



STANDING COMMITTEE ON HOUSE SERVICES

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**STANDING COMMITTEE ON HOUSE SERVICES
2007**

Hon. P. Myron Kowalsky, Chair
Prince Albert Carlton

Mr. Rod Gantefer, Deputy Chair
Melfort

Mr. Greg Brkich
Arm River-Watrous

Ms. Doreen Eagles
Estevan

Hon. Glenn Hagel
Moose Jaw North

Mr. Andy Iwanchuk
Saskatoon Fairview

Hon. Warren McCall
Regina Elphinstone-Centre

Hon. Andrew Thomson
Regina South

[The committee met at 17:35.]

The Chair: — Well good evening everyone. Welcome to the meeting of the House Services Committee. I want to establish some things before we even get started in the meeting, and that is that we authorize the televising of the proceedings of this meeting. And I've spoken to representatives of both sides on this before, and I think members are prepared to do that. So I would be open to a motion. The Chair recognizes Mr. Hagel.

Hon. Mr. Hagel: — Thank you, Mr. Speaker. I would move:

That pursuant to rule 132 (2), the committee authorize the broadcast of its public proceedings under such guidelines as the Assembly provides.

The Chair: — Is there a seconder for the motion? Well I have one anyway, Mr. Brkich. Let's take a poll on this. Those in favour of the motion? Anybody opposed? Motion is carried unanimously.

Well members of the committee, the purpose of this meeting is to scrutinize the budgetary requests as presented by the independent officers and by the Board of Internal Economy to . . . and having gone through the Board of Internal Economy. And it's also to review the annual report and with the view of assessing the directions that are being taken by each of the independent officers and provide direction where requested or where warranted. There are eight agencies that report to the Legislative Assembly, and most of the time these agencies fly below the television radar. They do however appreciate the interaction with the elected members, the elected representatives of the people of Saskatchewan.

Each officer will be invited to the table in turn, and they have been asked for brief comments on the topic of his or her own choice, or an overall overview of the work that they are doing and then will have an option to include any comments . . . or take up any comments or questions following that.

Because one of the agencies is the Legislative Assembly itself of which the Speaker is the political head, I will be not sitting in the Chair but will be requesting the Deputy Chair or the Vice-Chair, Rod Gantefer, member from Melfort, to conduct these proceedings. So I at this time would invite Mr. Gantefer to the Table.

The Deputy Chair: — Thank you very much, members. Mr. Speaker, will you introduce the child's advocate office please.

**General Revenue Fund
Children's Advocate
Vote 76**

Subvote (CA01)

The Speaker: — With pleasure. It's my pleasure to introduce Mr. Marv Bernstein who is here with us today. He has produced the 2005 annual report, his first annual report which is a very good and easy read for all members. And I would ask Mr. Bernstein to introduce those who may be accompanying him today and then proceed with his presentation.

Mr. Bernstein: — Thank you, Mr. Speaker. With me this evening is John Brand who is the director of advocacy services at the Children's Advocate office. And I just wanted to preface my remarks by indicating that we had filed a lengthy written submission before the Board of Internal Economy, and we had revised our submission and filed a supplementary document, and there is quite a lengthy transcript of the oral presentation made before the Board of Internal Economy. And there was a fair bit of questioning that took place during that occasion.

As well there was a request that there be a summary document provided to Mr. Speaker which was an external operational review of our office and some recommendations that established some points of direction. And we haven't yet tabled our 2006 annual report so, Mr. Speaker, you were quite correct in terms of referring to the 2005 annual report.

I'm going to keep my remarks short and fairly succinct. I just wanted to indicate that the legislation that governs the activities of our office is The Ombudsman and Children's Advocate Act. It was enacted in 1994. It has proven to be visionary legislation, has stood the test of time quite well, and it has proven to be progressive legislation. And under that statute, the Saskatchewan Children's Advocate office has worked with Saskatchewan children, youth, family members, and other citizens to ensure that the best interests and well-being of Saskatchewan children are respected and valued.

The office is still relatively young, having been created and established in 1994. And last year after 12 years of focusing predominantly on its advocacy services, our office undertook a substantial external review of its operations and planning processes to better position its resources, programs, and services. This external review was very helpful in developing a new vision and direction for the office to meet its full legislative mandate while addressing increasingly complex casework and changing social and cultural environments.

The external review was deemed necessary, given that our office has the broadest mandate of any Children's Advocate office anywhere in Canada, and it was important to determine how to operationalize the work in all of the key priority areas which encompass all components of our legislated mandate.

And the priority areas are as follows: one, individual group and systemic advocacy; two, individual group and systemic investigations; three, public education and communications; four, youth voice; and five, administration.

And one of the principal outcomes of the review was the repositioning of advocacy and investigation services as specialized functions within our office which require specialist staff expertise with the ultimate objective of influencing systemic change in all aspects of our work.

The second key outcome of the review was a commitment of the strengthening of our offices investigation capacity having regard to increasing demands by concerned youth, family members, professionals, officials, and members of the public for our office to conduct various forms of investigations and to report on those investigations publicly.

Now in terms of the various kinds of investigations that we were contemplating, have contemplated are (1) child death investigations; (2) critical injury investigations; (3) program and service investigations; (4) fairness investigations; and (5) potentially — and this hasn't been tapped into yet — is mandatory investigations under our legislation upon referral of a committee of the Legislative Assembly or of the Lieutenant Governor in Council.

The areas that are most vital to the sphere of Children's Advocate investigations is child death reviews and critical injury reviews. Unfortunately the kind of child death reviews currently being conducted by the Children's Advocate office up until recently has focused on children in care, primarily medically fragile children who have at times died of natural causes.

And our process occasionally has missed the kind of preventable child deaths that our office really should be examining. The offices notified the departments of Community Resources and Corrections and Public Safety of a change in the criteria that our office will now be using. And we've had some very good discussions with those two departments.

And moving from those child deaths that have occurred as a general rule within 12 months of the child having been in care or having received government services, that's a change from the previous criteria in which was a six-month window and focusing more specifically on children who were in care. These new criteria reflect as practice and should enlarge the intake of cases that the office will be examining through the next fiscal year.

When the office was operating on the basis of these criteria in the past, the value of its child death reviews was recognized across the country. And these reviews were instrumental in achieving three key objectives: (1) preventing future child deaths and injuries; (2) improving the quality and capacity of child protection services and other child-serving systems; and (3) increasing public accountability and informing the public.

In particular, the Children's Advocate office is distinctive in using a multidisciplinary approach through the assistance of an expert multidisciplinary child death review advisory committee that reaches beyond the child welfare system.

Critical injuries are also an important area of investigation that has only recently become an important focus on the part of the office. And again the same criteria would apply, the 12-month period that I've spoken to previously. The office is mandated to investigate these injuries and ought to do so where they were preventable in the hope that future injuries and deaths are prevented through improvements to the care and protection of children. The preliminary definition of critical injury being used by our office is a situation that necessitates a child's hospitalization and major medical treatment.

We've also looked elsewhere in terms of other jurisdictions, specifically Manitoba and British Columbia, in terms of calling upon some of the lessons learned in those respective jurisdictions.

And as in terms of just summing up, the funding approved by

the Board of Internal Economy on February 12, 2007, for our office was \$1.450 million. It was identified as follows: a budgetary allocation of \$1,289,500 and a statutory allocation of \$160,500. And this appears to have been based upon a status quo funding request of \$1.357 million. Seventy-eight thousand dollars was representing an increase, and that was just to maintain status quo programming. And then there were also new monies in the amount of \$93,000 directed to new initiatives. And this was broken down in our estimation to \$77,000 for personal services and \$16,000 to support the information management system maintenance within our office.

And we appreciate the time and consideration provided by the Board of Internal Economy. We also respect the fact that there are a number of independent offices that have to function within a global funding allocation, and we certainly will commit to doing our very best work on behalf of the children and youth of this province within the allocation that has been provided to our office. And I think those are my concluding comments.

The Deputy Chair: — Thank you very much, Mr. Bernstein. I would like to remind committee members that we are dealing both with the report of the Children's Advocate, and the estimates of the Children's Advocate's office concurrently. So if there are questions, you can ask questions on both of those aspects of the discussion this evening. So are there any members that would like to ask questions? If not . . . Mr. Speaker.

The Speaker: — Thank you very much. I request permission of the Chair and the committee to pose a question.

The Deputy Chair: — Agreed.

The Speaker: — Thank you. In your report, Mr. Bernstein, you refer to a concept which I think is sort of just starting to grab hold, and that is about the rights conferred upon children. And you referred to the Convention of Rights of the Child which was compiled by the United Nations.

Mr. Bernstein: — That's right.

The Speaker: — I would just like you to comment about this, the emphasis that you're putting on this. Is this sort of a change in philosophy? Or is this a philosophy that's adopted by the Children's Advocate? And how does . . . what is the significance of it exactly?

Mr. Bernstein: — Right. I think that the emphasis on children's rights is not new within our office. I think that since the Convention on the Rights of the Child was ratified by Canada in 1991, it has reflected a cornerstone for many of the Children's Advocate offices across the country. And I believe that my predecessor also took the position that the convention and the number of rights that are incorporated into the convention really form the foundation for our office in terms of evaluating government performance, and trying to assert the fact that children need to be respected and valued in communities and within government practice, policy, and legislation.

And we put quite a premium within the office on youth voice and engaging young people so that before we go forward with a

significant policy direction that we may be making public or advancing to government, we will try and convene some youth focus groups. We will try and engage in youth dialogue and just test out our hypothesis against the lens of experiential young people who may have gone through day-to-day impacts in terms of their experiences with the provision of government services. And that's vital because sometimes we see things very differently than the young people who receive the services.

And in terms of looking at the role of the convention, there is an expectation that government should be attempting to implement policy that is consistent with the provisions of the Convention on the Rights of the Child, that when Bills and potential legislation are being introduced, that wherever possible they should be measured and consistent with the provisions of the convention.

So we need to see young people as persons who need to be respected as having fundamental rights that are stipulated in the convention as we move forward with policy and practice and legislation. And the convention also can be used as an interpretive tool by courts and judges in terms of interpreting legislation. So it has many different uses and is a touchstone for the work of our office.

The Speaker: — Is there a possibility that there could be sort of a conflict between a parent who feels that the children under his or her . . . well his or her own children are really their concern, and may feel that the child really doesn't have rights until they are older?

Mr. Bernstein: — I think sometimes we encounter that when we speak to families and parents. And we talk about rights being complementary, that we can respect the rights of adults and families and parents and still at the same time respect the rights of young people. One of the provisions in the convention is a provision that reinforces the importance of respecting family integrity, respecting the rights and entitlements of families and parents, and that it should only be in exceptional circumstances that those rights are interfered with.

And in terms of looking at young people, we need to see them as citizens. We need to see them as persons who are empowered to speak out, and not just people who may be the subject of certain rules or regulations or the subject of protection. We need to see them as evolving individuals. Often what we hear from young people too is that it almost becomes a platitude to say that children are our future. Of course that's true in terms of looking at the future vision and direction of this province. But I think when we hear from young people, they're often saying to us we need to be heard today; we have something to say; we need to be at the table; we can be constructive. So I don't see it as being kind of duelling interests or perspectives. I think that they're quite complementary.

The Speaker: — Thank you.

The Deputy Chair: — Thank you very much. Any other member? If not, members, we will firstly deal with the motion to accept the 2005 report. Would somebody move that the committee conclude its review of the 2005 annual report of the Children's Advocate? Mr. Hagel. All in favour.

Some Hon. Members: — Agreed.

The Deputy Chair: — That's carried. Thank you. And we'll move on to the estimates. Subvote (CA01) on page 148 in the amount of \$1,290,000. Is that agreed?

Some Hon. Members: — Agreed.

The Deputy Chair: — And then, members, I need someone to move the motion:

Be it resolved that it be granted to Her Majesty for the 12 months ending March 31, 2008, the following sums for the Children's Advocate, \$1,290,000.

Is that agreed?

Some Hon. Members: — Agreed.

The Deputy Chair: — I need a mover first. I'm sorry. Mr. Brkich. The motion is placed before us. Is that agreed?

Some Hon. Members: — Agreed.

[Vote 76 agreed to.]

The Deputy Chair: — Thank you. Thank you very much, Mr. Bernstein.

General Revenue Fund Ombudsman Vote 56

Subvote (OM01)

The Deputy Chair: — Committee members, thank you very much. I got all the signatures lined up here, so we can now proceed. Mr. Speaker, will you please introduce the Ombudsman's office.

The Speaker: — Yes, I will. Thank you very much, Mr. Chair. With me seated is Kevin Fenwick who is our Ombudsman. He has brought with him . . . Everybody has a copy, I believe, of the 2005 annual report which is our subject today as well as the estimates for the Ombudsman, and I would ask Mr. Fenwick to proceed with his comments.

Mr. Fenwick: — Thank you, Mr. Speaker, Mr. Chairman. I am more than happy to entertain questions certainly at any time during the presentation, which I expect to be brief, or at the conclusion of it.

I regret that we're not able to talk today about the 2006 annual report. We're actually tabling on Thursday of this week. Our intention had been to table it before the legislature today and weren't able to do so because the Assembly did not sit today. But I'm certainly more than happy to talk about the 2005 report, and I'll direct some brief comments toward it as well as with respect to our budget.

If I could talk first about the annual report and the directions of our office in general terms. In 2005, Ombudsman Saskatchewan started to talk about a somewhat new direction for the office,

and that's the concept of raising the bar. We have historically, as has been the case with most Ombudsman offices across the country, concentrated on examining complaints from citizens against agencies of the provincial government — departments, boards, commissions, etc. — and deciding whether those complaints were either substantiated or not substantiated.

My challenge or my difficulty with that concept is that when we're looking at complaints as either substantiated or not substantiated, it's a matter of looking backward, finding fault, and assigning blame. We have decided that we can be more effective in service for the people of this province by expanding that mandate somewhat, or at least looking at things from a slightly broader perspective and adopting what might be called a best practices model for fair practices in government.

And so we're changing our language a little bit, and we started to do that in 2005 which was the subject of this report, and as the report that we'll be tabling on Thursday for 2006 will expand upon. We're now trying to look as much in the future as we are in the past when we receive complaints from citizens. And that has a couple of consequences.

One is that when we note that we have received a number of complaints over a course of a year or a shorter period of time, a number of complaints about the same subject, we think it's incumbent upon us not just to look at those individual complaints, but to try and find what the causes of the series of complaints that share a common theme are. So we're trying to be more proactive.

Sometimes that means that we will broaden the number of systemic investigations that we do in a year. That's part of our mandate. Sometimes it means that we will simply be peeling off additional layers beneath the presenting problem with respect to the complaints that come before us to try and find broader underlying causes. What we're doing then is we're saying to government it's no longer enough for you to not do something wrong. It's no longer enough to make the right decision. You have to make the right decision in the right way. You need to use good process in terms of making decisions when you're dealing with citizens of the province of Saskatchewan.

So now instead of just saying that this complaint was substantiated or not, instead of just saying that the government has achieved a level of fairness as if we've drawn a bar in the air that said this is the fairness bar that you have to clear, what we're saying is, is that when we look at a complaint if it appears to us that the board or the department or the agency or the commission could have done better, then we'll say so. So sometimes now we're saying you didn't do anything wrong, but you could have done better. And we'll make recommendations on that basis.

And one of the consequences of that is that we will make more recommendations in a year than we did in the past. However the recommendations do not necessarily carry with them a finding of fault or blame, and we think that's a significant shift. It's recognizing trends that have been taking place in Ombudsman work across Canada and in fact around the world, but we're, I would suggest, leading the country in putting a name on what's been happening and saying that our job is to improve service not just to ensure a basic level of fair service.

That happens in a number of ways. Partly it's the reclassification of complaints. As I just described, it's no longer substantiated or not substantiated, but could have you done better? Partly is trying to be more proactive so that when we see a program announced by government, for example, instead of waiting until we get complaints about that program as we sometimes do, we've now taken upon ourselves to contact those agencies and say part of the job of the Ombudsman is to act as a fairness lens to look at the particular program from a perspective of fairness. And could we sit down and talk with you — department or agency or border commission — and give you our perspective through that fairness lens before you roll out the program rather than waiting until the complaints come in after the fact?

Partly what we're doing with this new model is we've introduced what we call our fair practices training. So we have developed a module designed specifically for government workers to spend some time with them talking about what fairness really means and why they should care, to talk about some tools and specific ways that they can ensure that they are providing fair service, and also to talk about the role that the Ombudsman's office plays. And we started to deliver that program in 2005 and have expanded in 2006.

When we conclude those sessions, we have a questionnaire evaluation that we do with people. And one of the questions we have in that is a fairly narrow question, but an important one for me, and that is: will this training help you as a government worker do your job? And in the training that we've done so far, 100 per cent of the government workers who've taken that training has answered yes to that question. They're saying we can do our job better as a result of this; we can act more fairly with respect to our interactions with the public as a result. And I think that's important as well.

And we are, thirdly — in view of this slightly new role — we're trying to redirect some of our resources away from dealing exclusively or almost exclusively with individual complaints to doing more systemic work. Historically the office has devoted, I would estimate, 95 per cent of our resources to the investigation of individual complaints. That work is, always has been, probably always would be, and should be the most important part of the job that we do, and it should consume most of our resources.

But I would like to see us reduce our resources devoted exclusively to individual complaints somewhat so that we are devoting more to the larger issues, the systemic issues that have a broader impact, and hopefully would in the long run result in a reduction in the number of complaints that come to our office.

So that's part of the direction. That's part of the theme that we're talking about in that 2005 annual report and what we've been doing since.

Specifically with respect to our budget, if I can spend a moment or two talking about those issues, the budget that we presented to the Board of Internal Economy was essentially a status quo budget with two exceptions. When I talk about status quo, it was a status quo request assuming that there were certain built-in costs as a result of salary increases beyond our control and as a result of the normal cost-of-living increases that

happen with non-salary items, etc. So it's a status quo including those numbers.

And in addition to that, we asked for some funding that in the previous two years had been one-time funding that we needed in order to upgrade our complaint tracking system, our computer software in the office that we use to track the complaints that come in. And the board had approved funding, and this body had approved funding eventually to allow us to enter into that on a pilot project. The project worked, and there is some ongoing costs. So included in our submission is the sum of \$24,000 — the same as last year — but we've asked that that be added to our baseline budget.

And the second and the only real new initiative is, it's my belief that we have not done a good enough job in the past of providing our services, Ombudsman services, to northern Saskatchewan. There are new and unique and different challenges in northern Saskatchewan. We are, I think, underutilized by the people of the North, and so what we asked for from the Board of Internal Economy was the sum of \$25,000 as new money in order for us to at least embark on a new initiative in northern Saskatchewan.

And that includes about \$5,000, we expect, for some extra travel so that we can actually put our people in the northern part of the province. About \$5,000 for communications in the North, directed specifically towards making sure that we have materials that are relevant for northerners, that may include translating some of our pamphlets, etc. And about \$15,000 for us to host a northern conference in northern Saskatchewan sometime this fall so that we can educate community service providers in northern communities about who we are and what we do, and hopefully give them the tools so that they can make appropriate referrals to us when necessary.

I should mention that that project and northern initiative is something that we're doing as a partnership with the Children's Advocate's office and the Human Rights Commission. And those three agencies spent time last year in northern Saskatchewan gathering information about how we can better deliver our service. We intend to continue that practice this spring and visit those northern communities that we've not yet seen, or at least a number of them, in order that that northern initiative can be relevant.

Other than that, our budget was essentially a status quo budget, and we hope to continue to deliver the high level of service that I think our staff have been able to do in the past. I'm certainly open to any questions that members of the committee may have.

The Deputy Chair: — Thank you very much, Mr. Fenwick. Committee members, are there any questions? Mr. Hagel.

Hon. Mr. Hagel: — Thanks, Mr. Chair, and welcome. Given that we are here for our '07-08 estimates and receiving the '05 report, I'll really not pay attention to the '05 report. It's a tad outdated I think in the context of our discussion here.

Just listening to your reference to the . . . I guess what you describe as the more proactive approach to investigations, and I'm not sure whether I'm hearing an approach to investigations that (a) has had endorsement outside of the Office of the

Ombudsman — I'd appreciate comment there — or (b) is an evolving norm for ombudsmen, or (c) is an argument for increased resources. Now I note that your budget is, with the exception you just referred to, is status quo, so if you wouldn't mind just expanding on those contexts.

Mr. Fenwick: — I think the answers to (a), (b), and (c) are yes, yes, and no.

In terms of the first question, does it have the endorsement of government agencies, departments, etc.? This is not a process that we began without consultation, or at least interaction, with those departments. And so far I have had not one department say to me whoa — we don't think you should do that. In fact it's been the opposite. In fact what they have been saying to us is . . . okay, I mean there is at times some wariness about . . . is it going to double the number of complaints that you're investigating? And that's understandable. I don't believe that it will.

In fact I had a meeting with the general manager of one particular government agency just last week who talked to me about this approach and our work historically in the past. And the comment was we look forward to the recommendations from the Ombudsman's office because we're trying to deliver a better program, and it allows us to do that. So it has been welcomed in my experience, and I have yet to have anyone say we don't think you should go that direction.

In terms of the second part of the question, is it an evolving part of the part the work? Yes I believe it is. I believe this is the direction that most ombudsmen offices have been working toward, somewhat informally. And although we have certainly been part of that trend, I think we are now saying let's name that — which we are doing — and let's make a deliberate effort.

I can tell you that when I met with my colleagues from across Canada — we get together annually, the ten ombudsmen from the various provinces and territory — that was the part of my talk that they were most interested in as we each reported on our particular jurisdictions. So yes I think that it does have the endorsement of my peers, my colleagues, as well.

And with respect to an expansion of work, no I don't believe that those are connected at all. In fact I would hope that this approach should mean that we will receive fewer complaints from the traditional sources of our complaints. Now I can't tell you that I expect that we'll be back asking for less money next year because I believe that there are parts of the province that are not properly serviced or are not serviced to the extent I would like to. We receive many more complaints from Regina and Saskatoon than we do from the smaller urban areas and the rural areas. And I think that if we can manage with the same resources but act more efficiently — which is what I think this is about — then we can expand our services to those areas that may be under serviced at this point.

Hon. Mr. Hagel: — I note when I look in the Estimates book, on page 158, at the description of your office, I don't know that it captures that portion of what you describe as the objective in your operations. I certainly do endorse the objective of reducing

the number of complaints. And I'm encouraged then by what you say because in the context that I want to feel comfortable, that in essence kind of adding to the operational mandate of the office that we're not losing the ability of the office to follow up on the complaints brought by citizens, because at the end of the day that's why your office does exist and the citizens of Saskatchewan must have a sense of confidence that their complaints will be heard in a timely way.

Mr. Fenwick: — Oh absolutely.

Hon. Mr. Hagel: — And resolutions found.

Mr. Fenwick: — Yes. No. Certainly. And I meant when I said, when I said that part of our work isn't always should be the core part of our business.

Hon. Mr. Hagel: — Yes.

Mr. Fenwick: — So the difficulties is that our legislation, The Ombudsman and Children's Advocate Act, actually sets out four parts of our mandate. Public complaints is one of the four. The others are alternate case resolution which for us is actually part of the way we deal with public complaints. In addition to public education — and this is part of that public education model — part of this is about educating those who deal with government about how they can better deliver that service. And the fourth part of our mandate is systemic investigations. And so once again, this is about recognizing that systemic investigations will have a longer term effect and a broader impact than just investigating individual complaints.

You know I can give one quick example. We have historically received a large number of complaints from our correctional centres from inmates who are complaining about lost property. They have been transferred from one centre to another, and their personal property goes missing somewhere along the way. We spend a lot of time investigating those complaints.

What we have said is that we need to look at the root causes for those kinds of complaints. And rather than deal with 15 of those a year, for example from the Regina Correctional Centre, let's sit down with the Regina Correctional Centre and say what do you need to do out here so that those kinds of complaints don't come to us, that the property doesn't go missing? And just within the last couple of months, the Regina Correctional Centre for example has for the first time appointed a property person, someone who is responsible for doing that. So will it result in a reduction of complaints? I hope so, and that will allow us to spend more time dealing with complaints from other individuals.

Hon. Mr. Hagel: — Thank you.

The Deputy Chair: — Mr. Brkich.

Mr. Brkich: — On dealing with 2005, 2004, you know what you've got open in front of you, I see like you're . . . 2,900 open files and then 2,600 in 2005. Has the cases been coming up or going down? I'll say from 2000 to now, have more been coming in?

Mr. Fenwick: — We've had for three years in a row now a

slight reduction in the number of complaints that we have. The peak was that 2,900 number which is the highest number of complaints the office had ever seen. We have I think been going back to more historic levels over the last number of years. And when we file the 2006 annual report what you'll see is that there's a slight reduction again in numbers over the previous year — not overly significant but a slight reduction which again, as I would say, is more a return to historic levels.

There is a larger variation, for reasons which we don't quite understand, in the out-of-jurisdiction complaints that come to our office. We receive a large number of complaints for matters over which we have no jurisdiction: complaints against the federal government, against municipalities, against First Nations, for example. And so we're working very hard to educate referral agencies about what it is that we do and just as importantly what it is that we don't do so that we can spend our time dealing with matters that we can.

Now it is important though that to recognize that when we receive a complaint about a matter that's not within our jurisdiction, it is not our practice to say, I'm sorry, can't help you, go away. In fact we act as a referral agency, and we maintain an extensive referral list so that when we get those calls, we can refer people to the appropriate agency. That number though seems to vary dramatically from year to year sometimes. Thank you.

The Deputy Chair: — Are there any other questions, members? If not, again we will deal with the annual report first. Would someone move:

That the committee conclude its review of the 2005 annual report of the Ombudsman.

Hon. Mr. McCall: — So moved.

The Deputy Chair: — Mr. McCall. All those in favour of the question? That's carried.

Thank you. Moving to the estimates, vote (OM01) in the amount of 1,775,000. Is that agreed?

Some Hon. Members: — Agreed.

The Deputy Chair: — And would somebody move that:

Be it resolved that there be granted to Her Majesty for the 12 months ending March 31, 2008, the following sums: for the Provincial Ombudsman, \$1,775,000?

Ms. Eagles. All those in favour? That's carried. Thank you.

[Vote 56 agreed to.]

Mr. Fenwick: — Thank you very much.

The Deputy Chair: — Thank you very much, Mr. Fenwick.

**General Revenue Fund
Information and Privacy Commissioner
Vote 55**

Subvote (IP01)

The Deputy Chair: — Thank you, members. I think we're ready. Mr. Speaker, would you introduce the officials from the information and privacy office, please.

The Speaker: — Yes. Mr. Chair, and members of the committee, it's my pleasure to introduce Gary Dickson who is the commissioner for the privacy . . . He's our Privacy Commissioner and also a commissioner for information and . . . It's got a fancy title. It's called Information and Privacy Commissioner. And, Mr. Gary Dickson, if you wouldn't mind introducing your support staff and then proceed with your comments.

Mr. Dickson: — I'd be happy to. Thanks, Mr. Speaker. Good evening, Chairman, members of the committee. With me is Diane Aldridge, director of compliance in our office. Next to her is our acting manager of administration, Colleen Zimmer.

I might just say because the area we work in the titles are always so darn long, we use acronyms. We find it a lot easier to refer to the OIPC [Office of the Information and Privacy Commissioner] rather than spelling out the whole title. It also fits better on business cards.

Mr. Chairman and members, on February 12, 2007, the Board of Internal Economy approved estimates of \$675,000. My recollection is that there was actually quite a full discussion at that time. So my plan here is, with your leave, Mr. Chair, is to spend some time focusing not so much on material already covered at the time of the board but to talk a little bit about our last annual report, an area we didn't really get much of an opportunity to explore when I was there in front of the board in February.

And I just remind members very quickly, the mandate of our office, there are four parts to the statutory mandate. Firstly, when citizens have been unsuccessful in making a request for access to records of a provincial government institution or a local authority, they can ask our office to review that decision. And we do that, and then we issue a report if it can't be resolved. As I've told members before, I'm pleased to report we're resolving, through informal resolution and mediation, well over 80 per cent of those files.

The second thing we do is if citizens think that their personal information has been improperly collected, used, or disclosed by local government or provincial government, again they can make a complaint. We have broad powers to investigate. Once again, in most of those cases we're able to achieve a mediated, informal resolution, and that's the end of it. In a small number of cases, it proceeds to a formal report which is published on our website.

The third part of our mandate is public education. And it gets back to that notion, what good does it do to say to the men and women in the province of Saskatchewan, you have certain information rights, certain access rights, or certain privacy rights, if you don't know what the limitations are or what the process is to be able to exercise them. So in the last year . . . well actually in the last three and a half years, that's been a big focus. We've done over 480 presentations in more than 28

different Saskatchewan communities.

As I told the Board of Internal Economy in February, the first three and a half years the focus was on capacity building and awareness, both within provincial government, local authorities, and the public at large. Now the focus is turning more to one to working on the backlog of complaints and formal reviews.

In terms of our . . . Oh and then the fourth part of that mandate — I didn't finish off — is providing advice and commentary to the Legislative Assembly. And in fact members may recall that on a number of new Bills that have been introduced in the Assembly, proposed regulations, part of our mandate is providing advice to the legislature through an access and privacy filter. And then of course it's up to you and your colleagues as members of the Assembly to decide what you wish to do with that advice.

What I wanted to take from our last annual report, 2005-2006, we had revisited in that something we produced the year before, and it was called *Privacy and Access — A Saskatchewan Road Map for Action*. We outlined a number of areas, six different areas, where we thought we could do better as a province in terms of better respecting and protecting a citizen's right to access, number one; and number two, their right of privacy.

One of the things we suggest in that annual report was that when a deputy minister or a CEO [chief executive officer] of a Crown is hired in Saskatchewan, my understanding their letter of engagement requires them . . . their performance to be assessed against three variables. My suggestion was to add a fourth criteria, if you will — not variable, a fourth criteria — and that is in terms of ensuring full compliance with The Freedom of Information and Protection of Privacy Act.

The reason is the Supreme Court of Canada has reminded us that the reason a law like FOIP [freedom of information and protection of privacy] is special, quasi constitutional, and paramount to most other laws is because it ensures government is accountable by being as transparent as possible, and also ensures that the personal information of citizens is protected. So I continue to make that suggestion to government.

There were six areas we had focused on in our last annual report. One was renewing the culture of openness. We encourage the legislature to be cautious and wary before adding to the list of legislated exclusions to allow, like FOIP or HIPA [The Health Information Protection Act].

The second area we've talked about is . . . our legislation was the first of its kind in Western Canada. Our FOIP Act was the first — before British Columbia and Alberta and Manitoba — but it's long past due. It needs to be updated to be able to do the job that was originally seen in 1992. We initially suggested 25 amendments, and in our last annual report we added another seven proposed amendments we think the legislature should look at in terms of updating that law so it works better — not just for applicants, complainants, but also so it works better for public bodies.

The third area we continue to recommend is . . . we have a — I'll call it — the FOIP Act, and we have a local authority FOIP Act. It's actually very confusing in the public sector to have two

laws which are so similar, and there's really no value added by having two laws. So we continue to urge a consolidation of those two statutes into a single one like all other provinces outside of Ontario.

The fourth item, we continue to make recommendations. Saskatchewan still has no legislated privacy protection for employees in the private sector. We have privacy protection for employees working in the provincial public sector and in the local authority public sector, but they're not protected by FOIP or LAFOIP [The Local Authority Freedom of Information and Protection of Privacy Act] if they're working in the private sector.

So employees in Saskatchewan working in the video store, the grocery store, the dry cleaner, any of those other businesses — small, medium size, or even large — have no privacy protection. Customers have privacy protection under the federal legislation, Personal Information Protection and Electronic Documents Act, but there's no privacy protection equivalent at all for people in the private sector. We continue to think it's important.

We get a large number of phone calls and complaints from Saskatchewan residents in private sector organizations that are subject to video surveillance, sometimes in change rooms, inappropriate places, audio surveillance of everything they do at their workplace. We have some issues. We think that there may be a need to address that. Three provinces already have — Quebec, British Columbia, and Alberta — and they've developed actually, in Alberta and British Columbia, a piece of legislation that provides equivalent privacy protection whether you're working private sector or public sector.

The fifth item was to address the issue of privacy and public registries. Identity theft continues to be one of the most serious crimes we have in Canada today. And interestingly public registries like the Automobile Injury Appeal Commission and a number of registries that were created, frankly, with little thought in terms of identity theft provide the feedstock for identity thieves who were abled with powerful search engines to collect aggregate that information and use it for illegal purposes.

And then the last one is just how can we make our access and privacy legislation work better. The one point I've continued to recommend to the Legislative Assembly, our legislation has no provision that requires a public body to take reasonable measures to protect personal information in its control or in its possession. I continue to think that's a problem; that's a standard in all modern privacy legislation. We don't have it, and I think that's something that I continue to urge the Assembly to give careful consideration to.

Those are my comments. Thank you very much, Mr. Chair.

The Deputy Chair: — Thank you very much, Mr. Dickson. Members, are there questions? Mr. Brkich.

Mr. Brkich: — Mr. Chairman, you run the freedom of information. If somebody make a request for information, that comes through you? Or does that go to the government?

Mr. Dickson: — Well what happens . . . and one of the very positive developments, Saskatchewan Justice has created the access and privacy branch within Justice to provide some leadership within executive government and the local government level — designing some tools, they've developed an improved website, things like that. So they assist those bodies in being compliant, but if a citizen can't get what they want, then they appeal to our office.

Mr. Brkich: — Under the freedom of information . . .

Mr. Dickson: — We call it the FOIP Act for short. Right.

Mr. Brkich: — How many requests were there made in 2006 against the Government of Saskatchewan?

Mr. Dickson: — There are two things, just while my colleague is looking for the specific number, I'll tell you we've, in the last year, we received — what's the number of requests for summary? — 2,641 requests where citizens have contacted our office wanting information in terms of what their rights are. That's not all under FOIP. Some of that's under The Health Information Protection Act.

Ms. Aldridge: — In terms of . . . if your question is about how many access requests are made to government institutions?

Mr. Brkich: — Yes.

Ms. Aldridge: — That's the information you can find in Justice because they are responsible for keeping tabs specifically on the number of access requests that are made to the different government institutions. They keep tabs in their annual report that comes out every year, specifically on FOIP and LAFOIP.

So for instance, you have to take a look at the fiscal years, and in terms of the total requests received this year for the 2005-2006 fiscal year, the number was 466. That was listed on that one table.

Mr. Brkich: — Okay. How many were rejected by the government . . .

Ms. Aldridge: — For granted, it has 234; denied, 38; partially granted, 61; Act not required, 14; records do not exist, 52, because that is a reason for which because, you know, you don't provide access if the records don't exist; records not found, 3; application withdrawn, 23; and application carried forward to next year, 41.

Mr. Dickson: — And then we would get a portion of those that would then go on to review. And typically in a given year we receive, it would be about 148 requests for review, and then in addition we have another 70 privacy complaints. And some of them would be from a single individual.

In a number of cases, we'll get requests from a number of people who . . . They may have an issue. A number of people may be concerned that a Crown corporation is collecting SIN [social insurance numbers] numbers for example, and so we would open perhaps one file, but there might be dozens of complainants who would want us to look into that. Have we responded to your query?

Mr. Brkich: — Yes. Well that's good, yes.

The Deputy Chair: — Thank you very much, members. Are there any other questions? If not, we will move to the report. Would someone move:

That the committee concludes review of the 2005-06 annual report of the Information and Privacy Commissioner.

Mr. Hagel. All those in favour? That's carried. Thank you. And then to the estimates on subvote (IP01) in the amount of \$675,000. Is that agreed?

Some Hon. Members: — Agreed.

The Deputy Chair: — And I need someone to move:

That it be granted to Her Majesty for the 12 months ending March 31, 2008, the sum for the Information and Privacy Commissioner, 675,000.

Would someone move that please? Mr. Brkich. Thank you. All those in favour? That's carried. Thank you. Thank you very much, Mr. Dickson.

[Vote 55 agreed to.]

Mr. Dickson: — Thank you very much.

**General Revenue Fund
Provincial Auditor
Vote 28**

Subvote (PA01)

The Deputy Chair: — Thank you, members. We are ready to continue. Mr. Speaker, would you introduce the Provincial Auditor's office, please?

The Speaker: — Thank you, Mr. Chair. Right seated beside me I've Fred Wendel who is the Provincial Auditor; beside him, Brian Atkinson, assistant provincial auditor. Angèle Borys is the principal for the support services. And Heather Tomlin, seated behind Angèle, is the data systems administrator.

The auditor has supplied us with a business and financial plan for the year ending, the year March 31, 2008. This is a plan that's presented annually to the Standing Committee on Public Accounts, but it is a plan that members may want to ask questions or make comments on. Now I would invite Mr. Wendel to make his remarks.

Mr. Wendel: — Thank you, Mr. Speaker. Thank you for the opportunity to speak to you today about our 2008 business and financial plan. We provided you a copy of that plan last week. The Legislative Assembly received this plan in November 2006 and referred it to the Public Accounts Committee. The plan was considered and accepted by the Public Accounts Committee on February 23, 2007.

I want to talk briefly about our work plan that is included in the business and financial plan. My remarks will be brief because

many of the members of this committee are either a member of the Public Accounts Committee or former members of the Public Accounts Committee and are familiar with the work that we do.

As the Legislative Assembly's auditor, our role is to help the Assembly hold the government accountable for its performance. We do this by independently auditing all government agencies every year and reporting our results and recommendations to the Assembly. Our recommendations focus on improving the management of public resources and improving the performance information that the Assembly receives from government agencies.

The Assembly usually receives our advice on the government's performance three times a year. We also encourage debate on public sector management and accountability issues. We assist the Public Accounts and Crown and Central Agency committees, and we also train professional accountants for public service.

Our audit universe is very large. The government delivers its services through about 275 agencies. These agencies include departments, boards, agencies, commissions, Crown corporations, pension plans, and regional health authorities. These agencies spend about \$13 billion every year, take in \$13 billion every year, and have \$40 billion worth of assets and liabilities. And we audit all of these agencies every year.

To audit all of these agencies, we need 59 full-time equivalents. Our staff at any time is made up of about 25 to 30 professional accountants, and about 15 to 20 people training to become professional accountants. We also employ a lawyer, a health professional, and administrative assistants. Usually about five to six professional employees leave the office every year. We hire trainees from the two universities to replace them. Our employees are on average about 38 years old, and nearly 60 per cent of our employees are women.

The government delivers its services through many large complex organizations, and it certainly is a challenge to build and keep specialized expertise to comply with professional standards to audit all of these diverse government agencies. It requires the staff to specialize in many fields such as energy, insurance, information technology, pensions, education, and health. As well our staff must maintain expert knowledge of generally accepted auditing standards and generally accepted accounting principles which are changing rapidly.

I also want to mention that our 2008 business and financial plan is based on the 2005-to-2009 strategic plan that is essentially unchanged for the past several years. This is the same strategic plan that the Public Accounts Committee supported last year.

As well in the 2008 plan, we discuss the forces and trends that affect our work and where we plan to focus our efforts. We also explain our key risks and how we are managing those risks. We also set out indicators that we use to measure our success. One key way that we measure our success is the acceptance of our recommendations by the Assembly and the government. I am pleased to say that the Assembly has accepted more than 90 per cent of our recommendations. As well the government has acted on more than 80 per cent of those recommendations.

That concludes my remarks on a work plan. Now I want to just touch briefly on our financial plan. The estimate you are considering today has two parts. The first part is the amount we need to finance a work plan for 2008. We are requesting \$6.124 million.

The amount is \$429,000 more than last year's request or about a seven and a half per cent increase. We explain on pages 5 and 6 the factors that increase our costs for 2008. Three factors cause a seven and a half per cent increase. First, a publicly announced cost-of-living salary increases make up three and a half per cent of the increase. When we prepare a business and financial plan, we only budget for salary increases that the government has publicly announced. When we prepared our financial plan in October, we only included announced salary increases up to that date.

The second reason for the increase is the government's decision to have us audit SAHO [Saskatchewan Association of Health Organizations] directly. This decision makes up 2 per cent of the increase. Extra work caused by new audit standards is the third reason and makes up the last 2 per cent of the increase. The law requires us to follow those standards.

For the last several years we have gradually reduced our workforce from 63 to 57 people. For 2008 we'll have to increase our workforce to 59 people because of the new audit standards and the extra work we're doing at SAHO. The new standards are also causing a shortage of professional accountants that is increasing salaries for these people. Also the recently announced SGEU [Saskatchewan Government and General Employees' Union] contract salary increase of three and a half per cent will increase salaries for our office. We have not budgeted for any increased salaries for these factors. If we respond to them, we will use our contingency appropriation.

The second part of the estimates you are considering today is a contingency appropriation. We are asking for \$392,000. The law requires a contingency appropriation to operate my office. This appropriation allows my office to respond to unforeseen expenses such as a new government agency that we have to audit or a special investigation that may be required such as Oyate, as well unplanned salary increases. If we use the contingency appropriation during 2008, we will make a full report on why we use the appropriation and the amount that we used in our 2008 annual report.

In closing I want to say for the last 11 years legislators have supported my office's request for resources. Your approval of the amount in the estimates will allow me to discharge my duties to the Assembly. And that concludes my comments. I'll be pleased to try and answer your questions.

The Deputy Chair: — Thank you very much, Mr. Wendel, members of the committee. Are there any questions? Mr. Hagel.

Hon. Mr. Hagel: — Thanks, Mr. Wendel. I noted when you, early in your comments, you said that, I think if I heard you correctly, the phrase you use something to the effect that the office uses industry standards and that industry standards are rapidly changing. Could you just explain to me what . . . It would seem to me that if there's anything in the world that you could rely on is being staid and solid and predictable, it should

ought to be accounting standards. But obviously something is afoot. And as Sherlock Holmes would say, the game is afoot and what's up?

Mr. Wendel: — Sure. The auditing standards are changing considerably because of audit failures at WorldCom and Enron and a few other places. And what's happening is they're going to international auditing standards. And they're much more detailed, requiring much more work by the auditors in the way of documentation, meeting with management, meeting with the governing boards, and doing more risk assessment. So it's added considerably to the workload, and we're estimating it will take us about an extra one person spread out through the whole audit universe to comply with those standards. Now there's more changes coming because we're changing everything to these international standards, and this is just the beginning.

Insofar as accounting, there's some major changes afoot in the accounting area. And one of the things they're going to is the fair value of assets as opposed to the book value. And this is going to create all kinds of volatility and the financial statements that are going to be presented, and it takes a great deal more work to audit that. So those are the things that are causing the increase. And I think at the moment the public sector principles don't have that financial instruments part yet, or the fair value part, but that's coming. And that'll be within a year or so.

Hon. Mr. Hagel: — Is there a corresponding increase then in terms of the departments and Crown corporations for their own employees to also deal with these changing and increasingly demanding standards? Does it have those implications on the operational costs as well?

Mr. Wendel: — I would think for the accounting principles, it will have some impact. I think the people in the comptroller's office, the Department of Finance, will certainly feel the impact if and when the public accounts goes to fair value. I know the Crown corporations are wrestling with it now. And for their first quarter results . . . and it starts as of January 1 for the Crown corporations. For the public accounts it's probably a year or so down the road.

Hon. Mr. Hagel: — One final question, Mr. Chair. I don't think any of us would ever take issue with the value of auditing in protecting the public purse in confidence in the public management of finances. When you're . . . So in that context, it will sometimes be the case that in assigning resources to do a variety of tasks, one of which is auditing and accounting, that operationally there will be competing pressures to achieve objectives. Sometimes — and virtually always — one of those pressures will be to deliver services, whatever is the mandate of the department or corporation.

When you're doing your auditing, is it ever a question that is dealt with as to whether the level of detail or perhaps the level of public expense is appropriate to the overall expense when balanced with the obligation to provide services? I'm not sure if you're . . . Is there a time at which it's . . . Would the auditor's office ever judge that someone is paying too much attention to financial management, for example, at the sacrifice of providing services so that . . . is there is a service audit that enters into the

deliberations? I'm not trying to be facetious because, when dealing with stretched resources, you always have to make those decisions. It's about balance, and balance in terms of meeting the public requirement and the public expectation.

Mr. Wendel: — Well we try to make sure that our recommendations for improvement in administrative practices are cost effective. Those recommendations are discussed at length with government agencies. We need their support also to bring about change, so there's a certain amount of rigour brought to our recommendations to make sure that they are cost effective.

Insofar as auditing program delivery, we haven't really been doing a great deal of that, but I think we are looking at the balanced scorecard information that Crown corporations put out and making sure the information they're giving to you is reliable and understandable, looking to see if they have processes to manage . . . like, do they actually have processes to manage?

We don't comment on whether they are managing well, but have you got the proper processes to manage what you're supposed to be managing? And we would select an item and look at it and make recommendations for improvement or say everything is okay.

Hon. Mr. Hagel: — Would it be your advice that that's something government should ought to look at? I don't know if it's the correct terminology, but service auditing?

Mr. Wendel: — That's something that many of my peers across Canada do that. Now we're just on the edges of that so we aren't . . . you know, we don't have that same mandate that some of them do to look at economy and efficiency and processes for effectiveness in the way some of them do. So that's something that certainly could be considered. One of the things we considered when the Act was amended in 2002, I think . . . it was discussed by the Public Accounts Committee, and they thought they'd like to leave it and have it evolve towards that, just slowly evolve towards that. So I think that's where it was left.

Hon. Mr. Hagel: — Thanks.

The Deputy Chair: — Thank you very much. Any other member? Mr. Speaker.

The Speaker: — Thank you very much. I have a question with respect to pension plans. Do you audit the public employee pension plan on a regular basis?

Mr. Wendel: — Yes, we audit the public employees pension plan each and every year.

The Speaker: — And I notice, is that under the Public Service Commission? Is that the line item on page 36?

Mr. Wendel: — It would be part of the Department of Finance audit because it's administered by the Public Employees Benefits Agency.

The Speaker: — Okay. And that's good. I just . . . is there

anything in this, in your audit that you might want to . . . that raises any kind of red flags? And the reason I mention that at this time because there are pension plans that are under threat, and I know that all of the employees of the government would be doubly assured if they could hear it from you directly.

Mr. Wendel: — Well I can say we audit the pension plans each and every year. We're satisfied with the controls that they use to manage public money. When we're not, that information appears in our public reports, and it's sent to the Public Accounts Committee who call in officials and have them answer for any deficiencies.

We've also put out a chapter in the fall last year about managing the pension deficits. There was some information there that might be of interest to people if they wanted to read our volume 3.

The Speaker: — Thank you.

The Deputy Chair: — Thank you very much. Members, if there's no further questions, we will move on. I need someone to move a motion:

That it be granted to Her Majesty for the 12 months ending March 31, 2008, the following sums for the Provincial Auditor, \$6,360,000.

Mr. Thomson. All those in favour?

Some Hon. Members: — Agreed.

The Deputy Chair: — That's carried. Thank you. And then in the Estimates book on page 160, subvote (PA01), for the amount to be voted of \$5,968,000? Is that agreed?

Some Hon. Members: — Agreed.

The Deputy Chair: — And for unforeseen expenses, subvote (PA02) in the amount of \$392,000, is that agreed?

Some Hon. Members: — Agreed.

The Deputy Chair: — Thank you. And one further motion:

Be it resolved that it be granted to Her Majesty for the 12 months ending March 31, 2008, the following sums for the Provincial Auditor, \$6,360,000.

Would someone move that, please? Mr. Brkich. All those in favour? That's carried.

[Vote 28 agreed to.]

The Deputy Chair: — Thank you very much and thank you, Mr. Wendel, for your report.

Mr. Wendel: — Thank you, Mr. Chair, and thank you to the committee for their support.

**General Revenue Fund
Chief Electoral Officer
Vote 34**

Subvote (CE01)

The Deputy Chair: — Okay committee members, we are ready to continue. Mr. Speaker, would you introduce the Office of the Chief Electoral Officer?

The Speaker: — It is my pleasure, Mr. Chair, to introduce Jean Ouellet who is our Chief Electoral Officer. And I want to bring to your attention that Mr. Ouellet has brought forward to the committee an annual report of the Chief Electoral Officer of Saskatchewan for the year 2005-2006. This is actually the first annual report that's been presented to the committee from the electoral office. Previously we've always received compendiums of several years. And I invite Mr. Ouellet to make his comments.

Mr. Ouellet: — Thank you very much, Mr. Chairman. Mr. Speaker, members of the committee, once again it's a pleasure to share with you the strategic direction that the Office of the Chief Electoral Officer is undertaking for 2007-08, as demonstrated by its reports on plans and priorities, and to offer a measure of the office's performance for the 2005-06 through the review of its annual report. Our priorities remain to achieve and maintain a state of readiness to deliver electoral events whenever they may be called and to improve on the delivery of these events.

We strive to continue to institute a culture of change and modernization in the conduct of electoral events in Saskatchewan through a made-in-Saskatchewan electoral process that responds to the need of our stakeholders. I thank you for giving the office this opportunity to be heard. I'd be glad to answer any questions that the committee may have. Thank you.

The Deputy Chair: — Thank you very much. Committee members? Mr. Brkich.

Mr. Brkich: — Thank you, Mr. Chairman. Your office hires returning officers. Do they appoint them or do people apply for?

Mr. Ouellet: — As of March 2006, since the amendments came in to force — the amendment to The Election Act — the Chief Electoral Officer's responsible to appoint the returning officer based on merit. We do advertise and probably are seen, and we also send posters to members wherever there is a vacancy for a returning officer. We've had a turnover of about 20, about a third of our returning officers.

Mr. Brkich: — What would be the criteria for a returning officer?

Mr. Ouellet: — The main one would certainly be a person that is very familiar to planning. We particularly like retired schoolteachers. They're usually very good in planning and executing tasks since a lot of it is, you know, they have to do some training of election officials, and they have to obviously deliver material. And also the individuals that have a certain facilities to talk to the media, as there's always great interest during an election period as to the processes of an election.

Mr. Brkich: — Political affiliations, do they come in at all?

Mr. Ouellet: — When we advertise for a returning officer's position, we specifically exclude anyone that would have had recent political exposure, be it a candidate or a business manager for example.

Mr. Brkich: — Okay. Thank you. Because I had a constituent that had applied, that was a district regional returning officer in the '80s, but was rejected for a returning officer just recently when they came through my office. So I was just wondering on some of the reasons. But one of them would be a past business manager?

Mr. Ouellet: — Correct.

Mr. Brkich: — Okay.

Mr. Ouellet: — I'm very aware of this particular case. It's very important that returning officers display a total impartiality such as the office does display as well.

The Deputy Chair: — Mr. Thomson.

Hon. Mr. Thomson: — Mr. Chairman, we've just now received the census for the country, obviously as it affects the province. If the Assembly were to pass a redistribution Bill, how many months would it take for your office to undertake the necessary electoral machinery for the province to move onto a new electoral boundaries?

Mr. Ouellet: — Well there is a statute on the book, which is called The Constituency Boundaries Act whereby revisions occur every time census data is received, but only the decennial census, not the mid-year census or mid-decade census. The current government is nearing . . . obviously if we're to believe the Premier that he would like an election sometimes towards, you know, the fourth year of a mandate. There is a tremendous amount of mapping and polling descriptions. It would probably be a re-appointment of new returning officer were the case. It's not something that may be arrived at for this upcoming general election.

Hon. Mr. Thomson: — So just to restate my question then. If the Assembly were to pass a redistribution Bill so that there was a true representation of one member one vote, which is a basic democratic principle, how many months after that would it take your office to implement such legislation?

Mr. Ouellet: — Sure. If you take an example, the Boundaries Commission, the last Boundaries Commission started its work in March, and we had by . . . March of 2002, by the fall of 2002 we had representation Act in place as passed by the legislation. So that would be approximately the same time frame that we'd be looking at because other work, such as preparing the material itself for the election, could go forth parallel, I guess, to the redistribution.

Hon. Mr. Thomson: — So a period then of potentially eight months?

Mr. Ouellet: — Six to eight months, correct.

Hon. Mr. Thomson: — Six to eight months. Okay, thank you very much.

The Deputy Chair: — Thank you very much. Are there any other further questions? I have one, if I may, for the Chief Electoral Officer. How far are we away from a permanent electronic voters list?

Mr. Ouellet: — We are as far as we are from regulations to be implemented. We have no regulation at this time. We have had an amendment in March of 2006 that provides for enumeration outside an electoral period, but the mechanism for converting this electronic list into a register would have to be through regulations. Those regulations are not in the book.

The Deputy Chair: — Are other jurisdictions embarking on this endeavour?

Mr. Ouellet: — Most jurisdictions . . . the one I can think of that does not is Manitoba. For example Manitoba still goes through an enumeration. Most other jurisdictions do have the Register of Elector. My understanding is at the time of introduction of the Bill, Bill 119, in the Assembly by the second reading by the Minister of Justice, a motion was made to move towards a permanent Register of Elector, and we're preparing for it inasmuch as we're putting the infrastructure, the electronic infrastructure, in place for that purpose.

The Deputy Chair: — Thank you very much. Mr. Thomson.

Hon. Mr. Thomson: — Thank you, Mr. Chairman. My question pertains to the balloting system that we use. The provincial balloting system is largely unchanged for, I assume, generations, certainly for as long as I've been voting, which I guess isn't that long, but . . . [inaudible interjection] . . . generations — years anyway. I notice, however, that the municipalities, certainly the major cities, have switched over to a fill-in-dot system which then allows for electronic counting. Have we contemplated a change of this nature to speed up the counting on election night?

Mr. Ouellet: — The Chief Electoral Officer always takes its cue from the government obviously. One of the reasons why municipalities do tend to have the ballot, mark sense ballot, whatever, the electronic ballot, if you wish, first of all the geography is very easy, and it's very easy to produce and then you can centralize your machine, and it's very simple. When you look at a province like Saskatchewan, which is mostly rural certainly, it would be difficult to get machines just about everywhere. Some farmers may have to travel extended road to get to a poll.

Also why it is preferable for cities to have this kind of ballot is there're generally more issues on the ballot. They have for example a councillor, a mayor. They may have many other offices, if so, if that's the case. They may have plebiscite issues.

With respect to our ballot provincially, it tends to be a really non-complex one where you only have is name of candidates, and they're fairly easy to count. And that's why we do have this particular ballot. The first, I believe the first actual ballot, goes back to 1874 in Canada. Before that the vote was by show of hands.

The Deputy Chair: — Mr. McCall.

Hon. Mr. McCall: — Thank you very much. I was just wondering what contingencies the office is contemplating for districts that have proven hard to enumerate in the past. I know when the Statistics Canada conducts the census, there are extra allowances made for resources to enumerate in the inner cities, for example. What kind of action are you anticipating on this front?

Mr. Ouellet: — Generally if I take for example the last enumeration, which perhaps was one of the worst for your constituency, we actually . . . Most constituency, when they were redistributed back in 2002, had approximately 17,000 population. That was the provincial . . . [inaudible] . . . for the southern constituency, which would probably generate somewhere between 10 and 12,000 electorates as an electoral population. Yours if I recall is about 6,000. So that was very, very difficult.

There were some difficulties with this particular enumeration. It occurred, I believe, during the course of a long weekend. It's always difficult to get workers on long weekends. And the electoral period is such that the first 10 days where the bulk of the work is done for enumeration. We must have our list ready for candidates on the 14th day. So therefore there is visit that have to be made. Since it's a long weekend, people are absent from their residence — they're travelling — and so it becomes very difficult to reach those individuals. And that's why there is provisions whereby if they are missed at the enumeration they can make a declaration at the poll, provided they have proper identification.

Now your constituency also has a very largely Aboriginal population in the city. We have conducted a study with a consultant as to how we can increase the participation of the Aboriginal population. And the general consensus is, as population gets more educated and there's more youth that are participating in the system and obviously this . . . you know if we reach them through the media that they utilize to inform themselves, then we certainly have a better chance. So we're doing some initiatives of that nature.

And my recommendation, if a enumeration could be done outside an electoral period, we could take the time to do it properly. We could take the time to have multiple visits until, you know, short of knocking the door down to get the name of the individuals.

Hon. Mr. McCall: — I guess I do raise this question because I know certainly I've had fairly close experience with the conduct of the census in the inner city, and they do allocate extra resources and take a different approach to conducting the work of the census in the inner city as opposed to the rest of the province, whereas with the approach in the enumeration for the elections, it's largely one size fits all. And demonstrably it hasn't worked out all that well for the proper enumeration in the inner city.

But I guess as we move two things — like the talk that we'd had around the electronic voters list and additional sort of effort being made around the hard-to-enumerate parts of the province — that gave me some hope. But in terms of the . . . we're, you know, in a electoral period and is I guess . . . Will those efforts be ready for the election to come in terms of what it will take to

do a proper enumeration in the inner city?

Mr. Ouellet: — We will certainly try and certainly would welcome your comments to me so that we can work in conjunction with the returning officer to try to, you know, devise these means for specifically inner city, not only Regina but Saskatoon. Saskatoon has very, very similar problems.

Hon. Mr. McCall: — Thank you.

The Deputy Chair: — Mr. Brkich.

Mr. Brkich: — Just looking at some of the recommendations that you have for advanced polling which is . . . In a big constituency like mine that's spread out, I know that sometimes we've had, you know, voters just missing the advanced polling, just forgetting, and too late for the absentee mail-in, and so kind of being caught in kind of in the crunch there that you've mentioned here. I would like, you know . . . and I can see you're looking at making, you know, changes, making better for advance polling. When the returning office is set up, can anybody go in there and advance poll like 10 days before election day?

Mr. Ouellet: — Yes, certainly. I share your views. Access is certainly a great preoccupation of the office. Changes were made to the absentee system which now is a longer period. Because of the use of the write-in ballots, we now can from day one, the day the election is called, the returning officer can accept the votes of individuals from that very day. We provide them ahead of time with material. Even if their office is not quite up to par, they will still be able to allow this person to cast a ballot. However there is a cut-off I think. I believe it's the eighth day before a poll. So there's a hiatus between that and the advance poll where we will miss some people .

As you can see, I've made recommendations in the report — and I do like to make recommendations — that we have somewhat . . . if you have a permanent register of elector or a permanent electronic list, it becomes very easy to have things such as super poll where, for example, I can probably set a polling place in Superstore because people from all over the area would come and vote, say, well the poll is there; let's go and vote; let's get it over with rather than having to drive another 10, 15 kilometres to the poll on election day.

So these are how you make the process accessible to individuals. In fact that's how you actually raise your turnout, and that's why I recommend these initiatives.

Mr. Brkich: — Okay thank you. Because I know that I wasn't sure about the returning officer being able to take votes prior . . . because I know we had some . . . two polling stations were advance. And sometimes the people in the constituency, they feel that's the only time they can advance poll is . . . I think you had one on a Saturday in Davidson and next Saturday in Watrous and maybe a Wednesday and a Saturday in Wynyard. And I don't think they realized that you can actually just go to the returning officer office and cast a vote in a certain . . . you got any day to pick which . . . Because sometimes you just weren't around the particular day when the advance was in Watrous, when they had the advance polling that one day or day and a half. And they just thought they'd missed it. So if that

information could be relayed a little more too, that they would know.

Because people move around the constituency, you know, on business and if they know they can plan that, yes, Wednesday the returning officer at . . . [inaudible] . . . was at Nokomis. And if, you know, if I'm going to be in Nokomis, in that area in the next week sometime on business, I can pop in and vote because I won't be around on election day. I'll be on the road, so.

Mr. Ouellet: — Absolutely. The advance poll, by the way, is five days in Saskatchewan. So it's five days. And I think the Arm River-Watrous had two or three advanced poll. We tried to make them as accessible as we can.

Mr. Brkich: — Okay. Thank you.

The Deputy Chair: — Mr. Hagel.

Hon. Mr. Hagel: — Thank you. Two questions. The first, I just want to follow up a little more your response to Mr. Thomson's question about the municipal form of voting, where . . . is that called electronic voting?

Mr. Ouellet: — Well it's an electronic machine. That's correct.

Hon. Mr. Hagel: — Yes. It wasn't clear to me what you were intending when you were referring to . . . I thought you were referring to it being more complicated to use in rural constituencies than urban constituencies. If that's what you're saying, it's not clear to me.

Mr. Ouellet: — I was saying it's more difficult to get machines over in the rural area because if I centralize polls in rural area, some will be close to it, and some will be very far from it. And so in an urban context, it's easier to get to the machine to vote. Like the number of poll is reduced because of the cost of those voting machines.

Hon. Mr. Hagel: — What you're referring to is a cost factor.

Mr. Ouellet: — That's correct.

Hon. Mr. Hagel: — That's your intention.

Mr. Ouellet: — Absolutely.

Hon. Mr. Hagel: — Okay. Okay.

Mr. Ouellet: — Yes.

Hon. Mr. Hagel: — And what would be the cost implications of doing all voting . . . So we have 58 constituencies and about 40 to 45 polls per constituency, in that neck of the woods.

Mr. Ouellet: — We have 3,500 polls.

Hon. Mr. Hagel: — So what is that, that's about . . . about 2,400 polls, 2,500 polls?

Mr. Ouellet: — 3,500.

Hon. Mr. Hagel: — What would be the cost of using 2,500

machines, then?

Mr. Ouellet: — It would be expensive for a one-day period. It's a very expensive proposition.

Hon. Mr. Hagel: — Like how expensive?

Mr. Ouellet: — Well the . . .

Hon. Mr. Hagel: — When I used to sometimes have students too, and they'd say how much does the building weigh? And I'd say more than an elephant.

Mr. Ouellet: — How much the elephant weighs? It's about \$2,500. That's my . . .

Hon. Mr. Hagel: — About \$2,500 per machine.

Mr. Ouellet: — Per machine. That's correct.

Hon. Mr. Hagel: — I see. Okay.

Mr. Ouellet: — So we're looking at . . .

Hon. Mr. Hagel: — Okay.

Mr. Ouellet: — I don't know if the Minister of Finance would allow that.

Hon. Mr. Hagel: — But if you can get it by that Board of Internal Economy, which is the . . . you know, there's where the rub is. But secondly, in the next election, what will be the means for blind or sight-impaired voters to be able to cast their ballots?

Mr. Ouellet: — The legislation hasn't changed, so there's still provisions in the Act. For example, a blind person may use a template to cast his or her ballot. They may also be assisted by the poll officials, or they may come with a friend of the elector to assist them in marking their ballot.

We're in the process — and depending as to when the election is — I've a project to redesign the template that would accommodate, for example, Braille although I have been told that very few Braille readers exist. But it's about 10 per cent of the blind population and not all of the blind population is blind; there is various degree of impairment. So it would also possess large numbers. So I'm in the process of that. If an election takes place in the spring, it is unlikely that this will be able to be available for this election. But in the fall, there shouldn't be any problem.

Hon. Mr. Hagel: — And you say shouldn't be a problem because you would anticipate that you could use Braille?

Mr. Ouellet: — That's correct.

Hon. Mr. Hagel: — That that would be ready by that time? And would there be a template then at each poll?

Mr. Ouellet: — That's correct.

Hon. Mr. Hagel: — That's just automatic procedure?

Mr. Ouellet: — Absolutely. It's part of the material.

Hon. Mr. Hagel: — Thank you.

Mr. Ouellet: — But we in the meantime — and we've experienced in Weyburn-Big Muddy as well as Martensville where we have now — we're providing a magnifying glass so that individuals that have some degree of visual impairment could exercise far more easily their franchise.

Hon. Mr. Hagel: — Thanks.

The Deputy Chair: — Ms. Eagles.

Ms. Eagles: — Thank you, Mr. Chair. And, Mr. Ouellet, thank you. I have three different areas I want to go. When Mr. Hagel was talking about voter assistance, can a friend only assist one person at the poll, or can they assist numerous people?

Mr. Ouellet: — The friend of a blind elector may assist one elector.

Ms. Eagles: — Okay. Okay, next question, is there still a hospital vote?

Mr. Ouellet: — Yes, there will be a poll in all the hospitals in the province.

Ms. Eagles: — Okay.

Mr. Ouellet: — And remand centre as well.

Ms. Eagles: — Okay. And I guess my last area is, how intense is the training program for returning officers? Is it focused more on the administration side of it or more on the elections Act?

Mr. Ouellet: — Well we're just conducting it as we speak, and that's why the assistant chief electoral officer is not here nor the finance officer. We're completing our fourth course on Friday. It is now a three-day course where . . . we've now put a layer of administration near them which is a field liaison officer.

Field liaison officer is a resource that the returning officers can draw from. They originally will be assigned between eight to 10 returning officers and so that the communications occur with returning officers. They're assisting in the training of the returning officer.

We're training also the election clerk which is the assistant of the returning officer. In the course of that three days, they go through the electronic list which is now in place. They go through the returning officer's manual which was redesigned to be more user-friendly in terms of occurring chronologically as to what occurs during an election. So it's far more user-friendly. And they get some media training as well. So the training is a very broad one that covers all aspects of their duty, including The Election Act.

Ms. Eagles: — Okay, I guess I would like to know, are returning officers allowed to wander from The Election Act at all? And I don't mean like a serious offence or anything. What I'm talking about is . . . I'll use an example that happened to me.

When you pay your \$100 deposit when you file your papers, I mean, it says in The Election Act that it can be cash. So you take it in to the returning officer, and he says, no I don't accept cash because I don't have a safe place to put this. And you know, that's not my problem; that's his. I mean, if The Election Act stipulates that they'll accept cash, they have to accept cash, right?

Mr. Ouellet: — The Election Act was amended March of 2006 where it says that the deposit of a candidate must now be either a certified cheque made out to the Minister of Finance or a money order made out to the Minister of Finance. Cash is not accepted.

Ms. Eagles: — And fair enough. But last time it was.

Mr. Ouellet: — Last time it was.

Ms. Eagles: — And so he is not allowed to, you know, make little decisions on his own, I mean, regardless of how petty it may seem. You know, when you take the money down there, the cash, and then they send you to the bank. And you know, you're busy enough without them sending you on a wild goose chase. You know that was just an example. I got over it.

Mr. Ouellet: — If any candidate or political . . .

Hon. Mr. Thomson: — We'll get your deposit next time. We'll take it in cash.

Ms. Eagles: — Well your candidate didn't get his deposit if I understand. But we're not going to go there tonight.

The Deputy Chair: — . . . we'll leave the politics for another night.

Mr. Ouellet: — Just if I may say, if any candidate or political party official or elector for this matter has any matters that he wishes to take with the Chief Electoral Officer, I'm available, absolutely.

Ms. Eagles: — Thank you.

The Deputy Chair: — Thank you very much. Mr. Iwanchuk.

Mr. Iwanchuk: — Just a question following up because my riding was impacted, Saskatoon Fairview, in a by-election enumeration, because of course then we get funds for our constituency offices. Now I guess at that time when we looked at it, there was no basis of appeal for the enumeration or . . .

Mr. Ouellet: — The enumeration period is fairly fixed in the Act. It's 10 days. Many times several electors on election day, qualified electors, will come to the poll with their names not being on the list. I wish I could put them on the list. But they can still vote. To put them on the list would certainly help you in terms of communicating with them later on. But there's no provisions in it, and that's why going through to a permanent list of electors would certainly ease that burden.

But we've had two by-elections, one in Weyburn-Big Muddy and one in Martensville, and they were both under very bad weather actually, particularly Martensville. But in Martensville,

we were able to enumerate 92 per cent of the general election electors, which is phenomenal for a by-election. And we were, I believe, 93 or 95 per cent in Weyburn-Big Muddy. So there is means to get to the individuals.

For example on this first time, for the first time in both by-elections, we used radio announcements from day one to indicate that enumerators were going around; please assist them. And I think it had an impact and that helped because that was never done before. So hopefully this will help.

Mr. Iwanchuk: — Okay. Thank you.

The Deputy Chair: — Mr. McCall.

Hon. Mr. McCall: — Thank you, Mr. Vice-Chair. The topic of Aboriginal voting or First Nations, Métis voting was briefly touched on earlier. I know that . . . I guess I'm most familiar with sort of Treaty 4 First Nations. But in some cases where the polling station is not on the First Nation or, say, at the band office . . . To use — oh let's say — Last Mountain-Touchwood for example, if the bulk of the population lives on Standing Buffalo, for example, and the polling station is in Fort San and the attendance, sort of transportation challenges or what have you, it has an impact on the likelihood of voting.

Is there any sort of contemplation of policy on the part of the electoral officer, if at all possible, to where the population allows to have the bias towards setting up the polling station on the First Nation?

Mr. Ouellet: — Yes, we did have some representation from a political party, and it's probably of interest to all political parties in this province since we have got a certainly a very strong Aboriginal population in the province. You've mentioned Last Mountain-Touchwood which I believe has something like seven reservation or reserves.

In the case, I believe there is two of them have their own poll and is located I believe near the band office or at the health centre. One of them near Fort San, votes is amalgamated to the population of the polling division in question. We have spoken to the returning officer to divide this particular poll so that accommodation can be made in this particular instances.

There is another poll that is also an individual Aboriginal poll; however it has two nations, two different nations.

Hon. Mr. McCall: — They would vote on Gordon's.

Mr. Ouellet: — Right now they vote outside. We can probably see if we can accommodate as best as we can because the population really could warrant it possibly, and so we're talking to the returning officer in this particular instances.

There's another poll where it's amalgamated with the general population, and we've also spoken to the returning officer to make some accommodation there as well. So we're trying where possible. We have to bear in mind that every single poll that is created there is a cost attached to it in terms of resources. And certainly I want to make uses of elders and youth in polls to, you know, attract those individuals which are known to have a very low turnout.

Hon. Mr. McCall: — I guess I just . . . And further to what you're saying in the last census, in rural Saskatchewan, First Nations were a real, were an actual growth centre in terms of the population. And what traditionally may have been the case in terms of the people coming off-reserve to vote in a rural setting because that's previously where the population was, the exact opposite may in fact be the case now where there's a greater population concentration on-reserve. And it would seem to make more sense to construct it, to have the polling station where the greatest amount of population is, which is in fact on-reserve.

So I appreciate that you're looking at it on a case-by-case basis, but is there any sort of thoughts doing that as a general policy province-wide?

Mr. Ouellet: — That's correct — as a general policy as well, wherever the numbers are warranted. And Last Mountain-Touchwood is probably a very, very different situation. In most other there is more homogeneity, for example North Battleford, where they're really more concentrated and they're very served locally. But we are looking at all aspects. Our goal is to increase participation by Aboriginal and youth as well.

Hon. Mr. McCall: — Excellent. Thank you.

The Deputy Chair: — Mr. Thomson.

Hon. Mr. Thomson: — Thank you, Mr. Chairman. I have over the last several weeks been asked many times by the media when the provincial election will be. As the Chief Electoral Officer, surely you must be able to answer this question for us. Is there anything you can shed light on tonight?

Mr. Ouellet: — I will say this: I'm at the mercy of the Premier like all of us. However as of Friday, I will be ready.

Hon. Mr. Thomson: — I've given that answer many times myself, Mr. Chairman. It was not particularly helpful, but I thank the electoral officer for his assistance tonight.

The Deputy Chair: — Mr. Brkich.

Mr. Brkich: — Thank you, Chairman. I guess I'm going to go back. I just need some clarification on the business ventures. It falls into a couple of constituents that were, you know . . . Well I had six candidates that ran last time. So we had six, you know, ex-business managers out there just in the last election, probably. So I'm asking, I guess, if you were a business manager once for a political party, you will never be a returning officer; it's written in the legislation?

Mr. Ouellet: — If you're recently . . .

Mr. Brkich: — Recently. On just basically one election.

Mr. Ouellet: — Time heals all wounds.

Mr. Brkich: — Okay. Yes. No that's . . . Okay. That was my question because it just wasn't 1 per cent. I know I've had a couple, I think, that applied because I had it in my office when you send out and if there is some people I mention and the

business manager, you know, they know the political rules and . . . at that end of it and, you know, already they have the training. And you know, it's the business manager that basically knows the rule of returning officers. It's up to him to read the book, and he follows the rules and that sort of . . . so I'm just hoping . . . just to exclude, you know, all of them, you know, because you know, each political party that ran against me, you know, each had excellent business managers and if one of them wanted to apply for returning officer, I think that would be . . . they'd be able to.

So okay, I just want to know is probably just a one-term . . .

Mr. Ouellet: — Yes.

Mr. Brkich: — Okay.

Mr. Ouellet: — And we'd be looking forward to having them since they're already familiar with some part of the process so . . . but it's just . . .

Mr. Brkich: — . . . clarify that. I wasn't sure how long it was.

The Deputy Chair: — Mr. Speaker.

The Speaker: — Thank you. I've been told that in the past there have been times when teachers have taken their classes into a polling station just for observation and as a learning experience. I've also been told that some teachers have been refused that. What guidelines do you give to the returning officer on this matter?

Mr. Ouellet: — Well the Act is very clear in this particular matter as to who may be in a poll during a vote, while the vote is being taken. There certainly has been accommodation. For example if a parent wishes to bring a child, this has been accommodated. But to maintain the order and particularly as polls are becoming more centralized, we do not wish to interfere with the process, and that's why we recommend that only certain individuals be in the poll, i.e., the DRO [deputy returning officer], the poll clerk, or the scrutineers of the political parties. We now have eight political parties, and we have up to two scrutineers, so we're looking at another 16 people.

Then we have the candidate himself that may attend the poll, and we usually try to keep the media outside the poll as we do not wish to, you know, violate the secrecy of the ballot which could inadvertently occur, and that's why we respect those rules.

The Deputy Chair: — Thank you very much, members. It was very . . . Mr. Hagel.

Hon. Mr. Hagel: — One matter of curiosity. Who are the eight political parties?

Mr. Ouellet: — There is . . . oh gosh, I don't want to do them in alphabetical order. I'll do them as they come. There is the New Democratic Party, the Saskatchewan Party, the Saskatchewan Heritage Party. There is the Marijuana Party. There is the Progressive Conservative Party of Saskatchewan; the WIP, the Western Independence Party. And I'm forgetting

one . . . [inaudible interjection] . . . the Liberals, sorry. They're still registered.

The Deputy Chair: — Thank you very much. Would someone move:

That the committee concludes review of the 2005-06 annual report of the Chief Electoral Officer.

Mr. Iwanchuk. All those in favour?

Some Hon. Members: — Agreed.

The Deputy Chair: — That's carried, thank you. And I would like to point out to members that since the votes — the requisition for the Chief Electoral Officer — are all statutory, there is no voting for the estimates or for sums of money that are required. So thank you very much, Mr. Ouellet, and your attendance this evening.

[Vote 34 — Statutory.]

**General Revenue Fund
Conflict of Interest Commissioner
Vote 57**

Subvote (CC01)

The Deputy Chair: — Thank you very much members. Mr. Speaker, the Conflict of Interest Commissioner is not able to be here this evening; however his requisition is before this committee. And with the approval of the committee, I would ask that:

A motion be granted for Her Majesty for the 12 months ending March 31, 2008, for the Conflict of Interest Commissioner, the sum of \$138,000.

Would someone move that? Mr. Hagel. All those in favour? Thank you. That's carried. And in the Estimates book on page 150, the Conflict of Interest Commissioner subvote (CC01) in the amount \$108,000, is that agreed?

Some Hon. Members: — Agreed.

The Deputy Chair: — 138,000, members, excuse me. And finally we need a motion:

Be it resolved that it be granted to Her Majesty for the 12 months ending March 31, 2008, the following sums for the Conflict of Interest Commissioner, \$138,000.

Would someone move that? Mr. Brkich. All those in favour? That's carried. Thank you, members.

[Vote 57 agreed to.]

Legislative Library

The Deputy Chair: — Thank you very much members. We will continue on as part of the Legislative Assembly consideration. We would ask the Speaker to introduce members from the Legislative Library to present us with a report.

The Speaker: — Thank you, Mr. Chairman. Seated beside me is Melissa Bennett, the Legislative Librarian. Beside her is Pat Kolesar, assistant. I would invite Melissa to deliver her comments and remarks at this time.

Ms. Bennett: — Good evening everyone. It's a pleasure to be here, and I want to thank you for the opportunity to present to you the annual report for the Legislative Library. The report period covers the 2005-06 fiscal year.

And I want to start off first and foremost by acknowledging the work of Marian Powell. Marian Powell was the legislative librarian during the report period, and this annual report reflects outcomes achieved during Ms. Powell's final year at the Legislative Library. Marian Powell, as you know, served as legislative librarian for 24 years. She led the library through major advancements, and her final year at the library resulted in significant outcomes which I have the privilege of reporting to you tonight.

I'd like to begin by providing a brief overview of the library's program, and then I will review the library's performance during the report period. The mandate of the Legislative Library is to provide confidential, non-partisan, leading edge information services to the Legislative Assembly; to maintain and develop the research and the legislative collection; and to ensure this collection's present and future accessibility to parliamentarians, the civil service, and the public of Saskatchewan. The library is a valuable resource for our province. It is the third largest research library in Saskatchewan. It is the official repository for all Saskatchewan government publications. And as most of you know, it is the oldest library in the province, with a collection dating back to 1876.

The library's core operations involve the acquisition of information sources of all types and formats, the organization and preservation of these sources, and the delivery of services that provide access to the contents of the collection. The very first service priority of the library is to serve the Legislative Assembly. The library delivers customized, specialized services and collections to this user group. The second service priority of the library is to provide basic library service and borrowing privileges to the civil service, and to make its resources accessible to the public.

With respect to public access, our catalogue is available online on our public website. We provide in-library use of the collection, and we will loan material to residents if a request is made via interlibrary loan through a local library. The library's collection overall seeks to provide basic coverage in most subjects and in-depth coverage on topics of particular interest to Saskatchewan legislators. The library also maintains special collections of special interest to Saskatchewan. And the collection spans a wide range of formats from rare old materials to microform to print to digital collections.

The annual report before you covers the 2005-06 fiscal year. The library's activities throughout the report period were focused on delivering out the library's core commitments and supporting the goals of the Legislative Assembly Service draft strategic plan which are to foster effective legislature; provide improved services to MLAs [Member of the Legislative Assembly]; sustain and enhance the institution of parliament;

and be an effective, responsive organization.

During the report period, the library handled 2,375 information requests from clients. Generally speaking we're finding that complex information requests are representing an increased proportion of the questions that we receive.

The item usage rate was 14,500 items. This is an increase of 11 per cent over the previous year. The number of items borrowed by our registered clients average out at six items annually. Sixty thousand and thirty-two visitors visited the library's public website.

MLA usage of specialized services from the library remained active. In particular there has been a high demand for the direct-user news service which, as many of you know, provides custom, private, online access to news media. Registered clients for this service during the report period increased from 28 clients to 45. The library continued to provide specialized resources to MLAs via the members' e-services [electronic services] portal. And the library continued to research and produce information kits for MLAs attending conferences. Kits were prepared in the fiscal year for 53 delegates who attended four conferences.

In the report year, for the first time the library prepared briefing notes on 22 parliamentary topics for SSTI [Saskatchewan Social Sciences Teachers' Institute on Parliamentary Democracy] participants, and they were very well received.

With respect to the library's collections, some highlights are that the library received 1,068 Saskatchewan government publications. We received 25,600 other government publications — many of these, thankfully, in microform format. We also received approximately 15,000 serial publications, and we subscribed to approximately 7,000 digital publications.

I'd like to draw your attention to two major milestones that were achieved in 2005-06. The library's role as official depository library for Saskatchewan government publications was strengthened by section 81 of The Legislative Assembly and Executive Council Act, 2005 which requires Saskatchewan government agencies to deposit electronic government publications with the library. Prior to this, the legislation made reference to print publications but did not specifically refer to electronic publications. And with more government documents being released in electronic form, it was critical to make this change. The library appreciated the support of the Premier, who sent a letter to all cabinet ministers and permanent heads advising about the new depository requirements and the importance of complying.

The library also took significant steps to making its library catalogue fully electronic. The library received special funding in 2005-06 to contract the conversion of old card catalogue records to electronic form. As a result, by the end of the report period, approximately 90 per cent of the catalogue records for the older Saskatchewan government publications were converted to the online catalogue. Catalogue records for the entire Saskatchewan local history collection were put online, and approximately 13,000 other catalogue records for older library materials were added to the online catalogue. And I know Marian Powell was very proud of that achievement.

I'd now like to remark on environmental and capacity factors and the directions ahead. 2005-06 marked important milestones for the library, including the announcement by the former legislative librarian that she intended to retire in May 2006. Directions ahead therefore focus on renewing our vision in the context of change.

Environmental and capacity factors that we will be looking at when we renew this vision will include adjusting our existing services to ensure that they are meeting the needs of legislators and broad client expectations. Promotion of the library and creating greater awareness of the library's collections and service offerings is a critical component of this. As well, adapting and improving service offerings needs to be pursued.

From an organizational perspective, our directions ahead include managing library growth so that it can be sustained fiscally and physically through library infrastructure and accommodations, reviewing our evaluation and performance measurement approaches so that we can stay in touch with client expectations as well as evaluate our performance effectively. We'll be meeting the human resource needs of the library to ensure that the human resource skill sets are aligned with our priorities. And this will be particularly important in the context of succession planning.

Finally, we must adjust our library infrastructures to keep pace to the needs with respect to the development of digital collections and services. If there is a single message that I could leave with you tonight, it is the critical role of the library in the context of the digital age. There can be a misconception these days that all information is freely available on the Internet, which is simply incorrect. The Internet is a fantastic tool. It offers a lot of information. We use it in the library extensively, but our library houses rich and unique historical content — content that you will not find on the Internet unless we put it there.

On the Internet, library websites are major content providers, providing access to digitized versions of rare historical materials and synthesizing a variety of information resources. Our library needs to do this too, and we will be working to do so. We will be striving to meet the challenge of the expanded role and the complexity of library services in the information age which includes being a producer of digital content and services.

This year marks the 100th anniversary of the appointment of the first legislative librarian for the province of Saskatchewan. John Hawkes was appointed legislative librarian in 1907, and in his first annual report to the Speaker of the Legislative Assembly in 1908, Mr. Hawkes concluded, "I shall esteem it a privilege if I am permitted to assist in the building up of a library of which the province will have reason to be proud." Mr. Hawkes left a legacy of which we can be proud, and our task ahead is to serve this province to create a strong legacy for the twenty-first century.

So thank you, Mr. Chair, and I would be happy to respond to any questions that you have.

The Deputy Chair: — Thank you very much. Members, if you have questions of Ms. Bennett in regard to her report, that

would be in order. We would also allow when we when we get into the consideration of the Assembly's estimates, questions directed to the estimates. Mr. Thomson.

Hon. Mr. Thomson: — My question does pertain to the digitization of the unique and special collections that are housed here at the Legislative Library. What are the plans or is there a plan in place at this point to move towards digitization of these and as such a wider sharing of these resources with research libraries or for that matter Saskatchewan citizens?

Ms. Bennett: — Digitization of the unique resources that we have in our collection, I think, is imperative. And at the present time, we are looking at how to make that happen and whether or not we need extra resources to make that happen and what we can do incrementally in the short term as well.

We are participating with groups in the library community that are looking at this very issue. In fact the Legislative Library is Co-Chair of the Saskatchewan Digital Alliance which is a group established by the Multitype Library Board to facilitate greater digitization of library resources and collections in the province.

There are representatives on that group from major libraries across Saskatchewan. So we have U of S [University of Saskatchewan], U of R [University of Regina], the major public libraries — Saskatoon Public Library, Regina Public Library. And we're receiving incredible support from the Provincial Library, part of Saskatchewan Learning.

So I am certainly hoping as part of that initiative, we will be able to find some directions in terms of digitization. There are a lot of technical issues to explore, and the library community is working towards coming to a greater adoption of international standards with respect to how materials are digitized. So we would certainly hope to be able to do digital work that conforms to best practices in the library industry.

At the same time, I would certainly like to see us moving ahead as much as we can in the interim and putting up what we can on an incremental basis to get the services rolling and get some awareness out there of what we do have.

Hon. Mr. Thomson: — So that covers us taking information we currently have in hard copy or some other format and moving it to a digital file.

As the library becomes a repository for more digital information, how do we make sure that these items are preserved for posterity's sake? Obviously digital media has degradation issues that are different than documents that are produced. What steps are being taken by the Legislative Library to make sure that those unique items that would be provided to it are in fact preserved?

Ms. Bennett: — You're asking a very key question, and that question is currently being analyzed by our staff, particularly with respect to the Saskatchewan government publications that we are receiving electronically. The current approach is to print those materials and to have a hard copy available to us.

The challenge that we are facing is our space limitations, and we are under pressure to restrict our physical growth. And as I

presented to the Board of Internal Economy in February, we are projecting that we will be out of space in three years. So we are trying to balance off filling up our shelves and also . . . or trying not to fill up our shelves as quickly but also meeting the preservation needs.

Your point is well made that electronic formats are rapidly evolving, and also there is degradation issues involved. So electronic formats are not currently considered in the industry to be the preservation copy of choice.

Hon. Mr. Thomson: — Finally, Mr. Chair, I guess the question I have is, as we see a greater access available through digitization, do you foresee the library becoming more active in pursuing special collections and unique documents, as opposed to perhaps carrying a broader range as a way of dealing with the space issue? Or do you see this as essentially a continuation, and we would simply add onto it these additional items as they become available?

I guess the question is not necessarily specific to the Legislative Library but maybe one more for the library sector generally. Do you see us moving towards more of a highly specialized set of libraries as opposed to a more boilerplate-type approach?

Ms. Bennett: — I think it's quite possible although I would probably argue that in fact we are already highly specialized. And so, for example, we focus primarily on government publications, and our obligations with respect to that I do not see changing substantively.

And again, the preservation question will really be key in terms of whether electronic formats will be able to limit our physical expansions. I think there may be greater specialization with book collections although we're not finding a very rapid adoption by the public of e-books for example. There seems to be a continued preference to have the tangible book in hand. So that is the one area where I could see us saving space if in fact we had a lot of our clients preferring e-books versus physical books.

Also with respect to our book collection, we try in a number of areas to keep specific topic areas up to date. And so we do find that we weed those collections more than we would, say, our Saskatchewan government publications collection which we would not weed at all because we're keeping everything for historical purposes.

In terms of specialization, I do believe that, as I said, we are highly specialized as it is, but we may find that we will be able to focus on creating our own customized content that shines a spotlight on what we already have in our specialized collection. And in that way, our work becomes more specialized and focused less on broad, you know, acquisitions and organization of information, and more subject specialists trying to synthesize and analyze what we have and then deliver out a product to a public audience or to the audience of members, for example.

Hon. Mr. Thomson: — I have one other question, if I might, and that is to just have you briefly explain the relationship between the Legislative Library and the Saskatchewan Archives and where you see that relationship perhaps moving.

As we think about . . . I think for many of us, as we've gone through the centennial year we've been thinking more about the historical record of Saskatchewan. And 100 years from now I'm sure people will be wanting to review this very evening's meeting to . . . well maybe not this evening's meeting. But I'm sure they'll be very interested in what the twenty-fifth legislature did or what mineral claims were being made or what special collections of papers were available.

Do you see that relationship changing between the way that the Archives Board functions today and the way that, in particular, the Legislative Library works in terms of access to collections? Could you just briefly comment perhaps on where you see that relationship today and how you see it evolving.

Ms. Bennett: — We have a very close relationship with the Saskatchewan Archives Board, and I think that that relationship will continue to be close. I think we're both experiencing similar kinds of pressures, that is, managing the collections that we're receiving within the accommodations that we currently have, coping with new formats that present new challenges. I think that we may in fact find that we are relying more on one another in terms of sharing expertise on how we approach a lot of our common issues.

Certainly there may be common areas of development that could assist both of us. For example if we find government moving to information and management systems or knowledge management systems, I think that would have a profound impact on the preservation of internal government records, which of course is the role of the Archives Board. And our role is the preservation of published documents. But it could assist both of us greatly in assisting the public service to better organize and track their information and then to relay that information to us. So I think that we need to be working very closely with one another because we have a lot of the same goals and interests.

Hon. Mr. Thomson: — Thank you very much.

The Deputy Chair: — Thank you very much. If there are no further questions members, I would ask someone to move that . . . Mr. Hagel, I'm sorry.

Hon. Mr. Hagel: — Thanks. I appreciate your report, and you obviously have a passion for the position and for the task.

You were referring to the amount of use of the Legislative Library by, I think, the public at large. I'm not sure if that . . .

Ms. Bennett: — The statistics referenced use by different client groups actually. And when I referred to the use of library materials at 14,000, approximately 14,500, that was by all of our client groups. So that would include materials that we're circulating, materials that are used on site. And materials that we circulate only go out to our registered borrowers which would be the primary clients in the Legislative Assembly and members of the civil service. So that would not include the public. But certainly within that 14,000 figure that would include anyone who came and used the materials onsite as well. And we are certainly open to the public for that kind of use.

Hon. Mr. Hagel: — Are the materials potentially available to

the public at large, either in person or online?

Ms. Bennett: — The materials are available for borrowing by the public via the interlibrary loan system. So for example a person could log onto our website and search for items in our catalogue, government documents, what have you, and they could then to go their local public library and request that material through an interlibrary process. So their library would obtain the material from us; we would loan it back to that library, and it would in turn make its way to the client.

We do have resources that can be put up publicly available. A lot of our licensed electronic resources, serial publications . . . and this is the 7,000 publication titles that I mentioned that are in electronic form. Those materials are licensed for a specific user group which would be our registered borrowers.

Hon. Mr. Hagel: — And that interlibrary borrowing system has been in place for about three years. Is that . . .

Ms. Bennett: — Oh it has been in place for many, many years. I'm not even sure how far back whether . . .

Hon. Mr. Hagel: — I think the electronic . . . Has there been a recent update in the access or the procedure involved . . . [inaudible interjection] . . . No.

Ms. Bennett: — We've had an update in the cataloguing of our materials so that all of our materials are now in our electronic catalogue, and that could be what you're thinking of. We did have a large body . . .

Hon. Mr. Hagel: — I was thinking about the system across the piece for Saskatchewan users.

Ms. Bennett: — The interlibrary loaning of materials to Saskatchewan residents.

Hon. Mr. Hagel: — Yes okay. It was my impression that there was, about three years ago, that there were additional resources to substantially increase the use or the access through the . . . electronic access in the interlibrary.

Anyhow I guess my question is whether in recent times has there been much increase in the use of Legislative Library materials by the general public at large? Or in reality is that a very, very small percentage of the actual use of our collections here, and that the vast, vast, vast majority of our use is either within the legislature or by registered users?

Ms. Bennett: — I'll just check if we have that information with us. The primary clients of the library and civil servants are our heaviest users. I don't have the exact figures for usage by the public, but we could check on that for you. All of our circulation figures, and that is when we loan a book or a document to a client, all of those figures would pertain to civil servants or our primary clientele.

Hon. Mr. Hagel: — Okay. Yes, I was just curious as to whether the general public is increasingly accessing what we have here in a significantly different kind of way.

Ms. Bennett: — We could get that information for you.

Hon. Mr. Hagel: — Thanks.

The Deputy Chair: — Thank you very much members. If there are no further questions, I need a person to move:

That the committee concludes review of the annual report of the Legislative Library for the period ending March 31, 2006.

Mr. McCall. All those in favour?

Some Hon. Members: — Agreed.

**General Revenue Fund
Legislative Assembly
Vote 21**

Subvote (LG01)

The Deputy Chair: — Thank you. Thank you members. We will now move to consideration of the estimates of the Legislative Assembly. Mr. Speaker, do you want to have a moment to organize your officials?

Thank you very much, committee members. I would refer members to the Estimates book on page 153, the Legislative Assembly, main vote 21. Members will be invited to deal with any of the issues pertaining to the Legislative Assembly. Mr. Speaker, do you have an opening statement and wish to introduce your staff?

The Speaker: — Thank you very much, Mr. Chair. First of all what I would like to do is introduce the people who are here from the Legislative Assembly. Seated beside me is Greg Putz who is our Clerk, and then Marilyn Borowski who is head of financial services. And behind us is Darcy Hislop who is the chief technical officer, and also Linda Kaminski who is in charge of the human services division. And I would ask that an opening comment be made by Greg Putz, the Clerk.

Mr. Putz: — Thank you, Mr. Speaker. As members are aware, the Legislative Assembly doesn't have an annual report per se, but many of you will be aware and familiar because you are on the Board of Internal Economy that a considerable amount of detailed information goes to you in that format. So I won't reiterate many of those comments that I made at the board on February 12th.

I just merely tonight open up this review of the estimates with a brief summary of how we arrived at our estimates that are before you and then invite you to ask any questions you may have on the services and programs that the Legislative Assembly offer on your behalf.

As you're aware, many of you are aware, on February 12 the Board of Internal Economy received the Legislative Assembly Service status quo budget, and that was in the amount of \$7.37 million for budgetary and then another \$13.403 million for statutory. Our budgetary estimates were prepared using the same assumptions that the departments of executive government were asked to use in preparation of their annual budget, first using the Government of Saskatchewan assumption for cost-of-living increases and in-scope

adjustments based on what was thought at the time to be the SGEU agreement. We used the same assumptions that the Department of Finance asked executive government.

For out-of-scope staff at the Assembly, we used the same assumption of 6.1 per cent, again based on Government of Saskatchewan assumptions. We also used the consumer price index of 1.8 per cent for members' expenses and caucus calculations. We used the Government of Saskatchewan assumption of 0.9 per cent for inflationary increases for goods and services. We used the Government of Saskatchewan inflationary rate of 1.8 per cent for accommodation rates that we do pay to Saskatchewan Property Management department.

And the budget this year was a change from previous years in that our normal mode of procedure was to base our budget on a 76-day session. But with the introduction of a sessional calendar for the Legislative Assembly, we revised that estimate, and our budget this year is based on a 65-day session, given the rules that were adopted and are in place today.

So based on these assumptions, the total budget request before the Assembly was \$7.37 million. As well, the Board of Internal Economy replaced the Legislative Assembly request for non-status quo budget funding with a refurbishment and asset replacement fund of \$250,000. So outside of our status quo budget, this is a fund that was for things that weren't normally budgeted by the Legislative Assembly and in effect a non-status quo budgetary amount that was provided to us.

Subsequently on April 16, the Board of Internal Economy gave some guidance as to how that fund should be used, and for the most part it's for some refurbishment of Legislative Assembly facilities such as the chairs in the Chamber. As many of you are well aware, the Chamber chairs are antiques, and they will be replaced in this fiscal year with something more ergonomic and modern. As well, the board approved funding in this capital asset fund for continuing some of the planning work for a second committee room.

So with that, that's my brief introductory remarks, and we'd be pleased to answer any questions you might have on Legislative Assembly services and programs.

The Deputy Chair: — Thank you very much, Mr. Putz. Members, are there any questions in regard to the Legislative Assembly's request for funds? Mr. Thomson.

Hon. Mr. Thomson: — My question pertains to the final issue that you had raised which is the desire of the Assembly to establish a second permanent dedicated committee room. Could you tell me what your anticipated cost of this room would be?

Mr. Putz: — The anticipated cost of the room, if I just turn to the details of our budget proposal, is \$1.725 million. As you are probably aware, initially on December 14 the board did provide some funding to initiate planning of that room. And subsequently, as I mentioned, the board has put into place this \$250,000 fund that we're using partly to continue progress towards developing that committee room, and this year it will include demolition of the existing structure on that floor, and then we'll proceed accordingly as we receive some partnership and co-operation with SPM [Saskatchewan Property

Management].

Hon. Mr. Thomson: — So there has recently been a refurbishment of the radio room which is directly adjacent to this committee room. It has been largely reconfigured, increased in size. Is there a reason that we cannot find a joint-use room or could not make use of the radio room for a secondary committee hearing room?

Mr. Putz: — We did review that in the past. That was one of the options. And we did put that request forward to Executive Council, and Executive Council did not respond favourably to that request. They didn't turn us down, but they did not respond favourably. Subsequently the board did consider the options and returned to the fourth floor project.

Hon. Mr. Thomson: — As I understand, one of the reasons the Executive Council was not favourable to this were the conditions that were going to be placed on its usage by the Legislative Assembly, namely that the Legislative Assembly would essentially have full, unfettered access to the room at all times while the legislature was in session. Clearly that's not workable.

Is there not an opportunity for these two arms of government to work together to find a way to spare the taxpayers the millions of dollars it would cost to upgrade the fourth floor of this Assembly? And as I understand the upgrading of the fourth floor of this Assembly is particularly expensive because it is not accessible. Is there not a more cost-effective way that we could undertake this change within this historic building?

Mr. Putz: — You're right. The major cost for developing the fourth floor includes putting in an elevator and to bring it up to fire code, a stairway for egress. There potentially would be opportunities for shared use, but those have not been pursued in any direct way other than inquiries to Executive Council. And if the Board of Internal Economy or the Legislative Assembly would like to direct us in that manner, then of course we would pursue it.

Hon. Mr. Thomson: — My second line of questioning that I have tonight pertains to the continuation of the Law Clerk's office. Could you briefly explain what the current situation is and how you see that office evolving? Are we, as I understand, we are currently sharing the Law Clerk as a Clerk at the Table, or we have two . . . we have amalgamated that role, or will it be separated out at some point? Could you perhaps share with us tonight what your thoughts are on that?

Mr. Putz: — Yes. With the retirement of Gwenn Ronyk, there was an opportunity to redirect resources and address some of the priorities that we felt needed to be addressed, and one of those was the committee area. So some of the resources that were used to pay the Deputy Clerk in the past have been reallocated to pay for a committee Clerk and partially for a committee researcher.

Ken Ring is our Law Clerk and Parliamentary Counsel. He is involved in the corporate side of the Assembly in many different ways, advising on labour law and matters of interpreting legislation, and he has expressed an interest in being more integrated in the administration of the Legislative

Assembly. So given that interest and the opportunity to reallocate resources, Ken has been asked and has accepted to take on some new duties.

And some of his duties then have been reallocated to our Clerk Assistant, Margaret Woods. So she will be taking on some of his duties to free him up to participate more at the senior management level with the Legislative Assembly. We're doing this rather than coming to the board and asking for additional resources for committee operations, with the simultaneous committees and plans to increasingly use the committees, reallocating the resources so that we can staff them better and react in a more timely manner.

Hon. Mr. Thomson: — Obviously having served my entire term as a government member, I've not had much opportunity to directly utilize the Law Clerk's office, but my understanding is that there is generally a fairly close working relationship between the Law Clerk's office and the Office of the Official Opposition. Does the seating of the Law Clerk now as a Clerk at the Table present any potential future conflict of interest in terms of advice on procedure around legislation that may have been drafted by that office?

Mr. Putz: — I don't see that. In fact in most other parliaments the Law Clerk is also a table officer and participates in providing procedural advice. The Law Clerk does that on a confidential basis. And the Law Clerk also, if I might say, is not there just to serve the opposition members. The Law Clerk there is also to serve government members and has in the past given advice to government members on a wide range of issues, whether it be caucus or constituency labour issues or interpretation of statutes. So there's a wide range of services the Law Clerk does provide. It's not just for opposition members. It just so happens that amendments and private members' public Bills are the things that they do draft predominantly for private members from the opposition side.

The Deputy Chair: — Ms. Eagles.

Ms. Eagles: — Thank you, Mr. Chair. I was just wondering if the subject has come up recently regarding a washroom for the female members of the caucus.

Mr. Putz: — Not with me personally and not to my knowledge in the past few years. I know it has come up from time to time, and initiatives have been made. But I took over this position on January 1, and I can say with all honesty nobody has raised that issue with me to date until tonight.

The Deputy Chair: — Thank you, members. Are there . . . Mr. Thomson.

Hon. Mr. Thomson: — Just to highlight this. This has obviously been raised by female members of the legislature on our side also. There is — just to highlight the concern raised by Ms. Eagles — a concern that the facilities provided to women members is significantly substandard compared to that provided to the male members of the Assembly. So I, just to put into context, I think Ms. Eagles's comments, it is one that I know has been addressed from time to time. And as upgrades to these facilities are made, I think it's something that we should be mindful of.

The Deputy Chair: — Mr. Speaker.

The Speaker: — Excuse me. I'd like to address that. To provide access to equal facilities, washroom facilities, really probably the best answer would be to use the space on the west side of the rotunda where the Law Clerk's office was. And so part of the thinking about the fourth floor is to develop that space simply because of the demands of the personnel in the building.

Executive Council could use more space. If there were another minister or two appointed, there would be a difficulty locating a minister in a suitable office. So by developing the fourth floor, it would provide at least room for one or two offices where some people could be housed and possibly from the . . . It could be from the Clerk's office or . . . well that would have to be determined by a group who puts together the working plan. But it would be a lot easier to get a suitable washroom without destroying the ambiance of the men's room if that space opposite was made available.

The Deputy Chair: — Mr. Thomson.

Hon. Mr. Thomson: — I have a question regarding members' financial services and the types of financial controls that are in place in the office. I think we're all well aware of the difficulties that became public in the last 18 months or so in Newfoundland and Labrador around the problems with members' allowances.

This Assembly, like many others across the country, has not been without its own difficulties in the past with this. I was wondering if we could hear a brief report tonight in terms of the adequacy of the controls that are in place and the assuredness of the officials in terms of being able to deal with ensuring proper controls are in place on the public monies that members have access to, and the reporting of irregularities that may arise from that. If I could just have a brief comment on that, I think it would be appreciated.

Ms. Borowski: — I feel we have very good controls in place. Certainly from the point of view of the Provincial Auditor . . . our records are audited every year by the Provincial Auditor and the controls that have . . . the Provincial Auditor has not raised any concerns with the controls that we have.

I think our system, compared to some of the others across Canada, is one where we do require members to provide a significant amount of supporting documentation for their claims. Many of the legislatures . . . not many, but Newfoundland for example, I believe the situation there was one where it was primarily a reimbursement. Members brought in their claim and were reimbursed. We on the other hand prefer to do primarily direct payments on members' behalf.

So by making direct payments, we've taken away, sort of, the risk that's there with possibly duplicate payments. As soon as you've got receipts going back and forth and photocopied receipts, because one's been lost and this sort of thing . . . increases the risk for possibly duplicate payment, that sort of thing. We require, for the most part, original documentation. So when we get an invoice, it's original. So we don't pay off of photocopies unless, you know, there's a good reason why a

photocopy has to be used. It's been lost or whatever. And generally we can verify with photocopies that we haven't already made the payment. So I think we feel by concentrating mainly on direct payments as opposed to a reimbursement system that we have much greater financial control over the payments that are going out.

I'm not sure if you had any particular questions. I think we also have — which again I'm gathering from the Newfoundland situation's a little bit different — we have, as members all know, Janis Patrick in the office maintains a separate expense statement for every member, and those statements go out to the members so members can verify them. Plus we check them against our financial records, and then we make our corrections.

So we have a balancing system in place again to ensure that, for example in the situation whereas in Newfoundland members had a certain amount of money and their allowances were, it appeared that the allowances were overspent maybe two or three times more than they should have been. I think that would be very difficult in our case because we do regular balancing. Janis is again independently verifying all of members' payments against statements. And members then can also get their statements and, if they have any disagreements with them, can bring them forth at that time.

And then of course there's the overview by myself. So we don't have one person that's in charge of all sorts of different things. You know, there's a good segregation of duties. And again that was one of the problems in the Newfoundland situation . . . is basically one person was wearing too many hats possibly, whereas we don't have that situation here.

Hon. Mr. Thomson: — Earlier this evening we heard a report from the Provincial Auditor who indicated that there was an increase in complexity in terms of the accounting requirements within the public sector generally, but I think as we all know with Sarbanes-Oxley and other reporting issues, this is true in the private sector too.

I guess one of the questions that I have is, is as we see greater complexity in terms of the regulations and the requirements for members to adhere to, members, my sense is, become more dependent on two different groups to ensure adherence to those regulations. First of all is the group of constituency assistants that are employed, and the second really is financial services.

I think there is a growing expectation among members that, while they have a workable knowledge of the rules and the procedures that are set out, I would not say that most members would probably argue that they have a detailed knowledge.

And I think one of the questions that we need to ask is, is this a fair assumption for members to make? Is there more that we can do to make sure constituency assistants are on a more regular basis provided with updated information, brought to their attention whether they're not meeting the appropriate controls, more items are being caught to essentially not only protect obviously the members but really to protect the integrity of the system that we have in place?

Ms. Borowski: — I would agree with you. I do think that for the most part members do not have probably even the time to

go through and keep track of everything that is related to their allowances. There is, you know, four, five different allowances, and there's various rules that go along with all of them.

So I do believe they do rely on their constituency assistants, and I probably do feel that we should be spending a lot more time doing some training with constituency assistants. We have an orientation session at, you know, at the beginning of a legislature, and if a new constituency assistant starts, the member will often say, okay go see Janis, and she'll explain everything to you.

But I think we need to have a bit more of a regular . . . like maybe three, four times a year maybe have meetings with constituency assistants, especially if members are placing that reliance on them because it has been our experience that — as much as we have a manual that we, you know, distribute and we have letters that we send out — we're not so sure that constituency assistants are spending the time to really read and learn all of these things.

And then on our hand, we're making an assumption that, you know, that what is happening is that the constituency assistant does know, and the member is probably assuming the constituency assistant does know. And I think there's room for a lot more work with constituency assistants to ensure that they do . . . you know, that we don't have these gaps of everybody assuming that everyone else knows. Or in the case of the constituency assistant, they may be assuming Janis will catch it, and her people will catch it, and they'll fix it. But that doesn't always happen either. You know, we catch things. But you know, we're sometimes left wondering if the constituency assistant is totally clear on what it is, why we are asking for the documentation that we're asking for, and why the rules that are in place are there.

Hon. Mr. Thomson: — Certainly this is an issue. I know as we hire constituency assistants, each of us look for individuals to meet a particular need that we have within the service to constituents, and then expect on top of that they'll be knowledgeable and capable of undertaking the financial controls that are necessary to be there. I'm not sure that that is always the first expectation we have when we're hiring someone. So that's one of the reasons I do ask about this as to whether there is more that we can do.

I too, having now gone a little longer in the tooth around here, the rules change as you go along. And I think it's important that we always make sure at least the assistants know what those latest updates are so where they can comply, rather than simply rely on what I think might be or was at one point the rule. And so I think that that's an important piece if we can do more on the education and training aspect of that.

I have two further questions and my final questions on this pertain to the question then around purchasing. I've noticed that we have recently moved away from having a central store of paper, members' letterhead, and those kind of issues. That is now left to individual members.

Have we deliberately moved away from having a central store of items that members may draw on? I'm not sure whether this was ever used by members outside of Regina, but I know it was

fairly commonly used by Regina members — not only letterhead but other office supplies. Would there be either (a) any efficiency that we can gain by going back to that; and does that, secondly, reduce some of our reliance on outside receipting?

My second question then . . . So that was point (a) and (b) of one, for those of you who are keeping track of my time and numbering system tonight. The second question that I have is pertaining to the audit of members of council. As Chairman of the Treasury Board, I have asked . . . Each of the two years that I've been the Chair of the Treasury Board, I've met with the Provincial Auditor to ensure that there is a significant oversampling of the audit of members of the council. In this case, obviously Treasury Board has only purview over the Executive Council statements.

Do we have a similar, sizeable oversampling of audit on members' accounts?

Ms. Borowski: — That probably would have been a good question for Mr. Wendel. But I will tell you that from the . . . we do receive, as executive government departments do, before every audit we get an audit planning memorandum from the Provincial Auditor's office, and they outline to us what they're going to be doing and why they're going to be doing it.

My perspective from the work of the Provincial Auditor is that they do consider the audit of the Legislative Assembly and the audit of members' expenses to be in the area of, you know, a sensitive area. Usually that being the case, you do, do more sampling than you would do in, you know, in an organization where payments maybe weren't going to, you know, be as sensitive. So I would guess that they do, but I couldn't specifically answer what their audit planning is.

Now, I think Linda can answer the other, the first question.

Ms. Kaminski: — Thank you. In terms of the members' letterhead, I'm forgetting way back when when that process was discontinued. It's quite a while now, and my memory is failing me. But what we used to do is we used to provide letterhead and congratulatory paper for members to use. And it was felt that over the years that members were, by and large, wanting to personalize the letterhead by putting very specifically their constituency name and address, where it was very generic. It just said Member of the Legislative Assembly. So it was felt that it just really wasn't being utilized any more, so that process was discontinued.

The other thing I can speak from, from the top of my head, as well is in terms of supplies for members, the only thing that we had in place was for the caucus offices. At one time, the Legislative Assembly used to provide core office supplies to the caucus offices, and that was budgeted for and provided for out of the Legislative Assembly budget. It was felt that we were making discretionary calls in terms of what was basic office supplies and who were we to judge, know what the caucus office needed. So a decision was made to increase the caucus office budget along with some other needs at that time to give the caucus offices more flexibility in what they wanted to acquire for supplies for members to use in the caucus office, in addition to staff using in the caucus office.

But in terms of members actual purchase of office supplies, we have never provided office supplies for members to come . . .

A Member: — It was just that letterhead.

Ms. Kaminski: — It was just the letterhead, exactly. So in terms of some efficiencies by purchasing supplies generally for all of members, it's a point and maybe I'll get Marilyn to speak to that efficiency perspective.

Hon. Mr. Thomson: — But I've only recently run out of my original supply of papyrus so it's . . .

Ms. Borowski: — I think the grants, again just to add to what Linda's saying, is that because the caucuses had different needs for what they wanted the Legislative Assembly to provide, it was in the end determined . . . the caucus grant formula was changed to increase the caucus grants. And therefore then the members . . . or each caucus was able to determine on its own the supplies it needed.

Hon. Mr. Thomson: — I don't want to . . . Are there others? I have one final question to ask and that pertains to Hansard which I understand is under the Clerk's office.

It seems to me that increasingly — at least in the last two Assemblies I've served in — members have become much more dependent on speaking from written notes. This is an unfortunate practice I believe, but one that nevertheless is increasingly common.

Do we have in place a way to electronically transmit copies of those speeches, statements, to Hansard to ease them in the translation — not translate, well in some cases it may be translation having listened to some of the speeches — but the ease in the transduction of them into a paper format. Has that been undertaken?

I know often I'm reading a statement and asked, well how is this spelled? And particularly members' statements which every day of course go on for some inordinate amount of time, everyone reads from their own written statement. Is there a way to transmit that earlier simply to save on the time and resources that Hansard uses?

Mr. Putz: — You're right. The traditional ways that after you've said something and it's unclear, then you'll get one of those red folders, and then your statement is faxed back to the Hansard office which is in a separate building in the Walter Scott Building. But if members would like to provide their statements in advance — and so far I'm not aware of a big rush for that — but if to save yourself getting one of those red folders, certainly we could make that avenue available to you. Either you could provide it by electronic mail or advance in paper to the Hansard office.

Hon. Mr. Thomson: — It just seems to me that as more and more members are reading from text, and as that has become now, I guess, acceptable in the Assembly, that if members can provide a check-against-delivery copy, surely that must aid in the Hansard service. Hansard is certainly an extremely valuable service for members, and particularly capturing the live comment . . . but now that we've got this augmented-by-video

Hansard, I think that we must surely be able to find a way to make it easier on the people who are required and find great joy, no doubt, in listening to the hours of debate that go on, that we could in fact make their life easier by doing this.

If that's a practice, is it possible to have a set of protocols put in place so that members may, on a more routine basis, provide that — either from the caucus offices or whoever it is that's providing members' statements or individual members in the case that they're providing a speech?

Mr. Putz: — I think that's certainly a good suggestion. And the director of Hansard isn't here at the moment, but I'm sure that she wouldn't scold me for saying that she would also think that that's a good idea and that they would appreciate this in advance. And it would ease a lot of the coming and going through our office and Pages and faxing. If members either directly or through their caucuses want to provide advance copies, we'll certainly find a means for you to do that very efficiently.

Hon. Mr. Thomson: — Thank you for your indulgence, Mr. Chairman.

The Deputy Chair: — Very good. Anyone else have some questions of the Legislative Assembly personnel? If not, we are ready for a motion. I need someone to move . . . Ms. Eagles:

That there be granted to Her Majesty for the 12 months ending March 31, 2008, the following sums for Legislative Assembly, \$7,620,000.

All those in favour? That's carried. Thank you.

The Deputy Chair: — I will refer members to the Estimates book, page 154 and there are subvotes. Subvote number (LG01) in the amount of \$3,258,000. Is that agreed?

Some Hon. Members: — Agreed.

The Deputy Chair: — Subvote (LG03) in the amount of \$4,082,000, is that agreed?

Some Hon. Members: — Agreed.

The Deputy Chair: — Subvote (LG05) is statutory. Subvote (LG04) the amount to be voted is \$280,000. Is that agreed?

Some Hon. Members: — Agreed.

The Deputy Chair: — Subvote (LG06) is statutory. Subvote on capital assets is also non-voted. We need someone to move:

That it be resolved that it be granted to Her Majesty for the 12 months ending March 31, 2008, the following sum for the Legislative Assembly, \$7,620,000.

Mr. Iwanchuk. All those in favour?

Some Hon. Members: — Agreed.

The Deputy Chair: — That's carried. Thank you.

[Vote 21 agreed to.]

The Deputy Chair: — Members, we have circulated the Standing Committee on House Services tenth report that is to be moved tomorrow. Will someone move:

That the tenth report of the Standing Committee on House Services be adopted and presented to the Assembly on April 25, 2007.

Mr. Hagel. All those in favour?

Some Hon. Members: — Agreed.

The Deputy Chair: — That's carried. Thank you.

Will someone move that this committee do now adjourn? Ms. Eagles. Thank you very much. Note that the committee is adjourning at 8:42; we're crossing out the 10-something here.

Hon. Mr. Hagel: — Are you declaring adjournment?

The Deputy Chair: — I declare this meeting adjourned, Mr. Hagel.

[The committee adjourned at 20:42.]