



Legislative Assembly

MINUTES OF MEETING #6/76 OF THE BOARD OF INTERNAL ECONOMY  
HELD IN ROOM 185, LEGISLATIVE BUILDING AT 10.00 AM  
THURSDAY, MARCH 11, 1976

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PRESENT:

Members of the Board

Hon. R. Rowe, Speaker, Chairman  
Hon. J. Auld  
Hon. J. Snow  
Mr. I. Deans, MPP  
Mr. J. Breithaupt, MPP  
Mr. D. Morrow, MPP

Secretariat of the Board

Mr. R. Fleming, Director of Administration  
Mrs. E. Storton, Recording Secretary  
Mrs. E. Stephenson

Legislative Assembly Staff

Mr. R. Lewis, Q.C., Clerk of the House  
Mr. W. Wilson, Personnel Officer  
Mr. J. Miggiani, Finance Officer

ABSENT:

Hon. R. Welch, Q.C.

DECISIONS OF THE BOARD

Item 1 Approval of the Minutes of Meeting #5/76:

Moved by Mr. Morrow, seconded by Mr. Auld that the Minutes of Meeting #5/76 be approved as circulated.

Item 2 Meeting with Mr. Arthur Maloney, Q.C., Ombudsman, Ontario:

Mr. Maloney acknowledged receipt of Mr. Speaker's letter dated March 3, 1976 regarding the 1976-77 Estimates, Office of the Ombudsman and subsequent telephone conversations between his staff and Mr. Robert Fleming, Secretary of the Board in order to provide clarification.

Mr. Maloney said a question had arisen as to the jurisdiction of the Board of Internal Economy over the Estimates of the Office of the Ombudsman and, as a result, he had requested Mr. Brian P. Goodman, Director of Research, Office of the Ombudsman, to prepare a legal opinion. Mr. Maloney asked the

Chairman if he could distribute to the Board a Memorandum by Mr. Goodman entitled: "The Jurisdiction of the Board of Internal Economy to consider the 1976-77 Estimates of the Office of the Ombudsman".

The Chairman agreed to the distribution. After reviewing the contents, the Board agreed, unanimously, that the questioning of jurisdiction was valid. The Chairman thanked Mr. Maloney for appearing before the Board and made a motion that the Board recess until later in the day.

The Board re-convened at 4.30 pm.

PRESENT:

Hon. R. Rowe, Speaker, Chairman  
Hon. J. Auld  
Mr. I. Deans, MPP  
Mr. J. Breithaupt, MPP  
Mr. D. Morrow

Secretariat of the Board

Mr. R. Fleming, Director of Administration  
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Mr. J. Miggiani, Finance Officer

ABSENT:

Hon. R. Welch, Q.C.  
Hon. J. Snow

The Board discussed a number of questions in connection with the Estimates of the Ombudsman.

Subsequently, on a Motion by Mr. Breithaupt, seconded by Mr. Auld and unanimously agreed to, the Board passed the following Motion:

AGREED that the question of jurisdiction in the matter of the Estimates of the Office of the Ombudsman be turned over to the Law Officers of the Crown.

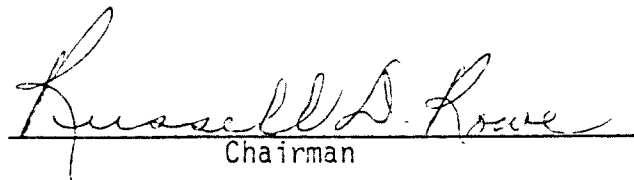
AGREED that the Board seek clarification from the Lieutenant Governor-in-Council as to how the Estimates of the Office of the Ombudsman should be reviewed prior to their submission to the Legislature and subsequently.

AGREED that the Board recommend to the Lieutenant Governor-in-Council that the authority given by Section 8, The Ombudsman Act, 1975, be examined by the Lieutenant Governor-in-Council and clarified with regard to the control mechanism to be employed by the Legislature in terms of establishing salaries, terms and conditions of employment prior to the granting of approval of the Lieutenant Governor-in-Council.

AGREED that the Board recommend to the Lieutenant Governor-in-Council that an agency outside Government examine such matters as salary classifications and levels of the Office of the Ombudsman and that these salaries or contractual agreements be equated with those of employees of the Ontario Government and the Office of the Assembly.

AGREED that the Board recommend to the Lieutenant Governor-in-Council that in consideration of the fact that there appears to be no legally-constituted body to exercise jurisdiction over the review of the Estimates of the Ombudsman and, therefore, no provision for 1976-77 Estimates to go forward, the Board recommends that an amount of \$2.3 million be placed in the 1976-77 Printed Estimates of the Government of Ontario for the Office of the Ombudsman, so that the Office will continue, as is the intent of The Ombudsman Act, 1975.

March 15, 1976

  
Chairman