



# **Legislative Assembly of Saskatchewan**

## **BOARD OF INTERNAL ECONOMY**

### **MINUTES AND VERBATIM REPORT**

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Published under the authority of  
The Honourable Don Toth  
Speaker



No. 1 — February 12 and 13, 2009

## **BOARD OF INTERNAL ECONOMY**

Hon. Don Toth, Chair  
Moosomin

Hon. Dan D'Autremont  
Cannington

Ms. Doreen Eagles  
Estevan

Mr. Glen Hart  
Last Mountain-Touchwood

Mr. Len Taylor  
The Battlefords

Hon. Christine Tell  
Regina Wascana Plains

Mr. Kevin Yates  
Regina Dewdney

## BOARD OF INTERNAL ECONOMY

Room 8 Legislative Building  
February 12, 2009, 4 p.m.  
and  
February 13, 2009, 8:30 a.m.

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**Present:****Members of the Board of Internal Economy**

Hon. Don Toth, Speaker, Chair  
Hon. Dan D'Autremont  
Ms. Doreen Eagles  
Mr. Glen Hart  
Mr. Len Taylor  
Hon. Christine Tell  
Mr. Kevin Yates

**Staff to the Board**

Ms. Marilyn Borowski, Director, Finance and Member Payments  
Mr. Gregory Putz, Clerk of the Legislative Assembly  
Ms. Margaret Tulloch, Secretary to the Board

**Officials in Attendance****Legislative Assembly Service**

Ms. Cheryl Behrns, Hansard  
Ms. Melissa Bennett, Legislative Librarian  
Ms. Lorraine de Montigny, Director, Visitor Services  
Ms. Lenni Frohman, Director, Parliamentary Publications  
Mr. Darcy Hislop, Chief Technology Officer  
Ms. Linda Kaminski, Director, Human Resource and Payroll Services  
Ms. Pat Kolesar, Assistant Legislative Librarian  
Ms. Iris Lang, Clerk Assistant (Committees)  
Ms. Monique Lovatt, Manager of Interparliamentary Relations and Protocol  
Ms. Ginette Michaluk, Assistant Director, Human Resource and Payroll Services  
Mr. Kenneth Ring, Law Clerk and Parliamentary Counsel  
Mr. Pat Shaw, Sergeant-at-Arms

**Office of the Chief Electoral Officer**

Mr. Dave Wilkie, Acting Chief Electoral Officer  
Mr. Brent Nadon, Manager, Election Finances  
Mr. Jeff Livingstone, Manager, Information Technology and Register of Elections

**Office of the Information and Privacy Commissioner**

Mr. Gary Dickson, Information and Privacy Commissioner  
Ms. Diane Aldridge, Portfolio Officer  
Ms. Pamela Scott, Manager, Administration

**Office of the Children's Advocate**

Mr. Marvin Bernstein, Children's Advocate  
Mr. Marcel St. Onge, Director, Investigations  
Ms. Bernie Rodier, Director of Administration

**Office of the Provincial Ombudsman**

Mr. Kevin Fenwick, Provincial Ombudsman  
Ms. Lynn Fraser, Manager of Administration

**AGENDA**

Moved by Mr. Hart, seconded by Ms. Eagles, that the proposed agenda be adopted. Agreed.

**MINUTES**

Moved by Mr. D'Autremont, seconded by Mr. Yates, ordered, that the Minutes of Meeting #6/08 be adopted. Agreed.

**ITEM 1 (a) Table Item: Legislative Assembly 3<sup>rd</sup> Quarter Financial Report and Fiscal Forecast**

The Chair tabled the report.

Moved by Mr. Yates, seconded by Ms. Tell:

That the 3<sup>rd</sup> quarter financial and fiscal forecast be accepted.

The question being put, it was agreed.

Minute # 1706

**(b) Table Item: MLA Accountability and Disclosure Statements for the fiscal year ended March 31, 2008**

The Chair tabled the reports.

**(c) (i) Table Item: New Democratic Party Caucus Financial Statements and Auditor's Opinion for the Fiscal Year ended March 31, 2008**

The Chair tabled the reports.

**(c)(ii) Table Item: Saskatchewan Party Caucus Financial Statements and Auditor's Opinion, for the Fiscal Year ended March 31, 2008**

The Chair tabled the reports.

**ITEM 2 Decision Item: Review of the 2009-2010 Budget for the Office of the Conflict of Interest Commissioner**

The Estimates, in the amount of \$151,000, were presented by Ms. Marilyn Borowski, Director of Finance and Member Payments.

Moved by Mr. D'Autremont, seconded by Mr. Yates:

That the 2009-2010 Estimates of the Office of the Conflict of Interest Commissioner be approved in the amount of \$151,000;

And further,

That such Estimates be forwarded to the Minister of Finance by the Chair.

A debate arising and the question being put, it was agreed.

Minute # 1707

**ITEM 3 Decision Item: Review of the 2009-2010 Budget for the Legislative Assembly**

The Board reviewed the Estimates and action plan for the Legislative Assembly submitted as follows:

Budgetary:	\$ 8,089,000
Statutory:	\$ 15,594,000
Total:	\$ 23,683,000

The Speaker and Clerk presented the Legislative Assembly Service budgetary priorities for fiscal year 2009-2010.

A discussion arising, the item was deferred.

The Board recessed for a short time.

The Board met in camera for a short time.

The Board resumed public meeting at 8:05 p.m.

**ITEM 8****(a) Decision Item: Amendments to Directive #3.1 – MLA Travel and Living Expenses**

Moved by Mr. D'Autremont, seconded by Mr. Yates:

That, effective April 1, 2009, Directive #3.1 – *MLA Travel and Living Expenses* be amended as follows:

1) In clause (4), delete the word “clause” from the first line and replace it with “clauses (4.1), (4.2) and”. Delete the last sentence of the clause.

2) Add clause (4.1) as follows:

“No claim for rent by any other Member in respect of the same premises may be reimbursed.”

3) Add clause (4.2) as follows:

“In the event two or more Members share accommodation in Regina, the total expenses claimed by those Members for the shared Regina accommodation may not exceed the amount that would be eligible to be claimed by one Member.”

4) In clause (5), after the words “and only if” add the words “all of the following conditions are met:”.

5) In subclause (5)(b), delete the word “and” at the end of the sentence.

6) In subclause (5)(c), add the word “and” at the end of the sentence.

7) Add subclause (5)(d) as follows:

“in accordance with clause (5.1), the Member has provided the required statutory declaration to the Clerk of the Legislative Assembly, which shall be available for examination by the public during normal business hours at the Clerk’s Office.”

8) Add clause (5.1) as follows:

“At the beginning of each fiscal year, before a reimbursement may be made to a Member under clause (4), the Member must complete a statutory declaration in the form approved by the Board of Internal Economy that states the location of the Member’s non-Regina residence and the location of the Member’s Regina residence.”

9) Add clause (5.2) as follows:

“A Member who moves his or her non-Regina residence or his or her Regina residence from the location set out in his or her declaration provided under clause (5.1) shall, without delay after the move, provide to the Clerk a new statutory declaration stating the new location.”

And, that the form, as attached, be approved.

The question being put, it was agreed.

**Minute # 1708**

**Item 8****(b) Decision Item: Amendments to Directive #3.1 – MLA Travel and Living Expenses and Directive #4.1 – Constituency Service Expenses**

Moved by Mr. D'Autremont, seconded by Mr. Yates:

- 1) That, effective April 1, 2009, clause (1.1) of Directive #3.1 – *MLA Travel and Living Expenses* be amended by deleting the number "\$10,000" and replacing it with the number "\$12,000".
- 2) That, effective April 1, 2009, clause (3) of Directive #4.1 – *Constituency Service Expenses* be amended by:
  - i) deleting the words "clause (2) and clause (10)" in line one and replacing them with the words "clauses (1.1), (10) and (11)";
  - ii) deleting the number "\$10,000" in line two and replacing it with the number "\$12,000".

The question being put, it was agreed.

**Minute # 1709**

**Item 8****(c) Decision Item: Directives of the Board of Internal Economy – Housekeeping Amendments**

Moved by Mr. D'Autremont, seconded by Mr. Yates:

- 1) That, effective April 1, 2009, subclause (10)(b) of Directive #4.1 – *Constituency Service Expenses* be amended by deleting the number "(4)" and replacing it with the number "(6)".
- 2) That, effective April 1, 2009, subclause (10)(c) of Directive #4.1 – *Constituency Service Expenses* be amended by deleting the number "(4)" and replacing it with the number "(6)".
- 3) That, effective April 1, 2009, subclause (2)(c) of Directive #2 – *Telephone and Related Expenses* be amended by deleting the number "(7)" in the fourth line and replacing it with the number "(9)".

The question being put, it was agreed.

**Minute # 1710**

**Item 8****(d) Decision Item: Amendments to Directive #13.1 – Transition Allowance**

Moved by Ms. Eagles, seconded by Mr. Yates:

That effective February 13, 2009, clause (1)(c) of Directive #13.1 – *Transition Allowance* be amended by deleting all of the words after "dissolution".

The question being put, it was agreed.

**Minute # 1711**

**Item 8****(e) Decision Item: Amendment to Dental Plan Wait Period**

Moved by Ms. Eagles, seconded by Mr. Yates:

That the six month wait period for the commencement of Dental Plan benefits for newly elected Members of the Legislative Assembly be eliminated; and

That any dental costs incurred by newly elected Members during the first six months of their term will be charged to the Legislative Assembly Enhanced Dental Plan fund; and further,

That this decision take effect February 12, 2009, and that this decision be communicated by the Chair to the Public Employees Benefits Agency.

The question being put, it was agreed.

**Minute # 1712**

**Item 8**                      **(f) Decision Item: Amendment to Health Plan Wait Period**

Moved by Ms. Eagles, seconded by Mr. Yates:

That the six month wait period for the commencement of Health Plan benefits for newly elected Members of the Legislative Assembly be eliminated; and further,

That this decision be communicated by the Legislative Assembly Administration to the Insurance Broker for the Legislative Assembly Health Plan with instruction that the said changes be made effective March 1, 2009.

The question being put, it was agreed.

**Minute # 1713**

**Item 8**                      **(g) Decision Item: Approval of Legislative Assembly Security Policy Manual**

Moved by Mr. D'Autremont, seconded by Mr. Yates:

That the Legislative Assembly Security Policy Manual be approved.

The question being put, it was agreed.

**Minute # 1714**

The Board recessed until February 13, 2009.

**February 13, 2009**

The Board began meeting at 8:40 a.m.

**ITEM 4**                      **Decision Item: Review of the 2009-2010 Budget for the Office of the Chief Electoral Officer**

The Estimates, in the amount of \$1,627,969 were presented by Mr. Dave Wilkie, Acting Chief Electoral Officer.

A debate arising, the item was deferred until later in the day.

**ITEM 5**                      **Decision Item: Review of the 2009-2010 Budget for the Office of the Information and Privacy Commissioner**

The Estimates, in the amount of \$1,088,294 were presented by Mr. Gary Dickson, Information and Privacy Commissioner.

A debate arising, the item was deferred until later in the day.

**ITEM 6**                      **Decision Item: Review of the 2009-2010 Budget for the Office of the Provincial Ombudsman**

The Estimates, in the amount of \$2,265,000 were presented by Mr. Kevin Fenwick, Provincial Ombudsman.

A debate arising, the item was deferred until later in the day.

**ITEM 7**                      **Decision Item: Review of the 2009-2010 Budget for the Office of the Children's Advocate**

The Estimates, in the amount of \$1,621,000, were presented by Mr. Marvin Bernstein, Children's Advocate.

A debate arising, the item was deferred until later in the day.

**ITEM 7 (cont'd)      Decision Item: Review of the 2009-2010 Estimates for the Office of the Children's Advocate**

Moved by Mr. D'Autremont, seconded by Mr. Yates:

That the 2009-2010 Estimates of the Office of the Children's Advocate be approved in the amount of \$1,621,000 as follows:

Budgetary to be voted:	\$1,441,000
Statutory:	\$ 180,000

And further,

That such Estimates be forwarded to the Minister of Finance by the Chair.

The question being put, it was agreed.

**Minute # 1715**

**ITEM 6 (cont'd)      Decision Item: Review of the 2009-2010 Budget for the Office of the Ombudsman**

Moved by Mr. D'Autremont, seconded by Mr. Yates:

That the 2009-2010 Estimates of the Office of the Ombudsman be approved in the amount of \$2,195,000 as follows:

Budgetary to be voted:	\$2,015,000
Statutory:	\$ 180,000

And further,

That such Estimates be forwarded to the Minister of Finance by the Chair.

The question being put, it was agreed.

**Minute # 1716**

**ITEM 5 (cont'd)      Decision Item: Review of the 2009-2010 Budget for the Office of the Information and Privacy Commissioner**

Moved by Mr. D'Autremont, seconded by Mr. Yates:

That the 2009-2010 Estimates of the Information and Privacy Commissioner be approved in the amount of \$927,000;

And further,

That such Estimates be forwarded to the Minister of Finance by the Chair.

The question being put, it was agreed.

**Minute # 1717**

**ITEM 4 (cont'd)      Decision Item: Review of the 2009-2010 Budget for the Office of the Chief Electoral Officer**

Moved by Mr. D'Autremont, seconded by Mr. Yates:

That the 2009-2010 Estimates for the Office of the Chief Electoral Officer in the amount of \$1,229,000 (Statutory) be transmitted to the Minister of Finance by the Chair.

The question being put, it was agreed.

**Minute # 1718**



## ITEM 3 (cont'd)

**Decision Item: Review of the 2009-2010 Revenue Estimates for the Legislative Assembly**

Moved by Mr. D'Autremont, seconded by Mr. Yates:

That the 2009-2010 Revenue Estimates for the Legislative Assembly be approved in the amount of \$5,000;

And that such Estimates be forwarded to the Minister of Finance by the Chair.

The question being put, it was agreed.

**Minute # 1719**

**Decision Item: Approval of the 2009-2010 Projects for the Refurbishment and Asset Replacement Fund**

Moved by Mr. D'Autremont, seconded by Mr. Yates:

That, for the 2009-2010 fiscal year, the following Refurbishment and Asset Replacement Fund projects be approved:

Broadcast Services Digital Migration Plan	\$ 65,000
Digital Audio Transcription System Replacement	\$ 70,000
Library Collection Accommodation	\$115,000

For a total amount of \$250,000.

The question being put, it was agreed.

**Minute # 1720**

**Decision Item: Review of the 2009-2010 Budget for the Legislative Assembly**

Moved by Mr. D'Autremont, seconded by Mr. Yates:

That the 2009-2010 Estimates and action plan of the Legislative Assembly be approved in the amount of \$23,661,000 as follows:

Budgetary to be voted:	\$ 8,250,000
Statutory:	\$ 15,411,000
Including capital acquisitions of	\$ 70,000;

And further,

That the 2009-2010 estimated amortization expense for the Legislative Assembly be approved in the amount of \$71,000;

And further,

That such Estimates and amortization expense be forwarded to the Minister of Finance by the Chair.

The question being put, it was agreed.

**Minute # 1721**

The Board adjourned at 1:00 p.m.





**Legislative Assembly  
of Saskatchewan**

**MLA Regina Accommodation  
Statutory Declaration**

Member: \_\_\_\_\_

Constituency: \_\_\_\_\_

For the fiscal year: \_\_\_\_\_

In accordance with the provisions of Directive #3.1 - *MLA Travel and Living Expenses*, in respect of  
MLA Regina accommodation expenses, clause (5.1), I do solemnly declare that:

- The address of my non-Regina residence is:

\_\_\_\_\_  
Street Address or Legal Land Description

\_\_\_\_\_  
Name of Community or Rural Municipality

\_\_\_\_\_  
Postal Code

- The address of my Regina residence is:

\_\_\_\_\_  
Street Address

**Regina, Saskatchewan**

\_\_\_\_\_  
Postal Code

***I make this solemn declaration conscientiously knowing it to be true.***

\_\_\_\_\_  
**Signature of Member**

\_\_\_\_\_  
**Date**

**Note:**            **This declaration shall be available for examination by the public during normal  
business hours at the Clerk's Office.**



[The board met at 16:00.]

**The Chair:** — Good afternoon, ladies and gentlemen. I'm going to call this meeting to order shortly after 4. Sorry that it's taken us just a few minutes to get everything organized here. And first of all, I'd like to welcome the staff who have joined us.

Cheryl behind us here looking after turning the mikes on and off when we need them. And a special welcome to . . . I'm looking at the notes here and I'm going just put a . . . Gregory A. Putz, Clerk of the Legislative Assembly who has joined us today, and of course Marilyn, his left-hand gal, happens to be on his left, my right. Melissa Bennett who's joined us today, and Lenni. Darcy Hislop, Linda Kaminski, Pat Kolesar, Iris Lang, Ken Ring, Pat Shaw, and Ginette Michaluk — have I got that right? Michaluk.

Anyway a special welcome to each and every one of you, and we thank you for taking the time to come and join with us. And no doubt there may be the opportunity to respond and answer some questions as well. And we thank you for giving of your time and the work you put into serving the Assembly in each one of your capacities, just helping us as members to perform our duties a lot more efficiently and effectively.

Of course welcome to the members who have joined us and our newest member, Ms. Tell. We'll quickly bring you up to speed on everything that happens within the board. And by the time we're done here, you'll feel you've been around for awhile and know exactly what's going on.

First of all, you have the agenda in front of you, and I wonder if I could have someone move approval of the agenda. Mr. Hart. And a seconder for the approval of the agenda. Ms. Eagles.

Are there any questions regarding the agenda as it's been presented to us? If not, everyone in favour of moving the agenda as it's presented? Agreed. Thank you.

You've also had an opportunity to peruse the minutes of our last meeting, and I wonder if I could have a mover to approve the minutes as presented. Mr. D'Autremont. A seconder? Mr. Yates. Any questions from the last minutes? Seeing none, all in agreement of approving the minutes as presented? Agreed. Carried. Thank you.

Item 1 on the agenda is tabling the items of the Legislative Assembly third-quarter financial and fiscal forecast. So we need a motion to accept the report of the Legislative Assembly third-quarter fiscal and forecast. Mr. Yates moves. And do we have a seconder for that? Ms. Tell. Any questions? Seeing none, is everyone in agreement? Agreed. Carried.

Then we also tabled items of MLA [Member of the Legislative Assembly] accountability and disclosure statements for the fiscal year ended March 31, '08, previously tabled in the House in December. And the New Democratic and Sask Party caucus and auditors' opinions for the fiscal year ended March 31, and these were tabled in the Assembly in December as well.

## Office of the Conflict of Interest Commissioner

**The Chair:** — We're going to move on to item no. 2, review of the '09-10 budget of the Office of the Conflict of Interest Commissioner. And the commissioner isn't here with us this afternoon, but if there are any questions or any comments in regards to the budget of the Conflict of Interest Commissioner. And while we're discussing our Conflict of Interest Commissioner, you may have received a notice of having your forms in by March 31. I'll just quickly — a reminder coming from the Speaker.

Do we have any questions? Yes, Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — Thank you, Mr. Speaker. Mr. Speaker, this request for the budget is similar to last year — identical in fact. So since we approved last year's, I see no reason why we can't approve this year's.

**The Chair:** — So, Mr. D'Autremont, you're prepared to move a motion that we approve Mr. Gerrand's budget as requested. And do I have a seconder to that motion? Mr. Yates.

Any further questions? Seeing none, the budget for the Conflict of Interest Commissioner has been approved. We'll wait till we can catch up with the handwriting.

Okay. I recognize Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — Thank you, Mr. Speaker. I move:

That the 2009-2010 estimates of the Office of the Conflict of Interest Commissioner be approved in the amount of 151,000; and further

That such estimates be forwarded to the Minister of Finance by the Chair.

I so move.

**The Chair:** — And we have a seconder, Mr. Yates. And no further questions? We're in agreement?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried. Carried. Thank you.

## Legislative Assembly

**The Chair:** — We'll then move forward with decision item 3, review of the '09-10 budget for the Legislative Assembly. And at this time I will turn it over to Mr. Putz.

**Mr. Putz:** — Okay. Thank you, Mr. Speaker.

**Hon. Mr. D'Autremont:** — I'm assuming this is coming in the same as the previous, Conflict of Interest Commissioner's?

**Mr. Putz:** — Unfortunately, Mr. D'Autremont, no. But if you bear with me for about 15 minutes, I'll try and give you the highlights of what we're proposing here.

To give you these highlights, I think I'd like to start with the big picture and work backwards by breaking the dollar request into its various component parts. And the first thing you need to know is that the total amount requested in this document is \$27,778,278.

The numbers break down into basically three broad categories, and each of the components is presented separately in our budget book. And these are, first, the budgetary estimates and these include the Legislative Assembly Service; the Office of the Speaker; some caucus expenses; support for parliamentary associations; the gift shop; and the internship program. And the total proposed there is just over \$8 million.

The Refurbishment and Asset Replacement Fund, RARF for short, which has the express purpose of supporting the refurbishment projects in the Legislative Building and the LAS's [Legislative Assembly Service] infrastructure, the total requested for all of the projects being proposed is 4.28 million.

Then finally the statutory estimates which is our biggest expense — and this category includes members, their constituency offices, the two caucuses, etc., etc. And the total requested there is just over 15.4 million.

Now as I mentioned, the total of these three categories comes in at just under 28 million. This represents about a \$5 million increase over last year which in percentage terms is about 23 per cent. This of course, I think you'll agree, is well above the average percentage increases the board has provided the Assembly in past years. But this however is unusual in this estimates because it includes some major infrastructure projects. The vast majority of this increase can be attributed to a number of the big-ticket RARF projects. Principally these projects are the completion of the fourth floor committee room, that's 3.8 million; new carpet for the Chamber, 267,000; and renovations to the library reading room at \$135,000.

You also note in your budget book that the all-in increases are not presented as I've just outlined. In the last budget, RARF funding was imbedded in the main line numbers of the LAS budgetary expenditures. But I think that you'd agree, for this year anyway, including them as part of the ordinary budgetary expenditures would completely distort our estimates, making it difficult for the board members to easily compare these estimates to last year. So for this reason, when you're looking at the summary of the request on page 15 of your budget book, RARF is purposely excluded. It's fully reported in section 6 in the summary form and in section 10 of the budget book in detail.

So having established a basis to compare this year's request to last year's by separating the big infrastructure projects, our overall percentage increase of our budgetary and statutory estimates is 4.24 per cent. Now with that explanation of how our numbers are presented, there are a number of other points that figure into how we built the estimates for this year.

Starting on the budgetary side, the first thing to note that for our starting point we backed out the one-time expenditures the board approved last year as part of our LAS action plan. These total about \$46,000. This amount was subtracted from the approved estimates of last year so that when you compare this

year, the comparison is to our actual baseline numbers.

And having established that as our starting point, each branch of the LAS was asked to develop a baseline budget for their operation so that we could deliver the same services presently provided to members, to the members and their constituency offices, the caucuses and the various public programs that we deliver. The baseline estimates include the known salary adjustments for the upcoming fiscal year and the inflationary increases for goods and services.

[16:15]

For executive government ministries, the call for estimates assumed a 4.5 increase for salary and inflationary pressures. Even though the board ultimately determines our budget directives, we did use the government's budget assumptions as a guideline as we've done in the past.

In terms of our baseline budget, I want the board to know — despite some of the challenges that we do have on the personnel side and things like US [United States] dollar exchange rates that turned out to be not so much to our advantage this year — on certain items we're able to achieve the target of our baseline in this budget.

You'll note that the percentage increase reported on page 15 of our budgetary estimates is 1.5 per cent above the target. This percentage increase takes into account new initiatives from our action plans that require additional or supplementary funding. And that's what I want to do now is talk about our action plan for a moment. And I want to quickly outline the three main factors that contribute to this 1.5 per cent increase over our baseline on the budgetary side.

The first is a human resource initiative for employment development and skills training. The LAS, I'm sorry to say, has not made employment development a high priority for some time.

Over the course of the last year, we've worked on an LAS workforce plan using PSC [Public Service Commission] as our best practice resource and model. Through this process, we know that LAS has not maintained the standard in providing our employees with regular opportunities to build on their skills. PSC initiatives in this regard provide executive government ministries with a workplace wherein, I quote, "Skilled managers and supervisors exercise quality leadership and sound human resource practices."

Because of limited funds, we've only been able to send a very few people on human resource management-type courses. We presently do not have the fiscal means to provide these types of opportunities to all of our managers and supervisors. To date what we've been doing, we've been doing this on an ad hoc basis. With this budget and with your assistance, we hope to rectify the situation. And Ginette Michaluk and Linda Kaminski will be pleased to further explain the importance of these initiatives later if you have questions about them.

The second of the three that I want to note, highlight for you, is funding for a new computer program or database position. Like other organizations, we rely on our IT [information technology]

infrastructure to conduct business. Information technology has helped us to improve our operational efficiency, service delivery, and communication. But at the same time, we've basically become dependent on our computer system. And over the past half decade, it's also true that the complexity of our computer applications and systems has significantly increased.

The LAS has need for an in-house expertise to manage and support the many databases of information, and we need in-house programming skills to troubleshoot and tailor applications to our purposes. Although funding for this position will represent an ongoing cost, these will be offset somewhat in coming years with savings on contractual services. And at the end of the day, what we're asking for is funding that will increase our FTE [full-time equivalent] complement by a very modest point six five per cent.

And on this item, Darcy Hislop would be pleased to expand on what I've noted, answer any questions on the IT side. And Linda can address any questions about our FTE calculations.

Now the third is national conferences. This is the last of the major factors in the 1.5 increase. This is based on our obligation to host two national professional development conferences in 2009. It's Saskatchewan's turn to host members of the Canadian Association of Parliamentary Administration. This is a professional association for senior officers responsible for parliamentary administration and all of the Canadian parliaments.

And it's also our turn to host the Hansard Association of Canada, which is likewise a professional association for all of our friends in Hansard. Of course these are one-time costs, and they'll be backed out of next year's estimates.

Marilyn is the Chair of our CAPA [Canadian Association of Parliamentary Administration] host committee. Lenni Frohman is our director of parliamentary publications, is the Chair of our Hansard host committee. And they'd both be pleased to answer any questions you might have about these two conferences that we're obliged to host in this fiscal year.

So with that brief summary, you have the main cost of the 1.5 per cent increase over our baseline estimates.

But before closing my formal remarks, I want to point out our action plan for 2009-2010 which is found in section 3 of your budget book. And I want to briefly remind you of the purpose of this action plan. As a component of the budget, the action plan provides the board with a broader picture in a context on what we propose to do with the funding that you provide us. As such, the action plan is a means by which you can measure the LAS's progress in meeting its goals and objectives.

And in this context, I want to remind you that the Provincial Auditor had a concern about this. And he had basically four concerns, and I raised these with you last year. He felt that the board should set and approve its operational goals and objectives, should set performance targets and measures, monitor progress in achieving targets, define and document operational reports it needs to monitor progress. Over the last two budgets, you've responded to these concerns by approving the LAS action plan as part of the budgetary process.

This year's action plan, like those of the last two budget cycles, comprise proposals to improve and enhance the core services we provide to members and the public. The action plan also addresses how LAS managers propose to respond to the new demands and changing circumstances. As such, the action plan is not a listing of all of the LAS services. These can be found in the *Guide to Members' Services*, which all of you received at the beginning of the legislature and which continues to be updated and available on the members' portal.

In developing the action plan, managers were asked to consider how their operations could be realigned or restructured to meet new challenges and priorities in order to negate or at least minimize additional costs. And I'm happy to say that the majority of the actions in section 3, that no doubt you've read about, require no additional funding beyond what is requested in our baseline budget.

But some of the new initiatives of the action plan do require new or supplementary funding. These initiatives include the three that I just mentioned as well as the major infrastructure projects proposed under the RARF sections of our budget book. The approved 2009-10 budget and associated action plan will be the basis on which the LAS will report to the board mid and end of year on its progress in meeting the objectives.

Before I close, I just want to touch on the statutory costs which are summarized on page 15 in outline detail in section 7 of your budget book. Now as Mr. D'Autremont has correctly pointed out, in response to media questions earlier this week, the statutory rate increase for MLA salaries will be 3.3 per cent, rather than the 4.5 per cent assumed in our budget book. This small increase also applies to the MLA additional duties expense provisions and caucus grants. The difference in saving is about \$146,400 over the number that we presented in the budget book.

Also when preparing the estimates we made a mistake in our calculation on the statutory committee expenses for members. The amount on page 32 should read \$35,000. This translates into some changes that you might want to pencil into the summary page of your budget book on page 15.

The statutory estimates request should read \$15,411,600, being a percentage increase of 3.3 per cent. This also lowers the overall percentage increase for the entire Assembly budget from 5 per cent to 4.24 per cent. And it's on this point that I wish to conclude. Overall, setting the major infrastructure costs aside, the Assembly budget is well within the baseline target government has set for its ministries.

So with that I would be pleased, and so would the other managers here, to answer any questions you might have about any aspect of the LAS baseline budget, our action plan, or any of the other components — the RARF projects. And I guess I turn the floor back over to you, Mr. Speaker.

**The Chair:** — Thank you, Mr. Putz. And for the members, we're pleased to have a number of staff members who have joined us. They've gone through a lot of work as well in preparing each part of their sectors for this budget presentation, so if you have questions, now is the time to ask them. Mr. Yates.

**Mr. Yates:** — Thank you very much, Mr. Chair. My first question, I just want to confirm the numbers that you gave us. You're saying under statutory estimates, instead of the 15, 594,000, it's 15, 411,000?

**Mr. Putz:** — Yes.

**Mr. Yates:** — And that brings the overall budget percentage increase from 5 per cent down to 4.24 per cent within the range.

**Mr. Putz:** — 4.24 per cent. Correct.

**Mr. Yates:** — Now you also have removed from both the estimates and last year's acquisition funds that we asked for, the Refurbishment and Asset Replacement Fund of \$250,000. That's been removed from both as I read here.

**Mr. Putz:** — That's been removed from this summary sheet. It is tallied up because — and just to underscore what I said earlier — the basis of that was because we have a couple of big-ticket projects, the fourth floor and the carpeting for the Chamber, which we're presenting as proposals. And those would greatly skew the numbers and make it difficult to compare.

Now as you know the baseline for that has been \$250,000 over the last few years. When you take those two projects away, we're at about 270,000 for the other, if you want to call them LAS-centred infrastructure-type projects. The Assembly-centred ones are the two that I just mentioned.

**Mr. Yates:** — Thank you very much. That's all of my questions.

**Mr. Putz:** — Marilyn wants to make a comment.

**Ms. Borowski:** — To answer your question, yes, the 250 has been removed from both '08-09 approved and the requested.

**Mr. Putz:** — Yes, sorry, I misunderstood then your question. Yes, so to make that comparison, yes, we backed it out so that you could compare last year's number without that number incorporated in the figures you see in the book.

**The Chair:** — Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — Thank you. Since Mr. Yates started with the RARF program, what's the status of the projects from last year?

**Mr. Putz:** — I'll ask Darcy to come forward because he's our project manager for most of these, and probably the ones that you're more keenly interested in.

**Mr. Hislop:** — A quick update. The Chamber lighting is very close to being implemented. I believe Tuesday they will be actually installing the brackets and mounting the lights on. That's the supplementary lighting part for the Chamber lighting.

The week following that, we will have the production lighting contractors in for the focusing. We're hoping that, I think it'll be the 25th of February, we're hoping to have those lights on before session. And I'll hopefully be able to invite members to

come down, take a look, check out the new lighting prior to the start of the spring session.

The caucus board rooms. You may have noticed in the opposition caucus board room, there is scaffolding up, and they are looking at the installations. We're hoping in the next week, week and a half, to have them installed. They are currently having the adventures this building always offers in trying to run wiring and cabling.

The fourth floor project. The money from last year's or this fiscal year's money has been completed. The project is now at a tender-ready stage, and I think that's reflected in this year's request to proceed. So we're effectively ready to, upon favourable funding, put the tenders out and proceed. What else is up on . . .

[16:30]

**Mr. Putz:** — The chairs. All of the members, no doubt, have enjoyed their new chairs in the Chamber in the fall sitting of the Assembly. Those are in place. And did you mention the government caucus room?

**Mr. Hislop:** — Yes, that's part and parcel. Yes, both caucus board rooms should be complete in the next two weeks.

**Mr. Putz:** — And the other part of this was the MLA chairs for the MLA offices in the building. That project was complete. And any member who wanted a chair, in fact, now has had their chair for quite some time.

**Hon. Mr. D'Autremont:** — Thank you. I was particularly interested in the lights and the boardrooms, what the status was there, because the last visible evidence I had, there wasn't any.

**Mr. Hislop:** — We're running very, very tight time frames. As we've seen over the last year or so, contractors' time is scarce, and it's been a real challenge to get them lined up and get them in.

**Mr. Putz:** — And if I could just add to that, one of the challenges that Government Services had, even though that they'd scoped out this project, was that when they actually got up, trying to mount the brackets for the lights became somewhat difficult. They've got a workaround for that, and that was also part of the delay as well, in kind of re-engineering how the brackets hold those lights up. In those corners, it's mostly plaster and burlap. It looks structurally sound up there, but a lot of it is more cosmetic than structural.

**Mr. Hislop:** — I think they had 13 different design iterations to come up with something that will actually work. So some extraordinary engineering by the contractors to make it work.

**Hon. Mr. D'Autremont:** — Okay, thank you. Darcy, since you're here as well, the additional point six five FTE I believe is going into your shop. Is that correct?

**Mr. Hislop:** — We are requesting the database programmer analyst position, and I think Linda can give you the calculations about how the overall comes out. But we are requesting an additional staff for our CTS [communication and technology



services] staff.

Our CTS group consists of five individuals, including myself. Two of them are broadcast technicians, and you've probably seen them over the years. We have a IT manager, a network analyst, and we have a co-op summer student position we use as a help desk. And we're also looking to convert that into a permanent, full-time position. With those five bodies, a sessional broadcast technician who comes out, we look after all of the IT infrastructure for the Assembly, for the Information and Privacy Commissioner. We help out on occasion for Ombudsman, Children's Advocate. And we broadcast all of the proceedings of the Assembly. So I like to think we're very lean considering the scope of the work we provide.

**Hon. Mr. D'Autremont:** — Okay. Thank you. Perhaps it's Marilyn or Linda, I'm not sure: the proposals to transfer some of the FTEs from non-permanent to permanent. What's the rationale there?

**Ms. Kaminski:** — Thank you, Mr. D'Autremont. In terms of the rationale, found on page 19 of the budget document is the introduction to the additional FTE requests. And for 2009-2010, we're looking at some conversion of the existing full-time, non-perm FTE in the library to a permanent position this fiscal year.

And on page 20 of the document, the indication is actually it's a cost savings for us to do that because instead of providing paid vacation leave to them, they would actually be receiving the time off, and so we don't have to have the additional cost of the vacation pay. So while we do have an existing full-time, non-perm position in the library, we would simply like to have it converted to a permanent position.

In terms of the CTS, Darcy's area, again on page 20 of the budget document, we do have existing funding for co-op and summer student positions. And what we'd like to do is we'd like to convert that position to a full-time, permanent position and have it filled on an ongoing basis, as opposed to summer students rotating in and out. If we do that, then we would have to classify the position accordingly because we would be having a full-time person, and we would have some additional responsibilities added to them. But the position would be linked to a help desk support position within government and, within government, the assumed classification level would result in an actual funding increase of \$11,000.

But we've had co-op and summer students . . . I'm forgetting, Darcy, for how long, but it's been a number of years. Yes, it's been probably about eight years that we have been rotating summer students as a help desk support for us. And we sort of have reached our limit in terms of being able to continue to do that and continue to be operating efficiently and effectively. And so it seems to make more sense now to the branch operations to change that staffing approach to a full-time, permanent position.

**Hon. Mr. D'Autremont:** — I'm not sure what the implications are of full time versus non-permanent or permanent versus non-permanent. Wouldn't the non-permanent people also take holidays?

**Ms. Kaminski:** — They do, but with our . . . depending upon the category of employee that you are. We have regular permanent part-time employees that they are working typically less than full time, and those individuals get a pro-rated amount of vacation leave credits that they take.

You have another category of employees that are deemed to be term employees like our co-op students, like our summer students. And those individuals, we pay them vacation pay because they're just hired for a short period of time, so we don't want to pay them to be away. We want to pay them to be here, so they're actually receiving vacation pay on top of each and every paycheck.

And that's similar to our sessional employees. When they come in to work, we do the same thing with our sessional security officers and with our Hansard transcriptionists. They receive vacation and stat pay on each and every paycheck because we want to pay them when they're actively at work. And then when they're not at work during intersessional periods of time, that's fine. But we don't have to then be providing them with paid vacation leave credit to take at another period of time.

So we're following typical practices of executive government, so it really depends upon the classification level. Are you permanent. Are you non-permanent. And therefore what benefits are appropriate with that category.

**Hon. Mr. D'Autremont:** — But if you're paying them vacation pay for a non-permanent position, if they take time off, do they take it then with no pay? Or is there some compensation because they've already received it initially?

**Ms. Kaminski:** — Correct. Yes.

**Hon. Mr. D'Autremont:** — If you made that position a permanent position for those sessionals, then you're paying them for the whole year versus for a shorter period of time. So there would be no savings there at all.

**Ms. Kaminski:** — Just to back up on the first question. In terms of those individuals who are receiving vacation pay on each and every paycheck — and like I said, a good example are our sessional employees — they basically work about three and a half months of the year, and so they receive a top-up of about 12 per cent on each and every paycheck. And so then they're in theory taking their pro-rated three weeks of vacation leave during the intersessional periods of time. So we are ensuring that according to labour standards, they're taking the time off, but no, they're not getting paid for it. It's leave without pay. They're not paid at all intersessionally when they're not working.

And I'm sorry, you're going to have to repeat your second question to me in terms of you were comparing it . . . Can you repeat that?

**Hon. Mr. D'Autremont:** — For a full-time non-permanent, they then, if they do take time off, they receive no compensation for that because they've received their compensation on a bi-weekly or a bi-monthly case.

**Ms. Kaminski:** — Correct. So then when they are away, it's

leave without pay. They're getting zero dollars when they're away because, yes, when you're receiving vacation and stat pay on each and every paycheque, correct, that's how it would work.

**Hon. Mr. D'Autremont:** — So if these positions are changed from non-permanent or sessional to full-time permanent, then we're paying them more time than what they were working previously. So we're actually adding to the budget, not decreasing it.

**Ms. Kaminski:** — I heard the last part of the question. I'm sorry, I didn't hear the . . . I'm sorry. I'll have to get you to repeat that again.

**Hon. Mr. D'Autremont:** — If you have a full-time permanent position . . .

**Ms. Kaminski:** — Yes.

**Hon. Mr. D'Autremont:** — So you have a non-permanent position now transferred to a full-time position.

**Ms. Kaminski:** — Correct, yes.

**Hon. Mr. D'Autremont:** — Where is the savings to be had? Because the person, if they were working full-time, they're taking time off without pay. If they were sessional, now you're paying them for the full year, if they're full-time permanent, versus for whatever session they were working.

**Ms. Kaminski:** — Can you answer it? Yes, because I'm sorry, I'm not understanding the question.

**Ms. Borowski:** — In the case of the sessional, you're right. If the, for example, some of the Hansard production staff and the sessional security were to become full-time permanent, yes, you would be paying them for the whole year when right now they may be only working, you know, six months or something. But these particular requests are people that are already working. They're non-permanent, but they're working full-time. Now I'm not sure about the co-op students, but . . .

**Ms. Kaminski:** — Yes, the co-op students are only here for a term, but the library person is working full-time, year-round. And so when that person is taking time off, it's leave without pay because they don't have paid vacation leave credits. So in terms of the actual dollars that we have to put into the budget to make sure that we have appropriate compensation, when they are full-time, non-perm we need more money in the budget to pay them for the vacation pay and stat pay, and it's about a 12 per cent top-up to their salary.

So at the end of the day when they become permanent, they're now away. We continue to pay their salary and they're now away and they continue to get paid, but we don't have to add any additional dollars to the budget. It actually saves us money, but they're away on leave with pay.

**Hon. Mr. D'Autremont:** — So where does this extra money then come from if you have an extra expense when they're full-time, non-permanent? You've paid them all year long their vacation pay. They take their three weeks off without pay. So

why should that cost you more money than somebody who is permanent, full-time who takes three weeks vacation?

**Ms. Kaminski:** — Correct. On the assumption they're taking their three weeks without pay, that is correct. At the end of the day it should balance out. Yes, it should balance out. You are correct. But I'm not sure if they do end up actually taking their full three weeks off without pay. Yes, I hear your argument.

**Hon. Mr. D'Autremont:** — If they don't take the full three weeks off, then we get extra work out of them.

**Ms. Kaminski:** — Correct. That's indeed right. We pay . . . [inaudible interjection] . . . That's indeed right. When they're here, they work and they get paid — absolutely correct. For sure.

**Mr. Putz:** — And that is the situation with Darcy's people because it's students hired on a rotation, and so really we're paying them their holidays while they're here. Then they leave and what they do on that time when they're away, they're at school but we've fulfilled our obligation to give them holiday pay.

But in Darcy's case, it's the rotation of people in and out, and having to get them familiar with the system. And you're right. We probably get more work out of them hiring them on these quarterly basis than having a full-time person, but the advantage for Darcy is that he's got one permanent person there who knows the operation, and it's not the rotation of people.

**Hon. Mr. D'Autremont:** — Will we have to then hire a temporary when this person then does take their holidays?

**Mr. Hislop:** — I'd like to touch on a couple of points about the issue of the co-op students versus a permanent position. The co-op students, obviously we have the issue of rotations and getting them up to speed. We do have them there for five days a week for either a four- or an eight-month term. They don't get EDOs [earned day off] either, so there's that little bit of benefit.

Typically the expertise that they come in to the job with, as well as their experience that they'll develop while they're here, is lost fairly quickly. The help desk position deals with about 50 per cent of our calls. We're a very small shop so our help desk technician not only answers the phone, but it's not uncommon for them to go out and assist that person on the desktop side, as well as numerous other projects.

The classification side to it, we would follow the government standard. We would also hope to attract a better quality candidate. So true, they might work less hours. I think the work that they are able to perform and the value they bring to the organization would be significantly higher. Just on a perm versus non-perm for the help desk position, it's very critical to our operations, and it would be tough to get along without them.

**Hon. Mr. D'Autremont:** — Okay, thank you.

**The Chair:** — Have you got some more questions? Okay, go ahead.

**Mr. Yates:** — Thank you very much, Mr. Chair. Any time that

we're looking at changing a position from non-perm to permanent, and in particular when we're providing a training and development opportunity for a co-op student, that also has a value in society and with the universities and that as well that we need to take into consideration.

Our participation in the co-op student program is good for the Assembly and good for members of the Assembly to show that we're putting our money where we should be as well in helping to develop young people. So it's a difficult issue to commit to that type of transition for us, and losing that co-op student placement which there is a need, I think, for us to lead by example and having co-op students accessible to the Legislative Assembly and to our programs.

[16:45]

Secondly, I've got some questions around the reductions in non-perm utilization in the Sergeant-at-Arms. We're dropping point three two of an FTE. I'm wondering what's different that allows that to occur moving forward.

**Mr. Putz:** — I mean Darcy could just answer the question about the co-op students for us.

**Mr. Yates:** — Sure.

**Mr. Hislop:** — I'm a huge proponent of the co-op and the student program. I've had probably 15 to 20 over the course of numerous years. Our challenge in the last few years with the co-op program is actually attracting. Our current help desk position right now, Laura McDonald, is actually a fine arts student. She's a very capable person, but she is certainly not an IT sort of resource.

We've had challenges in the past getting people from those programs. The university in particular is a difficult rating system because the co-op student there rates the employer, the employer rates the student, and if there's a match then you go. We had several times where we attempted to recruit from there and we just didn't make it up to their list. As a very small shop and we don't do a lot of in-house programming . . . Lots of the IT folks are looking to become application developers. That's not an opportunity we offer in-house at this point. So recruitment of co-op students has been a challenge, but I'm a huge proponent of the program.

**Mr. Yates:** — Thank you. They're looking for an answer to my second question in regards to reduction in the Sergeant-at-Arms.

**Ms. Kaminski:** — There's just a difference in the number of hours. Last year Patrick, for his sessional security officers, was budgeting a total of 2,660 hours that they'd be working. And this year he's budgeting 1,988 hours, and because what he has done is he's based the number of days that they would be working at eight hours. So total for 2008-2009 was 2,660 hours, total for 2009-10 request is 1,988. So whatever that math is in terms of the reduction of hours, hence the slight FTE decrease. Have I answered your question, Mr. Yates?

**Mr. Yates:** — Thank you very much. Is that as a result of putting in a sessional calendar and being able to predict the

actual sitting times and hours?

**Ms. Kaminski:** — I'll actually get Patrick to speak to that.

**Mr. Shaw:** — It's a reduction in the number of sitting days as well as the committee system that we now have in place. So when committee's on here, we have two men down here. When the committee's up in the Chamber, we have a reduction of two staff there, so it's the committee structure and number of sitting days.

**Mr. Yates:** — Thank you very much.

**The Chair:** — I recognize Mr. Hart.

**Mr. Hart:** — On page 36, your estimate summary on branch by branch, near the bottom of the page, committee support services, I see there's a reduction of \$11,000. I wonder if you could explain what is covered by the 349,000 that is asked for and why there's less money being asked for this year versus last year — \$11,000 decrease.

**Mr. Putz:** — Okay, I'll let Iris speak to that. Are you ready, Iris?

**Ms. Lang:** — Thank you, Mr. Hart. The reason for that is, we went to a system what the current status quo is. Last year, or actually in the present fiscal year, we won't be using all the funds that we were allotted in anticipation of more public inquiries. That has not been the case. The trend to date has been in one fiscal year, one public hearing or one travelling committee. So based on one travelling committee, we felt there was a possibility of a reduction as well as the reduction of intersessional hours. That's where some of our costs come from — at least on the members' side and somewhat for the committee support side. Where previously we were looking at 350 hours for committee activity, I've reduced that by 50 to 300 hours. Therefore there's an overall reduction there.

**Mr. Hart:** — So just to be clear. So in this \$349,000, that still gives you enough resources that if a committee . . . I don't know whether any committee's actually going to be travelling, but in the event that one would be travelling, there'd be enough money there to cover those costs for a committee to travel?

**Mr. Putz:** — Budgeting for committees . . .

**Mr. Hart:** — Similar to what the Economy Committee did a couple of years ago when they dealt with the TILMA [Trade, Investment and Labour Mobility Agreement] issue.

**Mr. Putz:** — Yes. Budgeting for committees has traditionally been a challenge for us because we're trying to anticipate the activity level of all of the committees and, as Iris said, we're trying to base this more on what happened in the previous year. Last year we had budgeted basically for, as Iris said, more activity than actually took place and we will be returning to the Minister of Finance the money that the board approved last year. And we thought to be more realistic this year, we'd base it on that level of activity. So it's Iris sitting down and figuring out what she anticipates the level to be for the next fiscal year.

Now we do know that at any point committees could meet more

than what we are anticipating just as the House, even though we have a calendar, could have another session and then of course all of the numbers that you have — we base our budget on 65 sitting days — could be thrown out the window because there may be a reason for an emergency session or something of that nature.

So we're trying to base it as realistically as possible. The budget this year where we have built in one of the committees having some sort of hearing program, that may not even happen. And we are hopeful that it will; I mean that's part of the mandate of the committees. But if it doesn't, we'll have asked for more money than what the committees really need. And that was the reason why, in my remarks at the opening, we reduced on the statutory side. What we had done was when we rationalized these numbers based on our experience the previous years, we forgot to do it on the members' side.

**Mr. Hart:** — Thank you for that explanation.

**Ms. Lang:** — If I could just follow up a little bit on that, Mr. Hart. Certainly these numbers are based on similar to what we did for the internal trade committee. I kind of used that one as a model. Basically it covers one week outside of Regina. Anything beyond that, that hasn't been the status quo per se since the committee reform has come. I've looked at the hours, you know, basically from the start when the new committee structure started — what hours we were anticipating and what actually happened — kind of did an analysis of that and came up with this 300 hours. And typically we're saying this budget will entail one week outside of Regina for all of the committees. Anything beyond that, we would be coming back to the board for more money.

**Mr. Hart:** — Thank you for that.

**The Chair:** — Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — Thank you. Under advertising, printing, and publishing, you're showing a \$63,000 increase there which, you know, is probably 15 per cent or so. Is that mainly made up of the two conferences that are coming into play for this year or what are those for? Page 23.

**Mr. Putz:** — That's it, Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — Okay, thank you. A clarification on one under travel and business, CVA [central vehicle agency] travel for the Leader of the Opposition. Wouldn't that be under statutory?

**Mr. Putz:** — That's one of the things I think has been proposed in the past that it should be under statutory, but it's not. Marilyn maybe, it looks like she wants to make a comment.

**Ms. Borowski:** — This is for the Leader of the Opposition. Yes, both the Speaker and the Leader of the Opposition, these have always been under budgetary. And it always, I think . . . probably because the history was that the Leader of the Opposition and not so much . . . definitely the Leader of the Opposition was like a cabinet minister and did not get any MLA travel at all. Now that has changed somewhat, that the Leader of the Opposition, the Speaker still get the same travel allowance

that members of Executive Council get.

We could have moved it out. I guess it's just we always had this one program that took care of the caucuses and at that time we supplied stationery and all those sorts of things. We do the telephones, we do the photocopiers. Over the years supplies have dropped off so really it's just kind of telephones and photocopiers right now, and the CVA vehicle. So it probably could have gone under statutory, sure.

**Hon. Mr. D'Autremont:** — I wasn't familiar with the fact that it was not statutory. I just simply assumed that it was. Everybody else's travel is statutory.

**Ms. Borowski:** — Yes.

**Hon. Mr. D'Autremont:** — Under the RARF program, you have a number of items here, and I wonder if you could report on the status of some of them, because I think some of them are an ongoing program that we're already working on — the broadcast services digital migration plan.

**Mr. Putz:** — We'll get Darcy back here because again he's the quarterback for most of these.

**Mr. Hislop:** — We're proceeding along nicely with our digital migration. Our first year was the replacement of the cameras, which helped the quality a bit. This last year we replaced the video switcher and . . . I'll just get to the right page here. We replaced the video switcher, the router which takes the various signals from either this room or the Chamber upstairs and puts it out to the various locations that we need the in-house system over to SCN [Saskatchewan Communications Network]. The character generator systems are the pieces that add the graphics on the titling on the screen. So those were the major pieces for last year's and those have been put into place and implemented.

We're actively planning for the next pieces and have things lined up and ready to go. It's an ongoing, multi-year process. It's proceeding along quite well. The next year's work I think will be relatively significant in terms of effort as well as cost. It's going along quite well. The guys have done a great job in engineering the pieces. I'd like to think we're probably one of the few legislative broadcast groups across Canada that would actually be able to engineer that in-house, so that speaks to their capabilities.

**Hon. Mr. D'Autremont:** — Thank you. This year's proposal is to replace the camera robotics system. Is that the case? The distribution of the funding request is 35,000 from your budget. Is that right? Plus 65,000 from RARF?

**Mr. Hislop:** — Correct. We have a nominal amount of money within our operating branch budget for ongoing replacement and updating. I believe there's about \$1.5 million worth of broadcast equipment between this room and the upstairs Chamber. If you amortize that over 10 years, that would be \$150,000 normal lifespan of 10 or so years, so our operating budget is fairly nominal in amount of ongoing money to maintain the system. So the RARF fund has been invaluable in keeping things at a good operating piece.

The robotic system is a 12-year-old system. It's based on a

DOS [disk operating system] program. The manufacturer . . . [inaudible interjection] . . . Yes, there's something about a command line I still like. The manufacturer no longer supports it, no longer has parts for it. We do have a few pieces, but our risk with that system is that's about as thin as you want to get. So it's definitely due for replacement.

**Hon. Mr. D'Autremont:** — I think most of us are familiar with the carpet replacement proposals. What's the digital audio transcription system replacement?

[17:00]

**Mr. Hislop:** — Lenni might help out, but from the technical side of it the transcription system is the piece that takes my audio here, converts it into a digital piece, puts it into a database, slices it up into little three-minute segments, and then allows Lenni's 25 or so staff to pick up a piece of that, type away, and put it back together, and keep track of all that as it goes along. And I'll let Lenni sort of add the process side to that.

**Ms. Frohman:** — Sure. Thanks, Darcy. Very briefly, it does two things. The digital audio transcription system creates the clear, perfect audio record from which the editors very much depend to build the most accurate historical verbatim we can. So . . . [inaudible interjection] . . . that's right. So the first thing it does is it does create a clear audio record. And then the second piece, as Darcy was describing, it enables the collaboration of 30-plus people to work simultaneously on the verbatim to get it out to you hours after adjournment.

And we've encountered some reliability issues over this past year — so much so in the respect that we're lacking confidence in the vendor to come through on the promises. So we think it's a good time to replace the system.

**Hon. Mr. D'Autremont:** — How old is the system presently?

**Ms. Frohman:** — Well the system was installed in 2000, but it does, of course, receive consistent updates and upgrades. Just to put it into context, there are five jurisdictions in Canada which use this vendor. And we have probably had perhaps the best results of it, which I attribute to our support from our CTS crew, who worked really hard with the vendor to create a very reliable system.

And I think it was, Darcy, just through ongoing maintenance as well as perhaps maybe some extended hours in the spring, but where we started to encounter the vendor not being able to come through with some of the promises regarding some services. And for more details, Darcy certainly could give you those. And it was also then in this fiscal year that the vendor informed us, as well as the other jurisdictions in Canada, that they were no longer going to support this product, making it an end-of-life system. So my counterparts in the Senate, they too will be going to tender for it to replace this as soon as they can.

**Hon. Mr. D'Autremont:** — Okay, thank you. The library collection accommodation. I wonder if we could get a description of that, please.

**Ms. Bennett:** — Thank you very much. This proposal for

library collection accommodation is focused on work that the library has done over the last couple of years to try to come up with a creative and alternative strategy for dealing with our collection accommodation pressures and to give us some breathing room to deal with those pressures.

Basically, bookshelf space for library collections in the reference room and the reading room, which is our location in this building, are full to capacity. We are in an overflow situation and actually have been for quite some time now. Shelving space in the library's collection annex, which is located in our Walter Scott Building, is nearing capacity. We've maximized our capacity in that location by using compact mobile shelving, but we are nearing capacity in that location.

In 2007 we brought this issue to the board. There was an opportunity at that time to acquire some more rental space in the Walter Scott Building. We thought it was a good opportunity and so submitted a proposal at that time. We tried to forecast how long we felt we had before we would run out of space totally in the library. It was a substantial amount of space that we were requesting over there and the board did not approve of it.

So we went back and, over the last two years, we've looked really hard to analyze our situation and, I think, pinpoint what the key problems were and look for some different ways of doing things. And the key problem, we feel right now, is the pressure in the Legislative Building. This is the location where we're in an overflow situation and where we've literally run out of space. And staff were telling me, where do we put the books? We have no more shelf space left. This is also the location where you come into the library, your staff come into the library, and it's our public access space. So it's an important space to be able to house our materials.

We are concerned about the collection annex in the Walter Scott Building, but we feel that right now it can accommodate incremental growth. In the past, we've used it to transfer big chunks of our collection in the Legislative Building over to the annex to relieve the pressure. And we feel at this point in time it can't accommodate that kind of large transfer. But we do feel it's okay for incremental growth in the short term.

We've come to the conclusion amongst our staff that we could be making better use of the space that we have in the Legislative Building. It is a substantive amount of space. We could be using more of the wall space and we do feel that we could be using the floor space better as well. So the proposal that you have before you actually builds on the original design of the building in that the original design used the high ceilings and the extensive wall space to build elevated bookshelves. And so the proposal proposes extending the elevated bookshelves and the walkway along the south wall of the reading room. So our reading room would have the elevated shelving that would match the elevated shelving in the reference room.

This would provide approximately 110 metres of additional shelving space. We feel that this would immediately alleviate the severe pressures that we're feeling in this location. The extension would have two other key advantages and that is, it would optimize the existing space that we have. It would be a one-time cost, which the figures you have, but it would not

incur an ongoing rental fee which was the other option that we were looking at.

The other advantage is that it makes sure that materials are more accessible to clients because we're able to shelve them over in the public access location. Now this we believe is really an interim strategy which would give us some breathing room to alleviate the immediate pressures. But we don't believe it can deal with the long-term growth for the library collection. So it is important to note that we also have simultaneously undertaken several strategies to try to deal with the medium- and the long-term situation.

First of all we're looking at how we can better utilize the floor space in the Legislative Building. And our staff are in the midst of this project right now, and we do believe that we can gain some limited bookshelf space to go on the floor of the building itself.

We've also begun targeted reviews of the collection. We want our collection to be focused and sustainable. We want to ensure that we are housing material that is valuable and that we need. So over the course of the last year, we have reviewed different sections of the collection and have removed material that we have determined we no longer require.

As you can appreciate, though, that process takes time to do properly. And this is a heritage library so we have to be sure that we are disposing or redistributing materials in an appropriate way. So we don't feel that this is a good short-term strategy because it takes us time to implement. But we do believe it will be a good long-term strategy for managing future growth.

We're also evaluating areas of the collection that we still need but that we feel could acquire in electronic form, so that we're not maintaining print collections any longer, but we would be relying on an electronic subscription, for example, that we would subscribe to annually. So that's another option that again would have a long-term impact for the library.

The other thing that we've undertaken is a significant effort to actually measure the growth of the library collection. Two years ago when we came before the board, we brought forward some projections for growth, and they were based on statistics that we had for several years back. We do feel that the current environment has changed significantly. We are collecting more electronic formats than we used to. And so we do feel the need to begin a process that analyzes our growth currently and to then monitor that for the next few years so that we can actually make some more accurate growth projections in this current context. That will give us a better sense of how fast we are growing and if acquiring more space is actually warranted.

So I guess to wrap up, this proposal offers an interim solution that we think would tide us over. And our additional strategies would provide some medium-term relief, and then our analysis of our growth rates would then enable us to make our sincerest recommendations on what we would need for the future.

The current situation really has become a chronic source of difficulty for our staff. And as a manager in the library, I feel responsible for being able to help staff when they come and say

to me they don't have anywhere to put materials. So I feel that it is incumbent on the library management to give people the basic infrastructure to do their library work. So if this project doesn't go forward, I think we'll have to look at some options like putting bookshelf stacks perhaps on the floor of the reading room or something that would use the space in a better way that would get us some bookshelf space.

In terms of comparison with some other legislative libraries, I was curious if we were the only ones having this kind of problem. And I know some are feeling space pressures, but others aren't. And in looking at 11 different legislative libraries in Canada, we do rank eighth in terms of our size. So Manitoba has 3.4 times the physical space we do. Alberta has 1.4 times the space that we have, and BC [British Columbia] has 2.3 times the physical space. Nova Scotia, Newfoundland, and Northwest Territories are smaller than our space.

So it's just to try and put, I guess, in context that we do have the space we have and we're trying to work within that reality. And this proposal is our attempt to come up with a creative and appealing solution. I think it actually would hold a lot of beauty and would add to the reading room space as well. So I'd be happy to answer any questions that you have.

**Hon. Mr. D'Autremont:** — Thank you. I'm not sure if you were suggesting that members in the other legislatures were more verbose than we are. How long do you think this additional space would resolve your space issues?

**Ms. Bennett:** — We are hoping that it would solve the issue for five years.

**Hon. Mr. D'Autremont:** — When you talk about utilizing the space on the floor better, do you mean back in the reference area that you are already storing materials in or on more the public access side?

**Ms. Bennett:** — We are looking at both the reading room and the reference room so the whole space in the Legislative Building here. In our collection annex, we've used the floor space to its fullest capacity. But the things that we're looking at upstairs are the size of our service desks. We have a reference desk and a circulation desk. We're looking at possibly reducing the size of at least one of those desks to make more room for shelving space.

We're currently monitoring how clients are using our space and how much seating space do we need for clients, and could we use some of that space for book stacks rather than for client space. We have a lot of tables in the reading room that are for client-seated space, but we find our clients sometimes prefer to have a more secluded location in the back. So we're trying to come up with a solution that can provide a balance of seating space and stack space.

Our priority, I think, for putting in book stacks would be in the reference room — that's not the reading room — but we are looking at how we could utilize the perimeter, the walls of the reading room to put up some more bookshelf space.

And we are experimenting upstairs right now. Our staff have shifted the periodical display units a little bit. If you take a walk

up there, you may notice the difference. They're not flush against the wall there. There's more units against the one side, to see if we could then use the opposite, free up some space for some more bookshelves. So reading room space is on the table, for trying to do something different with the floor layout.

**Hon. Mr. D'Autremont:** — In the reading room, because the library is often used for other events as well, does having more of your materials there create a problem either for other events or for you moving them?

**Ms. Bennett:** — It does. One of the advantages of the proposal that we put forward was that it would enable us to not encroach so much on the open floor space. The building staff are really used to taking those big reading room tables in and out of the rooms, and I think they could still do that in the context of this extended mezzanine proposal.

So far I'm trying to, in some ways, sit on the fence and have more stack space, more collections housed in our reading room and still be able to accommodate events. And I'm not sure how long I can continue that balancing act. But we like having the space to be a community space. That's part of what libraries are about, and it's a good opportunity to get people in the library. And you know, from a tea they may start browsing and ask a question, where they might not have before. So having the community space is important but we may need to make that space a bit smaller.

**Hon. Mr. D'Autremont:** — If you did not receive this additional space, how long do you still have space for over at the Walter Scott?

[17:15]

**Ms. Bennett:** — That is a very difficult question because I don't know how fast we're growing. We tried to make those projections two years ago. We identified a minimum growth rate which was 59 metres per year. We had a maximum growth rate of 137 metres. We thought that if we were growing at the maximum, we would be out of space now this coming year, '09-10, and we're not out of space now.

So I think we're not growing at that maximum rate, but I don't have an exact drop-dead data on that. And we are looking to try and withdraw materials over there as well. So we have some growth and also some withdrawal happening. So I'm not sure that I could predict well. Let's just say that.

**Hon. Mr. D'Autremont:** — Well take a wild guess.

**Ms. Bennett:** — Well I think the key issue for me in this proposal is that my primary concern is the Legislative Building space. And we're at the point where I think if we're looking at moving a whole section of this library over to the other location, the body of work that that involves for our staff is significant. We would need to shift the entire Walter Scott collection. Right now it's set up to accommodate incremental growth. But to accommodate the shift of a whole body of new collections, it's a major undertaking.

So I'm trying to use our staff resources wisely as well by not asking them to do something that then if we get a project, you

know next fiscal year, that would have prevented the need for all that work. So I don't see the Walter Scott space as being as pertinent with respect to this particular proposal.

**Hon. Mr. D'Autremont:** — Okay. Thank you. The fourth floor proposals, as of right now, the fourth floor with the design work that was done last year, is it ready then to go ahead to construction if there was approvals given?

**Mr. Hislop:** — Yes, the tender-ready documents are ready to go. They've broken down the various costs by the various disciplines and the design is complete. It's just waiting for approvals.

**Hon. Mr. D'Autremont:** — Are there any parts of the proposals that could be done incrementally?

**Mr. Hislop:** — The next incremental pieces would be significant. I think we're at the point where we're going to do some significant construction. The biggest pieces are the creation of a secondary fire exit, so there's a staircase to be constructed. There's a fire separation piece for the main entrance lighting grid which would be below Iris's feet in her office. There's a replacement elevator to get it up to the fourth floor. So all of those are getting into the big ticket items.

Could you do it? Sure. I think we'd need Government Services — Paul Nepper's folks — to sort of say, if you were going to carve up this last piece, in which way they would have to sort of say where do you get the most bang for the buck. There's also substantial upgrades to the HVAC [heating, ventilating, and air conditioning], the heating, ventilation systems. They're all large, significant numbers.

**Hon. Mr. D'Autremont:** — Yes. I know the one time I was up there, I could see outside.

**Mr. Putz:** — Sorry, what was that?

**Hon. Mr. D'Autremont:** — The one time I was up there, you could physically see outside without windows.

**Mr. Putz:** — That's part of the issue here is, as you've noticed, the cost has increased quite dramatically from when we first proposed this in 2002. And that's how long it's been sort of been coming to the board off and on through that period. But when they did — through the money the board provided in the last few years — take it right back to the outside walls, they found a leaking roof and other structural problems that they couldn't originally include in the estimates they provided to us, and these have partly driven up the cost. But all the other things that have driven up cost in this province will also have had an effect.

And I think the folks that Darcy's working with from your ministry would rather do this not piecemeal; they'd rather just get on with it now. And we've probably done most of the incremental things that we could possibly do over the years.

**Hon. Mr. D'Autremont:** — Okay. Thank you. That's all the questions I had.

**The Chair:** — I recognize Ms. Eagles.

**Ms. Eagles:** — Yes, on page 36 of the Law Clerk and Parliamentary Counsel, the overall increase is \$39,000. And I would just like an explanation of that, if I could.

**Mr. Putz:** — That is a good question, and I'll get Linda to answer that because it's a bit of a bookkeeping thing from our last year's budget. There was an error in recalculating Ken's salary, that is being corrected this year, so we were actually wanting to pay him on our budget last year less than what he was actually getting. But it's a technical thing and I'll let Linda explain this.

**Ms. Kaminski:** — I quickly pulled together some numbers to generally speak to the issue. In essence what happened is the salary for the Law Clerk and Parliamentary Counsel was based on a previous classification system. When that particular position was linked to the Crown counsel 2 classification, that there was a certain salary range and a certain salary rate. As you know, Mr. Ring has taken on additional duties in his expanded role as Law Clerk and Parliamentary Counsel in terms of additional responsibilities related to branches reporting directly to Mr. Ring — that including the committees branch and the Hansard and parliamentary publications. As a result of those additional job duties, we had initially temporarily assigned those functions to Mr. Ring, and he was initially temporarily appointed February 1, 2007 to October 30, 2007. And then when we did our budgeting in '07-08, you can't budget for the unknown, so we weren't budgeting on the assumption that that temporary appointment would be continuing. We could only budget on what was real or what was known.

In fact what happened then is Mr. Ring was permanently appointed at the higher classification level on November 1, 2007, and the classification level is the deputy minister 1. And the deputy ministers' salary ranges — I'm going off the top of my head — but I believe there's five different salary ranges: deputy minister 1, 2, 3, up to 5. And Mr. Ring has been appointed at deputy minister 1, so the budget numbers in '08-09 did not reflect what was actual in terms of what was actually being paid to Mr. Ring. And the budget numbers for '08-09 reflected 136,700 whereas in fact he was paid 147,600. So really the budget number for '09-10 is now reflective of what's actual.

And so yes, it looks like a big increase from '08-09 from the budget number to the current number, but in fact what's not being taken into consideration is in terms of what actually was being spent on the assignment of the higher salary.

So '09-10 is reflective of the DM [deputy minister]1 range and Mr. Ring is not yet at the maximum of that salary range, so that's also another bump as well. What will happen come April 1, 2009, Mr. Ring will receive a performance adjustment as well as the 4 per cent economic adjustment, so he has more room to move in this higher range, whereas in the Crown counsel 2 salary range, he was already at the maximum of that salary range. So you have to understand what's actually happened and therefore it's important to understand that when you're comparing the difference in the two budgetary numbers. I trust I've answered your question.

**Mr. Putz:** — And if I could just add to that to give it this larger context. When I assumed the position of Clerk, the decision was

to restructure the way the Assembly operated and the decision was made to basically eliminate the deputy clerk position. And Ken has taken on many of these, some of these responsibilities. Some have been spread to other positions as well. So the extra cost in these additional duties was more than made up by the elimination of the deputy clerk position.

And part of that was, the reason temporary was that when Ken initially took these assignments, he was given basically a six-month period to decide whether he really wanted to do this. If he didn't want to do it, then we would have probably gone to recruit a deputy clerk. But in that trial period, he decided that he wanted to continue in this new role in the organization. And I just want to remind members of kind of the bigger context of why Ken got these increases in the first place.

**Ms. Eagles:** — So by Mr. Ring having, you know, being the Law Clerk and all, so taking on the . . .

**Mr. Putz:** — Taking on more of a management role in the organization.

**Ms. Eagles:** — Yes. In the end, it saved us hiring a deputy clerk is what you're saying.

**Mr. Putz:** — There is no deputy clerk now.

**Ms. Eagles:** — That's right.

**Mr. Putz:** — So we went down one position.

**Ms. Eagles:** — But it's still Ken's fault.

**Mr. Putz:** — It's still Ken's fault and it wasn't helping our percentage numbers this year because we had to make that correction.

**Ms. Eagles:** — Thank you.

**Ms. Kaminski:** — May I add another point in that regard, please. Thank you. Mr. Ring has also reminded me as well, in term of the classification levels and salary rates over at the Ministry of Justice in their civil law division, the individual who is an executive director and has staff reporting to him, the salary level for that individual is \$148,000. So I'm just trying to give you some context. In addition, another individual at the Ministry of Justice in the public law division, again \$148,000, being an executive director with a number of people reporting to him.

So in the past, we've done a link to the Ministry of Justice in terms of the Crown counsel classification level. That's what we had done in the past with the LCPC [Law Clerk and Parliamentary Counsel] position. But as Greg has described, with the additional duties that were added to Mr. Ring's position, we had to then look at the classification level and compensate accordingly. And that's then when we looked at the deputy ministers' classification level which is again similar to what we had done with our deputy clerk position was also linked to the deputy ministers.

**Mr. Putz:** — So with that, Mr. Ring is actually quite a bargain.



**The Chair:** — Mr. Hart.

**Mr. Hart:** — Thank you, Mr. Chair. Just going back to the fourth floor committee room proposal, just for clarification. In your budget document you said that the cost estimates were derived from a number of sources last fall. So they're as current as they can be, I guess, as far as the cost estimate of the project. Would there be any other expenditures that Government Services would have to incur for this to go ahead or is this your best estimate? Is it all in figure to make that project go forward?

**Mr. Putz:** — I'll let Darcy further answer this in a moment. But yes, these numbers are as recent as we could possibly get them. In fact I forget, Margaret, the day you sent the board numbers out we actually held up printing our book to get the latest number into the budget book that we received through Mr. Nepper's office at Government Services.

The other thing I want to remind you of, that in these costs it also includes not just Government Services' cost, but our cost to purchase a broadcast system for that committee room — the cameras and all of the odds and sod things that go along with that. So I just want to make it clear that the number just isn't Government Services. There's about \$260,000 in there for doing the broadcast cameras and all the microphones and wires and the control room and all that stuff that goes along with it. But I'll let Darcy maybe expand on that a little bit.

**Mr. Hislop:** — Sure. I think 300,000 is probably closer to the LAS pieces in that number. And Mr. Nepper, in his last-minute estimates as they were waiting for various contractors to provide it, they actually went out and solicited, given the scope of the work, the documents, contractors to provide their estimates based on current market conditions. Paul was very clear that these things, they fluctuate; and this number, he said, is an estimate because it's not a fixed cost. It's based on, if it's approved and then stuff proceeds, it's the cost of materials at the time. He said it's the most accurate number they could do at this point and it should be considered accurate plus or minus 10 per cent.

He did offer up that current marketing conditions would indicate possibly a softening of the market a little bit, which could help down the road. Certainly everybody's aware of the various economic things going on. Potentially that could help those numbers down the road, but — bit of speculation on that part — but construction numbers, best estimate we have at this point.

[17:30]

**Mr. Hart:** — But I believe you said earlier that all the work that needed to be done has been done, so the project is ready to be tendered if the funding is approved for the project. Is that . . .

**Mr. Hislop:** — The assumption we were working on for our time frames for this year's work was to bring the best estimate in for the '09-10 budget, and that pending the board's decision and approval of the provincial budget, that then those documents could go out as early as June — the tenders could be out as early as June.

**Mr. Hart:** — Good. Thank you.

**The Chair:** — Do we have any further questions of any of the members? I do have one question and that relates to, and may not necessarily directly impact the budget statement here, but the recent issue of flooding in the south wing, would there be actually an impact in the budget, or is most of that covered by insurance, and do we have an idea of what that project's going to cost us?

**Mr. Putz:** — There'll be no impact to us. Maybe Dan's department will have some implications there because they're doing all of the repair work, and as members might know, that Ken's office in particular and the Office of the Clerk and Linda Kaminski's office below that suffered quite extensive damage from a burst fire suppression pipe in the press gallery area. And Ken's office basically had to be taken back to the outside walls to repair. So currently Ken is working out of a little room in the library and the staff of the Office of the Clerk are housed in various places and Linda's in a little box up in the press gallery area.

There is no budget implication for us. I am told though that the government does have a deductible, but it's such a large amount that I guess Dan can probably answer this better than I can, because it'll be more of an impact to his ministry than the Assembly.

**The Chair:** — Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — Yes, our deductible is such that I don't think it's . . . We're going to pay the shot. The deductible is not going to assist us in any manner.

**The Chair:** — Darcy or Mr. Hislop.

**Mr. Hislop:** — If I could just add one last comment to the fourth floor development that Iris pointed out. Not only does it provide a committee room equivalent to this, but it also provides office space for five staff which, as people know, in this building office space is a extremely rare commodity. So there is that value of increasing the usable space in the building.

**The Chair:** — Thank you. Seeing no further questions at this time, I know members want to have some further discussion so we'll enter into that after supper.

But first of all, I would like to thank the staff for being here, your assistance. And a number of our staff as well were available and helped with the Presiding Officers Conference that we hosted — I guess it's almost a month ago, not quite, about three weeks ago now — and I want to say thank you as well for your participation and your assistance in helping with the conference. And as was noted in the budgetary document that we're looking at right now, with the Hansard and CAPA, they're conferences that we're called upon to host at different times. And as in the past, we really want to say thank you to the staff and certainly to the MLAs as well.

Members of the Assembly, without your assistance we wouldn't have the privilege of really hosting to the degree that we have, and just showing our men and women from across the country, presiding officers and individuals, what a great province we have that we like to brag about. So I say thank you for that.

We have supper ready and prepared for us. Before we go there though, I'd like to have a motion to go in camera following supper. Moved by Mr. D'Autremont, second by Mr. Yates. Any questions? Are we in agreement?

**Some Hon. Members:** — Agreed.

**The Chair:** — Agreement. Carried.

**Mr. Putz:** — I would like to respond to your comment and say that the staff who were involved with the conference very much enjoyed it. And I think the conference was a great success. And I haven't had a chance to speak to you yet because I believe you had some weather issues getting into town yesterday, but I just heard from Speaker Milliken, Ottawa. He was so thrilled with what he saw here as far as our operation and the way the Assembly operates, he's requested a chance to come and visit us. And I'll discuss that maybe more with you during the supper break.

**The Chair:** — Thank you very much, Greg. Well as I said, we do have supper waiting for us. And I'm going to invite you, when you have your meal, just feel free to come around the table here. I think we'd enjoy just sitting with the individuals. Before we go to the meal though, would you just allow me to ask a blessing on the meal.

We're grateful, Lord, for this day that we've had the privilege of enjoying. And we also give you thanks for the food that's provided for us for our enjoyment. We pray your blessing upon it. Amen.

**Hon. Mr. D'Autremont:** — Are we recessed?

[The board recessed for a period of time.]

[The board continued in camera.]

[20:00]

**The Chair:** — I call the meeting back to order, and welcome everyone back to join us. And we'll just address a couple of the issues in regards to legislative accounts, or Legislative Assembly directives. And I forget what page we're at. Okay, I'll call on Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — Thank you, Mr. Speaker. I'd like to thank Greg and the Legislative Assembly staff for all the hard work that they have put into preparing the budgets this year. I know these are time consuming and sometimes difficult jobs to do and to make the kind of decisions that need to be made. When we look at the news that we hear every day on television and the papers about the circumstances across North America and the world, indeed people have concerns for the economic circumstances that we face ourselves in. We need to be aware of those and we need to be cautious and prudent as well.

So what we are looking at here is keeping that in mind when we look at the budgets that we are giving considerations to. We're not going to be — I don't think we are — making the motions tonight, but we're laying out where we are looking at going within the budget process.

On page no. 15, it outlines the budgetary estimates requested by the LAS, with a request of \$8.089 million. Given caution and consideration to the circumstances, we're still doing well in Saskatchewan but we are seeing some changes in the economy. Therefore we're recommending that the budgetary estimates for the LAS be \$8 million. That's a reduction of 89,000. The statutory estimates stay as presented, that the new number that was presented I believe it's 15.411 million.

Now we're not directing LAS as to where to find that 89,000. We feel that you have a better understanding of your operation and where that kind of an adjustment can be made rather than us doing it.

Under the FTE considerations, we will be moving that the FTE circumstances remain as is, that there be no further changes to increase the numbers and that the non-permanent status remain the same versus moving to the permanent status. So no change in FTEs.

Under the RARF program, we are supporting the broadcast services digital migration plan to continue as proposed, so that would be \$65,000 for the third year of this program for the robotic cameras.

The Chamber carpet replacement is again moved on to another year. The digital audio transcription system replacement for 70,000, we agree to go ahead with that. The library collection accommodations, we're recommending and moving that \$115,000 be allowed from the RARF program for that and the remaining 20,000 to be found within the LAS's budget itself.

And the second committee rooms, that one is ready to proceed; however, we will be holding off on that for another year. If circumstances change and monies for capital projects become available, that will be considered during the year, but as of circumstances today, we will not be moving ahead.

I think that covers this particular budget.

**The Chair:** — Do you have any questions? Marilyn?

**Ms. Borowski:** — Just so that the motion will be tomorrow because I still need to do some . . .

**The Chair:** — Right.

**Ms. Borowski:** — Okay.

**The Chair:** — That's correct, yes.

**Hon. Mr. D'Autremont:** — . . . we'll be moving ahead with the members' services ones tonight.

**The Chair:** — We have other business now before the assembly, and decision items 8(a) through (g). And I need someone to move an amendment to directive 3.1, MLA travel and living expenses.

**Hon. Mr. D'Autremont:** — Do you want me to read out the whole thing? I guess I need to.

**The Chair:** — Yes, you need to.

**Hon. Mr. D'Autremont:** — I move:

That effective April 1, 2009, directive 3.1, MLA travel and living expenses, be amended as follows:

1) In clause (4), delete the word “clause” from the first line and replace it with “clauses (4.1), (4.2) and”. Delete the last sentence of the clause.

2) Add clause (4.1) as follows:

“No claim for rent by any other member in respect of the same premises may be reimbursed.”

3) Add clause (4.2) as follows:

“In the event two or more members share accommodation in Regina, the total expenses claimed by those members for the shared Regina accommodation may not exceed the amount that would be eligible to be claimed by one member.”

4) In clause (5), after the words “and only if” add the words “all of the following conditions are met:”

5) In subclause (5)(b), delete the word “and” at the end of the sentence.

6) In subclause (5)(c), add the word “and” at the end of the sentence.

7) Add subclause (5)(d) as follows:

“in accordance with clause (5.1), the member has provided the required statutory declaration to the Clerk of the Legislative Assembly, which shall be available for examination by the public during normal business hours at the Clerk’s office.”

8) Add clause (5.1) as follows:

“At the beginning of each fiscal year, before a reimbursement may be made to a member under clause (4), the member must complete a statutory declaration in the form approved by the Board of Internal Economy that states the location of the member’s non-Regina residence and the location of the member’s Regina residence.”

9) Add clause 5.2 as follows:

“A member who moves his or her non-Regina residence or his or her Regina residence from the location set out in his or her declaration provided under clause (5.1) shall, without delay after the move, provide to the Clerk a new statutory declaration stating the new location.”

I so move.

**The Chair:** — Is there a seconder to the motion? Mr. Yates.

**Mr. Putz:** — Mr. Speaker, one of the things that we neglected to do as part of the motion was putting into the motion a clause for the board to approve the form.

**Ms. Borowski:** — So the form is attached here. Is it acceptable to . . . We can maybe just add that to the . . .

**Mr. Putz:** — Would you mind just adding that?

**Hon. Mr. D'Autremont:** — Add to the motion that form, as approved by the Board of Internal Economy.

**The Chair:** — We have a motion by Mr. D'Autremont, seconded by Mr. Yates. Any further questions? Is everyone in agreement with the motion?

**Some Hon. Members:** — Agreed.

**The Chair:** — Agreed. Carried. We have a decision item (b) regarding amendments to directive 3.1, MLA travel and living expenses, and directive 4.1, constituency services expenses. Do we have a mover? Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — I move:

1) That effective April 1, 2009, clause (1.1) of directive 3.1, MLA travel and living expenses, be amended by deleting the number “\$10,000” and replacing it with the number “\$12,000”.

2) That, effective April 1, 2009, clause (11) of directive 3.1, MLA travel and living expenses be amended by deleting the word . . .

No, we’re not doing that. Yes. Okay, 2) is:

That effective April 1, 2009, clause (3) of directive #4.1, constituency service expenses be amended by:

i) deleting the words “clause (2) and clause (10)” in line one and replacing them with the words “clause (1.1), (10) and (11)”;

ii) deleting the number “\$10,000” in line two and replacing it with the number “\$12,000”.

I so move.

**The Chair:** — Do we have a seconder? Mr. Yates. We have a motion by Mr. D'Autremont, seconded by Mr. Yates regarding amendments to directive #3.1. Any further questions? Is the committee agreed with the motion?

**Some Hon. Members:** — Agreed.

**The Chair:** — Agreed. Carried. Thank you.

Further decision item (e), directives of the Board of Internal Economy regarding housekeeping amendments, and this is re: correcting clauses. And a motion mover? Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — I move:

1) That effective April 1, 2009, subclause (10)(b) of directive #4.1, constituency services expenses be amended by deleting the number “(4)” and replacing it with the number “(6)”.

2) That effective April 1, 2009, subclause (10)(c) of directive #4.1, constituency service expenses be

amended by deleting the number “(4)” and replacing it with the number “(6)”.

3) That effective April 1, 2009 subclause (2)(c) of directive #2, telephone and related expenses be amended by deleting the number “(7)” in the fourth line and replacing it with the number “(9)”.

I so move.

**The Chair:** — A seconder? Mr. Yates. We have a motion by Mr. D’Autremont seconded by Mr. Yates regarding housekeeping amendments. Any further questions? Is the committee agreed with the motion?

**Some Hon. Members:** — Agreed.

**The Chair:** — Agreed. Carried.

Item (d) amendments to directive #13.1 regarding transition allowance. Ms. Eagles.

**Ms. Eagles:** — Thank you, Mr. Chair. I would like to make a motion:

That effective February 13, 2009 clause (1)(c) of directive #13.1, transition allowance be amended by deleting all of the words after “dissolution”.

I so move.

[20:15]

**The Chair:** — And do we have a seconder? Mr. Yates.

We have a motion on the floor moved by Ms. Eagles, seconded by Mr. Yates, regarding transition allowance. Any further questions? Is the committee agreed with the motion?

**Some Hon. Members:** — Agreed.

**The Chair:** — Agreed. carried.

Decision item (e), amendment to dental plan wait period. Do we have a mover? Ms. Eagles.

**Ms. Eagles:** — Thank you, Mr. Chair. I move:

That the six-month wait period for the commencement of dental plan benefits for newly elected members of the Legislative Assembly be eliminated, and;

that any dental costs incurred by newly elected members during the first six months of their term will be charged to the Legislative Assembly enhanced dental plan fund, and further;

that this decision take effect February 12, 2009, and that this decision be communicated by the Chair to the Public Employees Benefits Agency.

I so move.

**The Chair:** — And we have a seconder, Mr. Yates.

We have a motion by Ms. Eagles, seconded by Mr. Yates, of amendments to the dental plan wait period. Any further discussion? Is the committee agreed with the motion?

**Some Hon. Members:** — Agreed.

**The Chair:** — Agreed. Carried. Thank you.

Item (f) is an amendment to the health plan wait period. Ms. Eagles.

**Ms. Eagles:** — Thank you, Mr. Chair. I move:

That the six-month wait period for the commencement of health plan benefits for newly elected members of the Legislative Assembly be eliminated, and further;

that this decision be communicated by the Legislative Assembly administration to the insurance broker for the Legislative Assembly health plan with instruction that the said changes be made effective March 1, 2009.

I so move.

**The Chair:** — And we have a seconder, Mr. Yates.

It’s been moved by Ms. Eagles, seconded by Mr. Yates, that amendments to the health plan wait period be moved. Any further questions? Is the committee agreed with the motion?

**Some Hon. Members:** — Agreed.

**The Chair:** — Agreed. Carried.

And one further item we’ve had a fair bit of discussion on is the approval of the Legislative Assembly’s security policy manual. Have we a mover regards to that motion?

**Hon. Mr. D’Autremont:** — I’ll move.

**The Chair:** — And the seconder is Mr. Yates.

**Hon. Mr. D’Autremont:** — I move:

That the report be accepted and approved.

**The Chair:** — We maybe should add to that, that the report of the Legislative Assembly security policy manual be approved and accepted.

**Hon. Mr. D’Autremont:** — I move:

That the report be accepted and approved . . . approval of the Legislative Assembly security policy manual.

**The Chair:** — Do we have a seconder? Mr. Yates.

We have a motion on the floor that acceptance of the Legislative Assembly security policy manual be accepted.

Any further questions? Is the committee agreed with the

motion?

**Some Hon. Members:** — Agreed.

**The Chair:** — Agreed. Carried.

Any further items of business for this evening? Seeing none, I want to thank each and every one of you for helping us this afternoon and sticking around for this evening and coming back and giving us the opportunity to share some of our thoughts, and also your input into a number of the decisions had to be made, the backgrounder. And we truly appreciate that from each and every one of you.

You know that you take your employment in this building seriously. And your work and service on behalf of the members is truly appreciated, although on many occasions you may not get a lot of thank yous. But I know a lot of members really, through the years, have in many ways acknowledged your work, whether it's the Clerks at the Table or in accounting, our broadcast services, the librarian. Each and every role, we really truly appreciate that. So we want to say thank you.

This meeting then stands recessed until tomorrow morning at 8:30 a.m., at which time we will review the budgets of the independent officers.

[The board recessed for a period of time.]



[The board met at 08:40.]

**Office of the Chief Electoral Officer**

**The Chair:** — Well good morning everyone, and welcome to this meeting of the Board of Internal Economy this morning. And for all our independent officers who have joined us this morning, those who are already here, we say welcome. And we trust it'll be an informative morning, both for us and for each and every one of you as well, as you present your budgets for the upcoming year in line with what the provincial government is asking us to try and achieve. And we'll see where we go from there.

So first of all this morning, we're pleased to have our Acting Chief Electoral Officer, David Wilkie, with us this morning and his staff who have joined him — and Brent and Jeff. But I'll let David introduce them a little more formally, and first of all just say to David, welcome. And the floor is yours.

**Mr. Wilkie:** — Thank you very much, Mr. Chairman. And yes, we have on my right Brent Nadon, the manager of election finances, and on my left Jeff Livingstone, the manager of information technology and register of electors.

So I'm pleased to be here this morning to talk about our budget. And this year we have streamlined the written budget proposal and cut out some repetition and gone from 38 pages last year to 24, so a one-third reduction in our size of the document. And so I have a short presentation to comment on the office's priorities for 2009-2010, and then also to touch on the changes from the 2008-2009 budget, and also to talk about possible results or options if we don't get those budget requests this year.

And then, as mentioned in the actual document, this budget request does not take into account the need for additional staff resources and other resources for the office. So depending on the recommendations of David Hamilton's current organizational review of the Office of the Chief Electoral Officer and the possible move to a permanent list of electors, then the new Chief Electoral Officer, whoever he or she may be, will require tools for the office to move forward. So those are not all included in this presentation. So this may well require a supplementary request for additional staff, additional resources from the Board of Internal Economy later on this 2009-2010 fiscal year.

And then after the presentation, as per normal, the three of us will try to answer any questions you may have about our presentation.

So for 2009-2010, our priorities include building on our information technology strategy by adding modules to our elections operation software which is called ESPREE, which is the Elections Saskatchewan Permanent Register of Eligible Electors. This is not to be confused with . . . We don't actually have a permanent register, but that's the acronym that was given by the previous CEO [Chief Electoral Officer] for the software. And so we're looking at having a payroll model, which has been deemed essential by our legal counsel, and an election reporting module and also some improvements to the enumeration module.

And then secondly we're looking at leasehold improvements related to the security, capacity, and backup of our technology environment; the security of ballots; and the safety of our shipping staff.

And then number three, starting to begin the remapping process for polling divisions in approximately 25 per cent of the province's 58 constituencies, which now must also include an accessibility audit which is part of a Human Rights Commission complaint settlement that we are in the final stages of settling.

And then four, pay for the cost of a national search to replace the Chief Electoral Officer.

Also something that we just thought of very recently, and that is going to be an additional handout just to give you for your information, and this is in response . . . Brent and Jeff can just hand out those to you. This is for your general information, but this is in response to the question that all of us in our office get: what do you do in between elections? And so we have put this together so that this is a short-form version of what we do. And so this shows what things were done, preparation step by step for the November 7, 2007 general election, and then pre- and post-election. And then the preparations for the next election, November 7, 2011, and our approximate dates that we anticipate those will be going on. So that if you ever need to ask yourself the question, what do we do, then you can refer to this document.

Okay then — if we go to, if you're following along in your copy — if we go to page 12, it shows the details of our estimates, of what we are wanting for 2009-2010. So the first one on page 12, personal services, this is a large increase over last year, but there are, as you've noted in the documents, some very unusual circumstances. And as I'm going along, if you have any questions in more detail, then I'm sure you will ask those. I won't give all the details right now but if you want to ask the questions, you can by all means ask them.

But the potential payroll taxes and penalties from Canada Revenue Agency, due to possible classification of many temporary election workers as employees, has been estimated at \$245,717. So if we do not receive this in the budget we'll still have to pay it, if and when the Office of the Chief Electoral Officer is told to pay the payroll taxes and penalties.

Then next we go on to the 25 constituencies that were wanting to do the maps this fiscal year with the next fiscal year. So the estimate of this is 27,000. And last election we only did a review of seven constituencies for the high-growth areas, those areas of particularly Regina and Saskatoon that were growing a lot. Those areas were redone for the maps.

But after this last election, we had a number of complaints from returning officers, from voters, and from MLAs [Member of the Legislative Assembly] that the polls were not, some of them were not situated correctly so that they weren't taking into account local trading areas for example, regional streets, or alternate pairings of polls that could take into account accessible locations. So this time we're wanting to do all 58, and we think that there could perhaps be more input from MLAs in this process as well.

And because of this complaint through the Human Rights Commission regarding the lack of accessibility in St. Michael School in Saskatoon Meewasin, as part of the settlement with the Human Rights Commission, the Office of the Chief Electoral Officer has agreed to conduct an accessibility audit of all polls in the province. And this audit is to be initially done by the returning officer, but some of the field liaison officers would be involved to assist and/or check the accessibility report at each polling place. If we do not receive this, again, we can delay it until next fiscal year, but it would have to be done at next fiscal year in order to be done in time for the 2011 election.

The staffing costs there are required costs. The economic adjustment, merit increase, and an omission from the last year's budget are included there. And in order to do our part in trying to reduce some costs in this category, we did reduce the costs of an RO [returning officer] advisory meeting which was in the budget — that's been cut — for \$8,500. So we are looking at ways we can cut costs as well.

[08:45]

Then next, page 13, of the contractual services. We have two complaints with regards to the Human Rights Commission and the Canada Revenue Agency. We have a need for increased legal fees, so that's why the increase has been added there of \$14,809.

And then the next one, the contract for mapping assistant. Because of the small size of our office, then we do have a returning officer who has done a lot of mapping work, so she could be brought in to assist with the mapping process. Again if this is not done this fiscal year, it can be delayed till next, but it crunches things up time-wise.

And then the costs of our accommodation through Saskatoon liquor and gaming has gone up 5,090. We're in a former liquor store; it's our office.

And then if we go to page 14, the advertising. The increase in advertising is strictly due to the estimated costs for a nationwide search for a new Chief Electoral Officer, and this is based on information that I gained from speaking with Linda Kaminski — the estimation of previous independent officers; so that's there. Again if it's not added to our budget, it has to be paid from somewhere.

Then if we go to travel and business on page 15. Again the first part there is estimated costs of travel if there are any short listed candidates from outside of the province or outside of Regina. And then if up to two panel members were chosen to be on the panel and they're outside of Regina, then also that cost has been taken into account, again based on my discussions with Linda Kaminski.

Then next is the cost of having travel for the returning officers and the field liaison officers estimated at 6,100. Again that could be delayed but it would have to be done next fiscal year.

Then next, supplies and services on page 16. And this was a inflationary increase of 4.5 per cent. If we don't receive it, we would just look at ways to cut back on supplies and services in

that category.

Next we go to equipment and expensed assets on page 17. If you remember, last year we asked for leasehold improvements and none were given. So in regards to the server room, we got a temporary air conditioning unit, and it really is inadequate. To keep the room cool, the heat must be turned off in my office, the Chief Electoral Officer's office, the conference room, and the lunchroom, so it's very . . . One can't fall asleep in my office when it's so cold, that's for sure. It's very cool and . . . I mean there is some good things. I guess if people were too hot elsewhere in the building, they come into my office.

But the danger here though is that if the air conditioning breaks down on a long weekend in the summer or it breaks down and we're not able to get a replacement, then we're thinking that the cost of repairing the servers and other office equipment will be much higher than it would cost to have made a new server room. And we don't want to get a new air conditioner built into the current room, which is actually an office, just is temporarily housed in the corner of our training room. We think that it would be best to look at building a dedicated server room and putting in the air conditioning all in at once rather than piecemeal.

Also we did have some problems during the 2007 election with regards to — and Jeff can give more details on this — but with regards to the system, the T1 Internet circuit, not being able to handle the volume with our new system of having a voters list that is electronic. And so it delayed people getting their data entry in. The data entry was very slow. We had lots of complaints from returning officers about that.

Also there was no backup system. So during the last election and during a previous by-election, our website went down temporarily because of some problems at SaskTel. And we don't think that's acceptable when people need information on the election, to have no alternate service, no backup system. And that upgrade to the SaskTel Internet circuit is estimated at \$9,000, and backup communications line with separate service provider, 2,000. If we do not receive this in the budget, we may have to include it in a by-election budget because we think it's too risky to go without it.

Next, shelving units. Our warehouse at the moment has had things piled up very high. Now that we read the occupational safety Act regulations, we think that that might not be the best thing to do. Also it's not the best utilization of space currently. So the shelving units are estimated at 3,400, and the forklift comes a bit later. If we do not get that, we can delay but we may in fact, if we don't get it by the time we have to pack materials for the next election, we may have to rent additional office warehouse space which would probably cost more than getting the shelves and the forklift.

And then lastly in this category, building a cage for ballot paper, we believe — this is estimated \$2,000 — ballot paper should be kept in a secure area as is done in most if not all other jurisdictions. It is a best practice which goes towards the integrity and security of the electoral process. If we do not receive this in this budget, we can delay it but we would need a cage by the time that we receive new ballot paper for the 2011 election. Otherwise we would be a bit nervous about it since we



don't have any security, special security for the ballot paper.

Then if we go on to capital asset acquisitions — page 18 and 19 — for information technology, this is a request for \$100,000. The first one listed and the most important one in our estimation is the payroll module which is estimated at \$50,000, because of this directive from Canada Revenue Agency which goes back to '99 and even before that, '97 I believe now in doing even more research.

The previous two CEOs had not acted on it, but we now could be in serious trouble if we don't do deductions for all future by-elections and general elections as all the other provinces in the country and Elections Canada have been doing for some time. And so because this is such a major project, we believe that it should be done — and again our legal counsel has told us we must do it — to have this project completed early so that it can be tested and used in any by-election that could occur perhaps in 2010.

Now with there being definitely a by-election coming up in Saskatoon Riversdale for the 2009 by-election, we would have to go to an outside provider to provide a temporary solution because we don't believe that this payroll module could be done in time and tested in time. It would be a bit too risky to rely on that. So that's what we're asking for there.

Then the next item on ESPREE revisions to the enumeration module estimated at 15,000 if . . . And this is working on some of the lessons learned and incorporating these into the software, lessons learned from the 2007 general election and the Cumberland by-election. And so if we do not receive them in this budget, they could be delayed, or they may have to be added to a by-election budget so that they can be tested in the future in by-elections before we actually have the 2011 general election.

And then the final one in regards to ESPREE, the election results module estimated at 35,000, if we do not receive it in this year's budget, we could delay it to the 2010-2011 budget. And then we would have to do it in the next fiscal year so that it could be completed and tested prior to the RO training in the spring and summer of 2011.

And then finally in this category, the operating equipment, I've already spoken about the need for us to reorganize the warehouse. And so we've had someone come in and had looked at the size of our warehouse, which is relatively small, and they have identified the forklift that should be used — and that is a cost of 25,000 — which is widely used in liquor stores as they tell us, that it's a common one used in liquor stores . . . [inaudible interjection] . . . Maybe you haven't used one in a liquor store.

So that is the last one on that page. And then details of the non-base-year estimates which are always put in there are on page 20 and 21. And if you have any specific questions, we'll entertain those questions.

And then as you've read at the back of the booklet there — and I'll just identify specifically the ones that have done changes or had reviews of their operations lately — Alberta, Manitoba, New Brunswick, Newfoundland and Labrador, and Nova Scotia

have all had reviews of their operations of their offices resulting in considerable increases in their staff complements. So that's been all done recently. And so you can see the chart. And there is one minor change on the chart. I just got news that Nunavut now has three full-time equivalents so that's one minor change on the chart.

So we look forward to your considerations today, and we look forward to an additional response later in the year after these reports come in, principally the Hamilton report.

And so that's the end of my presentation, and we're now ready to answer your questions.

**The Chair:** — Thank you very much, David. Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — Thank you for your presentation. We're cognizant of the fact that there is a study going on with the electoral office, and so that may have some bearing and some implications down the road.

Some questions that I do have for you. The payroll taxes and penalties, has there been a decision made on that legally that those are due, or is that still being determined?

**Mr. Wilkie:** — That's being still determined. Because it's possible that it could come in the next fiscal year, our lawyer has said that the appeal which was sent in, in November, the Canada Revenue Agency is going to start looking at it this month, and it's estimated that it will take two to four months to look at it. And then after that, there could be a one- to two-month processing delay. And then after that, we have 90 days to decide whether to file an appeal to the tax court. If we should decide to do that, then we have six months where there'd be no action on the file. And then there would be a trial date which would be set which three to six months into the future. And then it could be three to six months for a decision, and then we have 30 days to apply for a judicial review with the Federal Court of Appeal.

But if we were to go to that extent, at some point one has to decide whether the cost of our legal fees would be more than the amount that we have to pay. And so if we come to that conclusion after the appeal which, looking at this estimate, that could be anywhere from three to six months from now then we may decide not to take it any further. And then in that case what happens is that the Canada Revenue Agency which phoned — coincidentally or not, we don't know — but phoned Brent about the time we were about to appeal and said that they wanted to look at all of our records from the 2007 election.

[09:00]

Quite nicely, they have decided that they would wait until after the appeal. I guess they don't want to do all the work if they . . . If we win the appeal, they don't want to have gone through all that work. But if we lose the appeal, then they are wanting to look at all of our records. And if they look at all of our records, then that's how the estimate of the 245,000 would come into being.

The first initial one is for one person that complained that they

didn't have deductions during the last election and therefore that they weren't able to claim for EI [employment insurance].

**Hon. Mr. D'Autremont:** — Okay. Thank you. Including a 12 per cent IT [information technology] supplement for one position, what is that issue?

**Mr. Wilkie:** — That is part of all IT positions. That's a government directive. And there was just an error. It should have been in last year's budget and it wasn't. It's a human error there.

**Hon. Mr. D'Autremont:** — The polling, mapping situation that's taking place, I think you said that, while it would be nice to get this done this year, to start moving on it, that it's not a necessity.

**Mr. Wilkie:** — That's right. It could be delayed. We would prefer to get started early, but it's possible to delay it.

**Hon. Mr. D'Autremont:** — And you will be working with the local authorities, the MLAs in that area as well to determine . . .

**Mr. Wilkie:** — Yes. We're wanting . . .

**Hon. Mr. D'Autremont:** — You know, trade patterns.

**Mr. Wilkie:** — We're wanting to figure a better way of doing that because the MLAs may well know better than the RO. The RO may not have thought about the trading patterns though. We want to be able to make it as conducive to voting . . . I know just recently an MLA came up to me and said that they were afraid that, in their constituency, that because of the way the polls were situated that it in fact decreased the number of people voting because they weren't naturally inclined to go to that town to vote.

**Hon. Mr. D'Autremont:** — Well I know of one location where the poll extends across the river, and the people on the other side of the river have to drive 20 miles upstream, come back, to get to their polling station because there is no bridge there.

**Mr. Wilkie:** — Yes. Yes. Those kind of things that we should try to avoid. I mean we want everyone to have the opportunity to vote and don't want to do anything inadvertently to decrease people voting. Thank you.

**Hon. Mr. D'Autremont:** — On contractual services, there obviously was a complaint filed through the Human Rights Commission concerning blind voters. What's the nature of that complaint? Is it that they have difficulty voting or accessing or . . .

**Mr. Wilkie:** — It's the same person that made the complaint after the 2003 election. And that particular complaint came after 2003 election, and the hearing on it was in November 2006, and the decision was made one month after the last November 2007 election. And this particular person has now . . . the last complaint was just against the Office of the Chief Electoral Officer.

This complaint is against both the Office of the Chief Electoral Officer and the province of Saskatchewan. So he is saying that

the template that was used — which incidentally we upgraded considerably since the last one was made in 1981 — this one had an open top which the ballot could have slipped through. This new one has the closed top and also has Braille numbers down the side and large-print numbers. And he's complaining that he couldn't go into the ballot booth without someone telling him the names of the candidates. And he says that if someone is telling him the names of the candidates, that then he's not being treated the same as other voters. So our initial response is that the decision has already been made on this or — the way our lawyer has said — you've already had one bite at the apple; you can't have a second.

So we have had no response from the Human Rights Commission, but recently our lawyer, Mr. LeBlanc, met with two government lawyers and thus were discussing what accommodation we do have in our legislation and also what other jurisdictions in the country are doing. And nobody is doing . . . actually what he's requesting is that there be machines in all 3,000 polls or 1,600 polling locations across the province that would . . . I have seen them municipally in New Brunswick where you have a touch screen that you can press a button in order to figure out the names. You could press the buttons, you'd hear the names, and then you could then press the one you want to vote for. Then it would say you're voting for so-and-so, and then you could say yes and do it that way. Or you have headphones and you have a sip-and-puff kind of thing which . . . Those systems may well be nice. But to have 1,600 of them across the province would be very expensive, not to say with also the fact that, in a municipal election in New Brunswick, in a city you don't have the problems of fixing things in La Ronge or wherever, Meadow Lake, wherever . . . across the province that you might have breakdowns.

So that's what he's wanting is these machines in all the polling stations across the province, and no other jurisdiction in the country has those provincially or federally. So that's principally what he wants.

**Hon. Mr. D'Autremont:** — Okay. Thank you. The server issue, you're looking to maintain your current server — is that correct? — and build a new room around it.

**Mr. Livingstone:** — Yes, right now we're housing our servers . . . we have six servers and all our network gear in space that it's office space with a portable air conditioning unit. So what we're looking at doing is constructing a dedicated room about half the size, a little more efficient size-wise, put a wall-mounted air conditioning unit in there to keep the climate regulated.

**Hon. Mr. D'Autremont:** — Have you considered the possibilities of contracting out your entire server service?

**Mr. Wilkie:** — Because of the security issues involved, we don't believe that that's a good idea.

**Hon. Mr. D'Autremont:** — Well banks seem to think it's an acceptable function, and their information is just as critical as the electoral office. Social Services, Justice — everybody else does.

**Mr. Wilkie:** — Well we have concerns about that, that we lose

the ready access to it, and security-wise we aren't convinced yet that it would be safer to have it anywhere else. And do you want to comment?

**Mr. Livingstone:** — And another point on that, we don't have a very large environment. And it may not be . . . economically, may not save us a lot of money to move it out to a service provider as opposed to keeping it in-house. This construction of the server room is a one-time cost. Once that's built and running we'd have the ability, we'd have the capacity to add more gear if needed. We want to build a test environment for our ESPREE application. So the cost savings may not be substantial in outsourcing.

**Mr. Wilkie:** — Then we also do get back an office space which, right now we're taking up the corner of the training room which, if we had a large training we would have to go outside, which we'd have to pay rent at a hotel to do the training. Whereas if we had the full training room, we'd have more space again. So you're getting . . . you're building a new server room but you're also getting an office back and space in our training room.

**Hon. Mr. D'Autremont:** — You see that very argument argues though to farm out your server needs so that you have additional space available. That's the direction that the entire IT industry is going. There is absolutely no need to have the hardware in your location any longer. At one point in time that was the case. That's absolutely not the case today. At some point in time you'll be coming back to the board looking for more money for new hardware.

Under the current new regimes in IT all of that is provided under a contractual obligation. All of your upgrades, your software upgrades can all be incorporated into that contract. There are many, many benefits to contracting out those IT services, your server needs.

**Mr. Livingstone:** — Definitely there are some drawbacks. We would lose control. We then would be relying on a third party which, you know, may or may not be as reactive to something that we need.

**Mr. Wilkie:** — And because of the independence of the Chief Electoral office we'd want to make sure that we're not potentially held hostage by a third party, which could potentially happen.

**Hon. Mr. D'Autremont:** — All of government is in that position at some point in time. That would be . . . that fear could be placed on anybody in government. Health could feel that they are being held hostage by someone else under those circumstances, or the RCMP [Royal Canadian Mounted Police], yes. Education could feel they're being held hostage by ITO [Information Technology Office].

I think it's an unrealistic fear and I think you really need to take a look at your server services and contracting those out. And so, you know, I think this perhaps needs to wait until a report comes back from the consultant as to the operations of the electoral office.

Perhaps you can answer this question. The SaskTel Internet

circuit connection there, the need for that.

**Mr. Livingstone:** — So yes, we're currently operating a T1 line with 1.5 megabits bandwidth. And we found during the GE [general election], doing data entry of the voters list from the constituencies, from the returning offices rather, that line became saturated, was operating at 100 per cent performance. And we ended up with quite a high latency, quite a high return in users waiting for the server to respond back.

So during the GE, we did monitor what was going on. We found that the back-end servers were operating efficiently. Their load was well within acceptable limits. It was the Internet connection that was getting saturated.

So in working with our consultant that developed the application and analyzing the data we'd gathered from the GE, we found that upgrading that line would improve what the data-entry folks are seeing out in the returning offices.

**Hon. Mr. D'Autremont:** — And the need for this line in large part is because you have your own server service in the Chief Electoral office building. Or is that independent of that?

**Mr. Livingstone:** — Well wherever the application will be located you'd need sufficient bandwidth for the data entry of the voters list.

**Hon. Mr. D'Autremont:** — Would you need that bandwidth though at the Chief Electoral office if your server location was elsewhere? Or would you need that connection elsewhere then?

**Mr. Livingstone:** — We'd need it elsewhere then. Yes, the larger Internet connection is required for the ESPREE application.

**Hon. Mr. D'Autremont:** — So if you were to contract that out they may very well already have that bandwidth available?

**Mr. Livingstone:** — Possibly, yes. Well that would be a definite criteria that we'd require, a definite requirement.

**Hon. Mr. D'Autremont:** — The purchase of a forklift. How often would that be . . . the use of that forklift be required?

**Mr. Wilkie:** — When there's new . . . certainly when. If we can go back and using that chart site, when the boxes come back from an election it takes about probably six months to sort everything out. Some things have to be stored for a year. Other things are shredded, you know, various things, for about those six months. Then leading up to an election, say if there are changes to the legislation next spring and a number of the forms and manuals and so on have to be changed, then as they're ordered and they come in, then it would be used then. And then everything is packaged into boxes for all the returning officers; it would be used then. And then right before the election occurs it would be sent out, so it would be used then. So there's various peak periods. And then again one year after the election when things are destroyed or when things . . . For example, we're storing things for the Métis election. If those need to be moved around, then we'd use it then as well.

[09:15]

**Hon. Mr. D'Autremont:** — So it seems that it's block times and then there are periods of time where it's not needed.

**Mr. Wilkie:** — That's correct.

**Hon. Mr. D'Autremont:** — Have you given consideration to leasing for those periods of time when it's needed or renting for those periods of time when it's needed rather than purchasing? Rather than having the capital cost tied up, rent it for three months and then release it, and then rent it again for three months after the election when you need it again.

**Mr. Wilkie:** — We haven't, but that might be a good idea to look into that option.

**Hon. Mr. D'Autremont:** — Thank you. Has anybody else got questions?

**The Chair:** — I recognize Mr. Yates.

**Mr. Yates:** — Thank you very much, Mr. Chair. I have a number of questions. I want to start by asking what is the current relationship from the Chief Electoral office in the area of IT with the Legislative Assembly and its IT functions, and is there any relationship? Do they provide an advisory support role?

**Mr. Wilkie:** — There were some talks about shared services. And there was certainly a consultant that recommended some. The former chief electoral officer seemed to have soured on that idea the latter part of his time. We think that they can provide an advisory role and we hope to . . . We have responded to a request from the Legislative Assembly Office to talk about what things we could collaborate on. Something that Jeff and I want to meet with Darcy and Jeremy about soon is in regards to when we're wanting to upgrade our website. We know that . . . What's the term?

**Mr. Livingstone** — Contact management.

**Mr. Wilkie:** — Contact management, that's something that we think we should . . . I understand that they're looking into that as well, that we should do it together, and perhaps there would be cost savings there when we look at that. So there are some things that naturally we think that we can do more collaboration on and want to improve that relationship.

**Mr. Yates:** — Okay. Thank you very much. The same type of question. When we're dealing with payroll services, what is your connection today to the current MIDAS [multi-informational database application system] system that's used generally across government? Or what system do you use to pay the current seven employees at the . . .

**Mr. Wilkie:** — Brent, if you'd like to comment on that.

**Mr. Nadon:** — We actually use MIDAS for most of us. The assistant chief electoral officer and the Chief Electoral Officer are actually paid through the Legislative Assembly HR [human resources] which I assume is MIDAS as well, but we are separate in that function. The rest of us are paid through regular MIDAS finance.

**Mr. Wilkie:** — And just as an information thing that the current way of paying our enumerators and our other poll officials is that the returning officer has what's called an imprest account. Maybe, Brent, if you want to talk a bit more about that, what the imprest account is about.

**Mr. Nadon:** — Currently when we have a by-election or a general election we used what is called the imprest account, which is really just a chequing account. The returning officers are able to pay their election day officials out of that account and our office is responsible for validating all the payments and doing a reconciliation before returning that money back to the provincial government.

In the future, when we are looking at deductions for all the payroll, we're going to have to do that through our ESPREE system or it would have to be outsourced through Ceridian or some organization like that.

**Mr. Wilkie:** — And even with the payroll software, which incidentally Brent and Jeff went to Elections Manitoba and Elections Alberta to look at the payroll software in both jurisdictions and felt that the one in Elections Alberta, which is related to the ESPREE system, would be the best fit for us. But even there, we would . . . In Alberta their Finance department makes . . . There's a link. The Finance department actually issues the cheques. But in talking to Linda, there's no way that we have the capability for Finance here to take on all those extra cheques. So we would have to go someplace like Ceridian or whoever to actually issue the cheques. But there's work that has to be done before that time, which is what this software would be involved with.

**Mr. Yates:** — Thank you very much. Why couldn't we not use the current MIDAS software to take care of the payment of these people? The MIDAS software does have provisions to accommodate term employees. I'm just wondering why we have to start getting separate software to deal with a problem which is really a short-term hiring of a number of term employees to deal with, and that happens in other government departments, other agencies.

We have a current system in place. I don't know if this is just to look at doing something differently than the rest. I would have to be convinced that we need to buy a separate set of software to deal with the problem, where there is software out there that in fact does it.

**Mr. Nadon:** — We haven't had discussions with anyone in HR or Finance at this point about the issue. Historically the reason we have the imprest account is because they wanted nothing to do with our entries. It's a huge volume over a short period of time. The problem is they can't staff up for that very well, and that's just been the way it's gone historically. That's why we've used the imprest account for that reason and the reason that, with a chequing account, we can pay those election day officials right away.

Unfortunately when we go to some type of a payroll system, that's going to change as well. But we haven't really discussed any other possibilities with them. There is a possibility we could do the entry and upload it to MIDAS, which achieves the same result. We would have to look into that further.

**Mr. Yates:** — Thank you very much. Have you ever examined . . . Again, the idea of independent officers is that they're independent in their ability and not unduly influenced politically. Right? It doesn't mean that they're independent from working collaboratively together with the Legislative Assembly. It's to prevent any political party or individuals that have undue influence on the fairness of the office.

So have you looked at all about a different relationship between the office and perhaps the Legislative Assembly that has a broader capacity to provide some of these services, fully realizing that it may mean some changes in the Legislative Assembly down the road?

**Mr. Wilkie:** — I have discussed it with Linda Kaminski. She thought that there was no possible way that the office would be able to handle it. But I guess, I mean on the flip side, if you're willing to give them more resources then, I mean, anything's possible I guess.

**Mr. Yates:** — But in looking at how the independent offices operate, it may be possible to fix a problem in three or four independent offices by giving two resources, say, to the Legislative Assembly — two different additional FTEs [full-time equivalent] — versus giving four or five if you had to give one to each, type of thing, and get the same service for those independent officers and the offices and garner some efficiencies, right?

**Mr. Wilkie:** — It might be possible. It's just as Brent said, it's a very peak period, so it's whether two people could handle it. But you know, there might be some combination that might work.

**Mr. Yates:** — I'm just asking if those issues have ever been explored, to look at . . .

**Mr. Wilkie:** — No. There could perhaps be more exploration on that.

**Mr. Yates:** — I wanted to ask a couple of questions regarding, starting with, I guess . . . The Revenue Canada decision is months down the road. We don't generally put into a budget money we don't know we're going to have to pay. If we have a decision come down and we have to pay that, then generally you'd come back for a special warrant and, you know, realizing you can't take a huge amount of money like that out of your existing budget if it's not in the cards.

And on the human rights complaint issue, having heard . . . And one of our issues the last time when we were talking about this is: what is the issue? Having heard the explanation . . .

**Mr. Wilkie:** — And there's two human rights cases. One, wheelchair accessibility and the other being blind or visually impaired.

**Mr. Yates:** — Right. In the one, we have to do the audit, basically, to conform with, and the other being not likely achievable. Are there changes that we need to make in our legislation in order to ensure, you know, fairness and the ability for an individual to vote but yet not take it to an unreasonable standard? We couldn't, I think in any stretch of the imagination,

have 1,600 machines out there for . . .

**Mr. Wilkie:** — Yes, I know. I actually totally agree with that. I guess breaking it down into two, in regards to wheelchair accessibility or general accessibility, we are one of the only — I think there's only one other, Nunavut — that doesn't have their polls and advance polls written into the legislation that they have to be accessible unless you can prove or otherwise request from the CEO that an exemption be given. We realize that in Saskatchewan there are a lot of rural locations that it may not be possible to find an accessible poll.

But in volume 3 of the election reports, which is currently getting close to being finished, which is recommendations from the Chief Electoral Officer for recommendations for changes to *The Election Act*, two things. One, we think that there should be written in that regular polls and advanced polls should be accessible unless it can be shown to the Chief Electoral Officer that it's not possible. Also that there should be a transfer certificate. So about six provinces or seven provinces have transfer certificates, so that if your polling place is not accessible, then you can contact the returning office and get a certificate to vote at a polling place that is accessible. And in order to facilitate that then, with the accessibility audit, we would know which polling places were accessible and which weren't, so that the voting information card which is sent out could have an icon indicating whether it's accessible or not.

And the issue of accessibility came up in this, sort of two parts to it. Not only accessible in that you have no stairs to climb up to or go down to get to the polling place, but also that there is accessible parking nearby. This particular school — and I went there in Saskatoon and took pictures of it — the gym where the polling place was located, the entrance to it was on the side of a street where the person would have to . . . there was no way that they could get out of the wheelchair and into it because of curbs and so on. But there was no place to park either.

We think that in the four cities, major cities — Regina, Saskatoon, Moose Jaw, and Prince Albert — there's really no excuse not to have an accessible poll. And even though the returning officers were told this, that slipped through with one returning officer. And we believe that the same as other provinces have the legislation requiring it, that we should have that as well and the certificate as well, which would make things easier.

Now then on the second one, the blind or visually impaired voter, some other jurisdictions have the possibility of testing things out in a by-election. We are recommending that that might be a possibility, so that if there are possible things that can be done, that we could try it out in a by-election. But again some things are just too cost prohibitive and we'd be going too far. Like 1,600 machines, that's certainly not on in our view.

[09:30]

**Mr. Yates:** — Thank you very much. Have you taken the time to consider that there — both for accessibility and for a situation where somebody may be vision impaired — that there may be other solutions? As an example, it may be cheaper for us to actually have, where there's problems with accessibility, have the returning officer or a deputy returning officer visit an

individual, let them vote in their home or whatever, than it would be to make significant changes because of some structural challenges we may have in parts of our province.

**Mr. Wilkie:** — Yes, that also is a recommendation in volume 3. Some other provinces have that. Manitoba for example calls it homebound voting. And that's certainly an option. The complainant is saying that that would not be treating him as all the other voters are treated but that's . . .

**Mr. Yates:** — But all other voters do have the option if they're leaving the country or going to be absentee to vote in a mail-in ballot. And so not everybody votes in exactly the same manner in each election. So there, you know, have to be reasonable levels of consideration, I guess, to deal with issues. And it may well be with somebody that's vision impaired as well that there could be other methods that, although you may not be voting in exact same way, but make it more comfortable for that individual to exercise their franchise to vote.

**Mr. Wilkie:** — Back in April last year we had town halls with disability groups in Regina and Saskatoon, and the other visually impaired voters didn't seem to have the same concern as the complainant. They were generally pleased with things but they didn't know that we had a new template. So I think we have to do more on the advertising and liaison side with disability groups to let them know that we have this new template for example and let them know that there is advanced poll voting; there is what we call curbside voting. So we probably have to do a better education job as well.

**Mr. Yates:** — Okay. Thank you very much. I'd just quickly like to move on to discussion about leasehold. A couple questions on the leasehold improvement and capital acquisitions.

It seems to me that the gist of the leasehold improvement is a requirement for the server on site. What was taken into consideration when it was decided it had to be on site when that really today does buck the trend? You can have a server in Montreal, Quebec meeting the needs of a company right here in Regina, right? It doesn't even have to be in the same geographic . . . [inaudible interjection] . . . Pardon me?

**A Member:** — Or vice versa.

**Mr. Yates:** — Or vice versa. Right. It doesn't have to be even in the same geographic area. And it's generally much easier to protect the hardware in an environment that's specifically built for that type of hardware, right?

**Mr. Wilkie:** — Well that was a decision of the former CEO. I guess we haven't truly thought about it that much. But with the comments of yourself and Mr. D'Autremont, that's something that we would consider more. But it was a decision of the former CEO who thought that was the only option.

**Mr. Yates:** — Okay. Thank you very much. And so when we come to capital acquisitions, I asked some questions about the payroll model, just trying to understand why we would need it. ESPREE steps 4 and 5, how long from the period of time you start implementation would it be before those would be up and operational?

**Mr. Wilkie:** — We're looking at . . .

**Mr. Livingstone:** — That's the enumeration module and the election results module?

**Mr. Yates:** — Yes.

**Mr. Livingstone:** — So we've got the enumeration module. It's based on 15 days development which would take into account us clearly defining our requirements, the developer group making their changes, and some user acceptance testing within our office. So that's a 15-day timeline on that one. The election results module is based on 35 days development which again is the same steps: us clearly defining the requirements, the development by the development team, and some user acceptance testing. And those two modules, some of that can be done in parallel. It would depend on the developer, their resource availability, stuff like that.

**Mr. Yates:** — The reason I'm asking those questions is if we are faced with by-elections, you know, it's a good opportunity to test the actual application in real action . . .

**Mr. Livingstone:** — Yes. Just with the type of environment we're in with not a user base that's always available, we do have to use election events to do some of the stress testing and proper testing really to see what the application is doing and then go back and do our enhancements or whatever the user base feels would be more adequate.

**Mr. Wilkie:** — There's certainly no better time to test something than a by-election.

**Mr. Livingstone:** — That's true.

**Mr. Yates:** — Well thank you very much. That ends my questions.

**The Chair:** — I have a follow-up question in regards to Canada Revenue Agency. What I'm interested in is, first of all, who would actually qualify? I think you're using roughly a 35-hour time; anybody over the 35 would qualify for deductions. And would that be your returning officers and enumerators or what individuals?

**Mr. Wilkie:** — Okay. There was a change to the legislation effective January 1, 1999, where Canada Revenue Agency changed it so that any election worker working more than 35 hours in a year was considered as eligible for and needing to make the EI and CPP [Canada Pension Plan] payments and have income tax deducted.

There is some debate over some positions, and that's part of the reason why we're appealing. But one could argue that the enumerators are contractors in that they set their own hours of work and have some flexibility. Data entry operators that are working in their homes could also be considered contractors perhaps.

The person that has complained was an enumerator, did data entry operation in the returning office, and was a constable. Election day workers that have done other things and then work over the 35 hours, or advance poll workers that work over 35

hours, and the returning officer, election clerk, and clerical staff have a very . . . In our view, that we haven't really got too much to stand on based on what the rules are. So the majority of the staff will definitely have to, in future elections, have deductions. There's still debate on data entry operators and enumerators, whether they can be considered contractors or not.

**The Chair:** — So the fact that no deductions were taken . . . They were still paid the full salary less the deductions made on their behalf.

**Mr. Wilkie:** — Right. They were paid the full salary. There was no deductions.

**The Chair:** — Could they have actually made these payments out of their salary? Is that possible — the EI and CPP — when you're doing your tax?

**Mr. Wilkie:** — Well under the legislation, the CPP Act and the EI Act, we as the employers have to take off their portion and pay our portion. So according to legislation, we have no option. It should have been done since 1999.

**The Chair:** — So this dollar value you have here is basically going back to 1999.

**Mr. Wilkie:** — No. We're only looking at the 2007 election. There's a, I think, a six-year window and we're . . . I mean that's another possibility, that we might want to continue the appeal until past the six-year window so that we couldn't be charged for the 2003 election, if they went back to that. But I believe our lawyer said there was a six-year window that they can go back.

**Mr. Nadon:** — If I may, Dave?

**Mr. Wilkie:** — Oh sorry. Yes, Brent.

**Mr. Nadon:** — Right now that figure is just for the 2007 general election, and that's all that CRA [Canada Revenue Agency] is interested in right now. That was before we appealed; that may change their mind somewhat. But the amount of work required to figure out those deductions would be a lot on their part as well as ours. So the feeling is that they would only deal with the 2007 general election.

**The Chair:** — And just one further question. Based on the questions from two of the members, you may not face having to meet this obligation in this fiscal year with the fact that it could drag out to that point.

**Mr. Wilkie:** — That's correct. We were advised by the director of HR that we should make it known in this budget. So that's what we did.

**The Chair:** — Okay. Thank you. Any further questions? Well thank you very much.

**Mr. Wilkie:** — You're welcome.

#### Office of the Information and Privacy Commissioner

**The Chair:** — Our next office will be the Information and

Privacy Commissioner, Gary Dickson. And I believe you have Pam and Diane with you today. Is that . . . Okay.

We'll move forward to discussion on the Office of the Information and Privacy Commissioner and welcome, Gary, and your staff — Pam Scott and Diane Aldridge. We want to welcome you and the floor is yours.

**Mr. Dickson:** — Thank you very much and good morning, Mr. Chairman, and members. And as you have already introduced my colleagues, I just say in terms of their positions, Diane Aldridge, to my right, is our director of compliance, and Pam Scott is the manager of administration.

This, I've realized, actually is my sixth opportunity to appear in front of the board to speak to estimates of the Office of the Information and Privacy Commissioner. And each year, I come before the board to offer my advice and what funding we require to meet what is a very broad statutory mandate. The board of course always makes the determination of what funding we actually will receive, and my job then is to operate within that appropriation approved by the board.

This year we have been advised that independent officers should plan for a 4.5 per cent increase over the approved appropriation for '08-09. In our office we've considered this direction very carefully. We've concluded, however, that such an increase would seriously prejudice your constituents' access to information and privacy rights. So in the next 15 minutes, Mr. Chairman, my aim is to attempt to persuade you and all members of the board that our very small office will need more than a 4.5 per cent increase in order to achieve critical mass, to be able to adequately oversee the privacy and access obligations of approximately of 3,000 different organizations in the province.

So we are seeking \$1,088,294 which is essentially the same as last year's request. Our appropriation for the current year was approved by the board at 822,000. So we're requesting what I describe as an increase of approximately \$225,000 over what would be a status quo budget.

Now our submission is based on three reasons. The first one is an increase in funding is required for maternity leave top-ups. We are facing two maternity leaves early in the new fiscal year. That translates into an increase of \$26,000 from our current year's appropriation. Not much I can do about that, Mr. Speaker, including anticipating.

[09:45]

The second reason we offer . . . And I should say I've noted with interest the comments of members of the board on the principle of shared service. And members — at least Mr. Yates, who I think who was probably on the board when I first became the first Information and Privacy Commissioner — I'd made a commitment to the board at that time that since we were creating a new office, that I was a strong supporter of shared services and that we would look to share services with Legislative Assembly Office in every area that didn't directly impinge on our integrity and our independence.

And so we've done that in the last five-plus years. We've

integrated in terms of human resources function. We rely to a large extent on the expertise in the human resources office. In terms of financial management, Marilyn Borowski at times may feel that she's working as part of the OIPC [Office of the Information and Privacy Commissioner] because we rely on her even in terms of inputting MIDAS.

And those are things that we've determined don't in any way impinge on my independence or our office's independence. And we've gone further in the IT area and that brings me to the second reason we're asking for an increase. We're intending to relocate our existing server, which is now in the Conexus tower in downtown Regina, to the Legislative Building. And this would be stage one of its two-stage process.

Stage one would consist of physically relocating our existing server to the Legislative Building to be maintained by the LAS [Legislative Assembly Service] communication technology services branch. This, however, immediately adds . . . there's a connectivity charge which we haven't formally paid. So that's estimated, I'm advised by Ms. Scott, between \$7,500 and \$13,000 per fiscal year. Now that's something we don't pay now because the server is on our site.

The second stage though is going to mean that our information and data stored on our existing server will be integrated into the LAS IT infrastructure directly and that's going to reduce costs long term. It's going to reduce costs. It means we wouldn't have to buy an additional server over time. It means that we're not going to have to do facility upgrades which we've been advised will be necessary to make our facility more secure, and we're going to be able to use some additional security tools by doing that rolling in with the LAS.

And I'm satisfied, I should tell you just in case someone's wondering, that that's not going to compromise the independence of our office or protecting the highly sensitive information that we deal with in the course of our work. So we think it'll provide some significant benefits and ultimately should lower total expenditures in facilities and equipment. And I might just say, we continue to be hugely appreciative of the high level of support we receive from the LAS.

So that takes me then to my third reason why the OIPC seeks additional funding. And this relates to the need for additional staff to help build capacity and to decrease what is an ever-increasing backlog. I can tell you, frankly, we already have what I view to be as unacceptable delays in certain statutorily mandated services that our office provides. And those delays — and you've heard me speak of this in past presentations — those delays are getting longer and longer.

A backlog a year ago of 168 reviews and investigations has increased to today of a backlog of 235. And these are both reviews and breach of privacy investigations. That's an increase of 39 per cent. Some of your constituents have been waiting since 2004 for the completion of their complaint investigations and their access reviews. Unless all of us in this room are prepared to accept that Saskatchewan citizens should have to live with those diminished service standards and excessive waits, my submission is some additional funding is going to be required in excess of 4.5 per cent.

Now let me offer the board some particulars of these service delays. And you might refer to the graphs which appear on page 5 and 6 of our estimates booklet because it, I think, more graphically indicates what I'm speaking to. Four years ago, members, we had two breach of privacy investigations that our new office dealt with. In the first nine months of the current fiscal year, we've undertaken 45 new breach of privacy investigations. So two, four years ago; forty-five, and we're only three-quarters of the way through the current budget year.

When added to our existing backlog of those complaint files we have not yet concluded, we will have or we do have 80 outstanding breach of privacy investigations. Now to some members of the Board, 80 may not sound like a huge number. So let me invite you to consider what that kind of work involves on those 80 files, and for example let me take you to the tip we received a year ago that led us to discover a large quantity of abandoned health records in the city of Yorkton.

A portfolio officer was dispatched from our office to Yorkton, had to seize the records, interview witnesses to gather information, transport the files back to our office in Regina. We then had to review hundreds of files — and that's going through the information in the hundreds of files — to determine which physician was last responsible for them. These had been physician records that hadn't been properly destroyed or safeguarded when physicians died, retired, left the province.

We had to track down the responsible physician. This was physicians who have moved to other parts of Canada or died or retired or moved to the US [United States] or someplace else. There were protracted discussions and negotiations with the College of Physicians and Surgeons and the Saskatchewan Medical Association to determine what if any action they were prepared to take to deal with their members or former members.

We had to respond to calls from patients who wanted access to their own personal health information, and that's led to ongoing negotiations with both the college and the SMA [Saskatchewan Medical Association] to come up with an appropriate permanent, long-term solution. We have too many abandoned patient records that are orphaned in the sense that no health care professional has taken responsibility for them. We're now paying rent in fact on a room where we have . . . How many files?

**Ms. Aldridge:** — We have 73 now.

**Mr. Dickson:** — Seventy-three boxes of health records we're paying rent on. This actually isn't probably part of my mandate, but I think it's not acceptable in Saskatchewan that the public knows that there are records out there that aren't properly secured. And until we can come up with a solution with Sask Health and the college and the SMA, I think it's important for us to at least to be able to assure the people of the province those records are safe for the meantime.

The media reports of that first case led then to a series of complaints to our office from another four Saskatchewan communities along the lines of, you think you've got abandoned patient records; come on out to such and such an address. I think there's a bunch more there. So this discovery and following up these leads has led us to thousands more of



abandoned patient records. So that's just one type of the 80 different privacy investigations we're undertaking.

Let me give you a bit of a flavour of some of the other ones, Mr. Chairman, and members. Personal health information found on used fax equipment that was sold as surplus, unsecured personnel and inmate records at a large correctional centre, inappropriate sharing of personal health information by health professionals, posting full text decisions on the Internet without masking personal identifiers. This has been an issue we've been dealing with for . . . And Mr. D'Autremont has a particular interest in this.

I should just say, parenthetically, we were delighted to hear that the Automobile Injury Appeal Commission has finally accepted advice we provided in 2005 and they've revamped their website. They're now masking the identity of all citizens who go to the Automobile Injury Appeal Commission to seek compensation.

Anyway continuing on with my list of some of the examples of some of the breaches we have, we have an employer sharing a psychological assessment on an employee with too many people who had no need to know. We have employment financial information provided to the wrong person, a flash drive containing personal health information that was stolen, the wrong wristband put on a patient in a health care facility, personal health information of patient available through a link on the Internet — this should never have happened — personal health information sent to the wrong person by both mail and fax.

And most recently, a large city in our province that disclosed personal information on more than 2,000 citizens, including health information and SIN [social insurance number] numbers to somebody who had no business seeing that information. So that's just one part of our mandate. So that's part of, will give you a sense of the 80-file backlog we have there.

Secondly, we deal with requests for review of access decisions made by the 3,000-odd bodies we oversee. So this is really businesses and individuals in our province exercising their right to access public records.

We have 58 new review files to December 31; when added to our pre-existing backlog, means we have 155 review files in progress. Now maybe some members of the board are thinking, big deal — 155 isn't a huge number.

Please consider what's involved. We strive in every one of these cases to achieve a mediated settlement of a review. Why? So that both, at the end of the day — because I have no order-making power — at the end of the day, both the citizen and the public body get something useful at the end of the process. To get there, however, entails a number of different steps.

We need to examine the entire record. The record is often comprised of boxes and boxes, hundreds of pages. We need to examine each page of each document, line by line. We need to consider each exemption raised by the public body. Many exemptions raise five or six different exemptions, each of which has to be assessed and analyzed.

Often there are preliminary issues. For example, have we received all of the record from the public body? Has the record been altered in any way? There's a great deal of research and analysis required in each of these review files. We simply don't have the staff to keep up with this workload.

The third area of statutorily mandated activity would be what we describe as detailed advice and commentary. What I've been talking about, board members, is, so far, breach of privacy investigations and access reviews that are really initiated by citizens or businesses in our province. But we also receive requests for help — and we're mandated to assist — from public bodies and trustees. Health and access to information best practices can get technical and can be challenging.

We currently have been asked to provide advice on the enhanced driver's licence that's been announced by SGI [Saskatchewan Government Insurance] and SGI intends to roll out, I think, before June 1, 2009. It's a major program. There are some significant privacy issues around the radio frequency identification technology that's been proposed. So we're trying to respond to SGI's request to provide them with advice. We're grateful to have the chance to provide input.

Same kind of thing with this huge electronic health record that's being developed by the health information solutions centre in Saskatchewan Health.

So this kind of work involves a great deal of time, research, and effort. It means site visits. It means meetings with program personnel, their supervisors, the ministry's privacy team or, in the case of SGI, the Crown's privacy team. It often involves a thorough and detailed review of a formal privacy impact assessment, if we're lucky enough that they've undertaken that.

Delays in our advice in this area mean delays for ministries such as Saskatchewan Health, anxious to roll out another part of the electronic health record. It means delays for SGI in rolling out their enhanced driver's licence.

And further, if our advice is not timely, it seems to me we have this problem. Government may be looking at higher costs to make subsequent changes and retrofits. If they've gone ahead and rolled out a program and then we come along and say there are serious issues and we don't think it complies with either best practices, the overarching privacy framework, or *The Freedom of Information and Protection of Privacy Act*, the expectation is that there are going to be changes that will be more costly.

We currently have 58 of these kinds of projects under way in our office and again we simply do not have the staff to keep up with the number and complexity of them. I mean, we certainly try and, as I've told you before, we will work with whatever this board approves by way of a budget, but it's important you appreciate what the impact is to the public and to government.

[10:00]

The next area of our activity I just touch on is summary advice. When either your constituents or — what's happening more often — your constituency assistants want information about our laws and what remedies citizens have, they can contact our

office. We provide them with accurate information in a timely way. So far in the current fiscal year, we've handled more than 2,300 summary advice requests. This is an increase from the last fiscal year. Responding to summary advice calls takes time. We don't have the time to handle summary advice calls in a timely way and do all of the other things we need to do.

So I've talked to you about the cost of maternity leave top-ups, which we have no control over. I've talked about increasing our shared services with the Legislative Assembly Service and some immediate cost that flows from that decision. And I've talked about increased workload.

We're dealing with 80 breach of privacy complaints and the ensuing investigations; 155 review of access decisions; 58 detailed advice and commentary files; and over 2,300 summary advice requests. And this only takes us to December 31. We still have another three months we haven't rolled into those statistics.

We only have four people in our office to manage most of this expanding workload — our director of compliance, Ms. Aldridge, and three portfolio officers. A 4.5 per cent increase over last year will not allow us to achieve the critical mass to begin to cope with not only the backlog but just the ongoing increased workload.

You may ask, so Dickson, what have you done to try and increase productivity and become more efficient in your own office? What we've done is we've hired short-term and long-term, longer term temporary employees to fill employee leaves. We have three portfolio officers, but actually all of them have been on leave for some or all of the 2008-09 fiscal year. The difficulty we experience with hiring employees for a short time period is, as I've told you before, in the very specialized niche we work in, it typically takes between 7 and 10 months to train those employees to a point where they can then impact our workload and make a difference to the point where they can work independently.

Our experience has shown that temporary employees, oftentimes they're at the end of their term before they're able to add any value really in terms of our performance and output. We found that hiring contract workers means the director of compliance has to spend an inordinate amount of time training and retraining, which means our most senior person in the office isn't available to be working on reports and investigations. I mean she does that anyway, but a lot of her time is spent diverted to doing the training.

In addition to hiring temporary employees, we sent an invitation to all of the other offices in Canada doing work like we do, offering a secondment opportunity. We thought we could try and provide an attractive opportunity for them to come and work for some time in our office. We've received no applications.

At present we have three portfolio officers to help increase our capacity. We're requesting funds for two additional portfolio officers. These positions would allow us to decrease our backlog, keep up with the increased workload. We're also requesting funding for a receptionist position. With the increases in workload — the telephone calls, emails, and faxes

— we found the majority of the work of the existing administrative coordinator, she's doing full-time reception work. And so we propose with the additional one FTE, the administration area would be able to take over more of the intake process as well as managing the increased workload at the front end, and that should allow our portfolio officers more time to be more efficient working on review and privacy investigations.

Now you may ask, so if we were to grant any of this increase, the increase I'm seeking, we're seeking, what would change in terms of our workload and our performance? Well my answer is this: in two years we can reduce our backlog and focus on current files and move to meet our goal, which I've talked about in each of my business plans. And each year when I meet with the board, you recall we set out specific performance objectives, key performance measures, and this increase would allow us to meet our goal of 80 per cent of review files to the mediation and report stage within five months.

Some provinces do it in much less than that, but I think five months is a defensible period of time for people in this province to wait to have their access review dealt with — 80 per cent of those files, 60 per cent of breach of privacy investigations to the report stage within five months. The reason it'll take us two years to get there is we have to be mindful it still takes 7 to 10 months to train up a new portfolio officer.

I just conclude by noting that in this morning's *Leader-Post* editorial, there's a statement there that "... it is vital that confidential information is subject to rigorous care." I agree, and I expect probably all of us sitting around this table agree, that that's something that's important. But in my experience, I make this respectful submission, in my experience, rigorous care doesn't simply result from best intentions of a government ministry or a local authority or a health information trustee.

Rigor is largely dependent on a properly resourced, effective, and independent oversight agency. At the end of the day, after 27 years of experience with these laws in Canada, that's what tends to make the difference. So I'm asking this board respectfully for the resources to ensure that rigorous oversight will exist in our province. Thanks very much and I look forward to your questions.

**The Chair:** — Well I want to thank you, Mr. Dickson, for your overview of your report and your requests of the board. And we're now open for questions. Mr. Yates.

**Mr. Yates:** — Thank you very much. I'd like to start with just a number of questions to understand some of the numbers that have come forward. What is the cost of a portfolio officer per position, like what's the salary and associated benefit costs per position?

**Ms. Scott:** — That cost is an MCP [management classification and compensation plan] that's classified in the out-of-scope management class plan as an MCP7 position, and we have factored in an average salary of that, so 80,400. But there is a salary range in that position.

**Mr. Yates:** — Okay. Thank you very much. What is the cost for the additional support position you're requesting? Just

roughly.

**Ms. Scott:** — That additional cost for the support, the receptionist position would be classified an MCP1 position, out of scope, and it's a \$42,000 cost.

**Mr. Yates:** — Okay. And now I could quickly calculate this, but I'm sure you have it. The 4.5 per cent increases you're applying to all the salaries — that's the going rate for this year — what's that cost to the organization?

**Ms. Scott:** — That cost to the organization, our basic status quo budget would include the \$26,000 maternity leave top-ups. That cost is \$860,975.

**Mr. Yates:** — I'm just talking about . . .

**Ms. Scott:** — I'm sorry.

**Mr. Yates:** — The portion of increase for the 4.5. What's the additional from your . . . What's the additional cost for the 4.5?

**Ms. Scott:** — Oh, just for personnel.

**Mr. Yates:** — Yes, for the personnel side.

**Ms. Scott:** — It's an additional \$65,000.

**Mr. Yates:** — All right. And what are you factoring in for performance increases? What formula are you using and how much, what is the total dollars there for the performance portion of the increase?

**Ms. Scott:** — It's approximately \$7,000. We actually have two leaves coming up. One person actually is on leave and won't be returning to receive an increment this year, and two of our employees are actually at the top of their range. So the increment portion is not very high at all.

**Mr. Yates:** — So approximately \$7,000.

**Ms. Scott:** — Approximately 7,000.

**Mr. Yates:** — Thank you very much. My next questions have to do with . . . You indicated in the shared-services arrangement with IT that there would be a \$13,000 cost initially for the connectivity charges. That's an annual charge?

**Mr. Dickson:** — My understanding, that would be an annual cost. Is that correct, Pam?

**Ms. Scott:** — Yes, that's correct. Right now our connectivity charges are \$2,000, so that \$13,000 would actually be approximately \$11,000 if you're considering the offset of the \$2,000 that we do pay now. There is a range in the connectivity charges which we're not sure at this point we might need. \$13,000 is at the top of the range. It could be as low as \$7,500 but that is an annual fee, yes.

**Mr. Yates:** — Is that fee . . . Who determines that fee?

**Ms. Scott:** — I'll ask Darcy Hislop to come forward.

**Mr. Yates:** — Darcy's charging them all. Darcy's budget might be going down.

**Mr. Hislop:** — I thought that might come up. The proposed move would involve relocating their physical equipment over. So in order for them to get access to their files, to word processing spreadsheets, the rest of it, they will need a higher-speed connection back to the LAS here. They're a relatively small office. It might be a network connection of, a meg [megabyte] and a half might be sufficient. The higher end cost is saying, what if we need to bump that up to about a five-meg connection. And this will be determined by what is appropriate access time to their files now that it's actually remote.

We'll start with the lower side and see how that works and what sort of reaction that gives the staff in accessing the files. We don't want them having to wait three or four minutes to open a file because the network connection is too slow.

**Mr. Yates:** — Thank you very much. So that fee is being paid to your . . .

**Mr. Hislop:** — I'm sorry, I missed that.

**Mr. Yates:** — That fee would be paid to your shop?

**Mr. Hislop:** — That would be a SaskTel connection.

**Mr. Yates:** — That would be a SaskTel connection. Okay. That's what I thought but I needed to make sure.

**Mr. Hislop:** — I'm sorry. That was the short answer.

**Mr. Yates:** — Thanks very much. Getting back to . . . I have a few questions about the backlog, right, and sort of the workload issues. Some of this is the same as we've heard over some of the previous years. And as we started originally, I think it was a two-person office and now we're at six. I guess part of what . . . On the workload issue and the backlog issue, is the office taking on work that maybe we shouldn't be taking on?

I'm trying to get some sense of why the increase, or is this an increased awareness issue, or is this normal in other jurisdictions that the workload has gone up as the office has been open and in place. I just would like to get some sense of what's occurred since the opening of the office to today that the changes are . . . come into the workload and into the expectations I guess.

**Mr. Dickson:** — A couple of observations. I think the first thing is that I'm not sure that awareness was very high for the first 11 years of FOIP [freedom of information and protection of privacy]. And members will appreciate we were actually the first province in Western Canada to bring in an access and privacy law in 1992, but there wasn't very much done yet. A part-time commissioner, who is a busy Regina . . . a series of busy Regina lawyers who had no time to go around doing public presentations and answering questions from the public. There was no work done in terms of privacy breaches, with respect.

I mean the very first investigation that I can find was done —

we went through the first 11 years — was in 2003. That's when the huge ISM [Information Systems Management Corporation] data breach happened, which was the biggest breach at its time in the history of Canada, and presumably led to a decision to hire a full-time commissioner. But that was actually I think the first.

Now were there privacy breaches happening in the first 11 years of the Act? I'd be astonished if there weren't. But where would people go to complain or to ask to have those things investigated? So I think awareness for sure is a huge part of it. I don't know. My director of compliance, Ms. Aldridge, may have some observations in terms of the expanded growth.

I might just finish off with this though. I remember at the beginning there was a concern that . . . And I remember one of your colleagues in my very first presentation admonished me to make sure that we weren't doing work on behalf of federal privacy laws and the federal commissioner. And we've always been at pains to be very clear that what we're doing is focused on the three provincial laws we oversee, and the 3,000-odd bodies we oversee.

I think that we have not done much as a province, and it's only been in the last couple of years Saskatchewan Justice has stepped up to the plate and actually created an access and privacy branch. They've started producing some training materials, doing some training sessions, but none of that went on for an awfully long time. And so I sort of say . . . I've said, I think, this to the board before. In some respects we're playing catch-up for 11 years of not paying much attention to access and privacy, and so I guess there would be some pent-up demand. And there is just an awful lot of organizations we oversee. But I'd invite Ms. Aldridge to . . .

[10:15]

**Ms. Aldridge:** — Well what I've found too, because I've been with the office pretty much since its inception with Gary Dickson as the commissioner, and what I've found is that more and more over the last couple of years there is an increase in the awareness as to what our role and function is. And we receive referrals even from other independent officers. Like for instance, the Ombudsman will talk to a constituent that has a concern and they will know, rightly, to refer that individual to our office if it's an access or a privacy complaint.

And so there is more and more of that. But in terms of if we're taking on, I guess, the requests that are really legitimate, when it comes to the intake function — and this is something that we have been doing for years now — is we look for opportunities to refer those aggrieved individuals back to the agency so that they can try to reach some sort of a resolution to the satisfaction of the parties before we even get involved. And probably a third of those intakes that we get that may eventually become breach of privacy investigations or requests for reviews, what we are finding is that we are referring them back and we are not taking those on. So we think that's quite significant.

So we have to pick our battles. We have to look at, has this person tried to resolve this with the specific agency that they have the concern. And we don't just jump in immediately and take on that complaint.

**Mr. Dickson:** — Thanks very much. So we go out and we talk to people and we say, we're an office of last resort, not first resort. And the recent example of the city of Regina — we were advised there was a breach. We met with their privacy team. We gave them advice on the things they needed to do in terms of remedial action. But we said, you do your internal investigation; you will learn a lot from doing this. We'll look at your report when you've finished and then we'll make a decision whether we have to come in and do a formal investigation. Our hope is that they'll do an adequate and appropriate job with the guidance we've given them and the tools they can get on our website, and that we won't have to do anything further.

The other thing I might add is, is there interest in the province for what . . . however you can focus this. So far, well I guess it was in the last calendar year, we had something like 280,000 hits on our website. We have about, on average, I think over 190 every day. The average daily number of visits to our website, where people spend time, is I think about 190. So this has gone up year over year. So that to me is some indication that people are interested.

And I guess the last thing I'd say is we're just involved in a new world with new technologies. I mean enhanced driver's licence and RFIDs [radio frequency identification], I mean that's an issue nobody wrestled with 10, 15 years ago. This used to be developed for commercial operations to get better stock control in the warehouse. It wasn't being used for tracking people's movements and things like that. So the technology, frankly — and electronic health record and that sort of thing — drives a lot of it.

The other thing is much of our work is related to HIPA [*The Health Information Protection Act*]. HIPA only came into force on September 1, 2003. Sorry for such a long response but . . .

**Mr. Yates:** — No. Thank you very much. That ends my questions.

**The Chair:** — I recognize Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — Thank you very much. Looking at your staffing levels and your request, it seems to me that your portfolio officers are dealing with about 660 inquiries, cases per year. You have a shortfall or a backlog of, I think it is, 235. So if more portfolio managers or officers were allocated to you, is the work there to keep them busy?

**Mr. Dickson:** — Well my view is that those public bodies . . . For example I have on my desk a privacy impact assessment that came from one of the largest ministries in your government in the fall. And they wanted feedback because they have a bunch of decisions to make, and they wanted our privacy input. I haven't been able to turn that around. I mean that happened in November. They're making decisions around implementation. I've had to tell them that I haven't been able to complete that assessment to be able to give them the information they need.

Of those 58 advice and commentary files, a number of those files are months and months old. I think in a perfect world, we'd be able to turn those things around much faster so that the public bodies are able to get that advice when they need it.

So I have no hesitation in telling you that even with the increase we are still — in terms across Canada — a relatively small office. And there are . . . Yes we have lots of work to do. We will have lots of work to do.

**Ms. Aldridge:** — Can I add something?

**Mr. Dickson:** — Yes, sure.

**Ms. Aldridge:** — Hi. One of the things too that I've done to try to ensure that we are pretty much on board in terms of what the expectations should be around the number of caseload or the number of files that make up the caseload of a portfolio officer is on par with other portfolio officers across Canada is, I've made contact with and discussed with directors and other jurisdictions, those that are in charge of portfolio officers. And what I found in a number of cases is that the portfolio officers will carry a caseload of approximately 30 case files at any given time.

But in most jurisdictions, they don't also do what is written into the job descriptions of what our portfolio officers do which is also to provide the summary advice, to do detailed advice and commentary, to do the presentations. It's all an expected part of their jobs. So in order to make sure that they're each taking on the responsibilities for the position, we have to divvy up that workload that is — I think, as quite evident by our stats — always increasing.

**Hon. Mr. D'Autremont:** — Okay. Thank you. One of the campaign promises that we made during the '07 election was that we wouldn't grow government faster than the population grew. You have six people in your office — excuse me, seven — and you're looking for three more. We're not a million and a half people yet. Hopefully we'll be there some day, but we're not there yet. So it's something to keep in mind.

When I look at your report here, it's a very nice report until I come to the page where it says personal services. And that outlines the request you're making but it doesn't say on that page, like it does the other pages with the estimates, exactly what the increases are for. You list the maternity leave of 26,000 which is good. But you don't say on the page that you're requesting two additional portfolio officers and one additional administrative staff. You know, you have to search for that to find that.

You do comment that this expenditure is based on 10 FTEs. But it would have been nice if it had said that you're requesting two additional portfolio officers and one administrative staff, rather than asking us to search the entire document to find that.

**Mr. Dickson:** — Well I apologize if that . . . The intention had been to make that clear, and obviously we weren't successful.

**Hon. Mr. D'Autremont:** — Mr. Yates asked a question about the increase based on the economic adjustment. The economic adjustment is based on 4.5 per cent increase. You have \$600,000 in personal services currently and yet Pam said that the 4.5 equals \$65,000. Could you work the math out for me on that?

You have \$600,000 now, a 4.5 per cent economic adjustment,

and it equals 65,000. That's over 10 per cent difference. If you took 10 per cent of 600,000, which is your personal services last year, that's 60,000, not 65. So how do you get four and a half per cent increase equalling 65,000?

**Ms. Scott:** — That doesn't include, the 4.5 per cent does not include the \$26,000 in maternity leave top-up. My \$665,000 included the \$26,000 maternity leave top-up.

**Hon. Mr. D'Autremont:** — Okay. So that then brings it to 49,000. Whereas, four and half per cent of 600,000 is roughly 26,000. So where's the other 23,000?

**Ms. Scott:** — There's also the increments that I talked about, staff increments.

**Hon. Mr. D'Autremont:** — So those should have been included in this page as well then?

**Ms. Scott:** — Well they aren't actually increases from our status quo, but yes. Yes, we could have added those in our personal services estimate as well.

**Hon. Mr. D'Autremont:** — They're increases from last year's budget though. They're additional dollars in.

**Ms. Scott:** — Yes.

**Hon. Mr. D'Autremont:** — You're not the only ones I have this argument with. I have it with everybody when they come forward. Yes, status quo budget means those cost of living allowances already built in. To me, status quo budget is the same thing as last year.

**Ms. Scott:** — Duly noted.

**Hon. Mr. D'Autremont:** — I wanted you to say that this was the cost of living allowance.

**A Member:** — . . . the status quo budget and the Dan budget . . .

**Hon. Mr. D'Autremont:** — Yes. The other items that you have in advertising, travel, supplies and services, I don't really have any questions on those as you're either maintaining or reducing, so that's a good thing. I thought I had one more question here.

**Ms. Scott:** — If I could just add that we've tried very hard this year to streamline our budget, so really the only increases that we are asking for are the three staff, the maternity top-ups, and the connectivity charges.

**Hon. Mr. D'Autremont:** — Well I guess that's it. I thought I had one more but . . .

**The Chair:** — Anyone have further questions from committee members? Mr. Hart.

**Mr. Hart:** — Mr. Dickson, I'd like to just explore a bit of your feelings for the reasons for increased workload that your office is experiencing. I believe as part of your mandate of your office, you spent some time making the people of the province aware of the whole privacy issues and those sorts of things. What

percentage of your workload would be this public awareness? How much time would your staff be spending on public awareness? And as a result of that, have you got any way of tracking the effectiveness of public awareness?

You know I sense from you that you feel you have a mandate and you want to get out there and do that mandate — fulfill that mandate — and part of that is of course letting people know about the implications of the statutes that you're responsible for overseeing. And so if you could just kind of comment on that whole area so we can get a bit of a sense of how much additional work you're drumming up and such. Maybe that's not the best way to put it, but I wonder if you could just comment on that.

**Mr. Dickson:** — I might just preface my answer by saying, you know, it's interesting the Canadian Newspaper Association every year does a big survey in the fall and have reporters who ask similar questions right across Canada in different provinces. When they first did that survey four years ago, Saskatchewan ranked dead last by a long distance, far behind all the other provinces just in terms of not responding or not responding appropriately or not responding within time.

[10:30]

They did the same survey this last year and Saskatchewan ranked the highest province of all the provinces across Canada in terms of turnaround. Now the reality is, we weren't that bad four years ago and we're not that good today, but it sure as heck shows heightened awareness.

And I think one of the things I was committed to do, and one of the things I told the selection committee five years ago was building awareness was, I thought, pretty fundamental, because what good does it do to tell men and women in the province, you have certain rights to have your privacy protected, if you don't know how to action those rights, if you don't know what the limitations are, if you don't know what the vehicle or the tools are?

So public education has always been part of our mandate. We produce an e-newsletter which goes to your constituency offices and is regularly viewed by, we'd recognize well over 1,000 people every month, which highlights privacy and access issues. But you know, to be honest, normally that's something I draft up at home in an evening and then, with some help from people in the office, that doesn't take a lot of time.

We used to do, Ms. Aldridge and I, in the early years in the office were doing a lot of public awareness. And we would do as many as 30 presentations in different . . . we've been to about 33 communities in the course of a single month. That's cut back now. Neither of us would do maybe more than seven or eight presentations in the course of a month. So we've cut that back . . . [inaudible interjection] . . . oh, four presentations this month. The first couple of years we were heavy into building awareness, and now that Saskatchewan Justice is undertaking some training, which it had never done before — this is good news — we're trying to pull back a little bit and focus more on our backlog.

So I feel like I'm rambling a little bit. Am I being at all

responsive? I mean, awareness is there. We put a lot of tools on our website because that's a darn efficient way of getting information out, and it reduces people phoning in and us taking time having to explain things. So we're trying to find efficient ways of raising awareness without having to consume vast amounts of staff time.

**Mr. Hart:** — But would it be a fair assessment to say that the level of awareness by the people of the province is much higher now as a result, coupled with the advances in technology in the little flash drive that you can put in your pocket and hardly notice? You can . . . huge amounts of information and that sort of stuff. So I think that all contributes to this whole privacy all of a sudden, you know, becoming very important to people.

And I certainly, you know, I hope you don't determine from my earlier comments that I don't think it's important, because I do think it's important, but I mean, just wanted to get a sense of where your activities are now. So what I hear you say is that the work is coming in through the door, and you don't really have to go out there and spend much time making people aware.

**Ms. Aldridge:** — Just to show, in terms of those summary advice requests that we receive in our office, of course they're unsolicited. Individuals could be reps from different organizations — lawyers' offices, people that work in constituency offices — they will call us and they will ask for, you know, help in terms of struggles that they're having with understanding the legislation or where do I refer somebody or what have you.

And in terms of our stats, we have gone to some lengths to track, as well, as where those specific requests are coming from. And for this last year we have been able to look at, from the beginning of the fiscal year till now, and out of that 2,355 from citizens, 1,640 was the number.

**Mr. Hart:** — Thank you, Mr. Chair.

**The Chair:** — I recognize Mr. Yates.

**Mr. Yates:** — Thank you very much, Mr. Chair. I just have one question I want to ask. Are you providing the same benefits, just using as an example the flexible employed benefit that's allowed for out-of-scope managers, to all your out-of-scope managers as well, that all the other independent officers in LAS is providing?

**Ms. Scott:** — Yes. The employees of the Information and Privacy Commissioner are employees of the Public Service Commission, and so therefore they do receive the flexible benefit along with all other employees of government.

**Mr. Yates:** — Thank you. I just didn't see any reference to it as we see in most of the other submissions as an increased cost as well. Okay. Thank you.

**The Chair:** — Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — Thank you. On the \$26,000 maternity leave top-up, if that is included in the budget as presented, does that then become part of the base salary so that it would be ongoing? Next year when we look at the budget,

that 26,000 would be built into it? Or would that be in somehow marked and withdrawn from the base for next year? I'm assuming that you're not going to need \$26,000 in perpetuity for maternity leave.

**Mr. Dickson:** — I'm reminded we can't tell who's going to get pregnant next year. And I must tell you, in an office of seven people it's remarkable to me we've actually had five maternity leaves. But you're absolutely right. It's a one-off; it's not being built in as a structural element of our human resource cost. Thank you very much.

**Hon. Mr. D'Autremont:** — Thank you.

**The Chair:** — Well thank you and just a quick follow-up. Myself, I have a question here on your business plan. Page 11 you talk about, point out the fact that you've managed to close most of 2004. And I believe earlier on you indicated you're still working on a backlog and, if I read that correctly, then you're just trying to finalize and close off 2004's, which means '05, '06, '07, '08 are pending?

**Mr. Dickson:** — In fact Ms. Aldridge has got the numbers, and I'll just ask her to tell you exactly the year of the files that we're working on.

**Ms. Aldridge:** — Certainly. In terms of our total caseload, it breaks down such as this. So for the fiscal year 2004-2005, we have 16 files that are still open; 2005-2006, 22; 2006-2007, 22; 2007-2008, 82; 2008-2009, 93. And we've closed 61 files between April 1 and December 31. And in terms of how many of those, one of the performance measures that we had in the business plan was to focus on completing all pending review files that are more than one year old. In that regard in terms of the review files, we closed 3 from that first fiscal year, 2 from the second, 13 from the next, and 5 within the 2007-2008 year. And then in terms of investigation files: zero, 2, 6, and 7.

**Mr. Dickson:** — Just for your interest, the total number of files we've closed, case files, I think is in the order of 600 and . . . Just to show we have been working, although we still have some . . .

**Ms. Aldridge:** — Historically, since the inception of the full-time Information and Privacy Commissioner, we opened 659 files and we presently have 235 open. So we closed the rest.

**The Chair:** — So based on those comments and for '07-08, '08, and '09, you in reality, you haven't had a lot of opportunity to look into a lot of those files. I'm just going by the fact those numbers are quite large. Is that true?

**Mr. Dickson:** — That's exactly the problem. When you have a significant backlog, it means that the current files, unless there are some things that require immediate attention and can't wait, I mean, they just tend to be a little longer. And in fact the one graph we have in the booklet, the bar graph shows the files that . . .

**Ms. Aldridge:** — We're open to page 12.

**Mr. Dickson:** — And are these all current files? Yes, those are

the current files we have on page 12 and you can see in terms of the years that's sort of, I think, evidence to the point you were making, Mr. Chairman.

**The Chair:** — So based on those numbers then, your request for two full-time and one, I believe, office assistant, what would you expect to achieve if you did have the increase in staffing as far as addressing these files? Two, three, four years to just catch up?

**Mr. Dickson:** — What I'd suggested in my opening comments was that if we were able to get the complement we're asking for today, within two years we would be able to eliminate the backlog. We would be able to move to meeting our performance objective of closing or getting to the report stage 80 per cent of our review files within five months, and 60 per cent of our investigation files within five months. So those performance reviews we've talked to the board about in past years, we would be able to achieve. But it would take us two years, Mr. Chairman, to get there because of the training challenge. You cannot find people in the province — I don't know how many competitions we've had — who walk in the door with the kind of training that we require. And so that's why the 7 to 10 months training to get people up to speed. They can't take a regular caseload for about a year, so that's why the two years, sir.

**The Chair:** — Well I thank you so much, Gary and Pam and Diane. And another question cropped up, I guess. Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — The duties that would be performed by the administrative staff if you had an additional person, would that relieve some of the work that's currently being done by four of your portfolio officers?

**Mr. Dickson:** — That in fact is why we're making that request. Again it's trying to . . . We have portfolio officers who have . . . It's a senior position in terms of its classification. We expect a lot of them. They have some particular expertise. It only makes sense that we have them focus on those areas where their expertise can be brought to bear and some of the preliminary screening and rerouting people to a more appropriate place, that should be done by somebody who doesn't have all of that training. And so that's the notion of bringing somebody else in to take on the reception things. We have an admin co-ordinator who will do the kind of first-stage screening and that should make us more efficient. That's our plan.

**Hon. Mr. D'Autremont:** — So another admin person would allow, then, the portfolio officers to carry out more of their duties and reduce that backlog.

**Mr. Dickson:** — That's exactly the plan, Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — Okay. Thank you.

**The Chair:** — Well thank you very much, Gary, Pam, and Diane. And I know that the fact that there are two individuals expecting this year, there's going to be some joy and smiling faces down the road as they show off the newborn. And certainly, talk about growing the province — you're doing a good job.

**Mr. Dickson:** — Thank you very much, Mr. Chairman and members.

**The Chair:** — I wonder if we can take a short 5-, 10-minute break just to give us a chance to . . . Thank you very much. And then we'll move into the Provincial Ombudsman.

[The board recessed for a period of time.]

### Office of the Provincial Ombudsman

**The Chair:** — If I can get your attention, we'll call the meeting back to order . . . [inaudible] . . . the Office of the Provincial Ombudsman, and we're pleased to have Mr. Fenwick here. And I'm sorry I didn't get the name of your assistant who's joining you, but we'll invite you to introduce your staff. And the floor's yours, Kevin.

**Mr. Fenwick:** — Thank you very much, Mr. Chair, and yes I'm more than happy to introduce Lynne Fraser. Lynne is our manager of administration from our Saskatoon office, and under the heading of manager of administration she's actually responsible for the financial side and the accounting side and the human resources side as well, so she wears several hats. So for all the tough questions today, I'll probably defer to her for all of the answers.

I'm very pleased to be before the board today making our budget submission in what is actually the 200th anniversary of the appointment of the first ombudsman in the Western world. It was in 1809 that the Swedish constitution was amended to provide for the establishment of an ombudsman office. And that is generally recognized as the birth of the ombudsman in Western democracies.

What I propose to do this morning is just to hit the highlights of what is in our written submission, and certainly to answer any questions that you may have, either during the presentation or at the end — whatever board members prefer. And I'm also happy to provide any additional information after today if there's something that we're not able to provide or answer to your satisfaction.

I don't propose to comment extensively on the background information that's contained in the front several pages of our submission. They describe the kind of work we do and how the office is organized. Again would answer questions that you might have, but I would rather go right to the number crunching if you will and talk about the numbers in terms of some of the ways that our office is organized and the kinds of work that we do.

*The Ombudsman and Children's Advocate Act* sets out various areas of responsibility — three in particular — and I'll address the numbers with respect to those three areas of responsibility.

The first is in the area of public complaints or complaints that we receive from individual members of the public. That work remains the core of our business. That is our priority, has always been, is now, and ever shall be, I think, that we will primarily respond to complaints that come from the public, and that's where most of our resources are devoted.

Our experience in the last three years would suggest that the number of complaints we receive about matters that are within our jurisdiction are relatively steady. We had a slight increase last year in the number of complaints, an increase of about three and a half per cent or so about matters that are within our jurisdiction but relatively steady. We also receive of course a large number of complaints every year — the last number of years around 1,000 or so — about matters that are outside our jurisdiction. They still take a lot of time. We don't believe that our role should simply be to say to someone who calls, I'm sorry, not our business, can't help you. Instead what we do is we act as a referral agent for those people and do some coaching with them so that it does take time, but our primary business is certainly within the jurisdiction complaints.

With respect to that part of our mandate that is responding to public complaints, we are asking for status quo with respect to our programming. And I hear loud and clear the comment that status quo has different meanings, and we certainly do recognize that, and we absolutely recognize that when you talk about status quo, you're talking about status quo in last year's dollars. Internally in our office, so that we can distinguish between what it means to maintain programming and what it means to have the same dollars, the language that we actually use in our office is status quo budget and status quo programming or status quo staffing.

And so we recognize that the guidelines were given to ministries indicated that there would be an increase of approximately 4.5 per cent over last year's budgeted approved amounts, and that's a factor that we certainly take into consideration. We do that calculation, and then we do a second calculation which says we have certain fixed costs that we know we have to absorb, that we know we have to pay with respect to the staff that we have.

[11:00]

We know for example that there is a 4.5 per cent increase that will be provided to all our staff on April 1, 2009. We also know however that we have a number of our staff who are not at the top of their salary range and that they will also be entitled to receive additional increments based on their performance for out-of-scope staff and based on their years of service for in-scope staff.

So when we talk about status quo programming or status quo staffing, we have taken the liberty of incorporating those costs that we know we are going to have to absorb.

The difference between those two for our office, and there are two points that I need to expand on, but the basic difference between those two approaches and our office is the difference between 4.5 per cent and 5.9 per cent. If we simply took all of the staff that we had last year and we give them the entitlements that they will get on April 1, the increase in our budget to maintain those existing staff works out to 5.9 per cent.

But there's one other factor that I need to add into that as well. And as I think we explained in our written materials, we had one of our senior staff people who was on a deferred salary leave for the entire 2008-2009 fiscal year. As a senior staff member, he was and is at the top end of the salary range. We



replaced him, for the period of 12 months while he was gone, with a new person who was at the bottom end of the salary range. As of April 1, 2009, he is back with us and therefore will be entitled to that salary at the top end of the range.

Knowing that he was going to be away last year, our budget request did not include the high salary; it included the low salary. Now he's back, so what we respectfully request is that the board recognize that difference and provide us with the necessary funds to get that staff person back on staff. And that's a significant difference; it's about \$17,000 which is almost 1 per cent of our budget.

So the status quo programming amount — if I can use that term — is actually about 6.9 per cent just to keep exactly the same number of staff that we had last year in place this year.

The second point of explanation that I would make with respect to that is an accounting issue. And that actually is something that I think is referred to on page 12 of our report. And that has to do with the vehicle allowance that is provided to the Ombudsman. The Provincial Auditor's office has suggested to us that we need to transfer a dollar amount from non-personnel to personnel. So you'll see in the documents that there's a sum of \$4,200 which last year we reported as non-personnel expense, which this year we are reporting as a personnel expense. And what that means is, is that our personnel expense is inflated a little bit and the non-salary expense is lower as a result. The numbers are the same; it's a question of whether we pay it out of the left pocket or the right, but it does make the salary expense percentage look a little higher than it actually should be.

The second area that I'd like to comment on is with respect to what we call our own-motion or systemic investigations. The Ombudsman and Children's Advocate Act provides that the Ombudsman may, on his own motion, commence investigations.

And we do that from time to time for a number of reasons. Occasionally we do that because there is a need for some confidentiality for someone who has come to us with a complaint. More often we do that because we have seen a pattern of complaints, and we think that it is in the best interests of the province and the citizens of the province and the government of the province that we do a broad-based systemic review rather than just deal with the individual complaints that come in.

It is my personal belief that if we have 10 complaints in our office this year about the same issue that we received 10 complaints about last year, then we haven't done our job very well. Because we received 10 complaints last year about the same issue, I think one of the things we should be doing is looking beneath the tip of that proverbial iceberg, finding out what it is that's going on that's creating a large number of complaints about this issue, and seeing if we can fix it. And so that's a lot of the work that we do in the systemic area.

And I believe actually that we provide some of our most valuable service when we do that in the big picture in the long term and that the Assembly gets very good bang for its buck when we're spending some dollars in that area. It's crucial to

the work of the office as a way of making that systemic change that often affects a large number of people at once, rather than just one citizen at a time.

I have a list with me, that I can certainly share with you if you ask about it, of the kinds of own-motion investigations that we're currently contemplating for next year. I will just share with you, if I can for a moment, some examples of what we've done in the last year and what we're working on right now, by way of example of the kind of systemic work that we're doing.

The first I would refer to is a report that we authored called *Hearing Back*, which we tabled in the Legislative Assembly just over a year ago. And *Hearing Back* was a review of decision-making processes in the province's 55 or so administrative tribunals. It began as a review of the timeliness of decision making in administrative tribunals because we receive lots of complaints that administrative tribunals, or some of them, take too long after the hearing date before they hand down their decision. We were getting complaints that it was sometimes taking 18 months or two years to hand down a decision after the hearing. We thought we should take a look at that and the investigation then, actually at the request of several of these tribunals, took on a broader scope.

The result was that the *Hearing Back* report that was tabled in the Assembly . . . Without sounding like I'm blowing our horn too much, we knew it was a good report but quite frankly we didn't recognize just how good it was until we started to get requests from across Canada to present that report. It's been described by people outside our province as the first comprehensive best practices review of administrative tribunals ever done in Canada.

I have been asked to deliver that report and speak on that report at conferences in four different provinces over the course of the last year. And I would point out — because of course we're here about budget — that almost all of those presentations were entirely at the cost of some other province because we were invited to go there to do that. But I think it speaks well for the work that we do in our province and in our office that others are looking to us as a model.

That's a particularly valuable exercise right now for Saskatchewan because we have had some fairly significant changes in the membership of these various boards and commissions over the last year or two. And so we have now a number of new boards, or at least boards with new people on them, who can benefit from orientation and training and a better understanding of what their role is and how best to deliver their service. And we actually have a waiting list right now from a number of those tribunals for us to come and talk to them about best practices for fair practices, about our report, and they're asking if we can become a part of the orientation process for those new board members — one example of what we worked on last year.

Another was the report that we did on the possible introduction of electronic control device technology — usually referred to as tasers — into the province's correctional centres. We did a systemic review of the decision that had been made and was subsequently reversed to introduce taser technology into our province's correctional centres and again we used a best

practices model. We did not believe it was our role to say whether they should or should not be introduced but we did believe it was our role to say, if you are going to consider the introduction, then this is how you need to do it. You need to follow best practices to consider all relevant information, etc. And we were very happy to hear the decision of the minister that incorporated some of the things that we had been talking about.

At the current time we're working on two significant systemic reviews. One of them is a bit of a follow-up to the *Hearing Back* report, and that is we are in the process of writing a manual, a desktop manual if you like, for administrative tribunals. There is good information already in place for some of the more sophisticated tribunals, the ones who are large and have large staffs. What we thought was lacking was a good how-to manual for some of the smaller tribunals who are generally composed of laypeople, perhaps without legal training, such as the Highway Traffic Board or the Crop Insurance appeal board or the Social Services appeal board. And so what we're developing is a manual as a follow-up to our *Hearing Back* report, so that those board members can go somewhere and have a resource that they can look at for providing their service in the fairest way possible.

We're also at the current time looking at the fairness of the refund set-off program that is in place whereby the Ministry of Social Services, for example, can grab a hold of someone's income tax refund for an outstanding debt that is owing to the Ministry of Social Services for an old overpayment of a Social Service account. We have no problem with the principle that they should be able to do that; it is a debt owing to the Crown. The issues we're looking at is those situations where that debt might be six or seven or eight years old, where the person may not even have been aware of the debt at the time, and some of the reasons why all of those overpayments occur. So I think an important review that we're looking at that has consequences for a large number of people in the province.

We have, over the last year or two, dedicated approximately one and a half positions in our office to doing that systemic work. We have one person for the most part — one of our investigators, usually one of our senior investigators — who is working almost all of the time on systemic reviews. And then we supplement that person's efforts by dedicating other resources from other staff — in particular, one of our deputy ombudsmen — to working with them.

What we're finding we're lacking — and this is the one special request we have for you this year — what we find we're lacking is specific subject matter expertise in some areas. We have very good people that work at Ombudsman Saskatchewan, but they don't always have the depth of experience or the depth of expertise in certain areas that we need. So what we find we have to do is bring in someone from time to time, sometimes on a contract basis, occasionally seconded from other areas of government, who have specific expertise in health or a certain area of social services or an administrative tribunals and we've been bringing them in on a two-, three-, four-, five-month basis to work on those specific projects. What we're asking for is consideration from this board to give us the resources to do that on an ongoing basis.

Our goal is to do three or four of these systemic investigations per year. We think that we will need to bring in three or four people for two or three or four months at a time to work on those specifics, so our best estimate of the resources that would allow us to do that job is about \$70,000. That allows us to have those two or three or four people for short periods of time. So we're not asking to create another position. We're not asking to increase an FTE. What we're asking for is the ability to contract for specific resources or second somebody in for a particular period of time.

\$70,000 is not an insignificant amount of money. It works out to I think about 2.6 of our budget, and that's a lot when you have guidelines that say you should have a certain percentage and we recognize that, but we think that it is a wise investment of dollars because we think that those reviews are the ones that, as I say, give the biggest bang for the buck and make the best changes and the most effective changes over the long term.

I would just mention to the board this is a matter that we brought before the board last year at this time. We did not formally request the money, but because this was the direction we were going I think I — and I use this deliberately in quotes — put you on notice, if you like, that I might be back this year asking for those funds. True to my word, here I am and that's what I'm doing. So we are trying to do forward planning, etc., and as we had anticipated, we think this is something that's worthwhile.

Just one last comment on that before I move on. We very much appreciated that the board saw fit to grant us a special warrant last year for some specific circumstances and that was to allow us to do the systemic work. I do not want in any way, shape, or form to suggest that that money — that \$55,000 — should form part of our base budget. Clearly that's not the intent of special warrants, and I don't want that. Having said that, in terms of overall percentages, the 70,000 that we're now asking for is actually only 15,000 more than the money we actually did receive last year if you factor in the special warrant. So in terms of overall increases it is perhaps a relevant factor for you, and I leave that up to you.

[11:15]

The third area of work that we do is in what we call public education, fair practice training, and communications. And again we are asking for no increase in funding in this area, other than the salary increases that are already occurring. We have one very competent person who has an extremely high work ethic, who is essentially doing three jobs for us doing this work — public education, fair practice training, and communications. She does all of that and she does them all very well.

Our fair practice training, I would just remind you, is a workshop that we developed for government workers a number of years ago, where we go into government agencies and we say to them, this is how you can do your job better. It is my belief that when we go to talk to government ministries, we should not just be going to them to talk about what to do when the Ombudsman calls, but rather what to do so the Ombudsman doesn't call. And that's what our fair practice is all about. I just actually finished being involved personally in a session for the last two days that we delivered to the Ministry of Immigration

— the provincial Ministry of Immigration — to do that. And the feedback that we get is very, very good. That's the third area of our work.

Just one comment before I move on to my conclusion. One of the most satisfying, and I suppose one of the most flattering things for me last year, was two invitations that I received from ombudsmen's offices in other provinces asking me to come and talk about the work that we're doing here in Saskatchewan — what they were calling the Saskatchewan model. Some of the work we're doing like fair practices, like using a collaborative approach with government, we're getting noticed across the country. And I think the fact that I was asked to go and speak to ombudsman staff in two other provinces, by their ombudsman, is testament to the fact that I think we're doing something right here. And quite frankly, it makes me proud as the Ombudsman in our office, and as the Ombudsman from Saskatchewan that the province is being recognized for that expertise.

By way of conclusion, I would say that I believe we have to be fiscally responsible. I think that's important. I believe in living within budgets. I think we are. I just want to very quickly point out to you a few examples of where we have worked very hard over the last couple of years to find some efficiencies within our office. I want you to know that we believe at least, we're doing our part, and we don't come asking for additional funds without having worked very hard to find those funds internally first.

So some examples, if I might. Some of them very small, some of them larger, but all significant I think. Compared to what we spent three or four years ago, we are now saving about 55 to 60 per cent of our paper costs in our office — our stationery, our letterheads, etc. We've done that by, quite frankly, using a much lower quality paper for our letterheads, by moving away from printed second sheets that looked nice but that cost a lot of money. And we prepared some estimates in preparation for this meeting and talked to our suppliers, and they tell us that we're probably saving 55 to 60 per cent now on our paper costs because of those changes that we've made. Works out to about \$4,000 a year in stationery — not a huge number in the big picture, but significant when it's added in with the rest.

A second example. As Ombudsman, I'm entitled to a central vehicle agency vehicle that I can use for business and personal use. We gave that vehicle up last year. I still am entitled to a monthly allowance that I get, that's one of the choices I have. But that's a saving to our office of about \$6,000 a year, so we've reduced our CVA [central vehicle agency] costs by \$6,000. And I need to be honest — I don't want to sound all completely altruistic here, that I did it for that reason — I really like driving my Honda Civic, which is what I drive now. It's my personal vehicle; I prefer it to the government Impala. But the fact is, we made the decision for financial reasons. And there is some personal cost to me to it, but it saves the office about \$6,000 a year.

We've reduced our reading materials and our journals budget by \$2,000 a year. We've reduced our computer hardware budget by about \$4,000 a year.

We've purchased a binding machine that allows us to produce our reports internally now, rather than contract them out and send them to printers, etc. They may not look quite as fancy, but

they do the job and it saves us a considerable amount of money to do that as well. The disadvantage to that is occasionally there might be a little typographical error slip through. And thank you for allowing us to substitute one of the pages in your reports today, that was exactly what happened. Probably an outside editor might have caught that, and it's simply a matter of a typographical error in some dates, but overall we think that the cost saving is worth that.

Our estimate is that the efficiencies that we've found by doing these kinds of things over the last year or two adds up to about \$28,000 a year. And that's a significant amount.

My last couple of comments. Almost everything in our budget is salary. Our salary is by far the largest component of what we pay. We have essentially no control over that, short of laying people off. The compensation that's already been agreed to of 4.6 per cent plus other entitlements, including the flexible benefit and the performance bonuses, etc., takes us up to about 6.9 per cent increase in our budget just to maintain our existing staff and our existing programming.

Our other large ticket items are things like rent. Again, entirely out of our control, not even negotiated by our office. Although I would point out that I believe from the bit of an investigation that we have done that we have some of the least expensive rent in Regina for the office space that we have.

And as I say, our only special request that we have is that we have some additional money to allow us to perform that part of our mandate that leads with systemic reviews. And as I close my report for questions, all I would ask is that you think more about tomorrow being Valentine's Day than today being Friday the 13th as you work on our report.

**The Chair:** — Thank you, Mr. Fenwick. I was going to make a comment about flattery but I'll forget it. Any questions? Yes, Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — Thank you very much. A very good report. I noted the warrant in there for 55,000. I was pleased to see that you didn't include that in the base for last year, that you specifically excluded that, so I'd like to thank you for that.

Looking over your report, it's very clear that your expenses are all personnel, and I had noted in here your only solution to that was to reduce FTEs. Otherwise it's basically out of your hands. And we're not suggesting you reduce FTEs. So other than that, your report is good. However — there's always a but — everyone was indeed asked to come in at a 4.5 per cent increase. Your increase overall if we accept all of this, is 9.5, which is significantly greater than what most of the rest of government is going to be dealing with.

How big of an impact will it have on your operation if there is no additional funding for your systemic reviews, the \$70,000? You currently don't have that money in place. I think you said you had two reviews ongoing at the present time. So what impact would it have?

**Mr. Fenwick:** — Clearly we would not be able to complete as many systemic reviews as we would like. We would have to

make some tough decisions within the office about whether it is possible to reallocate some other resources so that we could do at least some of the systemic reviews. We could theoretically go back to the way that we were a couple of years ago where we had significant backlogs in the delivery of our regular public complaint service as well. We have worked very hard over the last three years to get rid of that backlog, and I'm very proud to say now we are pretty much on target.

I had indicated to our staff a couple of years ago that I did not want to have to go down the hallway any longer and hear somebody on the phone saying to a complainant that yes, your file has been assigned to me and I'll be working with you on it; unfortunately we'll be three or four months before I can get to it. That's not acceptable service, I don't think, and we're not there any more.

I don't want to see us go back there, so I don't think that I would want to take steps that would impact our ability to respond to individual complaints from the public. The things that we would have to look at would be obviously doing fewer systemics. I'm not going to claim that the sky is falling and say we couldn't do any. We might be able to find ways to complete one, potentially two. They couldn't be as broad in scope, I don't think, but we potentially could I suppose.

More realistically the resources we might have to reallocate would be to weigh whether some of the funds that the board gave us two or three years ago for increasing our service in the North would be better spent doing broader systemics, thereby cutting back some of our service in the North.

We've tried over the last couple of years to have more of a hands-on on-site service. Rather than doing our work over the telephone and only having the ability for people who happen to live in Regina and Saskatoon to benefit from on-site visits, we've been trying to get our staff to go out more, particularly into rural areas and the smaller towns, to visit those people on-site. That costs money. We may have to look at reversing that to save travel costs.

We would probably cut back somewhat on the fair practices workshops that we do for government, which I think are extremely valuable certainly. Those are the kinds of things that I think that we would have to look at. Unfortunately in my mind that's often the first thing to go, is spending money on professional development for staff, which I happen to think is a good investment. But inevitably that's one of the things that gets looked at as well.

So a good question and certainly a reasonable one. And yes, 9.5 per cent is a scary, scary number even when, as I would hope you would be able to do, is to factor in that that status quo program is actually 6.9. It's still a large number. So it's a perfectly legitimate question. It's a question of whether that's monies well spent. And obviously we think it is or we wouldn't be spending it. Yes.

**Hon. Mr. D'Autremont:** — That was the only question I had.

**The Chair:** — Mr. Yates. No questions?

Just one quick question, Mr. Fenwick. In the role of your office

and through the . . . Over the years as an MLA, there's been issues come to me. And generally speaking when people are running up against walls, I've kind of thought of your office as an avenue of having people approach.

And there's issues. You mentioned Crop Insurance? Yes. And Workers' Comp? I don't know if you mentioned that. And then there's a couple of issues in Health. But Workers' Comp and Crop Insurance, two areas. And generally speaking, the largest per cent of the complaints seem to be dealt with appropriately. But there's always a small area where it seems that people just run into brick walls and nothing gets answered. And you've indicated in getting back to individuals, that that's not really your scope. I'm wondering if you had any comments as to what maybe could be done to address these areas that maybe don't quite fit into your scope but where people are running into these brick walls I'm talking about.

**Mr. Fenwick:** — For the matters that are outside our jurisdiction, you're referring to? This was before my time, but I'm informed by staff who have been in our office for much longer than I have that we noticed a significant increase in the number of those kinds of calls when the province did away with the provincial inquiry line a number of years ago, and we became the de facto provincial inquiry line for the province. So I throw that out as one possibility. That was, in many people's minds, a very valuable service. It cost some dollars certainly, but it was a one-stop shopping where people could go where they had problems. That's certainly one possibility.

Another — and this is something that we've been working with a number of ministries and Crown corporations on very significantly over the last number of years — is that I believe that virtually every ministry and every Crown corporation would benefit from having what is generally called a fair practices office or a fair practices officer internally, kind of like an internal ombudsman. Clearly not independent, so we prefer they don't use the term ombudsman, but someone who can be that troubleshooter.

A couple of them have done that. Workers' Comp is one. Workers' Comp has established a fair practices office, actually hired a former deputy ombudsman to fill that role. Since they've done that, they've reduced the number of complaints that come to our office by about half. SGI has done something similar, and we've seen a reduction in the number of complaints from SGI as well. So that's certainly something that helps.

In terms of the out-of-jurisdiction things, one of the things that would help is if there was a federal government ombudsman because a lot of the referrals or the inquiries that come to us are about federal matters. There is no federal ombudsman of general jurisdiction. Our organization, the Canadian Council of Parliamentary Ombudsman, is on record and every year repeats that we think that there should be one. There isn't one right now.

I'm not even sure if I'm convinced in my own mind that this is the way to go yet, but one of the things that I'm toying with is the idea that our legislation should be able to provide us to go in and do work that might not be completely within our jurisdiction but when we're invited to do so. For example we don't have jurisdiction over school boards, but I've had on a

couple of occasions representatives of school boards come to me and say, could we have you come in and do this work? Currently there is no mechanism for us to do that. I think if the legislation provided that we could do that when invited, that would allow us to deal with some of those complaints that are outside our jurisdiction but where there's no other place to go.

[11:30]

The only example I know of where that has actually occurred is my counterpart in the Yukon will on occasion contract with First Nations to provide ombudsman services to them even though he, or now she, doesn't have jurisdiction over them in particular.

So that's three or four things that come to mind where there I think could be some fixes to deal with those people who are falling through the cracks, and there's nowhere else for them to go.

**The Chair:** — I recognize Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — Okay. Thank you. Yes, I've missed one of my questions I ask most people: so these are the numbers.

**Mr. Fenwick:** — So is this another but?

**Hon. Mr. D'Autremont:** — Yes, a breakdown. I notice that you have two in-scope people cost-of-living adjustments and incrementals of \$2,000; 18 out-of-scope cost of living and performance pay — 96,000. I wonder if you could give us a breakdown on that 96,000 not by the individual but by how it gets allocated.

**Mr. Fenwick:** — Just while Lynne is getting me those numbers, and I think this question may have come up last year, but I'm not sure it was in the formal session or not. In-scope employees are entitled to benefits from time to time based on how long that they've been in the position, as well as the economic adjustments, etc.

The compensation system for out of scope is, is that you are hired into a range. There's a salary range of, depending on the level, 60 to \$80,000 for example, and depending on your experience, etc., you're generally hired at or near the bottom end of the range. And then you progress through that range, based on a performance pay system where every year your performance is assessed, and you would be entitled to either a zero per cent, a two per cent, a four per cent, or potentially a six per cent increase based on whether your service was graded as needs improvement or satisfactory or exceeds or superior, etc. So that's part of that breakdown.

So as to specific numbers, the 4.5 per cent costs us or will cost us this year \$67,000. I referred previously to the \$17,000 for the one senior person who is coming back into his position. Those two add up to \$84,000, and although we can't put a definite number on this because the performance pay doesn't happen until the job evaluations are done, we're estimating that at \$12,000.

We have some people who are already at the top of the range.

Once you get there, you can't advance any further, so these apply to people at the bottom end of the range. And what we've used for that 12,000 is an average — not assuming that everyone gets the superior rating but assuming that everybody gets something. And generally our staff are pretty good so they do — \$12,000 is the amount there. I think that gives us . . . [inaudible interjection] . . . And then there's, sorry, there's the flex benefit amount which is separate. We've rounded it off at 96, I think. I think the actual number is ninety-six, six . . . [inaudible interjection] . . . Sorry, yes.

**A Member:** — Yes, ninety-six two hundred.

**Mr. Fenwick:** — The \$2,000 you have in front of you . . . Or the flex benefit is \$600. That account's listed as well. Is that the information you needed?

**Hon. Mr. D'Autremont:** — That was what I was looking for. Thank you.

**The Chair:** — Seeing no further questions, thank you very much, Mr. Fenwick and Lynne, for bringing up to speed on your budget request.

**Mr. Fenwick:** — Thank you very much.

#### Office of the Children's Advocate

**The Chair:** — At this time we'll move forward to the Office of the Children's Advocate. Mr. Bernstein.

**Mr. Bernstein:** — Thank you very much. It's a pleasure to be here. On my right is Bernie Rodier who is our director of administration. On my left is Marcel St. Onge who is our director of investigations. Pleased to have the opportunity to present our budget for the 2009-2010 fiscal year. This is my fourth opportunity to appear in front of the board as Saskatchewan's Children's Advocate, and I am proud to be holding such an important public trust and to be given both the privilege and the responsibility of promoting the interests and well-being of the children and youth of this province.

I'd like to go on record as acknowledging the support and dedication of all of our staff members who are committed to making a positive difference in the lives of all children and youth who live in this province so they can achieve their full potential. As well I wish to acknowledge and express my appreciation to the staff at the Legislative Assembly for the support and assistance that they have extended to our office during my entire tenure as Saskatchewan's Children's Advocate.

I know that you've reviewed the written submission we've provided to the board. And therefore, like my other colleagues, I intend to merely highlight some key points by way of introductory remarks before responding to any questions that you may wish to pose.

As you can see from our written materials, I'm submitting our office's 2009-2010 budget proposal in support of a status quo programming budget allocation. And I would adopt the same definition that Mr. Fenwick did. I recognize that a status quo budget is not one penny more than the previous year. But what

we're talking about is having sufficient funding to deliver programming and services at the same level as last year. And although the overall percentage increase of both budgetary and statutory increases is 5.9 per cent, the factors contributing to this increase are, in my respectful submission as we've just discussed before, largely a result of variables that are outside of our control.

More specifically the underlying assumptions for the increase in the status quo programming budget, which are consistent with the directives provided to executive government by the Ministry of Finance, are as follows. Firstly, economic adjustments of 4.5 per cent to 12 out-of-scope staff, effective April 1, 2009. Secondly, economic adjustments of 4.5 per cent to two in-scope staff on October 1, 2009. Performance pay increases to eligible staff, and that would be roughly six of our out-of-scope staff on July 1, 2009, we've rounded that off to 4 per cent; the flexible benefit allocation to each of our out-of-scope staff in the 2009-2010 fiscal year, each person being entitled to \$740; then the statutory personal services increase that I acquire by virtue of my position; and then a 4.5 per cent inflationary increase to cover all non-personal service expenditures.

Additionally in terms of the percentage of our overall budget that represents annualized personal services cost versus annualized non-personal cost, we're projecting that 81 per cent of our budget will consist of personal services, leaving 19 per cent for non-personal services. And just about everything in our personal services budget is outside of our control.

In bringing forward a status quo programming budget for the second consecutive year, we've made our best efforts to take a fiscally responsible approach, having particular regard to the guidelines that have been provided to us together with the reality of the current economic climate in this province. Having said this, this would in my view be a serious prejudice to the interest, rights, and well-being of Saskatchewan's children and youth if we weren't able to maintain our status quo programming levels. That would mean that we would have to do something with our current staffing complement. We would have to create some reduction in services, and the ultimate impact would be felt by children and youth in this province.

We have a specific legislated mandate, and we have five priority areas which are as follows. Firstly, individual group and systemic advocacy, this involves advocating for the interests, rights, and well-being of children and young persons in both a case-specific and systemic manner by using negotiation and other appropriate dispute resolutions processes in order to ensure that their voices are being heard before decisions are being made about them.

Secondly, individual group and systemic investigations. The three objectives of all of our investigations are to prevent harm being incurred by children by advancing recommendations that may impact upon provincial government policy, practice, and legislation; secondly, to improve the quality of services provide by all child-serving systems and ministries of the provincial government; and thirdly, to increase public accountability.

Now within the spectrum of investigations that we carry out, there are five categories. One is child death investigations. Secondly is critical injury investigations. Thirdly is fairness

investigations. Fourth is program and service investigations, and lastly mandatory investigations. And I'm going to come back to that in just a couple of minutes.

The third area which is a mandatory operational function within our legislation is public education, and we combine communications with public education. This involves educating the public and community groups and stakeholders on the rights and entitlements of children and youth. And this often includes facilitating public and professional presentations. We do roughly 100 public education presentations a year.

We provide annual reports, special reports, position papers, and we distribute education materials to young people, the stakeholders, and we try and provide fundamental information by use of our website.

Another vehicle that drives the work of the office is youth voice. So the perspective of young people is particularly critical in the area of promoting systemic change. With their assistance, we can identify patterns or themes that seem to be emerging in their lives where government services have not been meeting some of their needs, and then using that information to advocate for and recommend important systemic change, to address service gaps, and to promote their interests on a broad range of issues. And we try and connect with different focus groups, different reference groups, such as the Saskatchewan Youth in Care and Custody Network.

The last area is administration. And you can see from our written submission that we have a number of principles that guide the work of the office. And there are operating principles and there are guiding principles.

In summary, I'm bringing forward a status quo programming request for budgetary expenditures in the amount of \$1.621 million. That equates to a 5.9 increase over our last year's approved expenditure level.

And consequently I would respectfully ask that the Board of Internal Economy recommend to the Legislative Assembly a total appropriation for the Children's Advocate office, vote 076, in the sum of \$1.621 million for the 2009-10 fiscal year, which represents an overall increase for both budgetary and statutory expenditures of \$90,000 or 5.9 per cent over last year's approved allocation.

I should mention that we have explored efficiencies and hold the view that there's no excess capacity that could be trimmed from our operational mandate. As I've mentioned, we feel that there would be a serious disadvantage to the children and youth of this province if we had to cut back on the level of services that are presently being extended to their advantage.

In point of fact, there are many pressure points and challenges that still confront all operations of our office. And I won't read them out, but they're catalogued in our written submission, and I would just ask that you take note of them. But they really apply to all aspects of our operations. In terms of advocacy, investigation, public education and commutations, and administration there is a whole constellation of pressure points and challenges.

As a matter of fact, given that we have only three investigators covering the full range of investigations within our office, it had been our intention to request another investigator position for 2009 and '10 to focus on systemic investigations which require at least two co-investigators. This would have allowed us to more fully address all five types of investigations previously identified by dedicating two investigators to focus on child deaths and critical injuries, and on the other hand two investigators to focus on systemic investigations.

[11:45]

Our experience to date has been that when we have engaged in a large systemic investigation . . . And I'll give you two examples. One is the Oyate Safe House investigation, and the second is the foster home overcrowding investigation. It has a serious disruptive effect on some of the other areas of operation of the office.

However given the current economic circumstances in the province, we are prepared to take responsibility and to manage those challenges internally for the next fiscal year. We acknowledge that we will have to proceed with some of our planned activities and functions at a somewhat slower pace, and we're going to have to do some careful priority setting during the course of the next fiscal year. And in order to be able to take on what Mr. Fenwick was referring to, and we do share legislation as on our own-motion types of systemic investigations.

Having said that, I just wanted to suggest a couple of other approaches with the initiative not always being taken by this office and perhaps just identifying some other options that might be somewhat more creative and would enable the office to continue to sustain work in various areas, some of which would be systemic in nature.

The first point is that I'm hoping that the priorities identified in the Premier's mandate letter to the Minister of Social Services dated November 21, 2007, and that pertained to my office are factored into the future decision making of that ministry or the Board of Internal Economy. And what I'm referring to are commitments 7 and 8 in the Ministry of Social Service's annual report which reproduce some of the commitments and expectations in the Premier's mandate letter.

Commitment 7 states, "Request that the Children's Advocate investigate and report publicly on the quality of care in facilities that deliver care to children at-risk." Commitment 8 states, "Provide the Children's Advocate with the authority to undertake random checks of safe houses and other provincially-funded facilities that provide services to children at-risk."

There have been some preliminary discussion. Some of this is work that we could be engaging in if we had some additional funding, some additional resources. Some component of this would require legislative amendment, and we've had some of those discussions. But that is an area that could be pursued and could grant some additional work.

The second area that I just wanted to bring to your attention is an untapped provision in The Ombudsman and Children's

Advocate Act which allows for a mandatory referral to my office by a committee of the legislature or by the Lieutenant Governor in Council "... for review, investigation and report [with respect to] any petition or matter relating to the interests and well being of children . . ."

And certainly there have been instances in this province where there has been a referral to my office either by the government of the day . . . And this happened with the previous government back in 2000 with the youth and care review. And this was after the death of Karen Quill, a child residing in an overcrowded foster home, that gave rise to this impetus to do a broader review. And that was on referral from the provincial government.

More recently during my tenure, a couple of years ago, there was a referral by the then opposition party, the current government, in the case of the Oyate Safe House. A referral was made to my colleague the Provincial Auditor, as well as to my office.

There is provision in the legislation for an all-party committee if there's a significant issue that is determined to be in the public interest to make a referral. And there could be terms of reference. There could be resourcing. There could be a funding allocation. Again I'm just raising this as a consideration because we are looking at situations where there is significant fiscal restraint.

We're trying to tighten our belts within our own office. At the same time, we don't want to compromise on the quality of the work and the kind of objectives that we're trying to achieve that will benefit children and youth. That's something that could generate some co-operation, a mutual referral, if an all-party committee determined that that was appropriate. And that would be also one-time monies for a specific referral. It wouldn't be part of any annualized funding being provided to my office.

I just want to conclude by saying, irrespective of any ultimate funding decision that the board makes in respect to my office, I wish to assure all members of the board that our office will in all facets of our work continue to strive to do the very best job we can within the prescribed allocation. And we continue to advance the interests, the rights, the well-being of children and young persons in this province while elevating their voices and promoting their fundamental human rights under the Convention on the Rights of the Child. And we operate on the basis of a set of principles, our guiding principles, the children- and youth-versed principles that we hope ultimately will ground an action plan in this province.

Those are my comments and I'm pleased to answer any questions that you might be posing.

**The Chair:** — Thank you, Mr. Bernstein. Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — Okay, thank you. Very good report as well, and I do note that your status quo programming is as close as possible to status quo budgeting as it can be, that your pressures there are not of your own making.

Nevertheless I do have questions about it. I note you have two

FTEs with a general wage adjustment of \$3,000, so average of \$1,500 a piece; so that would be broken down by the 4.5 per cent general increase and 4 per cent performance increase. Is that correct?

**Mr. Bernstein:** — That is correct.

**Hon. Mr. D'Autremont:** — And the same for the \$64,000 for the 12 FTEs?

**Mr. Bernstein:** — That is correct.

**Hon. Mr. D'Autremont:** — Okay, thank you. I do note with interest though that that averages out, for the 12 FTEs, about \$5,300 and yet it seemed to be a big issue in the paper when MLAs got a 3.3 per cent increase versus an 8.5 per cent increase and you know you kind of have to scratch your head about that a little bit, I guess. But I think your budgets, you're doing a good job with your department and I have no other questions on this.

**The Chair:** — Seeing none, we thank you so much for your presentation.

**Mr. Bernstein:** — Thank you very much.

**The Chair:** — And at this time then I think we would go . . . There's some lunch available and then we'll go in camera.

**Mr. Yates:** — I move that we go in camera.

**The Chair:** — Okay. Moved by Mr. Yates, second by Mr. D'Autremont.

So please help yourself. There's some sandwiches there and we're going to help ourselves, and then we'll go in camera for a few minutes to discuss the presentations that have been presented to us. And so we invite you as well to help yourself to some sandwiches.

[The board continued in camera.]

**The Chair:** — Call the meeting back to order. And we have a motion regarding the Children's Advocate office and their submission, budgetary submission. Mr. Yates . . . oh okay, Mr. D'Autremont. Seconded by Mr. Yates. Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — Thank you. I move:

That the 2009-2010 estimates of the Office of the Children's Advocate be approved in the amount of \$1,621,000 as follows: budgetary to be voted, \$1,441,000; statutory, \$180,000; and further, that such estimates be forwarded to the Minister of Finance by the Chair.

I so move.

**The Chair:** — It's been moved by Mr. D'Autremont, second by Mr. Yates. Any questions on the motion? Seeing none, is the committee agreed with the motion?

**Some Hon. Members:** — Agreed.

**The Chair:** — Agreed. Carried. Then we'll move to the Office of the Provincial Ombudsman.

**Mr. Yates:** — 2,195,000 total. Statutory is 180,000; non-statutory, 2,015,000.

**The Chair:** — And do we have a mover to the motion regarding the Ombudsman? Mr. D'Autremont. Second by Mr. Yates.

**Hon. Mr. D'Autremont:** — Okay. Thank you. I move:

That the 2009-2010 estimates of the Office of the Ombudsman be approved in the amount of \$2,195,000 as follows: budgetary to be voted, \$2,015,000; statutory, \$180,000; and further, that such estimates be forwarded to the Minister of Finance by the Chair.

I so move.

**The Chair:** — Yes, Mr. Yates.

**Mr. Yates:** — Clarification on the motion, for the record, for the Ombudsman: what we have removed is the \$70,000 in new initiatives he put forward.

**The Chair:** — Thank you, Mr. Yates.

We have a motion moved by Mr. D'Autremont, seconded by Mr. Yates:

That the estimates of the Office of the Ombudsman be approved.

Any further questions? Seeing none, is the committee agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Agreed. Carried. Thank you.

We'll now move to the Office of the Information and Privacy Commissioner. We have a mover. Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — Yes, I'll move it. Okay. I move:

That the 2009-2010 estimates of the Office of the Information and Privacy Commissioner be approved in the amount of \$927,000, and further, that such estimates be forwarded to the Minister of Finance by the Chair.

I so move.

**The Chair:** — And we have a seconder, Mr. Yates. And Mr. Yates you have the floor.

**Mr. Yates:** — Thank you very much, Mr. Chair. Just for clarification and for the record. Code 1, personnel services, we've allowed \$706,000 which allows for the increases to salaries and maternity top-up and the other requests that are a really status quo to move forward; and \$42,000 additional for one new administrative position.

In the other codes 2 through 6, dealing with all the other areas



of the budget, we have given the full request of the Information and Privacy Commissioner.

**The Chair:** — You've heard the motion. Any further questions? Seeing none, is the committee agreed with the motion?

**Some Hon. Members:** — Agreed.

**The Chair:** — Agreed. Carried. Thank you.

Could I have a motion regarding the Chief Electoral Office? Mr. D'Autremont.

[12:45]

**Hon. Mr. D'Autremont:** — Okay. I move:

That the 2009-2010 estimates for the office of the Chief Electoral Officer in the amount of \$1,179,000 statutory, including capital acquisitions in the amount of \$50,000, and that this be transmitted to the Minister of Finance by the Chair.

I so move.

**The Chair:** — And we have a seconder?

**Mr. Yates:** — Excuse me. If we're including capital acquisitions in the total, it would be 1.229 million. It's 1.179 million plus the \$50,000. It'd be 1.229 million is the total acquisition which includes \$50,000 for the capital.

**Hon. Mr. D'Autremont:** — Yes, including. Yes.

**Mr. Yates:** — And if I could further explain that, Mr. Speaker.

**The Chair:** — Yes please, Mr. Yates.

**Mr. Yates:** — In the area of personnel services we have allowed for the economic increases, the merit increases, and the IT supplement in additional expenses. Other items that may or may not come forward in the fiscal year would have to come back as a special warrant, i.e., the potential payroll tax issue . . .

**An Hon. Member:** — It's a statutory withholding, statutory.

**Mr. Yates:** — Oh they . . . yes, so if they overspend, they overspend. That's just the way it is. Yes. But for direction, for direction — for contractual services we agreed with what they were requesting for the increased legal.

**The Chair:** — I think we should have just a clarification here so we're not caught short in regards to the request for the 247,000, if it should come — the fact that it's, as I understand, a statutory number which they wouldn't have the ability just to come back for a supplementary estimate.

**Ms. Borowski:** — Yes. It's automatic. Yes. They don't require the board's approval.

**An Hon. Member:** — Pre-approval.

**The Chair:** — So what we're basically saying it doesn't create a problem as we had indicated in our discussions, say if it's not used this year, then it's not there. So it's . . . Great. Okay. Okay we're all clear on that? Any further comments from members?

**Mr. Yates:** — Yes, Mr. Chair, I'd like to, just quickly for clarification, if the Acting Chief Electoral Officer . . . so he understands what our thinking was, that we did allow for the increased legal costs as a result of the Human Rights Commission at \$14,809, and we did allow for the accommodation services increase of \$5,090. Under advertising, we agreed the necessity for the 22,492 for increased advertising. Under travel and business, we did include the new money associated with the hiring of a new Chief Electoral Officer, but we did not include the \$6,100 for the one-day mapping seminar. And in the financial estimates for supplies and services, we agreed totally. And when we wheel out 7,000 additional dollars under equipment and expensed assets allowing for the new . . . to build a cage for paper ballots, to allow for the shelving in the warehouse, and to allow for the upgrade of their backup communications line with a separate service provider for \$2,000.

**The Chair:** — I recognize Ms. Eagles.

**Ms. Eagles:** — Could I just get you to give me the figure for contractual services again.

**Mr. Yates:** — 238,824.

**Ms. Eagles:** — Thank you.

**Mr. Yates:** — And then, Mr. Speaker, to deal with capital acquisitions, we have seen the need to fund ESPREE phase 4 — the revisions to the enumeration module — and phase 5, the election results module, for a total of \$50,000 under the capital acquisitions.

**The Chair:** — Yes, Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — Yes. On the request for additional funding for server improvements, we felt that they should take a look at going outside and taking a very serious look at contracting out their service needs in that area rather than spending additional funds within their own facility, which is actually the Legislative Assembly Service provides that service here and that they should seriously consider looking to the LAS for that service.

As well with the equipment purchase of a forklift, that they really needed to take a serious look at either temporary leasing or renting of a unit when their needs are greatest.

**The Chair:** — And just a clarification on the 50,000 that was the phase 4 and phase 5 . . .

**Hon. Mr. D'Autremont:** — That was four and five, enumeration module and the election results module.

**The Chair:** — Just to make sure we've got it correct. So the motion will read, moved by Mr. D'Autremont, seconded by Mr. Yates:

That the 2009-10 estimates for the Office of the Chief Electoral Officer in the amount of \$1,229,000, statutory, be transmitted to the Minister of Finance by the Chair.

Any further questions? Seeing none, is the committee agreed with the motion as presented?

**Some Hon. Members:** — Agreed.

**The Chair:** — Agreed. Carried. And we get discussion on the major item before us.

Okay, I'll call members to order, and we will now have a motion regarding revenue estimates for the Legislative Assembly. Have we got a mover? Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — Thank you. I think they want more than this.

**A Member:** — That's our revenue . . . [inaudible] . . . You're approving our revenue estimates.

**Hon. Mr. D'Autremont:** — Oh okay, yes. Thank you. I took a look at this and I thought, they're going to be disappointed with this number.

I move:

That the 2009-2010 revenue estimates of the Legislative Assembly be approved in the amount of \$5,000; and further that such estimates be forwarded to the Minister of Finance by the Chair.

I so move.

**The Chair:** — And we have a seconder? Mr. Yates, thank you.

Do we have any further questions to the motion? Seeing none, has the committee agreed with the motion?

**Some Hon. Members:** — Agreed.

**The Chair:** — Agreed. Carried.

And we have a motion regarding the RARF [Refurbishment and Asset Replacement Fund] Fund. Could I have a mover to this motion? Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — I move:

That the 2009-2010 fiscal year, the following Refurbishment and Asset Replacement Fund projects be approved. Broadcast services, digital migration plan, \$65,000; digital audio transcription system replacement, \$70,000; library collection accommodations, \$115,000; for a total amount of \$250,000.

I so move.

**The Chair:** — And we have a seconder to that one? Mr. Yates, thank you.

Do we have any further questions to the motion regarding the

RARF Fund?

Seeing none, is the committee agreed with the motion as presented?

**Some Hon. Members:** — Agreed.

**The Chair:** — That's agreed. Carried.

And I believe our final motion for estimates today regarding the Legislative Assembly approved budget. Do I have a mover to that? Mr. D'Autremont.

**Hon. Mr. D'Autremont:** — Okay, thank you. I move:

That the 2009-2010 estimates and action plan of the Legislative Assembly be approved in the amount of \$23,661,000, as follows: budgetary to be voted, \$8,250,000; statutory, \$15,411,000; including capital acquisitions of \$70,000; and further,

That the 2009-2010 estimated amortization expense for the Legislative Assembly be approved in the amount of \$71,000, and further,

That such estimates and estimated amortization expense be forwarded to the Minister of Finance by the Chair.

I so move.

**The Chair:** — Can we have a seconder? Mr. Yates. Do we have any further questions?

We have a motion regarding the Legislative Assembly expenditures on the floor by Mr. Yates, or moved by Mr. D'Autremont, seconded by Mr. Yates. Is the Assembly agreed with the motion as presented?

**Some Hon. Members:** — Agreed.

**The Chair:** — Agreed. Carried. Thank you.

Is there any further business to be discussed at the committee hearing this afternoon?

Seeing none. I want to thank the members and our staff for your attention to the needs of the board and your attentiveness to all the matters of discussion. And certainly to our staff, thank you so much for bringing us up to speed, keeping us informed as to what the needs are. And we want to thank you.

Having reached the end of the business before the committee, this committee stands adjourned.

[The board adjourned at 13:00.]