaker, and those

are laid before the Assembly. I'm not sure. That must be the document that is missing from the document we tabled a few days ago, which is the financial area, the disclosure . . .

MR. BUBBA: Exactly.

MR. CHAIRMAN: He also occasionally does preparations for orders in council, and that's to do with returning officers: just the appointments when someone has died or moved out of . . . So that's basically what Patrick has said.

He's also mentioned the conference, that a select standing committee member has attended the annual council of governmental ethics law, the December one. It's an association of public officials that deals with matters of election financing, control of election expenses and contributions, conflict of interest, and lobbying. That's kind of the area of their activity. Louise can circulate that for you.

He also suggested that he would like the opportunity to meet with us and have a tour of the office and to use us as a sounding board if there are any questions and concerns that come to him. I thought we might do the same with respect to our respective caucuses or any questions of citizens: bring them forward to the committee so that we can act as a focus for those kinds of questions with regard to the Electoral Officer.

He has a number of problems that have been identified in the general election, whatever the procedures were. I think he will be preparing a report which outlines areas which may be considered by the Legislative Assembly, and changes in the Election Act.

The Auditor General. I met with Don Salmon. Don is new and was on contract for a brief period of time before Bill Rogers concluded his term, but Don has been an experienced member of the Auditor General's team. I met with him yesterday, and he basically said that the Act provides for the appointment of an Auditor General if a vacancy occurs while the Legislature is not in session. That's through this committee and maybe setting up another committee. The committee sets a salary rate of the Auditor General and requires this once a year, the same as for the other officer. Another section of the Act provides a method whereby the Public Service

Act may be ordered by this committee as not applicable to the Auditor General's office on his recommendation. I assume he was talking about appointments or levels of appointment or classifications in his area, since he is an officer of the Legislature rather than in the same regard considered to be a member of the public service.

So this committee may from time to time be requested to make recommendations exempting provisions of the Act to apply.

The committee has not been asked to do that as of this time. Any differences that have arisen have been decided usually between the Public Service Commissioner and the Auditor General or the Treasury Department. But we are here as an appeal mechanism for that.

Another part of the Act provides for the approval by this committee of an appointment of the Auditor General by a Crown-controlled organization or other organization. There have been seven such orders approved by the committee since 1978. He's given me a copy, and I'll send that out with you so you'll know what that is. Bob, can you give me a bit more on that? I wasn't clear myself when he expressed that.

MR. BUBBA: What's that . . .

MR. CHAIRMAN: I assume it would be . .

MR. BUBBA: The bottom one here?

AN HON. MEMBER: Come in.

MR. STEVENS: He did arrive.

DR. ELLIOTT: May I join you, though late?

MR. CHAIRMAN: You certainly may. Why don't you grab some soup, because we can't seem to sell it. It's full of Sarasoda.

DR. ELLIOTT: It's that bad?

MR. BUBBA: That merely means that he could act as the auditor for Crown corporations on the approval of the committee.

MR. CHAIRMAN: So the committee would receive the request then?

MR. BUBBA: That's right. You would have to authorize that request for him to act in a capacity other than his capacity as the Auditor General.

MR. CHAIRMAN: Thank you.

MR. BUBBA: His normal capacity, I'm sorry.

MR. CHAIRMAN: It goes on in detail, the Auditor General. We've mentioned the annual budget, of course. He also requires our approval for the basis for charging fees for professional services that are rendered by the Auditor General. There have been no changes since May 3, 1983, but he may need to bring them; I don't know.

He will require the tabling of the annual report. That was done for this year, of course, on April 9, and that would be expected next year. There may be special reports, and occasionally the committee may wish to consider those. To date there have not been any special reports that have been tabled.

Another section provides for the appointment by the committee of an auditor of the office of the Auditor General. The auditor reports to the committee, and that auditor's report is included in our public accounts. The audit fee is paid by the committee. There have been new auditors appointed, and I assume that that appointment in '86 will be an annual reappointment or new auditors. The former chartered accountant firm did hold the appointment for seven years prior to the appointment of this firm, Reid & Cameron, so I assume we'll be getting a recommendation at one point on that.

He mentions the conferences, the Canadian Council of Public Accounts Committees Conference, which is usually held at the same time as the annual Conference of Legislative Auditors. That's the one that we didn't attend. The annual conference of the Canadian Comprehensive Auditing Foundation is mentioned there, and he would be happy to explain those in detail. He would also look forward to having his staff, the operation's staff, meet with us at some mutual time.

He's given me some more information here which I'll have Louise . . .

MR. MITCHELL: Reid & Cameron are currently the auditors of . . .

MR. CHAIRMAN: Yes, Reid & Cameron, chartered accountants, are the auditors of the office of the Auditor General.

MR. MITCHELL: Okay. So the Auditor General audits everybody, and he gets audited by Reid & Cameron. So who audits Reid & Cameron?

AN HON. MEMBER: We'll do that.

MR. CHAIRMAN: What I've been doing, Bob, is just mentioning some of the things that the committee has done in the past, and you'd be just ideal for that. I'd like to conclude my portion, if I may, just mentioning what Brian Sawyer and I discussed yesterday. We had an excellent discussion about the same kinds of concerns. His contract is slightly different. He has a five-year, since 1983 or '84, paid by the Legislative Assembly.

MRS. EMPSON: '84.

MR. CHAIRMAN: His appointment provides for an annual review. He does not believe he's had one, so you might want to comment on that, Bob, at some point.

He has also expressed an interest in meeting with us. He will provide the information to us. He would like to discuss with us a concept which I'd like you to think about in leaving this as an informal meeting. There are many questions about the role of the Ombudsman in the minds of many people. He would like to use our committee as an area of liaison and consultation so that he can bring to us, or we can bring to his attention, an understanding of how we see people reacting and how we hear the public that we are involved with. He really would like to have the advice of the committee about his own role and responsibility, although it's eventually all established by the Act establishing his office. He would like to use the committee more in that regard, and that may be something that Bob could expand upon. That may be something that Bob and Brian Sawyer developed.

Bob, I was just mentioning that we would probably try not to meet, unless required to meet, until the budget process is brought to our attention by Bob when he gets the information. Are there any questions you have about my discussions with the three officers or any concerns or suggestions?

MR. FOX: I'm just wondering, Mr. Chairman. You anticipate these meetings to occur then sometime after the legislative session ends?

MR. CHAIRMAN: With the only exception, Derek, being the possibility that Bob will get the requests for us to review the estimates in late August. I don't think that's going to happen, but I don't know. Do you think it'll be September? Okay, so we'll try and do it after the session.

MR. STEWART: Let me clarify that, Mr. Chairman. You mean that the estimates that currently exist . . .

MR. CHAIRMAN: Have already been through the committee.

MR. STEWART: Oh, have already been through the committee. I was wondering if they were going to go unreviewed.

MR. CHAIRMAN: I wasn't clear on that; I'm sorry. I meant the preparations for the 1987-88 fiscal year.

If we do have an unscheduled meeting required, is a luncheon meeting like this appropriate during session?

MR. FOX: It's good for me.

MR. CHAIRMAN: At the call of the Chair then with the majority able to attend. I won't do it if nobody can come. Otherwise, I'll try to arrange with your offices. Could I ask you for meeting dates? I know it's early to tell. Would midweek be preferable if we are on a full day or an overnight requirement for this budget process?

MR. STEWART: I would prefer it not be Tuesdays.

MR. CHAIRMAN: Okay. So if we go with a Wednesday, Thursday kind of timetable.

MR. STEWART: Wednesday or Thursday is okay.

MR. CHAIRMAN: Okay, we'll try and set that up. Is that okay for you, Glen? You've travelled too.

MR. CLEGG: Yes.

MR. CHAIRMAN: Then you could arrange other things.

MR. CLEGG: If I know the dates ahead.

DR. ELLIOTT: Also, Mr. Chairman, when the House isn't sitting, a mid-day meeting, from eleven till 1:30, something like that, accommodates flying time in and out on the same day.

MR. CLEGG: Certainly it would accommodate me, because then I could come in in the morning and go back at night.

DR. ELLIOTT: It depends on the schedule. Sometimes we'd meet here at 11:30 or 12 o'clock for a sandwich like this and go through till two. That would usually look after the business that might have accumulated.

MR. CHAIRMAN: Grant is close. I'm airbus time. You're driving time . . .

MR. FOX: It would be about the same as Stockwell.

MR. CHAIRMAN: Yours, Glen, is fine?

MR. CLEGG: It will be fine.

MR. CHAIRMAN: Fred is airbus.

DR. ELLIOTT: Clegg and I will be flying basically the same route from Grande Prairie.

MR. CHAIRMAN: Louise will know that, and we'll try to set it to your times.

MR. FOX: Grant can walk.

MR. CHAIRMAN: If there are no other questions, maybe I could ask Bob if he could perhaps bring us up to date. You were here during the formative years of the committee, I guess. You were the second chairman?

DR. ELLIOTT: I'm not really sure of the whole history of it. All I know is that I was given this assignment in November 1982, and the records of everything prior to that were in a very small, brown envelope. I just handed it to Louise, and

I never even bothered looking at it other than the annual report. I followed the annual report as a general guide, but I never did go back into the detailed minutes for two reasons: number one, there was no need to; number two, I didn't have time anyway. So we went ahead and made our own history.

The committee, as you see it structured today, is the same as it was in November 1982, which was a sort of new approach for this committee. It is a committee of the Legislature; all parties are represented. We look after the three offices that I have just heard you referring to. Everything we did with those offices was new because they had not had that procedure before. We would arrange meetings on certain occasions in their shops; we would go to their place for a meeting. We'd drink their coffee and have them show us around their physical plant. Not many MLAs get a chance to see the Chief Electoral Officer and all his ballot boxes and everything else he's got out there. The same with the Auditor General and so on. We established a relationship with these three officers, which they generally appreciated very much, because they did not have that relationship with the Legislature prior to this. They might have had contact through the chairman, but they didn't have contact with the committee.

The other thing we did that they also appreciated was that in late November or December we tried to set up what we called a legislative officers' luncheon break. We did it up in 512 and had the three officers there. The invitation was extended to all the MLAs to come up and see us. We did that when the House was in the fall sitting. The MLAs could all take that break and come up for a sandwich. That might be the only time some of them would ever meet these people. Then the other thing was that just about the time we got a routine going we of course replaced all three of them. All three offices turned over once the people retired, resigned, and other things.

So one aspect of it is the communication, getting to know them and getting them to know us. I think that that is a good basis upon which to build our work. From that we develop a bit of trust. I lean on that word a little bit, because this committee, as you see it here, in Ontario has their own lawyer sitting right there to guide them in confrontational discussions with their Ombudsman. When you go to an

Ombudsmen's meeting, say in Vancouver — and a couple of us here might be assigned to go with our Ombudsman to a meeting — you'll find the entire Ontario committee with their legal adviser present. So it differs. The trust and the basis on which the work is done is different between one province and another. Randall Ivany and our Auditor General, Mr. Rogers, used this committee wherever they travelled as an example of how it should be. We felt good about what we had done, and they felt good about working with us. I just offer that as a basis, because I think it was important to the way in which our work was done and how we were able to report back to the Legislature.

Then, of course, we would look at their budgets. We looked at their annual reports with the exception of the Auditor General. The Auditor General's report is released to the press with a caveat, an embargo, just before it's tabled in the Legislature, so we don't even see that. That's the way it's done by legislation, and the rules are spelled out very clearly as to how these things are done.

These meetings were all recorded, Mr. Chairman, but we had an agreement in the last group that if there was a discussion on a sensitive topic where we wanted to develop a strategy as to how we should proceed as a meeting, we'd just ask our friend over there to turn off the tape and he did. We would then discuss how we wanted to follow the rules, turn the tape back on, and go ahead and do our thing with a common understanding of what was best. We didn't get into a hassle with the tape on, but that was all by mutual and total agreement.

MR. CHAIRMAN: Bob, just on that point. The meeting is open to any MLA or any member of the public?

DR. ELLIOTT: It's not a closed meeting unless you designate that you want to meet with us someplace in camera, in which case it would not be advertised. The minutes are all public of course. The backbone of the whole thing that makes it work is Mrs. Empson. She has us all organized at all times and makes sure everything is perfect. That's what makes it work.

MR. CHAIRMAN: Grant, any questions of Bob?

MR. MITCHELL: What's the role of the committee, or is there one, in evaluating the work of these people beyond just checking their budget? For instance, if the Ombudsman — and this is purely hypothetical — was or wasn't looking into an area that we received concern about, can we say that he should, or is he completely independent? How does it work?

DR. ELLIOTT: Let's not be shy. We would bring those people in at our request, and we would approach them with our concerns. It could be something we saw in the press or something that came up. They might ask for a meeting to come to us and say: "Look, I have these concerns. I need your guidance." Then they would proceed with them.

The relationship is quite strong between us and the committee. It's not to be taken lightly. It's important that we have that degree of trust and confidence as we work with them too, rather than having to have our lawyers present to record everything we say to make sure we're not getting into some legal bind.

MR. CHAIRMAN: Bob, Grant's question raises something in my mind. I appreciate the question. Suppose that as a member of the Assembly one is into an issue involving any of the officers, and it's an issue that a member is going to have to decide on the basis of acting in the interests of his or her constituents and present in some way, whether he or she chooses to do it in the House or to do it directly or whatever. Are we as members of this committee placed in a different position because we're on the committee and the committee has a special role? Did you have that kind of thing arising from time to time?

DR. ELLIOTT: I'm not quite sure I understand what you're getting at, Mr. Chairman. Can you draw a little clearer picture for me?

MR. CHAIRMAN: Supposing Fred has a real bug about one of the officers based on something that has occurred in his constituency; that could happen. As a member of this committee, where does Fred go? Is he in any conflict with the committee's role in his own role as an MLA?

DR. ELLIOTT: I think his first responsibility is right here with the committee, and we should

first know what the problem is. If he then wants to stand up in the Legislature and let fly, he's acting as an MLA on behalf of his constituency.

MR. CHAIRMAN: Do other MLAs come to this committee with concerns?

DR. ELLIOTT: A couple have, but they usually work through the chairman. They just make contact with the chairman, or send a letter. It appears in the package as correspondence and is dealt with accordingly.

MR. CHAIRMAN: Grant, I don't know if that's...

MR. MITCHELL: Yes, it does. I'm just getting at the question of the Ombudsman's real distance from any kind of authority. It could be, for instance, that he is taking issue with some constituent, and somebody doesn't like that or, on the other hand, that he's not taking an issue with some constituent or something like that.

DR. ELLIOTT: We are not an appeal board.

MR. MITCHELL: No. It's clear that he's independent, but if we felt that he or she were avoiding issues, then we could say, "Look, in a sense you report to us for that kind of..."

MR. CHAIRMAN: I guess Brian was feeling that yesterday. I think, Bob, that's why I appreciate it. Brian was saying, "I feel there are times that I know the committee wants to know why I've done or not done something, and I feel I should be..." You were probably developing that in the committee, were you, with Brian or with Don?

DR. ELLIOTT: Yes. I can give you a specific example with our town of Lloydminster straddling the border. Our former Ombudsman — and I don't mind it's going on the record — would go to Lloydminster and hear concerns from the Saskatchewan side and then relate them to the appropriate Saskatchewan department. He was called in here and was quite bluntly told that that was not his work. That's about the best example of something that we did actually have. One member of our committee was quite adamant about our

Ombudsman hearing out-of-province concerns relating to a different jurisdiction.

MR. FOX: Did they have an Ombudsman there?

DR. ELLIOTT: Yes, Saskatchewan has an Ombudsman. This was looked upon as just going beyond the terms of reference of the office, and the member of this committee pushed it hard enough that the Ombudsman came in and we discussed it. So that can happen, but I don't consider this an appeal committee. Maybe I should go back and review the rules, because I haven't recently. We tried not to interfere with the normal, day-to-day operation, because each of those people is operating under legislation and knows exactly what his rules are. You don't tell the Chief Electoral Officer how to do his job.

MR. MITCHELL: I guess that's really what I'm wanting to hear.

DR. ELLIOTT: But if there's a real goof-up and they're not doing their thing, then we have a responsibility.

MR. CHAIRMAN: Bob, what about the review process? Brian said that he felt that at the time . . .

DR. ELLIOTT: Brian Sawyer's contract is different. We thought we were going to make life nice and neat and tidy and easy for everybody. For salary increases and this sort of thing, we were going to have these people all come at the same time and the same date. I think it's in this little report. We show when they arrive; the salary effective dates are June 1, September 1, and August 1. We tried at one time to get all those happening on the same date, rather than having them staggered.

MR. MITCHELL: And on the government fiscal year?

DR. ELLIOTT: Yes, something like that. And there were reasons for not doing it, too, reasons for doing it differently from that. We ended up at the start of this committee with our three officers all with a salary review date at a different time. It's our responsibility to review these and make a recommendation. Under the Ombudsman's present arrangement, he has a

contract that calls for an annual performance review. I don't know, but maybe Bob and Louise can tell me if the other two officers have a performance review built in there too. I don't recall our ever honouring it as that.

MR. CHAIRMAN: I don't think there is on the other two, although one is subject to a review appointment after an election, so we've got that.

DR. ELLIOTT: Yes, the Chief Electoral Officer has only got a job for so long after each election, and we have to make a statement rehiring him after each election.

We'll just have to honour the Ombudsman's annual review with respect to the way it's worded in his contract, and we'll let you guide us as to when that is and what we have to do.

We also have our own budget, the last sheet on this annual report. We have a budget for doing things — our lunches. Mr. Chairman, I'm not shy. I will tell you that this meeting in December would appear to have been at a rather nice cafe in the city, and there could even have been a glass of warm milk or something like that. We weren't shy about that; we did that to ourselves. If there's a hospitality thing in here, that covers that. Once a year we would have a very interesting but short meeting at a nice cafe before Christmas, and it was generally appreciated, because a lot of these meetings are done over a fast sandwich and you go back to work in the afternoon with some degree of indigestion. So we have our own budget to put together. We have a budget date we have to honour. As we get on into September, it seems we hit some sort of panic. Mr. Bubba is always great at giving us some guidelines built on what we've done the last year or two or three. We either modify it or take it as suggested.

The other thing is to get the budgets in from each of the three officers and look at them, because if they have something strange built into their budget, it's up to us to challenge it. We have in fact influenced the way in which they put their budget together just by challenging something. They're human, and they might think that trading that computer in on some big Cadillac model is the thing they want to do, but maybe we don't want that done yet. We'd look at those things.

I had a phone call just before this committee

was formed, and I was in the very illegal position of being the ex-chairman of the committee. There was a question about one of the officers and a senior official. There was some quasi-commitment made to a trip to New York to take part in something. People were not really comfortable with it, not even the person who was making the request. I was asked for an opinion. I gave the personal opinion that had that appeared in the budget and come before the committee that I was chairing, it would never have passed. He said, "That's all I wanted to hear." That gave him the support to turn it down, because he felt uncomfortable about this senior official even submitting the thing. So sometimes we do play that role.

Those are the main things I have. Have you discussed travel plans for the three officers?

MR. CHAIRMAN: Not in detail yet, other than that information that we have.

DR. ELLIOTT: We asked for this, and we then make a decision as to whether one or two of us will indeed travel with one of these officers to one of the functions. Sometimes we don't and sometimes we do. Sometimes we do and we end up on the agenda. I've reported the functions of this committee as we had it designed to an international Ombudsmen's meeting in Vancouver. When our Ombudsman asked if he could put us on the agenda, we agreed. Two of us went down, Mr. Notley and I. There was another international Ombudsmen's conference in Finland, and Mr. Notley and David Carter went with the Ombudsman at that time, Randall Ivany. The new man had just been designated and he went too, so four of them went to Finland at that time.

MR. CHAIRMAN: Bob, did you ever get questioned by any members of the committee at that time to visit -- B.C. had quite a controversy, and I think that will be breaking in the news. You may have read in the Journal the other day the letter to the editor from the former B.C. Ombudsman. That may be why he's the former Ombudsman; he was a confrontational type of individual. He's challenging our Ombudsman over statements that our Ombudsman was alleged to have made in the press, and Brian is responding to him. Did you ever feel from the members that one or

two members would like to visit Saskatchewan, British Columbia, or Montana to understand or explore options or different alternatives for these processes? Not conferences.

DR. ELLIOTT: We didn't visit, but we had visitors from B.C. for the very reasons you mentioned. Again, because of our officers bragging about the way we had our meetings set up, our reputation had spread into British Columbia. They came and spent a day with us, meeting and visiting people, and had lunch, and for that very reason: to find out how our committee worked. They had that problem back home and were trying to deal with it. So that's not impossible; that can happen. If something like that would help us do our work better, I'm sure we have the flexibility and the capacity in our budget to send a small delegation or whatever to Saskatchewan to take a look at what's happening there. Remember, our responsibility is to the Legislature of Alberta on behalf of those three officers.

MR. CHAIRMAN: And you're comfortable, Bob, with the budget that's currently before the Assembly to conduct the business of this committee for the current year?

DR. ELLIOTT: Yes; the year we're in right now, the year of '86-87. But in another month, toward the tail end of August, we're going to have to prepare a new one for the '87-88 term. This is what we put together last time, and this is what we've inherited today as a committee to do our work.

MR. CHAIRMAN: Before we meet again, it might be useful for members to be thinking, or to drop me a note, of any suggestions about ideas for committee activities in 1987 that we would want to incorporate in our budget planning. It may be that you'll have some suggestions that may flow from our own meeting or discussions with your own colleagues.

DR. ELLIOTT: Getting suggestions from each of the three officers at an early date -- mind you, they don't always have dates, but they do know whether it's the Canadian Ombudsman's Conference or the Canadian Comprehensive Auditing Foundation and so on. They know those things are coming, and they can perhaps

give us the month, if not the date. If we wish to participate, fine.

I don't want to suggest that we put ourselves in a watchdog position, but I can tell you that in my opinion attaching ourselves to these people made a little difference in how they approached their meetings and how they reported back to us with respect to what the Alberta scene was like relative to another province or to the States or wherever else they were. Just being actively interested in what these three officers were doing had an influence on making them pay closer attention to how they did their work. As a consequence, I think the people of Alberta were being served better.

MR. FOX: Familiarity breeds goodwill in that instance. They know and trust the people they're working with.

DR. ELLIOTT: Yes, I think so. The Chief Electoral Officer is an interesting office, and he associates himself with people in the States. Their meetings are so different that only about 20 percent of the time is mutual time with respect to topics. About 80 percent of the time it's an American show, and they have such a different way of doing things that it's not much help to us other than the interest and the fascination with it. That's a lot of rambling, Mr. Chairman.

MR. CHAIRMAN: Bob, I appreciated it. I think everybody did. Does anybody have any questions for Bob, with his experience?

MR. STEWART: Mr. Chairman, just on the point of those conferences. I presume those conferences are ones which they have identified as being worth while, that it's their decision that these are the ones that are worth it.

DR. ELLIOTT: I think these are their conferences. As I understand it, Bob, these are the conferences that they traditionally go to as a member, as it relates to their office. There could be other conferences that I wouldn't know about, but these are the standard ones that are considered part of . . .

MR. CHAIRMAN: That's part of my point. You may have something in mind, or maybe another member would like to do something as to the work of the committee. I think we should be

open to that. If you could give me some suggestions, we'll put them all together.

MR. STEWART: It's always interesting to see the international ones and what sort of application they might have. For example, you mentioned the difference in our electoral process. Obviously, a lot of that is going to be totally redundant. Similarly, with respect to the extent of lobbying in the States, I imagine that one on ethics might be an interesting one from an American standpoint, but I suppose it has application and some interest.

DR. ELLIOTT: Mr. Chairman, I don't know what your cutoff time was — 1 o'clock or whatever — but anyway, before you leave, if there's still time, I would again like to refer to Louise. Maybe she has an observation or two from the last four years that might useful to us, or you and she can exchange those observations from time to time. I found that if I worked very closely with her office with respect to reserving the rooms and making arrangements for the recordings, for lunch, and notifying the members . . .

MR. CHAIRMAN: I'm only sorry I'm over in the Annex now. Thanks, Bob. If members would give me their suggestions or ideas.

I would like to make this suggestion. Bob, you said you did this reception for the MLAs and perhaps other members of the Legislature staff with the three officers in November or December. Because the session is on now — it's unusual; it's the first time for all of us that we're here in the summer — would it be appropriate, members, to do something like that before we get away?

DR. ELLIOTT: If we can do it relatively soon. I happen to know that the Chief Electoral Officer is on vacation right now. But if we can get the three of them together — we're here, we're locked in — let's do it. Everybody stops for a sandwich somehow.

MR. CHAIRMAN: Would you like to first meet with the three officers here? Maybe some of you have not met any or all of them. I don't know.

MR. MITCHELL: I know two of them, but I'd like to meet them.

MR. CHAIRMAN: Would you like to have a reception meeting with all the MLAs, or would you like the committee to meet them informally first? That's what I was . . .

DR. ELLIOTT: Mr. Chairman, I'd recommend that we meet with them first, as a committee, and then we expand from there.

MR. CHAIRMAN: Why don't I call a luncheon meeting sometime when they're back from holidays. That will probably be later this month or early August or something. Do you want to meet with a round-robin session, just the three of them together? Okay, then we can decide.

DR. ELLIOTT: That's good for them to meet each other, too, by the way.

MR. CHAIRMAN: Yes, I know. They very seldom cross paths.

DR. ELLIOTT: So we could have the three of them in here with us and have a sandwich or whatever and give each of them five minutes to tell us about themselves.

MR. MITCHELL: They could bring their resumes. I don't know if that's appropriate or not.

MR. CHAIRMAN: Do we have that on record? That might be useful.

MR. MITCHELL: If it's public.

MRS. EMPSON: I can get copies and circulate them.

MR. MITCHELL: If they don't mind.

MR. CHAIRMAN: I think we should have that. If we can have someone's resume or background document, I think the committee should have that. We can leave that as information for the committee.

MR. STEWART: I'm sure Public Affairs would have some sort of biog or resume.

MRS. EMPSON: I could call their offices.

MR. CHAIRMAN: They wouldn't mind. They would even give us their own. I'm sure we can

do that. Would any of you also like to have any of the statutes? What statutes would be desirable for us to have?

MR. BUBBA: We need the Ombudsman Act, Election Act, Election Finances and Contributions Disclosure Act, and Auditor General Act.

MR. CHAIRMAN: Does the Election Act contain the references to his appointment?

MR. BUBBA: Yes. I have something here that might be of use to you. It's a printout that indicates where the term "standing committee" is mentioned in various Acts. When you have that, it's easy to hone in on the references to this committee and it's specific responsibilities in those Acts. So we can get that copied.

MR. CHAIRMAN: We only speak when that occurs then? Okay. That would be really helpful, Bob, if you and Louise could assemble that for us. We'll try and set something up.

I just talked to Pat, and he's gone for two or three weeks. Is that what you picked up as well, Bob?

DR. ELLIOTT: That's what I understood.

MR. CHAIRMAN: So we'll set something up in August then so that we can meet informally and have a luncheon with them. Do you want just an informal meeting? We'll just have some sandwiches and coffee, just a talking time. It might even be at 5:30. Well, we'll work out something. And serve Sarasoda.

Thank you. Is there any other business or questions or suggestions? I appreciate everybody's time. Thank you, Bob and Louise.

[The committee adjourned at 1:04 p.m.]