



Legislative Assembly of Alberta

The 30th Legislature
Second Session

Standing Committee
on
Legislative Offices

Elections Alberta

Thursday, October 7, 2021
10 a.m.

Transcript No. 30-2-6

**Legislative Assembly of Alberta
The 30th Legislature
Second Session**

Standing Committee on Legislative Offices

Schow, Joseph R., Cardston-Siksika (UC), Chair
Sigurdson, R.J., Highwood (UC), Deputy Chair

Ceci, Joe, Calgary-Buffalo (NDP)
Lovely, Jacqueline, Camrose (UC)
Loyola, Rod, Edmonton-Ellerslie (NDP)
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Smith, Mark W., Drayton Valley-Devon (UC)
Sweet, Heather, Edmonton-Manning (NDP)
Yao, Tany, Fort McMurray-Wood Buffalo (UC)**
Yaseen, Hon. Muhammad, Calgary-North (UC)

* substitution for Miranda Rosin

** substitution for Hon. Muhammad Yaseen

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Jill Clayton	Information and Privacy Commissioner
Del Graff	Child and Youth Advocate
Glen Resler	Chief Electoral Officer, Election Commissioner
Marianne Ryan	Ombudsman, Public Interest Commissioner
Marguerite Trussler, QC	Ethics Commissioner
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Office of the Chief Electoral Officer Participant

Pamela Renwick	Acting Deputy Chief Electoral Officer
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10 a.m. Thursday, October 7, 2021

[Mr. Schow in the chair]

The Chair: Good morning, everyone. I would like to call this meeting to order and welcome all members, staff, and guests of this meeting of the Standing Committee on Legislative Offices.

My name is Joseph Schow. I am the MLA for Cardston-Siksika, and I'm also chair of this committee. I'd like to ask members who are joining the committee at the table to introduce themselves for the record, and then we'll go to anyone who's joining us remotely. Starting to my right.

Mr. Sigurdson: Thank you. R.J. Sigurdson, MLA for Highwood.

Mr. Neudorf: Nathan Neudorf, MLA for Lethbridge-East.

Mr. Yao: Tany Yao, Fort McMurray-Wood Buffalo.

Ms Lovely: Jackie Lovely, Camrose constituency.

Mr. Smith: Mark Smith, Drayton Valley-Devon.

Mr. Rutherford: Brad Rutherford, MLA, Leduc-Beaumont.

Ms Sweet: Good morning. Heather Sweet, MLA, Edmonton-Manning.

Mr. Shepherd: Good morning. David Shepherd, MLA for Edmonton-City Centre.

Ms Tischer: Good morning. Lyndsay Tischer, human resources, Legislative Assembly Office.

Ms Cherkewich: Teri Cherkewich, Law Clerk.

Ms Rempel: Good morning. Jody Rempel, committee clerk.

The Chair: Thank you, everyone.

Now I'll go to members who are joining us remotely. I see one, Mr. Loyola.

Member Loyola: Yes. Rod Loyola, Edmonton-Ellerslie.

The Chair: Excellent.

I also see two others joining us remotely. Ms Renwick with Elections Alberta. Yes. Just introduce yourself.

Ms Renwick: Pamela Renwick, Acting Deputy Chief Electoral Officer.

The Chair: Mr. Resler, also with Elections Alberta.

Mr. Resler: Good morning. Glen Resler, Chief Electoral Officer and Election Commissioner.

The Chair: Excellent. Thank you very much.

Of course, Ms Rempel is with us today.

For the record I would like to note the following substitutions: Mr. Yao for the hon. Mr. Yaseen and Mr. Neudorf for Ms Rosin.

Before we turn to the business of the day, I have a few operational items. Further to the direction given by the Office of the Speaker, I would note that masks should be worn in the committee room at all times except when members are speaking. In addition, members are also encouraged to leave an appropriate amount of physical distance around the table.

Please note that microphones are operated by *Hansard*. Committee proceedings are being live streamed on the Internet and broadcast

on Alberta Assembly TV. Please set your cellphones and other devices to silent for the duration of the meeting.

I also see that Mr. Ceci has joined us. Mr. Ceci, if you could introduce yourself, please.

Member Ceci: Yes. Sorry for being late. It's a little too – back on Zoom and Teams and all that sort. So I apologize.

The Chair: Sure. Just introduce yourself and your constituency.

Member Ceci: Oh, sorry. Calgary-Buffalo, Joe Ceci. I apologize again for being late.

The Chair: Thank you, Mr. Ceci.

Now we'll move on to the agenda, and I'll draw everyone's attention to the draft meeting agenda. Would anyone like to propose any amendments? Hearing none, can I get someone to move a motion that we adopt the meeting agenda? Mr. Neudorf has moved that the October 7, 2021, meeting agenda of the Standing Committee on Legislative Offices be approved as circulated. All those in favour, both in person and online, please say aye. Any opposed, please say no. That motion is carried. Thank you.

Minutes from our last meeting were also distributed for consideration. Are there any errors or omissions to note? Hearing none, if I could have a member to move to approve the minutes as distributed.

Mr. Sigurdson: So moved, Chair.

The Chair: Mr. Sigurdson has moved that the minutes from the February 23, 2021, meeting of the Standing Committee on Legislative Offices be approved as distributed. All those in favour, please say aye. Any opposed, please say no. That motion is carried.

We'll now move on to agenda item 4, Elections Alberta test of new equipment and procedures. We have presentations from Elections Alberta. As many of you know, on September 24, 2021, this committee received a request from the Chief Electoral Officer pursuant to section 4.1(1) of the Election Act to discuss testing of new equipment and procedures during the upcoming provincial by-election. Mr. Resler has made this request to permit Elections Alberta to respond effectively to pandemic-related health orders that may be in place at the time of the by-election and the testing of the new processes that were recommended in the 2019 provincial general election report. After receiving a presentation from Mr. Resler and his colleagues, we will be asked to consider the proposal, and if approved, the processes outlined in the proposal could apply to the next provincial by-election.

At this point I will turn the floor over to the Chief Electoral Officer, Mr. Glen Resler. Mr. Resler, you have 15 minutes for your presentation, following which we'll open the floor up to questions. Mr. Resler, the time is now yours.

Elections Alberta

Mr. Resler: Thank you, and good morning, everyone. It is our pleasure to meet with you today to review the changes for testing new equipment and procedures in a by-election. As stated previously, I'm Glen Resler, Chief Electoral Officer and Election Commissioner, and joining me today on this call is Pamela Renwick, our Acting Deputy Chief Electoral Officer.

Committee members have been provided with a copy of the procedures for testing in a by-election. In compliance with section 4.1 of the Election Act if new equipment or procedures are introduced, approval of these processes by the standing committee is required. My office intends to use these procedures in the Fort

McMurray-Lac La Biche by-election, which must be ordered by February 15, 2022.

Next slide, please. The modifications to the Election Act that have been put forward to the committee can be grouped in two categories. The first is procedures to allow my office to respond more effectively to any public health orders that may be in place at the time the by-election is called. This includes modifications to the special ballot and the mobile poll process. The second is to test new processes that my office recommended in the 2019 provincial general election report. Testing these processes improves Elections Alberta's preparation should these amendments be introduced. This includes modifications to the staffing model used on election day, the process for candidates and parties to obtain information, and the process for scrutineer appointments.

Next slide. Before I walk through each of the proposed modifications, I also wanted to note that the by-election will be conducted in compliance with public health orders that are in place at the time that the by-election occurs. While it is unknown when that will occur and the orders that will be in place, my office is planning the following precautions. Barriers such as Plexiglas screens will be used between the election officers and the electors. Single-use pencils will be used to mark the ballots. Physical distancing will be encouraged. Masks will be required for all election officers. Sanitizer will be available throughout the polling place, and additional cleaning will take place in the polling place to sanitize high-touch points and the voting booth between voters. The committee is not being asked to approve these protocols. They are just being provided for your information.

Next slide, please. I will now walk you through each of the modifications that have been submitted to the committee in the order that they appear in the document.

Next slide. The first modification is to the staffing model that is used on election day. In our current procedures electors can only vote at the station assigned for their polling subdivision. This can lead to lineups at one polling station while others have none. We are proposing two different methods of issuing the poll book to election officers to test how these modifications are able to address these concerns. In both cases the poll books will be issued after the close of advance polls. This will allow the number of electors assigned to each polling station to take into consideration the number of electors that have already voted in advance voting or by special ballot.

In the first test the poll book will be divided alphabetically to the polling stations, and this will allow for a more even distribution of electors for those stations. Electors will still need to vote at their assigned station. In the second test the full poll book for the polling place will be issued to each station, allowing electors to be served on a first-come, first-served basis. These changes will impact how results are reported, with results being reported by polling place rather than polling station.

Next slide. The second modification will improve efficiency in the polls. Currently scrutineers are appointed to a polling station within the polling place. If a candidate wants to appoint their scrutineers to multiple polling stations in the polling place, the scrutineer must take the oath of secrecy at each polling station. With this modification candidates will appoint scrutineers to the polling place, and they will take a single oath of secrecy once with the supervisor of that location. There are no changes to the number of scrutineers that the candidates can appoint.

Next slide. The third area of modification is regarding the data that candidates and parties receive prior to and throughout the election period. Currently there is inconsistency in the act as to which political participant can receive the list of electors, the additions to the list, the list of electors who request a special ballot,

and the list of electors who voted. Some of these reports can be provided electronically while others can only be provided in paper format.

10:10

We plan to use a new secure online portal that'll provide nominated candidates and political parties access to the same information. The portal will provide access to election materials such as the election proclamation, the list of polling place locations, and forms such as the scrutineer appointment. The list of electors, additions to the list, and the list of electors who voted at advance polls and by special ballot will also be accessed from this portal.

The list of electors who voted by special ballot and in advance will use the electors' unique identifier rather than the sequence numbers. Once the advance polls close, an updated list of electors, including all new elector declarations, will be issued to political parties and nominated candidates, that will include a sequence number for election day. Since a paper poll book is used on election day, the list of electors who voted on election day will be only available on paper in the polling places, and we'll use the elector sequence number for cross-referencing to the list of electors.

Next slide, please. The fourth area of modification is the official count. Currently a full count of ballots is completed on election night and again by the returning officer in the days following the election. In the proposed modification the second full recount would only take place if the difference between the top two candidates is fewer than 100 votes. Where the difference is 101 votes or more, the returning officer will complete a verification process to ensure that the statement of polls submitted by election officers' ballots are error free and that all results have been transcribed correctly. A judicial recount is still available to candidates should they wish to make an application.

Next slide, please. The fifth area of modification is the special ballot process. The Election Act already allows me to authorize additional reasons for electors to request a special ballot, and I intend to include concerns related to the pandemic to expand special ballot voting to all electors.

Additional modifications are intended to support the potential for an increased volume of requests and to streamline the special ballot package for electors. These include adding the option of curbside pickup to the methods of receiving a special ballot package, and packages can be picked up from the returning office or Elections Alberta. Currently when electors apply to vote in person at the returning office, a copy of their identification is photocopied. This will be modified to allow returning office staff to view the identification in person but not take a copy of it. Packages returned by mail will continue to need a copy of identification to be provided in their package. Currently the special ballot package has four envelopes. The proposed modification removes one of the envelopes and replaces it with a paper declaration. This simplifies the process for electors completing and returning the package while maintaining all legislated data requirements.

Next slide, please. Our final area of proposed modification is for facilities eligible for mobile polls. This includes supportive living, treatment centres, emergency shelters, and community support centres. All of these facilities will be offered traditional mobile poll options. The modifications will only be used where we are unable to provide in-person voting at the facility. For supportive living and long-term care, facility operators will be able to submit a list of electors residing in the facility for special ballot packages. This will streamline the process for requesting and obtaining the special ballots for electors. Since residents of mobile poll facilities are deemed resident and do not need to show identification, this list will be considered a record of who is deemed resident at that facility.

While a special ballot package normally uses a write-in ballot, the packages used in a mobile poll will use the ballot with the candidate names listed.

For the other types of facilities eligible for a mobile poll, information will be provided on how to apply for a special ballot and designate a person to pick up and drop off the package. The special ballot declaration will be modified to allow an employee of the facility to confirm that the elector is receiving services and not eligible to vote at the mobile poll. This alternate process is required particularly in hospitals as the facility would not have advance notice of who requires this voting option on election day.

Next slide, please. The procedure documents that were provided to you outline these modifications in more detail. Under section 4.1 of the Election Act I'm requesting the committee's approval to test these procedures at the next by-election.

We'll now open the floor for questions.

The Chair: Thank you, Mr. Resler. We appreciate your presentation.

We will now go on to questions. There is no finite timeline for questions. We do have a meeting of four hours in maximum length ahead of us. We'll go to the questions, but if we see questions begin to repeat themselves or that are not really germane to the topic, then we'll just move on. I won't set a timer, but if you could keep your questions brief and to the point.

I did see Mr. Yao first, then followed by Ms Sweet.

Mr. Yao: Thank you very much, Chair. Mr. Resler, I'm just looking for some clarity. You mentioned that results will be reported by polling place. It's a bit of a two-part question, I guess. Can you define polling place versus polling location? To that effect, my ultimate question is: if electors will be distributed within the polling location alphabetically, can the voting still be done keeping the ballots separated by poll, allowing for poll-by-poll results? Will we still be able to measure the results in the traditional manner?

Thank you.

Mr. Resler: The difference between a polling place and a polling location: they are the same; that is, a school, a community hall, the location in which electors come to vote.

Can the results be reported by polling subdivision level? That's what you're asking, correct?

Mr. Yao: Yes, sir.

Mr. Resler: We would be providing it at a polling place level.

I don't know, Pamela, if you wanted to provide something further.

Ms Renwick: Yeah. Especially, this links into our COVID precautions. We want to ensure that the flow of electors moves from the polling station to the voting booth and then to the ballot box, that is near the door, so that we get a nice flow of electors that are not criss-crossing. Normally, to provide results by polling station, that means that there's a ballot box on the table, and we end up having electors go to the voting booth, back to the table, and there's more criss-crossing. We're not able to maintain kind of that nice flow. We are trying to test this new model that would allow us both to have that flow and, hopefully, provide more first-come, first-served service to electors, but it does require us to be able to report results at that polling place or polling location level because of how we position the ballot box.

The Chair: Thank you.

We'll now go to Ms Sweet, followed by Ms Lovely.

Ms Sweet: Well, thank you, Mr. Chair. I just want to follow up, actually, on the hon. member's question. To clarify, then, we will have a polling location but will not be able to determine the outcomes of the actual division. If it was poll 72, we wouldn't know who voted in poll 72. If there were five polls within that one location, we'd just know that those five polls have now been voted in whatever alphabetical order. Is that correct?

Mr. Resler: Correct. The five polling stations or polling subdivisions that reside at that school will have one set of results for that location. It wouldn't be broken down into the six polling subdivisions.

Ms Sweet: Okay. I guess, just for a point of clarity, then, if I could just follow up on one more, Mr. Chair, and then I'll maybe come back to this. I appreciate COVID protocols. We've just gone through a federal election, where there was a box for every poll still. We're also going through a municipal election right now, where obviously they're using automation, so they're counting it through machines, which is a different mechanism. This recommendation already came to the Legislature six months if not a year ago, when we were in the Democratic Accountability Committee. I guess my question is: is it about COVID, or is it about the fact that this is just a recommendation that the office would like us to adopt?

10:20

Mr. Resler: It's a bit of both. It's part of the recommendations that we had initially. That was a recommendation put forward in order to improve the processes as far as the voter experience by the electors who are coming in to vote. We're looking at improving the efficiencies at the polls. That's the primary reason, and the secondary one, with the pandemic, is to alleviate the flow and the cross-pathways of electors.

The Chair: Okay. Thank you very much.

We'll now go to Ms Lovely, followed by Mr. Ceci.

Ms Lovely: Thank you, Mr. Chair, and thank you for the presentation, Mr. Resler. Would you be able to outline the process the voter will experience from when they enter a polling location through to when they cast their ballot under this proposed model?

Mr. Resler: A lot of it is quite similar to what you've seen before. They would enter the location. They would be greeted by the information officer and directed to the station at which they are to vote. When they arrive at their voting station, they'll be greeted. There will still be two staff at the polling station to provide the voter experience as far as collecting information and providing a ballot. Once they've received the ballot, they'll go to the voting screen, mark their ballot using a single-use pencil, and when they exit, they will drop off the ballot as they exit. That's the complete process.

The Chair: Okay. Thank you.

A brief follow-up, Ms Lovely? Okay.

Mr. Ceci, then Mr. Neudorf. Mr. Ceci, you're on mute.

Member Ceci: I apologize. Sorry. It's really been a long time since I've done this.

I just want to get back to Ms Renwick and the criss-crossing. I can appreciate that in the time of a pandemic we want to be as safe as possible. I'm just wondering if, in a place like a school gymnasium or somewhere like that, the flow of voters can be laid out in such a way that there is no criss-crossing and still keep the subdivision level intact.

Ms Renwick: We did see this with how Elections Canada ran the polls. The way they did it was that the next elector could not be

served until that person had received their ballot, gone to the voting station, returned, had it deposited in the box, and left. I think what we saw there, too, was that that increased some of the lines and the wait because electors were needing to wait longer for that full process to happen before they could approach their voting station.

A lot of this is that we are trying to as well build some efficiencies in the polls. The model that we're trying to apply to election day is what we used in the advance polls in 2019. That was very successful for us to be able to serve a lot of electors fairly quickly just by repositioning kind of what the stations were serving. We're kind of trying to build that same thing while also having this good flow that stops the criss-crossing of electors.

Mr. Resler: I would just like to add one thing if I may. At the end of the election – all electors, obviously, are assigned an elector identification, and the information is available at that level in which we have the polling subdivision still assigned. Postelection might be the opportunity in which you're able to receive that information.

Member Ceci: Yeah. I just want to follow up on the flow issue once more. Is it possible to perhaps outline better how people enter and get to their ballot and then go to their place where they mark it and come back as quickly as possible to then exit? Is it possible to outline that flow in advance and post it outside so that electors going in understand what they're required to do before they get in there and to facilitate speed in terms of the election and still keep the subdivision level intact? To either person.

Mr. Resler: When we look at kind of the flow in a polling place, a lot of it is quite unique to the polling place. Every facility we use is going to be slightly different. If we're in a school and we have gymnasiums, the flow can be facilitated, because usually they have more than one door, and you can facilitate it that way. It also depends on timing. Depending on the facility, if it's, say, a school, they may want to restrict access to make sure of kind of the restriction in the rest of the school, so we may only have one door to deal with. To provide that in advance is somewhat difficult and unique to each individual location.

Electors will be provided instructions as they enter the polling place as far as what that flow is, and we'd also be looking to, you know, whether we're able to facilitate or use directional signage. Some schools do not allow signage or polling places to have stickers, that type of thing, whether it's on floors or walls, so it really is unique in each situation.

Member Ceci: Thank you, Mr. Chair. Perhaps I'll come back to this later.

The Chair: Thank you, Mr. Ceci.

We'll now go on to Mr. Neudorf, followed by Mr. Shepherd.

Mr. Neudorf: Thank you, Mr. Chair. Just a slightly different topic, but for clarification, under part B of section 3, Data Sharing with Candidates and Parties, all nominated candidates and political parties will have access to the same information, which is great, distributed centrally from Elections Alberta, provided they have submitted a signed declaration regarding the use of the list of electors to the Chief Electoral Officer. In section 19.1 of the act that sets out the provisions for protecting that list of electors. Can you confirm that this declaration would then mirror that section, or can you give us an idea of what this declaration would look like if there are changes? Thank you.

Mr. Resler: Yes. That declaration is a current process, so that is not changing. Anyone who accesses the list of electors is provided a

declaration which they have to sign off on in order to protect the use of that list. It's a current process that we're using and that continues to be used and complies with the legislation.

The Chair: Okay. Thank you.

Any follow-up, Mr. Neudorf?

Mr. Neudorf: No. Thank you.

The Chair: Thank you.

Mr. Shepherd, followed by Mr. Smith.

Mr. Shepherd: Thank you, Mr. Chair. Just following up on Mr. Neudorf's questions about the data sharing plan and the new secure online system, Mr. Resler, can you just clarify for us how that is going to be secured and maintained? What security processes are in place? What is that going to look like? How are we going to ensure that this is secure?

Mr. Resler: The data sharing currently exists. We do have data sharing with the list of electors. One is provided electronically. It's an FTP site to which it's posted and accessed. For the information, when it's requested, we receive the declaration as far as the privacy sign-off and use of the data, and then a password is provided. A password is provided to the political entity, by which they access the information. That's how it's currently provided.

Pamela, as far as the new process, if you . . .

Ms. Renwick: Yeah. So we'll be using a new system to record the special ballots and advance poll strike-offs, and that's where the information is going to be coming. The company that we have selected actually provides this service for the majority of the provinces in Canada, so we're kind of using a system that's already been well tested and has a lot of those security provisions already in place. I don't have the specific security that the vendor uses in front of me, but we can share that with the committee if that's requested.

The Chair: Do you have a follow-up, Mr. Shepherd?

Mr. Shepherd: Yes. Thank you, Mr. Chair.

I appreciate that clarity. Thank you. On that, then, the secure updates: how are these lists going to be provided to the campaigns in terms of the advance polls and the e-day polls, and can you just confirm that those lists will still contain all of the same information that's been previously provided in these updates?

Ms. Renwick: Yes. The portal actually provides the information in two ways. I think you're probably used to – last time we had an extract that was available to the parties. The extracts will still be available for download, but this system also allows you to search by a specific elector and receive that information on that elector: whether or not they've voted already and, if they have, whether or not they voted in advance or by special ballot.

10:30

The Chair: Okay. Thank you.

We'll now go to Mr. Smith, followed by Ms. Sweet. Those are the last two on my list. If anybody would like to ask a question, either here or online, please put your hand up or just get my attention.

Mr. Smith.

Mr. Smith: Thank you, Mr. Chair, and thank you, Mr. Resler and your crew, for presenting to us today. I guess I've got one question and perhaps a follow-up. Can you please explain the process for counting special ballots, including when and where they will be counted?

Mr. Resler: The process: similar to what has been done in previous elections, the special ballots received by the returning officer are counted by their teams in the returning officer's office on election night. So it's no different than a mobile poll or any of the other polls. They're counted that night. What we're proposing, that's slightly different, is that ballots can also be received by Elections Alberta. Those also would be counted on election night, and the special ballot poll would have two components: the local returning officer and then the Elections Alberta numbers. Those are aggregated and then reported as one combined total. So that would be the only difference there.

Mr. Smith: Mr. Chair, just to be clear here, the special ballots won't be counted after the election night; they will be reported on election night. Correct?

Mr. Resler: Correct.

Mr. Smith: Okay. Thank you.

The Chair: Thank you, Mr. Smith.

We have Ms Sweet, followed by Mr. Shepherd.

Ms Sweet: Thank you, Mr. Chair. I just want to go back to reporting information on e-day. To clarify, Mr. Resler, did you say that the poll subdivision breakdowns will not be able to be reported until after e-day, after election day?

Mr. Resler: Correct.

Ms Sweet: Okay. Then I guess my other question would be – part of the argument that I've heard today is that with COVID, being able to drop a ballot at one box at the exit would be more efficient. I just voted in the municipal election on Monday, and they are working on a one-ballot-box system. There was a lineup behind the ballot box just as much as there was a lineup going in to actually cast the ballot. So I guess my question is that if we are going to this system, looking at what is currently happening with the municipal election and the lineups that are occurring both going in to cast the ballot but also at that one ballot box, are we not already seeing that the demonstration of that is probably not working?

Mr. Resler: There is a difference between the municipal election process and – I'm assuming you're voting in the city of Edmonton, correct?

Ms Sweet: I am, yes.

Mr. Resler: With Edmonton, you have the tabulators, and with the tabulators you have the slight delay as far as feeding within the tabulator itself. With the multiple ballots that are also existing this time around, that further delays that process. So it's not quite comparable in that sense as far as a single ballot, where a person is just dropping the ballot into the box and exiting versus standing there waiting for the ballots to be fed into the tabulators, multiple ballots, and waiting for that process.

The Chair: Thank you. Thank you for that, for your question, Ms Sweet, and for the example. People should vote in municipal elections. It's important.

Ms Sweet: Democracy is important.

The Chair: Absolutely. Democracy is important.

The last question goes to Mr. Shepherd.

Mr. Shepherd: Thank you, Mr. Chair. Just going back, then, to the online data portal and the system, how that's being set up, is there going to be, I guess, something in place to ensure that those who are accessing the system only have information to which they are entitled? Is that going to be tiered? For example, we'll have individuals, maybe, that need to be authorized to access the forms but, you know, aren't involved in the process where they should have access to the voter data. Just wondering how that's going to be set up. If everything is in one location, how are we tiering access to appropriate data?

Ms Renwick: In this case, because we want the political parties and the candidates to be able to access the same information that you're entitled to, those that have access to the portal would have access to the same information. Parties would only be provided with the one log-in to be able to access the list of electors and that data, and then any nominated candidates also have the ability to access that information. Since we are only looking at one electoral division, those political participants are only able to see that one electoral division, and there's not going to be any other data in there.

When we use this in the general election, however, because there are 87 electoral divisions, it is tiered so that candidates can only see the electoral division that they are running in and not all the others. There definitely is that capability to control access.

The Chair: A follow-up, Mr. Shepherd?

Mr. Shepherd: Thank you, Mr. Chair. Basically, then, all the data will be in the one place, you'll provide the log-in data to the individual actors, and it is up to them, then, to guard who amongst their volunteers or staff then make use of that information to access?

Ms Renwick: Yes. And because it is an online portal, we do have the audit logs of kind of what is happening within who's accessing, but it is through that party's log-in, so, yes, they are responsible for securing that.

Mr. Shepherd: Thank you.

The Chair: Excellent. Thank you, Mr. Shepherd.

We did have a hand up from Mr. Loyola. Please go ahead with a question and a follow-up.

Member Loyola: Yeah. My question is in reference to special ballots. I'm just wondering. I know that you highlighted it a bit in your presentation, but if you can go into a little bit more detail about the measures that are being taken to ensure that special ballots are available to indigenous voters and communities.

Mr. Resler: For the communities, for what the process is for ourselves, that doesn't really change. You know, first off, if there's the capacity or the capability, we would be looking to have a voting location on the First Nation lands to begin with. If that's something where we're unable to access, then we would be looking at the special ballot process, so we would be engaging with the administrator or the chief of the local First Nation in which we can facilitate the vote. It would be a discussion with them to see how best we can provide the voting process to them, but we would be providing, for instance, when we're looking at the municipal elections right now, the opportunity in which the ballot can be picked up and dropped off at the band office as a special ballot process in order to alleviate any of the delivery timelines and constraints.

The Chair: Thank you.

Mr. Loyola, do you have a follow-up?

Member Loyola: Yes; indeed, I do. Well, first of all, it's kind of, like, a two-part question. I just wondered: was this done in consultation with the communities, trying to determine ways that would facilitate voting for them, or are you planning on doing that? And then would you consider adding an option for a band office to request bulk modified special ballots for residents and for these communities to be included in the proposed mobile poll modifications?

Mr. Resler: What do you mean by bulk modified special ballots?

Member Loyola: Well, I know that in certain communities it has to do with the vouching, given that vouching became an issue, so I'm just wondering how all that would work together.

Ms Renwick: I could talk about what our process is because it's the same whether or not it's a by-election or a general election. For all of the First Nations or Métis settlements that are within the electoral division, we will approach them to offer them either an election day poll in their community, an advance poll, and special ballots. They can have all of those options. It starts with a conversation with them about what they would like, and we really encourage that if they'd like both advance and election day, we can do that. I think that voting in person is usually your best option because then you can have vouching although we also have the attestation forms that they can use if they don't have identification. Special ballot is a little bit more of a cumbersome process because you have to both apply and then have a copy of your identification to send back.

10:40

Applying the bulk model that we're using in mobile poll doesn't quite work because a First Nation community is not on the list of – it's for facilities, and people are deemed resident there, so it doesn't quite match. It wasn't one of the modifications that we had considered, but I think it's because our preference is to provide in-person voting in their community as much as possible.

Member Loyola: Great. Thank you very much for clarifying that.

The Chair: Okay. Thank you, everyone. I don't see any more questions, so that would conclude the question-and-answer portion of this meeting with Elections Alberta. I would like to thank Mr. Resler and Ms Renwick for joining us today and for your tireless work protecting democracy in this province.

We now would need to go forward with considering an approval of the proposal. Both members from Elections Alberta are welcome to stay on the call. The committee will proceed now to section 4(b).

Now we have familiarized ourselves with the proposal put forward by Elections Alberta. Does anyone have any thoughts on this proposal? I see Mr. Sigurdson has his hand up.

Mr. Sigurdson: Thank you, Chair. In consideration that there's a lot of information – and I see that we're going to get a little bit of a different process than we're normally used to seeing, but of course special circumstances are here. Regardless, I have previously submitted a motion, and I will, with your approval, read that motion into the record.

The Chair: Yes. Go ahead.

Mr. Sigurdson: I move that the Standing Committee on Legislative Offices approve the Chief Electoral Officer's proposal, made in accordance with section 4.1 of the Election Act, to test the election procedures and equipment described in the request made to the committee dated October 4, 2021, except for the following procedures described under part

B, section 1, Alternate Staffing Models, on page 4 of that request: (a) the second option for distributing electors to polling stations by providing a complete poll book for a polling location to all polling stations and (b) the use of a single ballot box location on the way out of the poll to increase the flow of electors through the poll.

Thank you, Chair.

The Chair: Thank you, Mr. Sigurdson.

That motion is up on the screen. Did you have any rationale or any comments about the motion you moved?

Mr. Sigurdson: Well, first of all, we do have to move forward with approving the Chief Electoral Officer's proposal. As well, with that, we do have some different processes that we are going to experience for voters in this by-election. I do understand that we have some changes here to poll-by-poll results and recording on the day of. I think I'm open to discussion on this and even maybe some – I think we have to also take a look at that. I'd be open to amendments to this as well moving forward, but I think this gets the base of what we need in place, and hopefully we'll move to discussion on how we proceed.

Thank you, Chair.

The Chair: I believe I saw Ms Sweet.

Ms Sweet: Well, thank you, Mr. Chair. It's always great to hear when the government says that they're open to potential amendments to a motion. Again, democracy in action. I did submit, actually, an amendment to this motion, which I'm more than happy to read into the record and then provide my rationale if you would like.

The Chair: Yes. I see, actually, that you have two, so whichever one you want to move.

Ms Sweet: I'm just going to move the first one for now, and then we'll see where we go from there.

The Chair: Sure.

Ms Sweet: The first one says: MLA Sweet to move that the motion be amended by striking all of the text after "October 4, 2021," and substituting "except for the procedures outlined in part B, section 1, Alternate Staffing Models, and further requiring Elections Alberta to be responsible for all costs associated with a judicial recount required due to the use of modified procedures described in part B, section 4, Official Count, and appendix A." Would you like my rationale?

The Chair: Yes, please.

Ms Sweet: Okay. I think I was pretty clear in my questions to the officers around why we would be moving towards this model when it comes to looking at subdivisions and changing to an alphabetical count at the polling stations. I guess I'm a little bit concerned – and I'm going to be a little bit blunt about this – that this already came to the Democratic Accountability Committee as a recommendation, and at that committee it was clearly decided by all members of that committee, on both sides of the House, that this was not something that we were going to move forward on. I'm a little, I guess, disappointed to see it now come back again at a different committee to see if it maybe can get across the line this time when that recommendation was clearly put into a report and provided to the Legislature on behalf of the elected officials that sat at that table.

In saying that, the other recommendations that have been made: again, I think we can all agree that some of those changes are

appropriate, and this amendment would only identify the one section where it comes to the distribution of polling information and the ballot box.

The other piece of that as well is that we all know that judicial recounts are extremely expensive to occur, but it's also important to be part of the democratic process. Now, in saying that, to have that cost downloaded onto political parties, I think, at a time where it is really the voters that deserve the right to know the answer, speaks to the fact that it needs to be something that is covered by Elections Alberta, because it is part of the democratic process, it is part of the voter count, and it is part of the service that is provided by Elections Alberta on behalf of Albertans. So I would also recommend that we ensure that Elections Alberta is responsible for the costs associated with any judicial recounts.

The Chair: Thank you.

Are there any further comments? We are now on the amendment moved by Ms Sweet. I see Mr. Rutherford.

Mr. Rutherford: Thank you, Chair, and thank you, MLA Sweet. I agree with half of what that is. Am I able to move a subamendment, Mr. Chair, or does that require a vote of agreement?

The Chair: My understanding is that subamendments are not required to have notice whereas amendments and motions are, so I believe a subamendment would be in order if you'd like to move that.

Mr. Rutherford: Thank you. I would like to move that we amend the current amendment to strike the text after "alternative staffing models" and that we maintain the current system for judicial recounts.

The Chair: Okay. Are there any further comments or questions about that? Okay.

Hearing none, I'm prepared to call the question on the subamendment moved by Mr. Rutherford to the amendment moved by Ms Sweet. All those in favour both in person and remotely, please say aye. Any opposed, please say no.

That motion is carried.

We are now back on the amendment moved by Ms Sweet, amended by Mr. Rutherford. Are there any further comments or questions?

Hearing none, I am prepared to call the question. All those in favour, please say aye. Any opposed, please say no.

That amendment is carried.

We are now back on the main motion moved by Mr. Sigurdson, amended by Ms Sweet, subamended by Mr. Rutherford. Any further comments or questions?

Hearing none, all those in favour, please say aye. Any opposed, please say no.

That motion is carried.

Are there any further comments or discussion with regard to the Elections Alberta proposal?

Okay. We are now on agenda item 5, which is officers of the Legislature. I'd like to suggest that the committee, along with the appropriate Legislative Assembly Office staff, consider moving in camera for the upcoming deliberations as we may touch on specific details of the contracts of officers of the Legislature. Could I have someone make a motion to move in camera?

I see Mr. Shepherd has moved that the Standing Committee on Legislative Offices, including the Legislative Assembly Office staff, move in camera. All those in favour, please say aye. Any opposed, please say no. Thank you very much. That motion is carried.

[The committee met in camera from 10:49 a.m. to 11:10 a.m.]

The Chair: Thank you, everyone. Now that we are back on the record, I would like to, first, remind committee members in the room not to touch their microphones.

With that, I would like to open up the floor to any proposals or comments from the committee members regarding agenda items 5(a) and 4(b). Perhaps we should begin with officer contracts. Do I have any discussion or maybe potentially – I have a potential motion here that we could move, and I'll read it into the record, that the Standing Committee on Legislative Offices recommend to the Government House Leader that a motion be introduced in the Assembly at the beginning of the fall 2021 sitting to establish a select special committee to search for a candidate for the position of Information and Privacy Commissioner.

Are there any comments or questions about that motion? Mr. Sigurdson.

Mr. Sigurdson: Thank you, Chair. I think this is a very standard process, and with that, I would like to move that motion that you've put to the floor for this committee right now and open it up to discussion. But I think this is pretty standard considering the current situation.

Thank you, Chair.

The Chair: Mr. Sigurdson has moved that motion that I previously read. Are there any further questions or comments on it? Ms Sweet.

Ms Sweet: Thank you, Mr. Chair. I just would like to put on the record that we would like to thank, you know, the Privacy Commissioner for all of the work that she's done over her term and look forward to continuing working with her until it comes to a point where a replacement is found.

The Chair: Thank you for that.

We have a motion on the floor. Thank you for comments. Any further comments? None?

Mr. Shepherd: I'd just like to quickly echo Ms Sweet's comments. Indeed, I thank Ms Clayton for her service, and indeed I have come to appreciate her work very much, obviously, her scrutiny of the government's Bill 46 and the many concerns she raised on the changes to the Health Information Act, her scrutiny of the Telus Babylon app. Certainly, I look forward to a thorough and robust process to ensure that we have someone of equal calibre in that role to continue that scrutiny of government work.

The Chair: Thank you, Mr. Shepherd.

Any further comments? Hearing none, I will then call the question on this motion. All those in favour, both in person and on the teleconference, please say aye. Any opposed, please say no.

That motion is carried.

I will take the opportunity as chair to also thank Ms Clayton for all of her tireless work in the role that she has fulfilled for the last several years.

Moving forward to annual compensation review, I open the floor to any comments or proposals regarding the 2021 compensation review for the officers of the Legislature. I actually believe – maybe I'll turn it over briefly to Ms Rempel, who might have potential motions available to us, or I'll move it to the floor first. I'll go to the floor, then. Any comments? None?

We do have a potential motion that we could put on the floor. Ms Rempel, would you like to?

Ms Rempel: Thank you, Mr. Chair. We do have some potential wording available for possible motions that the committee could

consider. I just look for direction from the members as to where they're looking at going with the compensation.

The Chair: Mr. Neudorf.

Mr. Neudorf: All right. Thank you, Mr. Chair, and thank you, Ms Rempel. I would like to propose a motion that would be in line with the comments we heard from Ms Tischer and her recommendations that were in camera. If we could proceed with the first motion that was presented and have discussion about that, I would like to put that to the committee.

The Chair: Sure. I believe the motion would read that the Standing Committee on Legislative Offices confirm that the compensation for the officers of the Legislature shall not include any increases or movement within the salary ranges for the fiscal year 2021-2022.

Any further comments or questions about that motion moved by Mr. Neudorf? Hearing none, I'm prepared to call the question. All those in favour, please say aye. Any opposed, please say no.

That motion is carried.

Okay. I will now move on to item 6, other business, which is the contract to audit the office of the Auditor General. As committee members are aware, it is the responsibility of this committee to arrange for the annual audit of the office of the Auditor General. Currently we have a contract with St. Arnaud Pinsent Steman; however, as we are in the final year of the contract, this committee needs to determine what arrangements it wishes to pursue for future audits. Are there committee members interested in contract extension, or shall we begin an RFQ process? Mr. Sigurdson.

Mr. Sigurdson: Thank you, Chair. I think it's important that I kind of speak up to this because, of course, I get a chance to be able to be a part of the exit meeting that we have with them every year and just comment on the excellent work that they do in auditing the Auditor General, which is always interesting. I think when it comes down to it, you know, this is a difficult position to fill. So I think I would propose a motion to just continue their contract for an additional five years. I think that considering the quality of work

I've seen from this firm, I'd like to see them continue doing this work for the government of Alberta.

Thank you, Chair.

The Chair: Excellent. I do have a draft motion here that we can put up on the screen. It says: moved by Mr. Sigurdson that the Standing Committee on Legislative Offices approve the reappointment of St. Arnaud Pinsent Steman, chartered professional accountants, as the auditor of the office of the Auditor General for a further five-year term commencing with the 2022-2023 audit.

Are there any further comments or questions about that motion? Hearing none, I'm prepared to call the question on that motion moved by Mr. Sigurdson. All those in favour, please say aye. Any opposed, please say no.

That motion is carried.

Finally is the report on the audit results for the office of the Auditor General. Before we adjourn, I do have one brief information item to share with you. I am pleased to report to the committee that on June 28, 2021, the deputy chair and I participated in a meeting with the Auditor General and senior staff from his office as well as the team from St. Arnaud Pinsent Steman. I can advise that the 2020-2021 audit was completed without any issues identified. The Auditor General, like other legislative officers, includes a copy of the audit documents for his office in his annual report.

Are there any items for discussion other than that in other business? Hearing none.

Now the next meeting date of this committee will be done at the call of the chair, likely in late November or early December, for the annual review of the budget estimates submitted by the legislative officers.

We are now on to the adjournment portion of this meeting. Can I have someone move to adjourn this meeting? Ms Lovely has moved that the October 7, 2021, meeting of the Standing Committee on Legislative Offices be adjourned. All those in favour, please say aye. Any opposed, please say no. That motion is carried.

Thank you, everyone, and travel safely to your own destinations.

[The committee adjourned at 11:17 a.m.]

