



Legislative Assembly of Saskatchewan

BOARD OF INTERNAL ECONOMY

HANSARD VERBATIM REPORT

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Speaker**



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BOARD OF INTERNAL ECONOMY

Hon. Don Toth, Chair
Moosomin

Mr. Dan D'Autremont
Cannington

Ms. Doreen Eagles
Estevan

Hon. Jeremy Harrison
Meadow Lake

Hon. Don Morgan
Saskatoon Southeast

Mr. Len Taylor
The Battlefords

Mr. Kevin Yates
Regina Dewdney

[The board met at 08:00.]

The Chair: — Good morning, members, and to all of the guests involved with the Assembly independent officers who've joined us this morning. Welcome.

Members, in front of you, you have an agenda . . .

Hon. Mr. Morgan: — Mr. Chair, I wonder if we could go in camera for a few minutes.

The Chair: — Mr. Morgan. Minister Morgan has asked if we'd go to . . . We'll be going in camera a little later. Would that . . . Is that okay, Mr. Morgan? I'm going to ask if we can. Or is there some . . . [inaudible]?

Hon. Mr. Morgan: — It depends on how many decision items you want to go through first.

The Chair: — Well basically we're going to look at going in camera items 4 through 7 and then if there's any other items.

Hon. Mr. Morgan: — I'm fine with that.

The Chair: — Okay. You've gone through the agenda. Do I have a motion to approve the agenda as presented?

Mr. D'Autremont: — I'll move.

The Chair: — Mr. D'Autremont. Secunder? Mr. Yates. We're all agreed?

Some Hon. Members: — Agreed.

The Chair: — Agreed. Carried. And while we're getting the motion signed, if members would go to item no. 2 and you'll note that there's three sets of minutes — the minutes for the meeting February 22nd and 23rd, minutes for the meeting March 1st, and minutes for the meeting March 8th.

Do I have a motion to approve the minutes from those meetings? Mr. D'Autremont. A seconder? Mr. Yates. Do we have any questions arising from that motion to approve the minutes? Seeing none, we're all agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. We'll move to item no. 1. On the agenda is the approval of the Legislative Assembly Service year-end report on progress, and I'm not sure if there are any questions. Greg, if you would like to just slip up to the table. And if you've got any comments regarding the report and then any questions that might arise, we could certainly share with you, please.

Mr. Putz: — Thank you, Mr. Chair. No, I do not have any extensive comments on the report. As members know, the report is a direct result of the action items that come before the Board of Internal Economy at budget time, and they form part of our action plan for the coming fiscal year. And this is just a report on the status of those items that the board approved through approval of the budget process. So if you have any

questions, I'd be delighted to answer those for you.

The Chair: — Any questions from any members? On page 8 you will note we did postpone the card lock access system. And then there was another action, efficiencies in accounts payable under financial policy manual. Just comment on that, Greg. Exactly what was . . . Well I know that the card lock but you . . . The second postponed item, what was that?

Mr. Putz: — That was a project that we intended to proceed with through our financial services branch and that was adapting the financial administration manual, modifying it where it made sense for the Assembly. There are certain matters of financial administration that are peculiar to the Assembly, and these would have come under review and then a new manual with whatever variations that were deemed necessary would have been generated and then eventually brought before the board. Given resource issues in the branch, that was postponed indefinitely.

The Chair: — Questions from other members regarding the progress report? Seeing none, can I have a motion that the Legislative Assembly Service's *Actions 2010-2011 Year-End Report* be accepted? Minister Morgan.

Hon. Mr. Morgan: — I so move.

The Chair: — Moved. And we have a seconder for this motion? Mr. Yates. Any further questions? It has been moved by Minister Morgan, seconded by Mr. Yates, that the Legislative Assembly Service *Actions 2010-2011 Year-End Report on Progress for the Year Ended March 31, 2011* be approved. Are we all agreed?

Some Hon. Members: — Agreed.

The Chair: — Agreed. Carried. Thank you. The next item on our agenda is item no. 2, approval of the Legislative Assembly Service fourth quarterly financial and fiscal forecast report. Can I have a motion that this report be approved? Ms. Eagles, seconded by Mr. Yates. Any questions? Mr. Morgan.

Hon. Mr. Morgan: — The under-budget amounts — and some of them are fairly significant — have those been communicated to the Ministry of Finance?

Mr. Putz: — Yes, they have this report.

Hon. Mr. Morgan: — How long ago would they have known about it?

Ms. Borowski: — We do a final year-end fiscal forecast. It's due April 6th, and at that time basically we're given the actuals and then we are to, as a final report, we send back the reason for the variances.

Hon. Mr. Morgan: — Okay. I wasn't worried about the reasons. I just wanted to know how long ago they knew about it because I was . . . [inaudible] . . . some other things, and so I wanted to know whether they knew about it at that time or not.

Ms. Borowski: — It would have been definitely by mid-April.

Hon. Mr. Morgan: — Okay. So they've known about it. Okay, thank you.

The Chair: — Do we have any further questions regarding the fourth quarter report? Seeing that we have no further questions, moved by Ms. Eagles, seconded by Mr. Yates, that the fourth quarter expenditure report for the Legislative Assembly for the fiscal year 2010-11 be approved. Are we all agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Moving on to item no. 3, we'll note there's a copy of a letter that will be going to the Provincial Auditor regarding . . .

Mr. Putz: — Mr. Speaker, Marilyn has a correction on the last item. We just don't want to leave the record with some . . .

Mr. Chair: — Okay. I recognize Ms. Borowski.

Ms. Borowski: — I was thinking April 6th but we're still doing year-end work April 6th, so it would have been May 6th. They would have known by the middle of May.

Hon. Mr. Morgan: — Thank you for that.

The Chair: — Item no. 3 is a response that will be going to the Provincial Auditor just for your perusal, if you've got any comments, just acknowledging the Provincial Auditor's report re the Legislative Assembly.

We'll move on to item no. 4, and from item 4 through 7 — and we might add a couple more; it'll depend on the members — I would suggest that we would go in camera. So I would ask for a motion to move in camera. Mr. Morgan. Second, Mr. Yates. We're all in agreed?

Some Hon. Members: — Agreed.

The Chair: — Agreed. Carried. So at this time we will move in camera. Thank you.

[The board continued in camera from 08:14 until 09:02.]

The Chair: — Back to the meeting. Members, we have item no. 4 in front of us, consideration and approval of dissolution manual. I would ask that we move that item later in the discussion to get the proper motion in place.

Item no. 5, approval of the special warrant funding for the Legislative Assembly. I believe there has been an agreement to set this one aside for the time being. Minister Morgan, seconded by Mr. Yates, moves that this item be deferred to a later date. Are we in agreement of deferral? It's been agreed to and it's carried.

Item no. 6, a request came in from the Children's Advocate regarding some funding . . . Sorry, Minister Morgan.

Hon. Mr. Morgan: — Mr. Chair, I declare a conflict on that issue and ask to absent myself.

The Chair: — Mr. Morgan has asked if he could be excused

for the debate, discussion under item 6.

So item 6, what we have here is we had a discussion earlier this year with the child advocate regarding staffing issues, and at that time we had approved additional funding for, I believe, at 150,000. In the meantime the child advocate has been informed by legal counsel that they may end up with some additional costs just in regards to severance, and has asked if we would be prepared to approve those additional costs should — and I use the word should — they come forward.

As most would know, negotiations in regards to severance take place. You offer a severance and then the individuals can choose to accept or may bargain a little harder line. And so while the child advocate is not certain that . . . I shouldn't say, isn't certain. They're under the understanding that negotiations are going to be a little more difficult and they might have to offer a little more. So they find themselves having to have some more funds available and have come to ask if the board would approve the additional funds if necessary. Mr. Yates.

Mr. Yates: — Yes. A couple of questions. If I were representing these members, every time the board increases the number of dollars, I would increase my ask to the maximum of those dollars and then still go higher, going back to the board. So I don't know why we would, until we know what the final numbers are, approve any number. Because, you know, if I'm representing these employees, you're just giving me the go-ahead to ask for more.

Hon. Mr. Harrison: — Yes, if I were representing these employees as their lawyer, absolutely I'd say, well here we go. We absolutely know what we can get then. I'd take not a dollar less.

Mr. Yates: — They moved it once, you know; they'll move it again, right? And you just keep going. So I don't know why you'd approve any of that, you know?

The Chair: — Excuse me for a second. I think maybe I got carried away a little bit here in bringing some of the issues forward here. We're on the public record right now too . . . [inaudible] . . . So do I have a motion to . . .

Mr. D'Autremont: — I'll move that we defer this to such a point in time, another meeting when we will have better clarity.

Mr. Yates: — I'll second that.

The Chair: — Okay. Motion to defer by Mr. D'Autremont and seconded by Mr. Yates. Are we agreed to that deferral?

Some Hon. Members: — Agreed.

The Chair: — My apologies for getting ahead of the game on this one. Item no. 6, a similar motion from the Privacy Commissioner. Do we have a . . . [inaudible interjection] . . . Pardon me. Item no. 7. Item no. 7. If I made a mistake here . . . Just one second. We'll call Minister Morgan back.

Item no. 7 is a special request from the Privacy Commissioner. Can I have a motion in regards to the request?

Mr. D'Autremont: — Has the action been taken here?

The Chair: — We're going to have to go to Mr. Morgan because we did have the Privacy Commissioner here.

Hon. Mr. Morgan: — Yes. I told him that we didn't need his presence. But I can tell you that it happened.

The Chair: — So we have a motion to approve?

Mr. D'Autremont: — I so move.

The Chair: — Mr. D'Autremont. And a seconder? Mr. Yates. And do we need an amount in there? Any further questions? Seeing none . . . Oh, just one second. I'll wait until the motion comes back. Moved by Mr. D'Autremont, seconded by Mr. Yates:

That for the 2011-12 fiscal year, a request for special warrant funding in the amount of 100,000 be approved for vote 055, the Information and Privacy Commissioner, and that this request for special warrant funding be transmitted to the Minister of Finance by the Chair.

Are we agreed?

Some Hon. Members: — Agreed.

The Chair: — Agreed. Carried. We'll come back to item no. 4. Is that ready? . . . [inaudible interjection] . . . Okay. Then let's move on to no. 8. Can I have a motion?

Hon. Mr. Morgan: — I'll move we defer that.

The Chair: — Minister Morgan has moved that we defer item no. 8 to a later . . . Seconded by Mr. Yates. Are we in agreement?

Some Hon. Members: — Agreed.

The Chair: — Carried. Item no. 8 is deferred.

Item no. 9, in regards to advertising. Item no. 9 is in regards to restrictions regarding advertising. I'll read the motion so we're clear as to what the motion says:

That effective June 8th, 2011

(1) directive 4.1, constituency service expenses be amended by adding the following new clause after clause (10):

“(10.1) No member shall claim an expense from this provision for any print or electronic media announcements or advertising in a newspaper, program, circular, magazine, or journal that is produced or published by an individual who or an entity that is controlled by or has a direct affiliation with a registered political party in Saskatchewan.”

And

(2) That directive 7.2, caucus resources, clause (7) be

amended by adding the following after (7)(d)(vi):

“(vii) print or electronic media announcements or advertising in a newspaper, program, circular, magazine, or journal that is produced or published by an individual who or an entity that is controlled by or has a direct affiliation with a registered political party in Saskatchewan.”

And

(3) That directive 10.1, resources for the office of an independent member, clause (4) be amended by adding the following after (4)(d)(vi):

“(vii) print or electronic media announcements or advertising in a newspaper, program, circular, magazine, or journal that is produced or published by an individual who or an entity that is controlled by or has a direct affiliation with a registered political party in Saskatchewan.”

Can I have someone move a motion.

Hon. Mr. Harrison: — So moved.

The Chair: — Minister Harrison. A seconder? Mr. Yates. It's been moved by Minister Harrison, seconded by Mr. Yates that approval to the amendments, directive 4.1, constituency services expenses, directive 7.2, caucus resources, and directive 10.1 be approved. Is that agreed?

Some Hon. Members: — Agreed.

[09:15]

The Chair: — Agreed. Carried.

Moving back to item no. 2, the consideration and approval of the dissolution manual, and I'll read the motion and then ask someone to move the motion:

That the Legislative Assembly of Saskatchewan dissolution guidelines for MLA expenses, benefits, and services 2011 be approved with the following amendments:

Section 7.35, cellular telephones and mobile devices

1) Members will have three options in regard to cellphones and mobile devices . . .

[Inaudible interjection] . . . Oh, pardon me. Going back to section 7.35, cellular telephones and mobile devices including Internet devices . . . [inaudible interjection] . . . Internet air cards. My apologies for . . . reading the writing.

1) Members will have three options in regard to cellphones and mobile devices:

1. Members can lock them away and not use them during the dissolution period. Costs will be paid by the Legislative Assembly.

2. Members can use these devices during the dissolution period and pay all costs for the dissolution period.
3. Members may disconnect their mobile devices and transfer the number to a new device.

2) Section 7.42 advertising

Members must cancel billboard and park bench advertising for the dissolution period, and shall take reasonable steps to remove the advertising from billboards and park benches.

- 3) Members are encouraged to remove MLA from their email address or not use any email address containing MLA for any public purpose.

I'll reread this once we've got . . . Any questions? Do I have a mover to the motion?

Mr. D'Autremont: — Can you read the last part again about the email?

The Chair: — Members are encouraged to remove MLA from their email addresses or not use any email address containing MLA for any public purpose.

Mr. D'Autremont: — I don't think you need the last part there, do you? Encouraged to not or to remove, but . . .

The Chair: — Members are encouraged to remove MLA from their email address . . .

Mr. D'Autremont: — Period.

The Chair: — Period. Can I have a mover to this motion? Then I'll read it again. Hopefully we've got it complete.

Hon. Mr. Harrison: — I'll move.

The Chair: — Mr. Harrison. Secunder? Mr. Yates. I'll reread the motion. Hopefully we've got it clear in our minds. Moved by Mr. Harrison, seconded by Mr. Yates:

That the Legislative Assembly of Saskatchewan dissolution guidelines for MLA expenses, benefits, and services 2011 be approved with the following amendments:

Section 7.35 cellular telephones and mobile devices including Internet service.

- 1) Members will have three options in regard to cellphones and mobile devices:

1. Members can lock them away and not use them during the dissolution period. Costs will be paid by the Legislative Assembly.
2. Members can use these devices during the dissolution period and pay all costs for the dissolution period.
3. Members may disconnect their mobile devices and transfer the number to a new device.

2) Section 7.42 advertising

Members must cancel billboard and park bench advertising for the dissolution period, and shall take reasonable steps to remove the advertising from billboards and park benches.

- 3) Members are encouraged to remove MLA from their email addresses.

Any further questions? Understand the motion? We are agreed?

Some Hon. Members: — Agreed.

The Chair: — Agreed. Carried. Last item on the agenda, item no. 10, approval of funding for the Chief Electoral office to conduct voter enumeration outside election writ period. The Chief Electoral Officer is here if members have any questions in regards to this item.

Hon. Mr. Morgan: — I'm prepared to make the motion so it's on the floor.

The Chair: — If Mr. Wilkie wouldn't mind coming to . . . Mr. Yates has a question or two for Mr. Wilkie regarding enumeration. I turn the floor over to Mr. Yates.

Mr. Yates: — Thank you very much, Mr. Chair. I have a couple of questions that deal just with the practical utilization and . . . during the election. One is, under the proposed action plan it says the preliminary voters list is to be data entered, proofed, and completed by the first Monday in October. And I'm wondering what the difficulty would be in providing it then to the political parties or candidates at that point. It's just . . . If it's available to them day one, you know who you're dealing with street by street, and for practical purposes to have it a little bit ahead of time allows you to manipulate the data and make what changes you need to make.

Mr. Wilkie: — That is a possibility. We initially worded it that way because the . . . so that it would be ready upon the first possible time that the election could be called. It sounds like something that you're in favour. I don't know if all members have that same opinion on it or . . .

Mr. Yates: — I don't know if the other members share that, but it . . . have it a day or two early just allows you to have it. Right? So it's ready, handy when the election's called. Right? Secondly, from the issue of the sitting, or pardon me, the ability to use revision for two weeks during the writ period instead of one day, I think is a real positive alternative to get the list to its maximum potential. Is that going to . . . Is that practical, I guess, to have people available for that period of time to do that?

Mr. Wilkie: — To give you a bit more detail on that point, what we're thinking is that revision could begin October the 14th and go till October the 26th. The voter information cards could be sent . . . Just to back up, I guess. Voter information cards could be sent to Canada Post — assuming there's no strike — Canada Post, October the 3rd, and they would be delivered to individuals' homes on October 12th, 13th, and revision could begin October 14th and go to October the 26th.

And the idea would be, rather than having the enumerator on duty from 2 to 10 p.m. on the fourth day before the election, that in fact we would have the returning officer, or the election clerk could be the revising officer at each returning office, and also that we would have revising agents so that the returning officer could pick their best five or six enumerators. And then if, either through ourselves or through political parties going door to door, find that an apartment block was missed or a street was missed, or if we find that a lot of people in that particular apartment block have moved since September, then those revising agents could be directed to go out to that street or that apartment block so that we would be a bit more proactive. But yet we wouldn't have to have all the enumerators being on call which we found from the past that some enumerators are . . . It's rather difficult timing for them to be at their phone from 2 p.m. to 10 p.m. and that might affect their ability to be an enumerator or their want to be an enumerator. Does that answer that question or . . .

Mr. Yates: — That's fine. I think you've answered the question fine. I understand how we're going to be able to make that work. Thank you. That's all my questions, Mr. Chair.

The Chair: — Mr. D'Autremont.

Mr. D'Autremont: — The issue that Mr. Yates raised about when the lists would become available, I do have a bit of a concern with. If it is to be made available a day or two in advance, who would it be made available to? Because we have party candidates, but you could have independent members who want to seek election. Or is it available to the general public? So I am the ABC advertising company and I want a list of everybody in the province of Saskatchewan, so I come and ask for the list because I'm thinking of running. And I decide not to run. And I know you're not supposed to use it, but once that list is out there, how do you control it?

When can you file your official nominating papers?

Mr. Wilkie: — You can't file your official nominating papers until the writ has been issued and then you do that to the returning officer. But we do have the list of potential candidates which both the government and opposition have got a lot of people nominated and have their papers in for the potential list so those people are, for example, listed on our website now. So that might be one option. It would be only available to people that have . . . could be made only available to the people that have previously turned in their forms to be on the list of potential candidates. That would be a concern if someone is pretending to be a candidate just to get the list. That would be a concern, but . . .

Mr. D'Autremont: — I do have a concern with that that I wonder . . . This would take a change of the Act but it would, you know, if we could file nomination papers because now . . . This is something for the future, before the writ is actually dropped, because we know when election day will be henceforth, you know. So maybe that's something we need to consider. And I would think this time candidates can get their official notices in, their . . . file their nomination papers the first day of the writ. Can they?

Mr. Wilkie: — As soon as the . . .

Mr. D'Autremont: — So I would almost think that when you file your nomination papers, that's when you get the list. And so if you don't file your nomination papers until the 10th day of the writ, that's when you get the list.

Mr. Wilkie: — It could be an encouragement to get the nomination papers in early.

Mr. D'Autremont: — Yes.

Mr. Wilkie: — And with respect to the possibility in some future dates, I believe BC [British Columbia] does allow for the nomination papers to go in before the writ.

Mr. Yates: — Well we can amend that by regulation, which by order in council or Executive Council could do that to allow for nomination papers to go in before the writ. It makes common sense. Like if you just look at from a common sense point of view, today when you've got known election dates, you know, you could put a date within 14 days of the call of the election or something just so it isn't straggling forever causing you a problem. Or does it cause you a problem?

Mr. Wilkie: — Currently nomination day is October the 22nd, Saturday, October the 22nd. If it was two weeks, that's a deadline, but . . . [inaudible interjection] . . . So you're saying having it possibly two weeks before the writ's issued, is that . . .

Mr. Yates: — Right. Before the writ's issued . . . [inaudible].

[09:30]

Mr. Wilkie: — That would be . . . The way we're scheduling things now is that the returning office would be open, so that if enumeration starts on September 8th and ends on September 26th, it would be open. In order to be economical, opens three-quarters of the time from September 8th to September 26th, sort of starting in the afternoon and then two weeks before, that would be September the 26th. I suppose it's doable but depending on, I guess, the regulations building in. I know that Darcy McGovern has started that process, building the regulations, but I haven't seen the first draft. That might be as early as late this week.

Hon. Mr. Morgan: — I think what we've asked, what the motion is, is to allow the additional funding for the early enumeration, and we're moving off to other issues. One, the early filing of the nomination papers and secondly, what date would the lists are used for. Both valid issues, but I think what we should do is make our recommendations individually or as parties as to what should happen with regard to the information. And I think they're both valid concerns and I don't think it matters, the timeline, with regard to the usage of the lists. You know, if they're used improperly, it should be an offence and maybe there'd be a declaration or penalties section, but it's a separate discussion to have. I do have a question on the early enumeration though.

Mr. Wilkie: — I think that maybe I should make one comment as well. Darcy McGovern reminded me that the sections with regards to enumerating outside of the writ, in section 30 of the Act, that there is a provision there that for those regulations they have to be discussed with the leaders of all registered

political parties in the province. So that would be a possible time for any potential additional regulations to be discussed at that time when, as I say, Darcy McGovern reminded me that that has to be done before these particular regulations.

Hon. Mr. Morgan: — I'm fine with that. On the early enumeration generally, my question is, how many days in advance of the writ would you propose to start the enumeration, and is that your recommendation? You know, should it be less than that? Should it be more than that? And I don't have an opinion one way or the other, but I think it's important that your office assert the reason for the particular timeline you're requesting.

Mr. Wilkie: — Okay. What we're proposing is that enumeration would begin on the Thursday after Labour Day. We would do some training just before Labour Day and the 6th and 7th. We believe that that would be a good time and that most people or pretty well all people would be back — school has started, university has started. And then by having it go to September 26th, that allows much longer times; instead of 10 days that's, I believe, 18 days. And then there would be a full week to make sure that it can all be data entered and that the lists could be ready by October 3rd should an election be called earlier because in the legislation it could be called as early as October 4th.

So that's sort of the background or timing that we think would work, having the extra time to do that better job. And also as the discussion over the last number of years by both government and opposition and when you were vice versa, that there be movement toward a permanent list, I think this would make the enumeration, by having it this long and in this time period, would make it a lot better than it would inside the writ.

The Chair: — Any further questions? Just one quick question. I take it you're looking for 1.4, you feel would address the enumeration period. Make sure that we've got that correct.

Mr. Wilkie: — From our, the previous discussions at budget time, the difference was 1.44. With the discussions since that time of making sure that there be additional advertising and making it aware of the new ID [identification] requirements, actually requesting for 1.5 which I do have a breakdown if people would be interested in seeing that.

I should also mention for interest's sake that the SGI [Saskatchewan Government Insurance] has been in contact with us with regards to driver's licences, and we're looking at having some wording from them to show that you can in fact apply for your driver's licence early if you have a November or December birthdate. You could apply for it early and that way get your ID, have your . . . If you happen to live outside of an urban area and you would only in the past have had your post box on it, then you now in fact can ask for that in advance and have your street address on it. So we're asking for additional rounding up to 1.5 for that reason.

The Chair: — Do we have a mover to the motion that for the 2011-12 fiscal year, the request for . . .

Hon. Mr. Morgan: — So moved.

The Chair: — It's moved by Mr. Morgan, seconded by Mr. Yates that:

For the 2011-12 fiscal year, a request for supplementary estimates funding, statutory in the amount 1.5 million be approved for vote 034, Chief Electoral Officer, to conduct voter enumeration outside of the election writ period and that the request for supplementary estimates funding be transmitted to the Minister of Finance by the Chair.

Any further questions? Are we agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Mr. Morgan, just one second. If I could just have all of the members for a minute before we disperse. Seeing no further items on the agenda, a motion to adjourn?

Mr. D'Autremont: — So moved.

The Chair: — Mr. D'Autremont, seconded by Mr. Yates. We're in agreement? Carried.

[The board adjourned at 09:37.]