

11:24 a.m.

October 26, 1990

[Chairman: Mr. Bogle]

MR. CHAIRMAN: We will reconvene the meeting and welcome you, Mr. Ledgerwood, as Chief Electoral Officer, to the Standing Committee on Legislative Offices and begin by thanking you and your staff, through you, for your hospitality in hosting us at the office this morning when we met at 10 o'clock.

As you know, the purpose of today's meeting is to take a look at the budget proposal that you have. We won't be making any decisions today; we'll be coming back in the new year for a final review of the budget estimates. So the purpose of today's meeting is to review the proposal, give all members an opportunity to ask questions for clarification, make comment on the proposed budget so that when we do come back in the new year, there's a better understanding both by all committee members as well as yourself as to expectations and where we may be going.

At this point in time, I'd turn it over to you if you have some opening comments you'd like to make, and then we'll go right into your budget and proceed.

MR. LEDGERWOOD: Thank you very much, Mr. Chairman. As I expressed when you were at the office, I appreciate the committee taking the time from their busy schedule to visit the office. I think it's particularly rewarding to the staff that they get a chance to see you people and to meet and talk in an informal manner with you. So I'd like to thank you very much for coming out to the office.

As to the budget, I think you'll find it's very similar to the budget we presented last time in that the format is basically the one that was requested by previous select standing committees and modified by your particular committee. It's as simple as we can make it, and of course it's designed to meet my current responsibilities under the legislation that I work under.

You'll notice that the estimate is in three tabs basically: administration, election, and enumeration. Across the top we have the 1989-90 actual expenses, what we budgeted in '90-91 - that was the budget that was approved by this committee this time last year - what our forecast is that we will spend up until the end of March of this year, and the part that we'll be talking about this morning, the '91-92 estimate.

Basically, the administration is to run the office, pay the wages and benefits of the staff and also our office supplies.

The election is straightforward. Elections are financed under a special warrant, so what you see there is basically for election supplies and materials and also returning officer training.

The enumeration is straightforward in that under current legislation the Act requires enumeration to be held the second year following a general election, which would require enumeration September 15 to 30, 1991. When we get into it, we know that there are exceptions to that.

Could I have the committee turn to A1. First of all, does everyone have a copy of the budget?

MR. NELSON: Can I just . . .

MR. CHAIRMAN: Go ahead.

MR. NELSON: I'd like to ensure, seeing we're on the record, that we clarify that under the legislation there is a necessity to have an enumeration the second year after an election, but it also should be stated on the record that according to the Act if

a commission is appointed, the Chief Electoral Officer may, at his discretion, not proceed with the enumeration in the calendar year in which the commission is established. So that being said, it's on the record that we understand that there should be enumeration, provided these other things don't flow in place as identified also in the Act.

MR. LEDGERWOOD: I think, as we discussed in my office this morning, the commission hasn't been struck yet, so there are other considerations, and that was what I was referring to.

MR. CHAIRMAN: When we come back in the new year, we will all have a better understanding of where we are based on the fact that there will be a fall sitting and in all likelihood legislation will be proposed and, I expect, a commission struck. So by the time we do reconvene, those things will have happened. On the other hand, if they have not occurred, then we're able to proceed with the budget and review it based on the facts that exist at that time.

MR. LEDGERWOOD: I think also we should be aware of the articles in the paper: both the NDP leader and the leader of the Liberal Party have indicated that they are contemplating court action as a result of the Electoral Boundaries Commission proposal.

MR. CHAIRMAN: Well, there's no report yet. There will be within a month, and we'll let things unfold as they will.

MR. LEDGERWOOD: Okay, sir. If everyone will turn to A1, this is the administration element.

MR. HYLAND: You never let the ordinary guy make a decision. You always want to go to court.

MRS. GAGNON: You guys don't make any decisions that favour the ordinary person.

MR. CHAIRMAN: Excuse me?

MRS. GAGNON: He's ribbing me.

MR. CHAIRMAN: Cypress-Redcliff, Calgary-McKnight, please clean up your act.
Go ahead.

MR. LEDGERWOOD: Okay. Mr. Chairman, are you interested in looking at what we budgeted in '90-91 and how we're doing on the expenses?

MR. CHAIRMAN: Yes, please.

MR. LEDGERWOOD: Okay. You can see that in this particular administration element we're well within budget as approved by the committee last year. I'd answer any questions that the members may have on that.

MR. NELSON: Just one question, if I may.

MR. CHAIRMAN: Go ahead.

MR. NELSON: What have you allowed for an increase in salaries in '91-92? Have you used 5 percent?

MR. LEDGERWOOD: Okay, if we've finished with the forecast, let's go to the estimate. The estimate in salaries is a 5 percent increase for union personnel and a 6 percent increase for management. This is based on the historical pattern of raises.

MRS. GAGNON: Again under the estimate, contract services are up significantly. What service will you contract for? What is your projection there?

MR. LEDGERWOOD: I think it's public knowledge now that Michael Clegg is going to only be the part-time Parliamentary Counsel. We have used Mike in the past as our legal adviser. I would hope to continue to use him, but because he is no longer a government employee, we will have to pay for those services. So what we've put in: in discussion with Mike he feels it would be, on the average, about \$15,000 in contract services for Parliamentary Counsel.

MR. NELSON: That being the case, why would you not continue to use the parliamentary services that will be available from that office?

MR. LEDGERWOOD: Well, I think if you're not aware you should be aware that the Parliamentary Counsel is not a lawyer; he's not been admitted to the Bar in Alberta.

MR. NELSON: Well, I don't know what their proposal is for that office as far as contracting a lawyer that's been included in the Bar, but I just . . .

MR. FOX: There may be some background information required here, Mr. Chairman. Do you have something to add to that?

MR. CHAIRMAN: Well, I was merely going to suggest that as we're going through this for information today . . . You have an opportunity, Stan, to speak with the Speaker.

MR. NELSON: Yeah. I'll do that.

MR. CHAIRMAN: We'll ensure that the necessary background is available when we meet in the New Year to make a decision on the budget.

MR. FOX: If I understand, though, Pat, basically there has been legal service provided to your office by Parliamentary Counsel in the past, and the cost for same has been part of the budget over here . . .

MR. LEDGERWOOD: Yeah, out of the Clerk's budget.

MR. FOX: . . . in a sense because that person is paid out of this office, but now that that position is part-time, out of this budget there has to be some crossover into your budget if the same legal advice is to apply?

MR. LEDGERWOOD: I will provide the chairman a copy of a letter from the Clerk. I had anticipated it would be available today; however, it didn't arrive. I believe in that he's telling me that I will have to pay for his services.

MR. CHAIRMAN: Any other questions on Supplies and Services? All right.

MR. LEDGERWOOD: If not, pages A2 and A3 are just detailed explanations of those particular estimates. If there are no more questions on the administration element, we could turn to page B1.

11:34

MR. CHAIRMAN: Excuse me. On A2 under Allowances and Benefits we have memberships and professional development for \$1,800. What memberships would be included there, Pat?

MR. LEDGERWOOD: Basically, membership in the Council on Governmental Ethics Laws, which is about \$200. That is the only membership that I have that there is a fee attached to. The other professional development is courses that the staff members attend.

MR. CHAIRMAN: Right.

MR. LEDGERWOOD: Any other questions on part A?

MR. SIGURDSON: Mr. Chairman, without having to name the positions and what the income level is, could we just get a breakdown of that \$374,600 figure?

MR. CHAIRMAN: Under Salaries at the top of A2.

MR. SIGURDSON: Under Salaries. How many are in management and how many are in the union positions so that we can look at the increases, please?

MR. LEDGERWOOD: We have four managers, and their estimated salaries will be \$249,550. We have four in non-management, and their estimated salaries will be \$125,050, for a total of \$374,600. We also have provision there for one-half a man-year and estimated that at \$13,230. This is temporary help.

Does that answer your question, Mr. Sigurdson?

MR. SIGURDSON: Yes, it does. If I could just have that one position at the end again, please, the last figure.

MR. LEDGERWOOD: The half man-year: \$13,230.

MR. SIGURDSON: Thank you.

MR. CHAIRMAN: Any questions? All right. Let's proceed. Stan.

MR. NELSON: I'm waiting for the next section now.

MR. CHAIRMAN: All right. Go ahead, Stan.

MR. NELSON: Thanks. The one question I have is the same one I had last year with regard to this Contract Services of \$50,000 proposed for the development of the electoral book from 1985 to 1989. With some of the fiscal restraints that we're going to be facing this next year, would it be prudent to hold off on that until times are a little more economically favourable to develop that type of a catalogue?

MR. LEDGERWOOD: I'm completely ambivalent on that particular amount. We have had requests from several members as to the status of that report and a specific request that we go ahead and complete it. I think it's a very worthwhile project.

We received nothing but accolades from the people who use that 1905-82 report, anyone from researchers at university to high school librarians to members of the public, and I think the political arena makes excellent use of that document.

What we would do is update that by including the 1986 general election information, the 1989 general election information. We would also include in there the by-election data, the senatorial election data. We would amend the format in that we would take out the section on proportional representation, but we would add additional information on the front pages where we would include information on the Speakers and also on the leaders of the opposition.

MR. NELSON: May I then ask: if the committee were to agree to have those moneys expended, could you recoup those costs by charging a fee for that product?

MR. LEDGERWOOD: I think it would be just exactly the same as the maps. We don't charge for maps; we provide those to all political entities. We've never discussed recovering that. I think this is a service to the community. As you know, we've put copies in each and every high school. We've put copies in each and every community library throughout the province. Most of those community libraries, in particular, are not in a position where they can buy a book of that calibre, and I'm not sure how many high schools would be able to afford to purchase it. I think what we're doing here is basically providing a reference material to those people that are interested in it.

MR. NELSON: Well, Mr. Chairman, we're talking about the school system not affording a particular item, but it's all right for the government to continue to deficit finance everything. I have a problem with that kind of a thing. I guess I'm just making the committee aware of my concern about Treasury in this next year. If they're going to balance the budget, we're all going to have to squeeze a little. If there is one area that will be squeezed, in my opinion that's the one that I would suggest.

MR. LEDGERWOOD: I certainly leave it to the committee. For example, we just completed the 13th annual report which was released this summer. We don't charge for that. We didn't charge for the '86 general election report. We didn't charge for the '82. We didn't charge for the '05-82 report. So it would be quite a change in policy.

MR. NELSON: I appreciate that. But that may be a different report, Mr. Chairman, than what we're talking about here, with the accumulation and the compilation of a complete dossier on all elections from day one.

MR. HYLAND: Mr. Chairman, my question is on Code 512K. It's related to \$125,000 for the resupply of the Election Act forms and guides and the resupply of election finances. I guess a lot of that would depend on if we review the Election Act. It was supposed to be before the last election, and it was never got to. Those numbers would change considerably if - well, they could still be in there, too, though, couldn't they, if it was done in the spring session and then the printing would be in the fall, although the numbers would be different?

MR. LEDGERWOOD: Our problem is that we have to be ready for an election at any time, and I would hope that I would get an indication from the government sometime in the immediate future as to whether they were going to amend the

legislation. Certainly in the '91-92 period I must be prepared to start preparing for the next general election, and one of the things that I require is materials and supplies.

MR. FOX: Mr. Chairman, I'm just wondering if the restocking, resupply, of Election Act forms and guides is influenced in any way by the decision to hold or not to hold an enumeration in 1991. Would these forms be the same regardless of what the electoral boundaries are?

MR. LEDGERWOOD: I'm pleased that you've asked that because there are a lot of people who are trying to tie in redistribution with amendments to the Election Act and the Election Finances and Contributions Disclosure Act. There should be no correlation between a requirement to wait until redistribution is completed before amending the legislation that controls the election and the election financing.

MR. CHAIRMAN: If I'm reading you correctly, Pat, you're saying that unless there's a firm commitment to amend the legislation, the Election Act, the materials which you require have no bearing on redistribution of seats.

MR. LEDGERWOOD: That is true, Mr. Chairman. I think earlier we discussed time between elections. Had I not taken the initiative and purchased the materials required in December of '88, we would have not been able to conduct the election as successfully as we did in March of 1989.

MR. FOX: If I may clarify further, if we make a decision at a subsequent meeting not to provide money for an enumeration in 1991, that wouldn't affect in any way the need to restock forms for the Election Finances and Contributions Disclosure Act material.

MR. LEDGERWOOD: That is true.

MR. FOX: They're completely independent decisions.

MR. CHAIRMAN: That's the way I read it.

MR. ADY: And they're independent, if I can just get in, of anything that might happen through redistribution.

MR. LEDGERWOOD: That is true.

MR. ADY: These supplies would be valid and useful, regardless.

11:44

MR. CHAIRMAN: Unless the Election Act is changed. I think that was the Chief Electoral Officer's earlier qualification.

MR. LEDGERWOOD: We don't want, Mr. Chairman, to go ahead and order a bunch of supplies and materials that will not be correct, because any amendment in the Act is going to change the forms, the guides, and the brochures that we use. So we would hope that we would get a decision early as to whether the Election Act is going to be amended or not, and then if the decision is made to change it, that the change be done as expeditiously as possible.

MR. CHAIRMAN: Okay. Thanks.

MR. FOX: I'm just wondering whose responsibility would it be, then, to give you some indication whether or not the contemplated changes in the Election Act are likely to come forward within the next calendar year. I know it's got nothing to do with the electoral boundaries committee, but I'm wondering, Pat, under whose name is that submitted to the Legislature for amendment? Is it the Attorney General?

MR. LEDGERWOOD: Just to refresh your memory, the Chief Electoral Officer as an officer of the Legislature does not report to government but is given by the Premier a channel to government through a member. At this particular time the Attorney General is my entrée to cabinet.

MR. FOX: So you would communicate directly with the Attorney General to get some indication from him whether or not these contemplated changes are likely to be made in the next calendar year.

MR. LEDGERWOOD: Yes.

MR. FOX: It's not something that you'd require the chairman to do on your behalf. That avenue of communication is there for you.

MR. LEDGERWOOD: Well, what has happened is that we provided the Attorney General with a comprehensive list of recommended changes, and we have heard from the Attorney General that it's not a priority at this time.

MR. CHAIRMAN: Would you check again between now and our meeting in the New Year so that when we revisit the budget item, we're able to have the most recent information? Good.

Any other questions? I have a question, Pat, and it's for clarification. Once the returning officers are appointed, is there a monthly fee or a fee that is associated with that appointment?

MR. LEDGERWOOD: Once the returning officers are appointed, they receive a monthly honorarium of \$75 per month.

MR. CHAIRMAN: Where is that built into your budget?

MR. LEDGERWOOD: What we do with our budget, again to refresh your memory, is charge everything to the next particular event. So the honorariums that are currently being paid will be charged to the next enumeration.

MR. CHAIRMAN: So we'll come to that in the next budget item, under enumeration.

MR. LEDGERWOOD: Yes, sir.

MR. CHAIRMAN: It's in the enumeration element.

MR. FOX: If there is not an enumeration held in 1991, you still need to be paying these returning officers \$75 per month through fiscal '91-'92, so there would be an additional budget item that would appear as a result of a decision to perhaps not provide the \$4 million-plus for the enumeration.

MR. LEDGERWOOD: It is certainly a consideration. As you know, we're down to very bare bones.

MR. FOX: Uh huh.

MR. CHAIRMAN: All right. Anything else under this element or are we ready to move to the enumeration element? Thank you. Enumeration.

MR. LEDGERWOOD: I'm ready for questions, Mr. Chairman.

MR. CHAIRMAN: Any further questions of Pat? We've discussed it at length at his office this morning. There was also a brief discussion on it earlier today. Members are satisfied with the information given. We can leave this matter until we reconvene early in the new year with the knowledge of how we've proceeded with our fall sitting and with the proposed legislation and the creation of an Electoral Boundaries Commission.

MR. LEDGERWOOD: I think, Mr. Chairman, the reservations I expressed at the office, that if there's not an enumeration held in '91, that I receive some indication that if there is an election called before the boundaries are in place and enumeration has taken place, the onus is not placed on the Chief Electoral Officer for not being prepared for an election.

MR. CHAIRMAN: We'll discuss that fully in the New Year. All right. Anything else?

MRS. GAGNON: I'm just wondering . . .

MR. CHAIRMAN: Pat, can we go back to the question of the \$75 per month for the returning officers? Where does that break out in the enumeration element?

MR. LEDGERWOOD: That's under Contract Services, Mr. Chairman.

MR. CHAIRMAN: Oh, it's under the section you handed out this morning; it's not in the section that's in our book.

MR. LEDGERWOOD: Yeah, in the section that I handed out this morning - and my apologies - we did not have the Telephone and Communications section, which is \$12,400. It's item coded 512H. Because we had made several amendments, the enumeration total is in error on the copy that you have. So that is amended.

MR. HYLAND: We do away with the copy in the book.

MR. LEDGERWOOD: Yes, if you would like to do away with the copy in the book, please, pages C2 and C3.

MR. ADY: C2 and C3 go.

MR. LEDGERWOOD: Yes, please.

MR. CHAIRMAN: All right. That explains why it wasn't in the book.

MRS. GAGNON: Question, please, to Mr. Ledgerwood but to yourself also, Mr. Chairman. If there is no decision made until our next meeting in January, after which time we may or may not have established a commission and so on, I'm just wondering if there are some tasks that you would find we'd be very behind on. Is there anything that you must do now if you're going to get this done at all? Do you have any anxiety about time lines?

MR. LEDGERWOOD: I think I can answer that by saying that the returning officers were officially appointed on Thursday. We have 17 new returning officers; we will be completing their training next week, and those that we can't pick up next week, we'll have a special training session on November 15. We will give them their orientation and familiarization training and also their initial mapping training prior to a decision on enumeration '91. If the decision is not to go with enumeration '91, then all our training activity will cease. If enumeration '91 is still a go, then we will complete the enumeration training the third week in March of '91.

MR. CHAIRMAN: As well, Yolande, remember we're dealing with a budget which begins April 1 of 1991, so the Chief Electoral Officer has in with this current budget the capacity to do certain things.

MRS. GAGNON: Get started. Thank you.

MR. LEDGERWOOD: This was the budget, Mr. Chairman, that was approved by this committee last year, and I think you can appreciate the changes that happened since last year.

MR. CHAIRMAN: Any further questions on the enumeration element? Any further questions on the budget in general? Okay.

A special thank you again. Are there any other matters which the committee wishes to raise before we adjourn today? All right. As you know, we come back November 13 at 1 o'clock in this room. Were you able to contact the Ombudsman to see if we could . . .

MRS. KAMUCHIK: Yes, at 3:30 we're going to go with the Ombudsman.

MR. CHAIRMAN: All right; good.

MRS. KAMUCHIK: Then we're coming back to this room.

MR. CHAIRMAN: Right.

MRS. GAGNON: Does that mean the 14th is canceled?

MR. CHAIRMAN: That's right. We'll try to wrap up on the 13th. We're attempting to do it on the 13th. It frees up the 14th. Right?

MR. NELSON: I move that we adjourn.

MR. CHAIRMAN: Motion to adjourn. All in favour? Carried. Thank you.

[The committee adjourned at 11:53 a.m.]

