

1:02 p.m.

[Mr. Langevin in the chair]

THE CHAIRMAN: Okay. We'll call the meeting to order. It's past 1 o'clock. I just want to mention a couple of things. You all have a new agenda because there was a typo in the first paragraph, and there's another sheet that was placed there. I'd also like to mention that Yvonne Fritz is in A and P at this time, and she'll probably join us later. The other members, well, I'm not sure. I haven't heard.

If you've all had a look at the agenda items, I'd like to know if you have any additions, suggestions. If someone would like to make a motion that we approve the agenda as circulated.

MRS. O'NEILL: So moved.

THE CHAIRMAN: Moved by Mary. All those in favour?

HON. MEMBERS: Agreed.

THE CHAIRMAN: The motion is carried.

Now, item 3, the approval of the minutes of the last committee meeting of March 16. I'd just like to ask if there are any errors or omissions that you have noticed in the minutes. If not, I'll accept a motion to approve the minutes as circulated. Moved by Gary. All those in favour?

HON. MEMBERS: Agreed.

THE CHAIRMAN: The motion is carried.

Now, item 4 you have with you.

MR. DICKSON: Sorry to be late.

THE CHAIRMAN: No problem. We just opened the meeting, and we approved the agenda as circulated and approved the minutes from the last meeting. We're on item 4, the agenda item that our Chief Electoral Officer is going to be discussing with us today. Diane will give you new copies of that.

Okay. Brian, if you would like to proceed and address the committee.

MR. FJELDHEIM: Good. Thank you, Mr. Chairman, and thank you, everyone, for this opportunity to meet with you and bring you up to date on where we're at in the office in terms of planning and preparing for the next electoral event. As you can see from your agenda, we will also be presenting our proposal for a new fee schedule.

I think you've all met Bill Sage before, on my right. He's the Deputy Chief Electoral Officer.

Now, if it's all right, I'd like to move to the first agenda item, Confirmation of the Register of Electors.

THE CHAIRMAN: Yes, that's okay.

MR. FJELDHEIM: Okay. As you're aware, section 11 of the Election Act requires that there be a register of electors for the province from which the list of electors is generated for use in campaigning for a general election and a by-election and so on. That register may be created and revised by enumerating some, all, or parts of electoral divisions using information provided by the Chief Electoral Officer of Canada or using any other information obtained by or available to the Chief Electoral Officer.

If you'll recall, as part of our December 1998 budget presentation

I gave an overview of the status of the register and some of the concerns I had at that time. One of the concerns was that we were unable to get data from Elections Canada and that they were reinterpreting their legislation. Well, I can now report they have completed that task and they are able to share data with us.

There are still some difficulties because of legislation and the difference in the systems. Their election period is a minimum of 36 days. Ours is fixed at 28 days. Those extra days allow them a longer period in which to make revisions during the electoral event. Elections Canada enumerates treatment centres. We don't do that. On polling day patients in Alberta are declared residents of the electoral division the treatment centre is located in. Elections Canada does not collect or include phone numbers in their list of electors. We do. There is a six-month residency requirement to vote in a provincial election. Elections Canada has no such requirement in their legislation. During a federal election where-to-vote cards are sent out by returning officers. By doing that, corrections can be made to the list of electors. When the where-to-vote card comes to a residence and it's not their name on there, the people who receive that where-to-vote card know then and are advised to call the returning officer so the list can be updated. We have no provision for doing that in our legislation. So those are some examples. I think that's sufficient to give you an idea of the differences in the two systems.

Does everyone have one of these diagrams? I'd like to explain what makes the register of electors in Alberta. First of all, at the top we have the information that was gathered in the 1996 door-to-door enumeration. From there that list was updated during the 1997 election. During the election period there are revisions of about 10 days, and of course people that are sworn in at the polls on polling day are added to the list of electors as well. So after the election, then, we have a new list, and that's the 1997 list. That's the third rectangle down.

By legislation we're required to prepare lists, maps, and descriptions for registered parties two years after an election. That is the 1999 review of the polling subdivisions that we did. We hired a number of returning officers as consultants and did a review of the entire province. Also at that time we were able to use vital statistics information and remove some of the deceased that were on the list. That data was contained, and that was given to the parties. This is the list of electors for Alberta that was passed to the parties. Once again, this is the list that was put together based on the '96 enumeration and then those updates. So that shaded area on the diagram is where we are now, and that's how we got to this stage of the information that we have.

As you can see, the data we can use to update this 1999 provincial register, based on the '96 enumeration again, can come from a variety of sources. The national register data is what Elections Canada puts together, and their data is based on our '96 enumeration as well. They had updates when they had their federal election, people sworn in at the polls and their revision period and so on. They receive information from Revenue Canada and update their list from that. They use vital statistics in Alberta as well. They have immigration data. They get a list of those that have become new Canadians, and then they send them information if they wish to be on the list of electors. So that's one place where you can get the information.

Municipal census data would be another. Confirmation of the data I'm going to talk more about later. Vital statistics I've already mentioned as well and driver's licence data. So all these things can be used to update the register. Some are strictly electronic, and some, as I'll explain further, such as the confirmation, involve knocking on doors.

That would bring us to the 2000 provincial register data. Now,

keep in mind that the register and the list of electors are two different things. The register contains all of the information, but also it contains gender and birth date. So think in terms of having this register up here, and then from this register we draw out the list of electors which has the names, addresses, and telephone numbers of the individuals who are eligible to vote in Alberta. Okay?

Now, from the register we can share that with municipalities. So far no municipalities in the province have shown any interest in using our list of electors. They just say that it's not necessary, that they don't need it. Also, we can share that information with Elections Canada, and that is the national register update, and of course they are very interested in that. Most importantly, the 2000 provincial register data is used to create the 2000 provincial list of electors.

Okay. Does anyone have any questions about this at this stage?

THE CHAIRMAN: Yes, Gary.

1:12

MR. DICKSON: Thanks, Mr. Chairman. Thanks very much for the explanation, and the chart is helpful.

This may be a bit premature, but you know, Calgary is looking at an in-migration of almost 30,000 people a year. I know that the municipality is having a heck of a time trying to keep track of so much in-migration, so many new Calgarians. I suspect it may be a problem in Brooks and Grande Prairie and some other places as well. What kinds of challenges are posed by that sort of really dramatic increase? Is anything else going to be required to ensure that by the time of the next election the list is as accurate as can reasonably be made? If I'm jumping your presentation, tell me.

MR. FJELDHEIM: I really hope that I'm going to be answering that, and obviously if I don't to your satisfaction, ask me again. I believe I will be addressing that, because I'm very well aware of exactly those things that you're talking about.

MR. DICKSON: Okay. Thanks.

MR. FJELDHEIM: After talking about these electronic updates and so on, I still have some very grave concerns about going into an election with a list that was originally produced in 1996 and is only updated by electronic data sources. Numbers from 1996 and '97 indicate that there's over 20 percent movement by Albertans every year. Of course that means in three years it's about 60 percent. Now, some of those people move more than once, obviously, but we don't know who they are, so we go with the 20 percent per year.

In addition, over 100,000 people over 18 move in and out of Alberta every year. A ballpark estimate is that 400,000 people move within Alberta every year. Approximately 16,000 people pass away every year in Alberta. Using vital statistics data we were able to remove 23 percent of those from this. Elections Canada tell me that by using nicknames and so on, they get 80 percent of the deceased off. Of course that still leaves about 20 percent on, if you want to look at it that way, or about 3,200 persons per year. There are about 2,050,000 Albertans over 18; 1,905,000 file tax returns or have some other contact with Revenue Canada in terms of tax credit and that type of thing. That means that 145,000 Albertans over 18 have no contact with Revenue Canada.

I suspect that with Alberta's population trends over the past couple of years we may be underestimating this movement and growth. I've been told by Alberta statistics that it is expected that the population of Alberta will top 3 million later this year. In this rapid growth and mobile population environment I don't believe the data sources can keep up with the movement of people. I believe this system of updating voters lists through these data sources is

helpful and especially works well when there is limited movement and when those that do move file with Revenue Canada and have drivers' licences and so on.

Also, updates from these data sources do not add people to the register, and another source must be found to add new electors. This requires an extensive infrastructure. We can use mail-outs and that sort of thing. Of course that requires a lot of people and a lot of equipment to do that, and we obviously don't have that in our office. Also, I'm not confident that a large percentage of mail-outs actually get returned.

My responsibility is to ensure that Albertans are well served with regards to the electoral process, and I do not feel that I would be carrying out my responsibility satisfactorily unless we update the register of electors by doing a door-to-door confirmation of this register. Depending on overcoming a number of technical difficulties, my intention is to use updating data that is available – that's those data sources that are in here – the best that we can but also to confirm the information that is in the register by, first of all, contracting with city municipalities who are interested and are doing a census in the spring of 2000 and, secondly, by conducting a door-to-door confirmation in 2000 in those electoral divisions not covered by the municipal census.

This committee and Albertans were told that the 1996 enumeration would be the last, that the register would be updated by electronic means, and the province would save \$10 million to \$15 million over 10 to 15 years. Believe me; I would like nothing better than to confirm this and assure you that the list used for the next election would be fine by using electronic updates. I cannot do that. Elections Canada, Quebec, British Columbia, and Alberta are the only jurisdictions in Canada that have this register of electors. Elections Canada and Quebec have staffs of well over a hundred people. The British Columbia election office has a staff of 48 plus 56 registry offices across the province that beside other duties collect elector register information.

Establishing and, more importantly, keeping a register of electors up to date is a huge undertaking, and a great deal of infrastructure must be in place for the system to work satisfactorily. Alberta is not there yet, and we won't be before the next election. If any of you are interested, I would be most happy to make any arrangements necessary to visit one of these offices in one of the other jurisdictions, and you can have a firsthand look at the resources required and have a firsthand look at how these register systems do operate.

To ensure an election is successfully managed with an up-to-date list, homes must be visited again. Our office will use any updates we can, but again I don't believe that will be sufficient to ensure a quality product for the next electoral event. By working with these municipalities, we may achieve some cost savings but nothing compared to what was previously mentioned. By confirming the information in 2000, the only cost savings will be in the data entry area, where we will not be re-entering data that we already have.

We are getting software at no cost from Elections Manitoba. It will, of course, require some modification, but we're very pleased and we're confident that we can use that. Our intent is to include the cost for the confirmation of the register of electors in our 2000-2001 budget and to be ready for the next electoral event by the fall of 2000.

Now, does anyone have any questions? Gary, did I answer your question?

THE CHAIRMAN: I think Mary was the first one with questions.

MRS. O'NEILL: Thank you, Mr. Chairman. Brian, the question is: for those municipalities that are not having a census being conducted next year or in this year and have an increase in development and

therefore lots of new voters, how do you propose to get them registered or on the list?

1:22

MR. FJELDHEIM: Then we will be looking after that. For example, Camrose was not interested; they're not going to have a census. So we will do that through our provincial returning officers and so on. We will manage that. We will conduct a door-to-door.

Again, as I mentioned, there are two methods for us to conduct this door-to-door. One is that we will in effect hire the municipality to do that for us, for those municipalities that are interested. Secondly, for those that are not, for the rest of the province, then we will conduct and manage the door-to-door confirmation.

MRS. O'NEILL: May I ask: how will we know which municipalities do and do not have a census?

MR. FJELDHEIM: Well, I'll jump ahead a little bit here. Calgary is interested. We have contacted all city municipalities in the province. It's just too cumbersome to try to contact every municipality in the province. We're better off not to do that. So we contacted the city municipalities. Now, of the city municipalities, those that are interested are the city of Calgary – they do a census on a regular basis – St. Albert, Grande Prairie, Leduc, Red Deer, Lloydminster, and Fort McMurray. Those are the municipalities that are interested. The rest said: no, we're not doing that. So then we will go into those municipalities and conduct a door-to-door confirmation.

MR. FRIEDEL: From the figures that you mentioned, Brian, I gather that the cost of maintaining an enumeration process would be approximately a million dollars a year, except that that would be spent about every fourth year to do the enumeration. Are those essentially the dollars we're looking at either saving or saving a percentage of?

MR. FJELDHEIM: I'm reluctant to comment specifically on the savings. Elections Canada says they saved \$30 million. I can't say how much that may or may not be here, other than that to set up a system like this is very expensive. The trade-off is to keep that system up to date and to have confidence in the information that you're keeping it up to date with.

MR. FRIEDEL: But the actual cost of doing an enumeration as we have in the past?

MR. FJELDHEIM: It's about 3 and a half million dollars to enumerate the province.

MR. FRIEDEL: Yeah, per election. So that works out to something close to a million dollars a year.

MR. FJELDHEIM: Yes. That's correct.

MR. FRIEDEL: That's what I was getting at.

The second part of that. How accurate has the enumeration process actually been? I mean, if we're comparing the confirmation process, which by your comments leaves some room to be desired for up-to-date accuracy – obviously the enumeration process isn't perfect either. How far do we miss the mark by in that way?

MR. FJELDHEIM: Well, I can't be specific in terms of percentages, but again, if I could take a minute, when you do the enumeration process, you're walking around with a blank form. What we want

to do is try to salvage the information that we do have, for those people that aren't moving, and use that. So that is the difference between the enumeration, the blank form and data-entering something new every time, and doing a confirmation where the individuals will be walking around with a form that has the data on it that we presently have. If it changes, then they complete the bottom of the form with the new data. But it will still involve – I want to make it very clear – knocking on people's doors, whether we do it as a provincial agency or whether a municipality is contracted to do it. Have I answered your question?

MR. FRIEDEL: You've explained some of the process, but the question really was on the accuracy of an enumeration. I expect that this process isn't going to change the area of accuracy a lot, because it depends on the amount of contact that the enumerators can have, and if you've missed people in between the time of the enumeration and the actual election, you're going to still have that anyway.

MR. FJELDHEIM: Correct.

MR. FRIEDEL: So there is going to be a degree of inaccuracy just built into any system.

MR. FJELDHEIM: Yes, you're right. Of course, the secret is to get that confirmation or that door-knocking as close to the electoral event as possible, and that's why I mentioned that in the fall of 2000 we want to be election ready. If the election is not called for a year after that, then we're going to have to take a look again at how we can really update. I would suggest that we would not knock on doors again but that then we would use the data, as much data as we could get. Of course, we want to be as close to the event as possible. Yes, you're quite right. The further you are away from the event, the more inaccuracies turn up on the list of electors.

MR. FRIEDEL: That sort of leads to the question that this is building up to. If there's still going to be a degree of inaccuracy – and we're not really sure what that is, obviously – what is the effect of having people not on the list? If you aren't voting in a municipal election, if there's a municipal census that isn't completely accurate, if you don't drive, if you don't pay income tax, many of these things, what's the chance that people who missed those lists are likely going to be wanting to vote in a provincial election?

MR. FJELDHEIM: I have no idea what that might be.

MR. FRIEDEL: I knew that was a bit of a rhetorical question, but the point is: is that level of inaccuracy anywhere close to justifying the cost of doing a 3 and a half million dollar enumeration or whatever this new process is going to cost?

MR. FJELDHEIM: My opinion is that, no, it is not worth that risk. For the number of people that have moved in Alberta, those numbers that I gave and so on, no, I don't feel that that would be an appropriate risk to take over that period of time, with the growth and so on that is taking place in Alberta.

MR. FRIEDEL: So you're looking at the list as having other justification than simply just voting, then, too.

MR. FJELDHEIM: No. The list of electors is for voting purposes, but I do not feel confident that we would be able to upgrade this information sufficiently to have a reasonable list of electors for the next electoral event. To upgrade this through electronic data sources – I've mentioned Revenue Canada and the vital stats and so on – that

is, in my opinion, not sufficient to get this up to the level that it should be at.

MR. FRIEDEL: Okay.

Then one last point, not to monopolize all of this. The process of confirmation wouldn't eliminate the cost of all these other things, all the things you have on your chart here. You would want to do that regardless, so it isn't a substitute for doing an enumeration-type confirmation. You would be doing that in addition to all this electronic data gathering. So we actually could be compounding the cost.

MR. FJELDHEIM: The cost for the electronic inputs and so on is minimal compared to the cost of doing the confirmation. There's no question about that.

MR. FRIEDEL: But what you're suggesting is both.

MR. FJELDHEIM: I'm suggesting we will do as much as we can in terms of the electronic confirmation. I was going to mention also – and it's later on in the agenda – the Alberta driver's licence for example. That's not a done deal. We expect that to be coming, but that's not done yet and so on. So I don't want to take any chance by perhaps saying that we can go ahead and do it with data and then the data disappears. I just feel that the confirmation is what is needed to ensure that the list is appropriate.

THE CHAIRMAN: The next questioner is Gary Dickson.

MR. DICKSON: Just following up again on this concern with the huge growth in the province, related to that. As I understand it, the proposal is that if it's a municipality that (a) is undertaking a census and (b) is willing to co-operate with your office and share information, you would not be doing the door-to-door check in that community, in that municipality. Correct?

MR. FJELDHEIM: That's correct.

MR. DICKSON: So then I want to ask: in terms of municipalities, what are the time constraints that would be required by your office for them to produce data you would be relying on? In other words, is there a six-month window, a two-month window, a one-year window? If those municipalities you listed – and it sounded like there were about seven or eight of them – were all willing to partner with you in this project, do you have some requirement in terms of when they actually must undertake their census work?

MR. FJELDHEIM: No, but they seem to all be doing it in the spring, and we would like to convince them to go as late in the spring as possible. No, there is no specific time constraint that we're looking at. Traditionally Calgary, for example, has done their census in the spring. They're not going to deviate that for us. So when they do it, we will take that information, and I believe that will be suitable. Obviously, again, as I mentioned before, we want it as close as possible to an electoral event. We don't know when that will be.

1:32

MR. DICKSON: Right.

MR. FJELDHEIM: So we would be pleased to, if we can, work an agreement with Calgary. We certainly hope we can. Spring would be fine.

MR. DICKSON: Can I just ask, Mr. Chairman, a follow-up question? Although you haven't set a cutoff point, in your mind is

there a sense that, for example, if it's done before February of 2000, that would be too early?

MR. FJELDHEIM: In my opinion that would be quite early. No one will be doing it in February. They will be doing it in the late spring, before July and August, of course.

MR. DICKSON: Okay. Thank you.

MS OLSEN: I just wanted to follow up on point 3. You talked about data collection through drivers' licences, and I guess the question can be posed for municipalities as well. First of all, there's the collection criteria with the municipalities. Is that specified by yourself or by your office, or do they collect data that is different than what you collect?

That goes to my second question. I understand that to give your phone number is an option. If you collect through the Alberta driver's licence data bank, are you collecting all of the information, or are you leaving out the phone number, given that that's optional? If you collect through the Alberta driver's licence data bank, you won't be able to offer that option to citizens.

MR. FJELDHEIM: First of all, the municipalities do collect different data. They establish by their local bylaws what they want to know and so on. We have specific data that we require, and that's outlined in the Election Act. We would pass that along to them. Whether or not those people going around would have two pieces of paper saying, for example, "I'm representing the city of Calgary; would you please answer these questions," and then put that book away and drag out ours and say, "Now, for the list of electors for the province of Alberta, may we have the following information?" – yes, you're quite right; the phone numbers are an option.

The driver's licence data. Again, by our Election Act we are only required to get so much information, and that's the information that we would attempt to obtain through the driver's licence registry.

MS OLSEN: Okay. I'm still not clear. Can you tell me: would you be collecting more than what's required under the Election Act?

MR. FJELDHEIM: No.

MS OLSEN: If the city of Calgary says, "We're just going to go out and collect this information and we'll send you a copy of that information," and that data is in excess of what you need, are you going to notify those individuals that for your purposes you're collecting more data than what's required? I mean, some notification to citizens.

MR. FJELDHEIM: It's a privacy thing.

MS OLSEN: Absolutely.

MR. FJELDHEIM: No, we would not collect more. If the city of Calgary – and I'm picking on Calgary, I guess, here – said, "We want to know how many dogs you have," and they collected it, we don't care. We don't want that. Specifically, as outlined in the Election Act: name, address, gender, birth date, phone number. As you know, some of those are optional: gender, birth date, and phone number. So we'd make that very clear, obviously.

MS OLSEN: Well, I guess I'm concerned, especially collecting from the Alberta driver's licence data bank, that if they're going to develop a specific database retrieval program for your purposes, because I would suspect you would only be wanting to collect the

name and the address and that information that is absolutely a requirement of the act – if date of birth, gender, and phone number are not part of that and that's optional, I'm concerned about the privacy aspect. If you're collecting mine, I want that option because I have that option. There are lots of people out there that may feel that way, so I'm just wondering how you're going to deal with that.

MR. FJELDHEIM: My understanding at the present time is that there will be a list of all registry offices, agencies – I won't say businesses – that are recipients of this information. They will all be listed. I'm not just sure if it will be on that poster whether or not we'll be saying that these recipients will be receiving these items, but that would certainly be an option, I would think.

MS OLSEN: Registry raises a number of flags in terms of privacy issues. I think that's an important issue. That's one that you need to address with the people you contract with. The people of this province have to be aware if you're collecting beyond, because driver's licence information gives you lots of information, personal descriptions. Your face is on your driver's licence. Height, weight, hair colour, eye colour: all of that kind of information is on your driver's licence. I'm assuming you're not going to collect it.

MR. FJELDHEIM: No.

MS OLSEN: I think you ought to make it very clear that by using that data bank, you're collecting very specific information and nothing beyond that.

MR. FJELDHEIM: For electoral purposes only.

MS OLSEN: Yes.

THE CHAIRMAN: Mr. Jacques.

MR. JACQUES: Thank you. I appreciate the update that you've presented. It probably makes all Albertans feel better: the degree or the concern that Big Brother was going to be watching them, as expressed by some, following the much earlier announcement that all this would be monitored through electronics. So it must be reassuring to some of them.

It does raise some questions in my own mind. Maybe I could just run through these, and you could respond all at once, because some of them are probably interrelated. The term "accuracy" was used with regard to the list of electors. I don't call it accuracy; I guess I would call it preciseness in terms. I don't think there's a wrong or a right, and therefore you can't score on accuracy. My question: is there a degree of preciseness that there's kind of a target in terms of what you expect or hope to achieve on the day that an election is held in terms of how accurate, maybe not on a constituency basis but provincewide, the voters list had been?

Secondly, we have and do provide within the Election Act – I believe it's the Election Act – that a voter who is ineligible, a voter who is not on an electoral list at the time of voting, can indeed, as I understand it, swear out an affidavit and vote. That begs, I guess, the bigger question, and it may not be one necessarily for you to respond to, but it does I think in terms of the future entertain a possible debate: to what extent do we try to achieve a degree of preciseness when we have that option and hence the responsibility for individuals to exercise their right if they do indeed wish to vote?

The third item is the presentation today. Is this a heads-up for what we might see on the 2000-2001 proposed budget, or are you seeking some form of approval or direction today? If you could clarify that.

My last question. Has there been any test sampling done to suggest or to indicate, again, what degree of preciseness you may be looking at in any given area? I go back to your earlier comments in your preamble where you were indicating how transient the Alberta population has become – the number kind of statistically moves – the immigration issue, the number of people moving into the province. That would then suggest that the preciseness that they would be able to maintain electronically is just not there. So it's kind of the rationale, saying if you took a sampling of a four-block area in downtown Calgary and you took a four-block sampling or section in Beaverlodge, Alberta – is there something there that has been done on a sampling basis saying, "Yeah, we're really concerned because we've done some test samples, and these are the results that were achieved in a certain area versus others"?

Thank you, Mr. Chairman.

1:42

MR. FJELDHEIM: Okay. First of all, the degree of preciseness. We would like over 90 percent. I'm afraid this isn't an exact, exact science. When people are moving and so on, it makes it very difficult, but over 90 percent. Historically, with my experience we don't like and have not had any more than 10 swear-ins at a poll. When you get a lot of people swearing in – and you're right; yes, you may be sworn in on polling day. That's one of the reasons, when you talk about mail-outs and so on, people say, "Well, I'm not on the list, but I'll swear in on polling day." That's fine. That's why it's there, to accommodate those individuals. I have a very great aversion to lineups. When you get people backed up at polls, there's a lot of frustration involved and so on. So we want to ensure that that possibility is kept to a minimum. So the degree of preciseness: 90 percent plus. Again, as Mr. Friedel mentioned, the further away you get from polling day, the more you lose that sort of thing.

Is this a heads-up, or do we want direction? I guess I would say, first of all, it is a heads-up, because unless we hear something very strong to the contrary, we intend to include the dollar amount required in our budget of 2000-2001 to conduct a confirmation of the register in Alberta.

Have we done any testing on this sort of thing? Well, I'll go back to the Edmonton-McClung by-election. That was over a year, about a year and a half in fact, since it had been enumerated and since the list had been updated by the use of the general election, and we targeted six subdivisions – those are the smaller areas of not more than 450 electors – where there had been extensive growth. We asked the returning officer: "Where has there been growth in this electoral division? Are there any areas that we should look at?" He said, "Yes. These six areas here have had a lot of growth." So, yes, we do take that into consideration when it's closer to the time when the list has been updated.

The time we've gone past now – and you're quite right. In some areas of Alberta, Calgary-Buffalo for example, there's huge growth there: new apartment buildings and everything else. I live in Vegreville. There's not been a great deal of growth in Vegreville since the last electoral event. However, with the movement even within that community we would still have to confirm the register of electors. We might not have the data entry that we would otherwise, and 70 percent might be fine. However, when you think of 30 percent not being on the list, that's a lot of people. If you think that there are 400 people who are in a subdivision and if you take a third of those not on the list, that's about 120 not on the list. People say: "Well, so what? Everybody doesn't vote." But if you think, "Well, 60 percent vote," that means that 60 are not on the list. That's a lot of people who are going to vote and are not on the list of electors. That's why I feel this confirmation is so critical.

THE CHAIRMAN: Just on that point that you're making now. In

the last election in Lac La Biche there were two polls where in total there were over 200 people that were lined up to be sworn in. They were right through the door to the outside parking lot, and at least 20 percent of these people got so frustrated that they left and went home. They don't blame the enumerator or anybody else; they blame the government.

MR. JACQUES: If I may, Mr. Chairman, and it's on that point. I wasn't raising it from the point of view of saying that that's the way to go, because I think the issue is broader than that, and that is that if you recognize that you are going into an election that way, then obviously your staffing and manning departments would presumably be different in each polling location on the basis that you would be anticipating a large number. Hence you would, if you like, gear up for that, or whatever the expression is. The same as the problem that you have today going into an election: how many people are going to turn out to vote? Is that going to be 30 percent or 80 percent? You do your best in terms of, I guess, historically manning up for that, based on a lot of factors. It was more from the point of view: is that a legitimate alternative?

I'm not suggesting it for debate today, but it does raise the question in the future from a strategic point of view: what do we want to do in these areas? I think the equally important thing is that we started the roll down the road to electronic updating, and basically what you're suggesting and rightly so today is that it doesn't look very good and hence some form of door-to-door enumeration. But then that begs the greater question: which route do we go down? If we're not going to have faith that electronic updating is going to produce the result, then should we be continuing to spend the resources in that area? As opposed to simply saying: okay; let's do an electoral update by door-knocking every four years or every three and a half years and kind of cut off at that point. I don't have a good feel, but again I guess that's a debate for another day. Thank you.

MR. FJELDHEIM: In response to that, actually maybe you do have a pretty good feel for it, because those are some of the problems that we're faced with in going down this road. It has been used successfully in Quebec. They use health care records to update their database. It's unique in Canada that that's done. British Columbia has had this in place since the 1960s, so that's had a long time to evolve and work through and so on, and they're still figuring out ways that they can update the list and so on.

So it is something that is, despite B.C., relatively new. Most provinces don't do it. I like to think that here we're in what I would consider a transition period, where we are using information that we do have on the register, that we've collected. We want to use information that is available from the data sources. My opinion is that we're not there yet, to rely solely on those database sources. So I wouldn't want to slam the door on a register system, because I think down the road there are possibilities. I think whatever happens – and as I mentioned, Elections Canada has that longer period – where you have a high-growth area, you are still going to have to go in and knock on doors.

If there's a by-election – and I'll pick on Vegreville again – in the Vegreville area, you can take a look and say: well, there hasn't been a lot of change here. But if there's a by-election in Calgary-*Buffalo*, we have to go in, depending on when the last electoral event was, and probably do the whole thing.

THE CHAIRMAN: Okay. Well, if there are no further questions, I think Mr. Fjeldheim told us this is more for heads-up today, and we can expect to see some figures in the budget to accommodate that. Anything else?

MR. FJELDHEIM: I'll go on to number 2, and we've already touched on it. That's the data collection by the municipalities. We've contacted the city municipalities in the province to see about the possibility of them collecting the data for us for a fee. Calgary does a census every spring, as I mentioned earlier, and we felt that if they were going to be knocking on doors, it would be redundant for us to send people around as well. So we contacted all the other city municipalities in the province. Besides Calgary, as I mentioned earlier, St. Albert, Grande Prairie, Leduc, Red Deer, Lloydminster, and Fort McMurray are interested. I think it's important and appropriate that we work with municipalities in this venture. We are presently at the early, early stages of negotiations regarding the fee that we will pay municipalities to collect the data.

This may not be easy because there is, I believe, a perception that we have unlimited funds to spend on this. I want to assure the committee that we will not spend more than it would cost us to collect the data ourselves. I really want this to work. If it doesn't, I'm well aware of the possible criticism of two levels of public officials knocking on the same door. By the same token, we obviously have a limit on what we will pay, and it certainly is not, as I mentioned before, going to be more than what it would cost us to do it ourselves. I see no reason why we can't get together and have the municipalities collect the information for us. As the cliché goes – and I hesitated; I read this a couple of times before I thought I should say it – it should be a win/win situation.

Does anyone have any questions on that?

MS BARRETT: Well, I'll voice one that my next-door neighbour here said to me. Probably it would be cheaper – wouldn't it? – getting municipalities.

MR. FJELDHEIM: We would hope so, but I can't guarantee that. It seems like the price is kind of a moving thing.

MS BARRETT: Well, good work.

MR. FJELDHEIM: Hopefully.

MR. DICKSON: I was just thinking. I was one of the members of the Leg. Offices Committee that had first been pitched on the idea of going down this road in terms of a permanent voters list, and it made such darn good economic sense in terms of being able to do the one list. Now that we're at this place, I still think I'd be awfully disappointed if we ended up having to pay to the municipality anything close to what we would have to do our own door-to-door poll. I mean, no matter how aggressive a bargainer the cities may be, to simply ask another couple of questions and fill out another copy should be nothing close to the cost to your office to physically undertake that. So I hope your outside threshold or cap is something a whole lot narrower than just the cost of your office doing the door-to-door work. It seems to me they shouldn't even be close. That's just an observation, Mr. Chairman.

THE CHAIRMAN: Yes. That's a good one.

1:52

MR. FJELDHEIM: I agree with you.

THE CHAIRMAN: Okay. You pretty well covered the driver's licence. We talked about that.

MR. FJELDHEIM: Driver's licence data. Also, as I mentioned earlier, my understanding is that we will be added to the access standards listing to be one of the recipients of information collected by Alberta registries, motor vehicles. I want to reiterate that this has

not yet happened. Although there is no specific time frame, if everything goes well, including any privacy concerns, it is expected that in the spring of 2000 we will have access to this information. This will take time to implement and will need to be extensively tested to ascertain the value that it has in updating the Alberta register. Again, sometimes people register their driver's licence differently than they register themselves on the list of electors and so on, and that's what we will be testing for. Elections Canada has been talking with Alberta registries for some time with the intention of obtaining this data to update the federal register. However, since we will be one of the recipients, we will now be dealing with Elections Canada in this regard.

Questions on that?

THE CHAIRMAN: No? Do you want to go on to item 5?

MR. FJELDHEIM: Sharing of information with Elections Canada. Section 11 of the Election Act is very specific and very specifically allows for the Chief Electoral Officer of Alberta to enter into agreements with the Chief Electoral Officer of Canada to receive from them information that will assist us in revising our register and to provide to them information that will assist them in revising their register. We would be pleased to work with Elections Canada. They are most interested in the driver's licence data, and we have already met with them about how this information, once it has been put through our register, may be passed along to them. Another meeting will be held next month to further discuss how this can be accomplished.

Two items that need to be addressed are concerns about privacy and technical comparability. When you're dealing with 2.2 million records and someone says technical problems and computers, I get very nervous.

Elections Canada has expressed an interest in the register information that we will have collected by the fall of 2000. This data should be, better be, and will be excellent and will be a valuable source to them to further update their register.

Do you have any questions about our dealings with Elections Canada?

THE CHAIRMAN: No.

MR. FJELDHEIM: Okay. I would now like to move on to our suggestions regarding the fees and expenses to be paid during an electoral event. This will also impact on our budget presentations down the road. Bill Sage will walk you through our proposal. Before Bill starts, I would just like to say that although the increase is substantial, please bear in mind that there has not been an increase since 1981, and, secondly, this cost occurs about once every four years or so. So it's not an annual cost; it's once every four years.

MR. SAGE: Mr. Chairman, would you like me to go line by line?

THE CHAIRMAN: I don't know. Do you have an overview of the whole thing? What is the committee members' desire?

MR. JACQUES: Before we get into the details, I was wondering if you have any data. These numbers weren't just pulled out of the air obviously. Can you give a little bit of the background? Did you look at comparisons in other provinces, like where we fit today and where we're going to fit, that type of thing?

MR. FJELDHEIM: Previously – Bill, you might have something to add – we looked across Canada, of course. In 1981 we were near the top. In 1999 we are near the bottom. We're in the bottom third, I would say. These revisions will not make us the highest in Canada.

In fact, we'll still be second or third, but now we'll be in the top third. We will be near the top; there's no question about that. These are hefty increases, so that's where we will be.

For example, our returning officers. Under the proposed, we will be sixth in Canada for returning officers. We can prepare this. We didn't, but we can certainly prepare this and pass it out to everyone. For the election clerk we will be third, behind Elections Canada and British Columbia, for their fee. For enumerators, people who confirm the list of electors, we will be second. For deputy returning officers we will be second, and so on. For poll clerks we'll be fifth.

MR. JACQUES: Did you say fifth?

MR. FJELDHEIM: Fifth, yeah. So, yes, we did do that comparison, if that helps.

THE CHAIRMAN: Bill, do you have anything to add on that statement?

MR. SAGE: Just in terms of a fee increase, we are basically looking at a 33 percent increase from what we went at in 1981 versus what we're proposing now. So as Brian said, it is a substantial increase. We didn't try to go right to the top. We did look at a couple of things.

The cost of living index has gone up nearly 80 percent in Alberta over that 18-year period. One of the comparisons that we did: we looked at an election clerk and compared them to administrative officer 1 in the government provincial service. The administrative officer 1 salary has increased just over 40 percent in that 18-year period. So although we are at 33 percent, there is justification in there that we haven't gone as high as other indicators might indicate that we could have or should have gone.

Again, I think if you look at the 33 percent over the 18-year period, it's only something less than 2 percent a year that we're asking for an increase. I appreciate it's a big mouthful to throw out to you, but there is some justification to it I think.

THE CHAIRMAN: Gary Dickson, you had a question.

MR. DICKSON: Well, a comment first and then a query. I think I had very long conversations with at least four returning officers in Calgary subsequent to the March 11, 1997, election, and much of their concern focused on what they felt was unfairly low compensation for the work that was involved. I know that there was at least one and maybe a series of meetings that returning officers from around the province were invited to post '97 election, and I know this was one of the issues. To what extent does this proposal you're putting in front of us address the compensation issues that were raised by those people who served as returning officers in the '97 effort?

MR. FJELDHEIM: I'm confident that what we have here will satisfy 90 percent of the returning officers. In some cases it's just very hard to try to get a handle on how much money they really would like, but this will certainly satisfy, I believe, 90 percent of election workers, not just returning officers but all election workers in Alberta.

2:02

MR. DICKSON: Can I ask one follow-up question? Now, a lot of the frustration, I think, of returning officers in Calgary – and I'm assuming this wasn't unique to Calgary – was that certainly in areas with high growth, there had to be so many changes. It was sort of the inadequacy of the enumerated list that caused a lot of the problems. I'm getting a sense that you're trying to ensure we have a better list for our next election, whether that's in 2000 or 2001,

than we had in '97 in terms of accuracy. So in some respects it would be less taxing, difficult for returning officers. Is that an accurate impression?

MR. FJELDHEIM: Things that we are focusing on are the maps and the polling subdivisions and the polling place locations. So, yes, we have to concentrate on the lists and ensure that they're as good as we can possibly make them. Where we feel we have holes in the list, we then need to put in a polling station. If you're not on the list – and there are lots that aren't on the list – then you go to this lineup over here. If you're on the list of electors, we'll have a supervisory deputy returning officer at the door telling people: yes, you're on the list; go to that lineup. So we're going to address that situation in that regard, but also these maps, where we did the review, I pointed out on here – it is also critical to ensure that the electors know where to vote and that when they get there, there is accommodation for them to vote. Does that answer your question?

MR. DICKSON: I think so.

MR. FRIEDEL: Looking at a list like this – it's kind of a shopping list of ways that remuneration can be paid. What would mean more to me if I was looking at it would be some kind of a summary showing what, either on average or a list with no names on it, a returning officer would earn over the period of an election, from start to finish, and the amount of time it would take that individual to earn that. I think that would be an easier way for me to wrap my mind around if this is fair compensation for time spent, likewise for deputy returning officers and clerks and things like that.

Then following that up – and the reason I would ask the question is a measure of whether this is a fair wage or not – would be a determination of how difficult it is to get these people. I expect in some large or more densely populated communities it would be fairly easy because it's found money. You know, somebody that's looking for something to do isn't really going to be looking so much at the dollars per hour as this is sort of part-time income. Yet you could pay just about any amount of money in a really remote community and simply because there aren't people there, you wouldn't find them. The question is: what is the degree of difficulty in actually attracting them? If it's impossible to get somebody, then you're probably not paying enough. If it's fairly easy to collect them, the difference in pay becomes what would be nice to have and what would be fair and necessary to have.

MR. FJELDHEIM: Off the top of my head – I'm looking at Bill here again – it's about \$5,000 for an election.

MR. SAGE: It depends on the size of the electoral division. They get a fee based on names, so it can vary. Calgary-Buffalo is going to be higher than Peace River just because of the population, as you have mentioned.

One thing that came out in the wrap-ups that Mr. Dickson was mentioning is that it seemed to be a general consensus of the returning officers that the fees had been inadequate both for themselves and the polling day officials. To relate that to the hours worked versus what they're going to get paid becomes very difficult, but as I say, it was a consensus that our fees had slipped over a number of years in that they hadn't been adjusted in 15 years, or whatever it was in '97. As I say, if that's any benefit to you, the consensus was that the fees were low. I guess, having said that, I'm probably an example of that. If you're willing to give me more money, I'm probably going to take it.

MR. FRIEDEL: That's kind of how my question is worded anyway.

Would this expression of dissatisfaction be as a result of spontaneous feedback from all the returning officers? You know, a large majority being unhappy with the amount they got paid, or somebody asking them if this was enough money and they responded accordingly?

MR. FJELDHEIM: Well, there has certainly been some spontaneous feedback on the fees. Of course we want those people, those 13,000 Albertans who work on election day, to be fairly compensated, but also we want to get the best possible people we can. Now, we have certainly had enough people to run the polls in Alberta. I don't think that's a question, but I think fair compensation to those individuals is also important.

MR. FRIEDEL: Don't get me wrong. I'm not suggesting that we attempt to get the lowest calibre of people for this or any other job, but by the same token I always get a little bit nervous when we start measuring across provinces and the goal almost seems to be how close to the upper quadrant you can be. Is that your measure of success, or is the measure more along the lines of reasonable satisfaction by some criteria that you as Chief Electoral Officer would have measured? The budgeting process I think often lends one to measure by other ways, you know, comparative shopping with other provinces.

MR. FJELDHEIM: Uh-huh. The individuals – for example, I just turn to the deputy returning officers at \$165 for the day. Now, that day starts at probably 8:30. We tell them to be at the poll half an hour before the polls open. The polls open at 9, so let's say 8:30. The polls close at 8 p.m., and of course there's the count after that and so on. That might take, let's say, an hour. So at that rate, when you think of the time that they're there, around 12 or 13 hours, it's \$12 to \$14 an hour, if that helps clarify anything that anyone has. I believe that to be a reasonable fee for someone with that responsibility and dealing with the number of people that are involved and so on.

I agree with when you say that it's not where we want to sit in terms of the other provinces and we pay more than them and so on. No; we're not after that at all but fair compensation here in Alberta.

MR. DICKSON: I was going to ask what this does in terms of continuity for our election administration. We've talked in the past as a committee, at least some of us have, about looking at sort of permanent returning officers and different models, and the attraction for me in that sort of thing was stability in ensuring you had experience. My understanding – and I guess I'm looking for some clarification on this – is that as a result of the March 11, '97, experience and those debriefing sessions after that, or whatever you call them, there was a clear indication to your office that many people who've been involved in running elections and are experienced at doing it were not interested in doing it again. That's some of the feedback I had received, and I'm not just talking about your returning officers. I guess I'm trying in part to respond to Gary Friedel's comment about how difficult it is to find people. Perhaps you could indicate to us what this will do to ensure continuity, stability in terms of key positions in running successive elections.

MR. FJELDHEIM: Well, a number of these individuals have done this for a number of years and enjoy doing it. They really like working in the election process, and that's great. So part of our job, as I see it, is to make it an enjoyable experience and one where we have clear goals and objectives and so on. It's down here exactly what you do and what the expectations are and so on. So, number one, that's very important, to keep the continuity, to keep – and I

hesitate to use the word employees because they're not really employees. But if you keep these folks pleased with what they're doing – and I don't necessarily mean just by more money all the time. I mean by having clear directions and so on and a system that's in place that is consistent and works well. I think that's important also in the continuity.

2:12

When we did the review of the polling subdivisions in '99, of the 83 returning officers we had 75 that we hired as consultants. I was very pleased about that. There were eight that had moved away, and in a couple of cases, with those eight, it was because of a physical inability that had occurred since the election and so on. So there is, I believe, very good continuity in the system that we have.

MR. DICKSON: Mr. Chairman, if I might. That would run counter to the proposed wage increase in some respect. I was making the assumption, which I guess is inaccurate, that we were at risk of losing a lot of experienced election workers because our compensation had fallen significantly since it was last set. I take it that what you're telling me, notwithstanding complaints that I heard about pay last time, is that there hasn't been a real significant attrition. You haven't lost most of those people.

MR. FJELDHEIM: Well, this was a completely different job. We figured it on the same pay schedule, but they were not hired as returning officers. They were hired as consultants because they were familiar with their electoral division and so on. That's why we felt it important to hire those people to review the maps and so on. When the election comes and returning officers are appointed again, then of course we would look at a pay schedule that is set by an order in council.

THE CHAIRMAN: Yvonne.

MRS. FRITZ: Thank you. Just a clarification. When was the previous fee increase?

MR. FJELDHEIM: In 1981.

MRS. FRITZ: So 20 years ago, approximately, we increased the fees?

MR. SAGE: There was a minor adjustment made to some of them in '93, just for the returning officers and election clerks, but the basic fee package was set in 1981.

MRS. FRITZ: My goodness. When you mentioned the \$165 per day or the other, the \$150 per day, the only benchmark that I could sort of pull out of the air and reflect on was the honoraria that we have for boards, agencies, and commissions, and I felt that this fell in line with that type of honoraria. I trust your judgment and the research that you've done on what would be fair compensation, whether it relates to other provinces or whatever else you used within your abilities to pull up to what would be there for people that are local, people that very much enjoy, as you said, what they do when it comes to elections, but they should also be fairly compensated. So I support what we have here today for the fee and expenses regulation change, the increase, and hope we get on with it.

THE CHAIRMAN: Thanks for that comment.

MS OLSEN: I wanted to make the point that just recently the arbitrators and mediators have gone from zero to \$100 per session

for their meditations. There came a time when they had to be compensated for the work they did. Otherwise, they were at risk of losing professionally trained mediators to do the job. At some point you may face that same particular issue. I would support an increase. I would support this increase to the individuals. My reason for that is it seems that everybody else has been getting a serious increase. If I look at the performance bonuses that the deputy ministers get, about \$20,000 a year on top of their \$125,000 salary, I guess it's not too much to pay those who come out every four years and support the democratic process with an appropriate salary or stipend for the times.

MR. FRIEDEL: I'm assuming this is something that would have to be dealt with in the budget regardless. We don't do this sort of thing midstream. When we get to the point where as a committee we have to make the choice of recommending this, would it be possible to see these numbers in comparison, what the present fee scale actually costs? I would prefer to see it broken out, something along the lines of positions, not just a blanket percentage increase compared to what the new version would cost.

MR. SAGE: I can give you the figures now. We have that, but we didn't prepare it for you. I could certainly make it available to you after or fax it over to you or something. What we've done is compared our proposal versus what we actually paid in '96 and '97. The returning officers in '97 received \$407,000 in fees. Right off the bat, our proposal would bring them up to \$492,000, basically a 20.1 percent change.

THE CHAIRMAN: So they're not all a 30 or 33 percent increase.

MR. SAGE: No. The 33 percent certainly is what we pretty much based the proposal on, but when you compare them over the range, it isn't 30 percent across the board. Again, total fees for the enumeration and the election, '97 versus 2000, about 18.7 percent is the upward increase in it. As I say, what we've done with this particular schedule is just compared '97 to our proposal by the total fee that they were reimbursed in '97 rather than by the individual fees. I can certainly make that available.

THE CHAIRMAN: If you would make that available to Diane, she can make a distribution to all the members.

MR. FRIEDEL: It would be nice to see that, as I say, preferably if it could be broken down in a chart by the various positions, because I gather from that that not each position is going to get the same percentage increase, according to the recommendation.

The other thing that would be good to see is what this would do to the cost of an enumeration, for example, or of holding an election in total, because that kind of ties into the first part of your presentation today. This obviously would have a compound impact.

MR. FJELDHEIM: Yeah. That is on this chart. Just briefly, the increase in the enumeration would be \$201,653. If we use these numbers and compare it to the '96 enumeration and the cost for the general election that was held in '97, if these new fees were in place, it would have increased the cost of the election by \$702,137. We'll put this down and give it to you.

MR. FRIEDEL: That would be very helpful.

THE CHAIRMAN: You'll make that available.

Gary has one more question.

MR. DICKSON: Just one other item. It strikes me that we have some new committee members since the Legislative Offices Committee last dealt with the question of independent returning officers. What we're talking about is additional compensation for returning officers, and I support that. But I'm going to move, Mr. Chairman, that the compensation proposal be deferred until after our committee revisits the question of appointment of returning officers. Now, in making that motion, I understand that this has been argued and debated by the committee before and that the decision was not to change and go with returning officers appointed by the Chief Electoral Officer. But I'm mindful there have been some changes in the committee, so that's why I want to at least address that question before we finish off the fee question.

THE CHAIRMAN: Okay. Will you read the motion again to make sure we understand it?

MR. DICKSON: My motion is
to defer consideration of the compensation proposal in front of us until this committee has revisited the process for appointing returning officers.

When I say that, I'm clearly referencing the proposal that had been in front of the committee I think it was at least two or three years ago – I stand to be corrected – when we had talked about having returning officers appointed not by the government of the day, as is the case now, but by in fact the Chief Electoral Officer, as is done in many other provinces.

THE CHAIRMAN: Any comments?

MR. FRIEDEL: Just a question. I have no problem with the concept of deferring this until other considerations regarding returning officers are dealt with, but I'm confused. There are two things you mentioned. Actually, in an earlier comment you made today you referenced this idea of having – I wouldn't call them full-time – returning officers appointed for continuous duty between elections. I'm assuming that's not part of what you're suggesting here, that you're talking about who appoints returning officers and how.

I'm not opposed to the discussion, but if the other, this idea of a full-time returning officer, is part of this, I would want to go on record as opposing this, as I have earlier. While there might be some merit in having continuity, I get awfully nervous about the idea of having someone in a position and then ultimately looking for things to do to fill the time and then in turn looking for compensation because you've now filled the time. So I'm just making my intentions known in that regard.

2:22

THE CHAIRMAN: Did you have your hand up?

MR. JACQUES: Yes. I would speak against the motion. I don't see the relationship of the pay structure to the issue, which has been debated in the past, as to who appoints the electoral officers. I would suggest that they're unrelated. The issue perhaps that Gary was leading to is probably more relevant if you were contemplating something like that, but I think the other is, with all due respect, more of a political question that has been debated. I would suggest that we deal with the straight issue of remuneration one way or the other. If we want to defer that for further consideration, I certainly would agree with that. But subject to this other issue, I couldn't support it.

MS BARRETT: Well, I have a similar thought. I mean, being subject to a discussion that may or may not go anywhere is to me irrelevant to what's in front of us today. We have a request by a

very respected officer of this Assembly. I see no reason that we can't accommodate this and let him get on with his life, and if we want to have a discussion about who appoints returning officers, let's do that. But they're completely unrelated concepts as far as I can see.

THE CHAIRMAN: Thank you.

MS OLSEN: I would speak in support of the motion. I think that the actual fee for a returning officer is a component, or part, of the hiring of those individuals. As to who does that at this point, I would love to have the opportunity to debate that issue. However, I do think the two are tied together. I don't think they're individual, as put forward by other members.

THE CHAIRMAN: Okay. I'll call the vote on the motion. Those in favour of the motion? Those opposed to the motion? The motion is defeated 4 to 2.

Yes, Yvonne.

MRS. FRITZ: Thank you, Mr. Chairman. I'd like to put forward a motion as well, and that would be that the recommendations for amendments to the fees and expenses regulation as presented by the Chief Electoral Officer be accepted as attached before us here and be accepted. I think after the debate today, part of my motion I'd like to make is that it be accepted in principle with the information that was requested, for example by Mr. Friedel, to be brought forward as it's presented in the 2000 budget.

THE CHAIRMAN: Any discussion on that motion?

MR. JACQUES: I understand what Yvonne is driving at, but when it comes to an increase in salary, I think it's harder to accept in principle than subject to. I understand what she's saying, but I don't think it's a realistic way of handling it. If the committee wished to postpone, if you like, the decision, I can understand that, if there's some question about getting some information in the meantime and dealing with that. But I think we could get into the proverbial argument. If we accept it in principle, then the argument is: well, did you get the right information and hence it's now onside or offside?

MRS. FRITZ: Just for clarification on the "in principle" as well, I thought we needed to accept in principle prior to it going into the budget for 2000. Maybe I could ask Mr. Chairman to clarify.

THE CHAIRMAN: Yes. I understand that we would only approve the budget expenses once in a year, so before the end of November all the officers will have to come back to this committee to get their budgets approved so that we can forward them to the Treasurer to be included in the government's year expenses. I guess we could decide to accept it at this time.

MRS. FRITZ: I can change my motion to accommodate that, if that's fine, for the budget coming forward.

MR. JACQUES: I think if you said something like: for the purposes of the budget submission by the Chief Electoral Officer.

THE CHAIRMAN: Okay. Do you want to change it?

MRS. FRITZ: I will. I'll stop my motion, then, at the end of "be accepted." I'll have that the recommendations for amendments to the fees and expenses regulation as presented by the Chief Electoral officer be accepted.

THE CHAIRMAN: Somebody had their hand up.

MR. DICKSON: Mr. Chairman, I had my hand up, but I was going to second Wayne's concern. That's been remedied with the change Yvonne has made to her motion.

MR. FRIEDEL: Well, I'm not sure where it stands right now, but I have to agree 100 percent with what Wayne said. If you accept it in principle, I'm not sure that that is really doing anything for Brian. Either we accept it or we don't. I think there were a few questions, certainly in my case the one that asked for dollar comparisons: if my voting for acceptance in principle meant that I couldn't have a look at the other things first and still have a chance to amend my position.

Also, I think we have to look at what else is going to be in the budget. This would be sort of a piecemeal approval of the budget. I agree with the principle that there should be some adjustments in the salaries and the compensations, but I wouldn't want to be so specific as to say that these are the ones we would end up with. I am not very concerned about looking at the line-by-line approvals as at the overall effect on the budget, which is, I think, more what we should do as a committee.

MS BARRETT: I have a question. Brian, does it make any difference to your life or to the office life if this motion passes or fails today? You know, you've got to come back and present a budget to us anyway. Does it make any difference?

MR. FJELDHEIM: Well, the only difference is if the response here was completely negative, then we would have to go home and rework this and then come back again and have it in our budget. We're going to have it in our budget.

MS BARRETT: So if you're allowed to just take a reading from the table that if you've got general support, you don't need a motion – this is getting really tangled up, you know, and it seemed to me not necessary. If you're getting the feedback that you think you wanted, is that good enough?

MR. FJELDHEIM: I believe so, yes. Then when we come back with our budget, someone who doesn't like it – and we can certainly pass out this information that's requested prior to that.

MR. DICKSON: As I understand it, I'm assuming that one of the reasons we're dealing with this – and normally we'd never deal with this kind of minutia for any of the other legislative officers – is that the fees and expenses are a regulation to the Election Act. Is that the case? So it's not a ministerial order or anything; it's an OC. So there's some work that has to be done in terms of putting that in place and working it through the Justice department or whoever drafts it. Is that the case?

THE CHAIRMAN: That's correct.

MR. DICKSON: I don't know what the timing for that is, so can I then ask, if I'm not out of turn: does the approval of your budget in the normal course afford enough time for the process to be undertaken and completed that results in a new regulation being proclaimed?

MS BARRETT: Are we in a hurry, in other words?

MR. FJELDHEIM: I'm not sure what the answer is. I don't think we're in a big hurry just yet, no.

MRS. FRITZ: Well, I'm going to leave my motion on the floor.

THE CHAIRMAN: Okay. We've had a fair amount of discussion. I'll call for the vote on the motion.

MR. FRIEDEL: I need to hear it.

MRS. FRITZ: Okay. That
the recommendations for amendments to the fees and expenses regulation as presented by the Chief Electoral Officer be accepted as attached.

THE CHAIRMAN: So you all heard the motion?

HON. MEMBERS: Yes.

THE CHAIRMAN: All those in favour of the motion? Those opposed to the motion? The motion is carried.

MS BARRETT: Hallelujah. I thought that was never going to come to an end.

MR. FJELDHEIM: I will get this information to you.

2:32

THE CHAIRMAN: Now we have one more item, I believe, on the agenda. Yes.

MS BARRETT: What was that?

THE CHAIRMAN: Item 5, Officers of the Legislative Assembly – Compensation. If you remember, last year this committee had made kind of an unofficial decision. We had to make a motion every year if there was a bonus paid to the deputy ministers and the officers of the government. We made a motion then to carry the same amount for our officers. Last year it was quite a hefty bonus. If I remember right, it was between 8 and 10 percent. This year what happened on April 1 was that the deputy ministers of the province all received 2 percent effective April 1, 1999. If we're going to stay within the same line of thinking that we had last year, we would need to have a motion here

to support 2 percent to our four officers.

MS BARRETT: I so move.

THE CHAIRMAN: Moved by Pam.

MR. DICKSON: Speaking to the motion then. Mr. Chairman, we've done this. We often deal with compensation for our legislative officers. My recollection is that in each of the enabling statutes – and I don't have them in front of me, so I stand to be corrected – the provision is that on an annual basis there's an expectation of a review of the work of the officer as well as the compensation. Is that not the provision in each of the statutes?

THE CHAIRMAN: I believe it is, and we probably have been lax in doing that.

MR. DICKSON: I'm not trying to make a whole lot more work for the committee, but it seems to me that simply to hive off the compensation and talk about it in sort of a formulaic way, I'm not sure we're doing justice to what the expectation in the statutes is. I think the expectation in the statutes is that as a committee we do – it may be a cursory evaluation; it may be a more extensive one. You know, we discharge the responsibility of sort of reviewing the performance of that legislative officer for the last year or so. As I say, I'm embarrassed to say that I don't have the statutes here in front of me, but that just sticks in my head. So I'd be voting against the motion that's been moved by Ms Barrett simply because I'd like

to see the two integrated. I think that's what the statutes require.

THE CHAIRMAN: Sue, you have a comment?

MS OLSEN: Yeah. I would be voting against that motion. I think there's been enough discussion this year in relation to performance bonuses, judicial salaries, and the like that we need to tie a performance bonus to something. If we're not looking at a set of objectives that the officers have to meet and we're just simply saying, "Okay; you're getting an 8 percent bonus," I don't think that's good enough. I don't think that's good enough not just for this committee but in the departments as well. So I would be not wanting to just say that we're going to give an 8 percent performance bonus without tying that performance bonus to performance.

MR. FRIEDEL: I share the concern that, you know, a performance bonus without some kind of evaluation tends to depreciate the impact of the evaluation and the purpose of the bonus. But, by the same token, I'm not so sure if I would want to be one of the legislative officers being reviewed sort of locally by this kind of a committee.

If you're going to do a real evaluation, it would have to be done by someone, whether it would be a contracted individual or a professional organization that's capable of doing that. I wouldn't want to be, as I said, either the individual being appraised by this group or a member of the committee that did, because I don't think we really have that kind of information at our fingertips. I'll stop there and say that it would be extremely difficult. If it's going to be a professional evaluation, it would have to be done by someone that's qualified to do this. Some of us may be, but I would suggest most are really not professionally qualified to do that.

MS OLSEN: The officers report to the Legislative Offices Committee. I think that if we're looking at – and I'm specifically talking about an evaluation for a performance stipend. We need to set the bar then. We need to decide as a committee what the criteria are. To send it out to an outside professional consultant when the committee in fact reports to us: I'm not sure I could agree with that.

MR. DICKSON: Mr. Chairman, just in response to Gary, I wasn't thinking of bringing in outside consultants. We're the committee that meets with these gentlemen on a regular basis, and they tell us what their plans are. What I thought was something much simpler, and that's making a specific request to each legislative officer, just as part of their budget presentation, that they do something of a self-evaluation in terms of identifying the goals they set when they last met with us. You know, every year these gentlemen come in front of us with their budget presentations. They talk about the things they're hoping to do in the next year, what their plans are, where their focus is. I didn't see anything more involved than having them come and simply report specifically on what they said they were going to do a year ago, and we as a committee then make an assessment based on that kind of self-evaluation. I had not anticipated going out and retaining somebody outside to do it. I think we have the ability to do it in a fairly informal, a fairly expeditious way on the basis of our collective knowledge of the office.

MR. FRIEDEL: No. I did understand that you weren't talking about an outside consultant. That was my qualification. If I felt that there was going to be some true value to that kind of an appraisal, a performance evaluation, that's the way it would have to be: professionally done. I also recognize that we've tied the Leg. officers' salaries into deputy ministers' in kind of a loose fashion.

I guess, as a result of that, we'd probably have to accept that if the deputy ministers receive a performance bonus by virtue of the government having met its targeted goals, then this does become a little bit of an automatic procedure.

I would have to go along with Pam's motion on the basis that if you're going to pay it because they're tied to another form of salary, I would do that. But I really wouldn't like to see us as a committee trying to get into an evaluation process, because an evaluation process, first of all, shouldn't be public, which this essentially is. I don't think that's fair. If they're doing a good job, they continue with their contract. If they're not doing a good job, they don't have their contract renewed or are canceled midterm. I think it's as simple as that. We've dealt with this before, and I think that's not going to be a process we should be looking at changing.

THE CHAIRMAN: Okay. One more comment from Sue, and then we'll vote.

MS OLSEN: Thank you. First of all, we could conduct that process in camera to ensure the privacy of this room, the privacy of the members in here.

Secondly, I have a lot of difficulty tying the legislative officers' bonuses and salaries in a loose fashion, as it is, to the deputy ministers'. These folks are arm's length from the government. Deputy ministers are the political appointments of each minister. In order to have integrity in these offices, we need to separate that. I don't buy the argument that just because the deputy ministers get their performance bonus, this should be a given. I would change that if I had my chance, but obviously I don't. I am strongly against a performance bonus for the sake of a performance bonus because a government employee, a senior bureaucrat, is getting it. These are arm's-length committees reporting to us.

2:42

MS BARRETT: Mr. Chairman, I don't disagree with what Sue just said, but I don't want these people to be financially penalized either. They do a very good job. They're all high-stress jobs. I would like to see this motion passed, and then maybe Sue or Gary or both could make a presentation to this committee a little further down the road on an alternative method of financial review of the legislative officers themselves so that we won't see a disparity between the deputy ministers and these legislative officers on a systematic basis. I think I've wrapped my language badly around that. Let me try that again. Let's just see if we can get a new formula in place. I'd like to see this motion passed, and if we can get a better formula in place, I'm all for it.

THE CHAIRMAN: Thank you. I'll call for the vote on the motion. All those in favour of the motion? Four. Against? Two. The motion is carried.

Other Business. Do we have any new business to bring up today?

The only other item that we have is Date of the Next Meeting at the end. I asked Diane to contact the Treasurer's office, Stockwell Day's office, and they informed us that they would like to have all of the officers' budgets by the end of 1999, December 31. So I guess we'll rely on Diane, when they're ready, to contact the members and set up some meeting dates.

MR. FRIEDEL: Sort of don't call us; we'll call you.

THE CHAIRMAN: Right.

MS OLSEN: I just had another quick issue. Unfortunately we weren't here for the review of the minutes. If I may just bring it forward. There was supposed to be an all-party committee of five

people put together to review the Ombudsman Act. I'm just wondering if that committee has ever met or been appointed. If not, why not, and when will that occur?

THE CHAIRMAN: I intended to bring an update here, and I was forgetting that one. When Scott Sutton came to this committee with a proposal to amend his act, he had just some broad lines of what he wanted to see. At the end of the meeting we made a motion to appoint a committee to work on this. Mr. Sutton further down the line came back to me and said that he would like to put down in writing exactly what he wanted. He met with the Department of Justice. The Justice minister has to carry the amendments in the House. This committee has no legislative power to bring acts into the House. So he met with the Department of Justice, and they suggested that he meet with Peter Pagano, who is a lawyer in Justice, to do the drafting.

The drafting is done. Next week he's meeting with Paul Bourque to go over the final points of it, and after that he will come back to the committee. Within the next three weeks to a month we should appoint the committee, and then we can review the written documents. Otherwise, we didn't really have anything. I'm not a legal expert in drafting legislation, and I don't think anybody else in this room – it's usually done by a legal counsel, and that's what's happening. So that's why it took that turn, but it will still come back to the committee.

MR. DICKSON: My observation, Mr. Chairman, would simply be this. It's a bit cart before the horse. The lawyers take the will of the client and reflect that in legalese. It seems to me that we sort of jumped a step here. I thought that what we wanted was an in-depth review of these proposals that had been brought forward. The subcommittee may have decided that three of the five proposals couldn't be supported and wouldn't even proceed to the next step. So it seems to me that instead of having Legislative Counsel and the Justice department busy drafting amendments, the appropriate first step is that kind of in-depth review that I thought was what was anticipated at the last meeting. That's my observation, Mr. Chairman.

THE CHAIRMAN: Yes, we'll have a chance to do that, and it might be even better. Once it's all drafted, we can have a better in-depth review because we'll know exactly what it's going to look like. So we'll proceed to that as soon as it's ready. I think the motion was to appoint five members.

MS OLSEN: That's correct. Five members, an all-party committee.

THE CHAIRMAN: Pam has it together today. She wanted to serve on it, and so did Gary.

MS OLSEN: I guess I'm even more confused now. I thought the all-party committee was to review potential amendments and then bring that back to the committee as a whole. So we are in fact going to miss a step; are we not? Is it your intention, then, for the all-party committee just to review it, approve it, and send it off? Or does that come back to the committee here as a whole to review and discuss?

THE CHAIRMAN: Well, the appointed committee has to report back to this committee. We don't have the power in the subcommittee to make a motion to reflect the will of this whole committee. So possibly when we meet for the December budget meeting, we could take a few minutes. We should have the subcommittee do its work first and then the whole committee could either support it or not support it. That would be an option for the whole committee.

MS BARRETT: Don't we usually meet in November to do the budget, not December?

THE CHAIRMAN: Well, we'll have to work that out with the officers and see when they're going to be ready to come. We have to submit them before the end of December. So the sooner the better, I guess. So I'll have Diane contact their offices as soon as she can, and we'll see when we can meet with them.

MS BARRETT: Okay.

MS OLSEN: I'm wondering if it would be appropriate to determine the chair of the all-party, five-person committee.

THE CHAIRMAN: We can determine that at the first meeting, I guess. The first motion could be to appoint the chair. I think that's the proper way to do it.

MS OLSEN: We don't know who's on the committee. Maybe we could be forwarded a list of committee members as well.

THE CHAIRMAN: We'll do that before the meeting.

MS OLSEN: Great.

THE CHAIRMAN: Okay. Now could I have a motion to adjourn?
Moved by Gary Friedel.

[The committee adjourned at 2:49 p.m.]

