

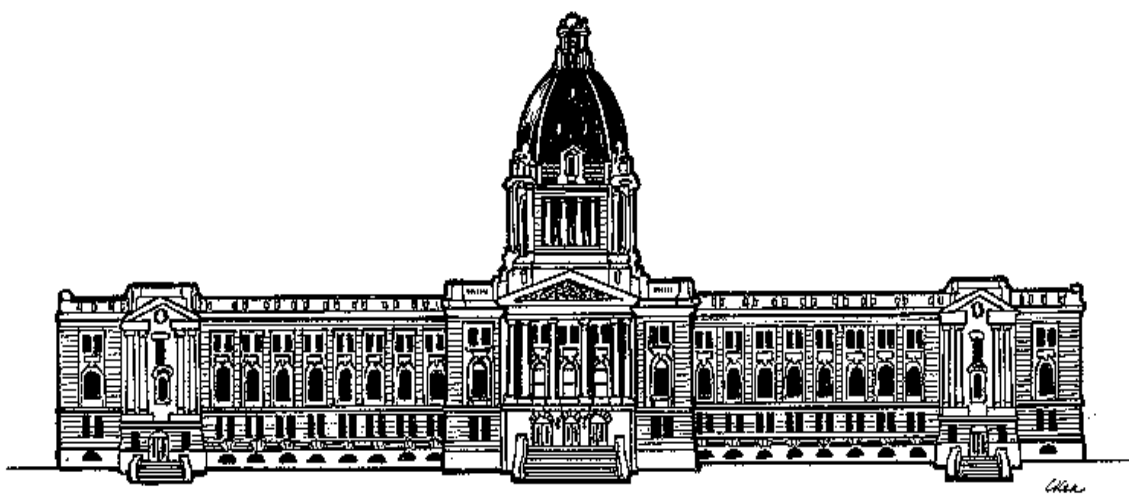


Legislative Assembly of Saskatchewan

BOARD OF INTERNAL ECONOMY

HANSARD VERBATIM REPORT

Published under the authority of
The Honourable Don Toth
Speaker



No. 5 — August 30, 2011

BOARD OF INTERNAL ECONOMY

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Hon. Jeremy Harrison
Meadow Lake

Hon. Don Morgan
Saskatoon Southeast

Mr. Len Taylor
The Battlefords

Mr. Kevin Yates
Regina Dewdney

[The board met at 08:30.]

The Chair: — Well good morning everyone, and welcome to the board meeting this morning. Pleased to see everyone here. It's bright and early. We're ready to roll and face the challenges of the day.

First item on the agenda is the approval of the proposed agenda. Could I have a motion to approve, please? Minister Morgan. Seconder, Mr. Yates. Any questions, any additions, deletions? Seeing none, are we all in agreement?

Some Hon. Members: — Agreed.

The Chair: — Agreed. Carried. Thank you. You also have in front of you the minutes for Wednesday, June 8th, here in Room 8 at 8 a.m. Do I have a motion to approve the minutes for the June 8th meeting? Mr. D'Autremont. Seconder, Mr. Yates. Any questions arising from the minutes, June 8th minutes? Seeing none, are we in agreement to approve?

Some Hon. Members: — Agreed.

The Chair: — Agreed. Carried. Thank you. On the agenda we have, item no. 2 is consideration of deferred item 5 from meeting no. 4, Legislative Assembly Service restructure. I believe for item no. 2 and 4 we should go in camera for a few minutes. But seeing as the Chief Electoral Officer is here with us at this time and is also, I understand, now dealing with a back issue he's hoping to get corrected very shortly, and unless there are any reasons, I would ask if we could move forward to item no. 3. We're agreed to move forward to item no. 3. We'll move forward to item no. 3, the update on election readiness, Acting Chief Electoral Officer, and I'll invite Mr. Wilkie to take the floor.

Office of the Chief Electoral Officer

Mr. Wilkie: — Okay, thanks, Mr. Speaker. And this morning I have Sandra Arberry, the chief operating officer, and Brent Nadon, the manager of elections finances, with me as well.

And so my understanding that today you wanted to have me give you an update on assistance for voters with disabilities, and then also to speak to the use of identification at the polls, and then as well just to speak in more general terms of the overall elections preparations.

Firstly then for assistance for voters with disabilities, back in April 2008, the previous chief electoral officer and myself met with various disability stakeholders across the province with an open forum to discuss voter accessibility issues — one session in Regina and one in Saskatoon. And these were open to the public and through invitation of various organizations for persons with disabilities, and that included cognitive and physical disabilities as well as sight, hearing, and speaking impairments. And stakeholders at these forums provided Elections Saskatchewan with a number of options that they thought would make voting easier for persons with disabilities, and possible legislative changes were noted in volume 3, which was the recommendations for changes to *The Election Act, 1996* tabled April 30th, 2009.

But a number of other recommendations were noted throughout the course of the two forums, and a number of these things that are more administrative or procedural have a more administrative or procedural basis. And so this second group of items is something that we've been delving into more recently, and so we've identified what those costs will be for the election. And there's one clarification on a document, so we'll hand you this out now but we'll probably send you an updated one immediately after the meeting as well. I'll get to that when we get to that part.

Okay. So I guess since the Weyburn-Big Muddy by-election, we have had magnifying glasses. But the comments we had from disability groups were that these small ones, which would be about this size, were a bit too small to be of much use. So Sandra was in discussion with CNIB [Canadian National Institute for the Blind], and so we now have these larger magnifying glasses that they will be five . . . yes, the size of a full page, will be at each polling place.

Also during these sessions it was indicated that the normal golf pencils that have been used for many, many years, that persons with disabilities have trouble using them because they're so much shorter and they need leverage sometimes to use those. With a longer pencil . . . And since we hadn't ordered the pencils yet, we are getting longer pencils without erasers instead of the golf pencils. Also the pencil grippers, and if you could explain them, it's more or less something you can put on so people that have difficulty holding a pencil would be able to hold on to the pencil more easily with these pencil grippers.

And as well in the past meetings, I have indicated to you that the returning officers were doing an in-depth accessibility audit of the polling stations across the province. And once that had been identified, there was a number of them that look like they were going to need either ramps or mats. And so we were able to do a more in-depth study on those specific polling stations, and so that cost about 22,000 for the study to be done. Then in these locations that are not accessible now but can be made easily accessible with mats and/or ramps, then we've identified that at a cost of 40,500. And this is approximate figures.

And then since on occasion people with disabilities come to our office, we decided that our office should have a wheelchair-accessible door added. Little did I know that I might be coming in in a wheelchair. So that's been put in recently.

We also extended what we'd used for the most recent three by-elections, so there's accessibility signs now for the returning office and all of the polling stations. And in the past, if we look at 2007, we spent approximately 54,000 — is that correct? — 54,000 on hiring an information officer, they used to be called constables and now information officers, to work at each polling station. And one of their jobs is to make sure that persons with disabilities are directed to the polling place and that they don't have to wait for a long period and that the various options that are available to them are identified to them. In the last three by-elections, we pumped that up to give more service to voters.

And so what we believe is necessary is that the 162,000 cost which . . . instead of 162 that should be, it's 108,000 more than

in the past. We spent 54 last time but now we'd be 108,000 more. And in the discussion that Sandra and myself had with Daryl Stubel from the office of disability issues, he indicated that he thought that it would be a good idea to have a brochure. And that's something that certainly came loud and clear after the 2008 meetings that some of the things like our template, for example, there had been improvements over 2003 but the voters didn't know it. So we're putting more money in towards brochures to distribute to persons with disabilities so that they know what options they do have.

Also Daryl Stubel recommended we get a TTY [teletypewriter] line for persons who are deaf, so that's been added. And then we're going that extra mile to have printing of our voters' guides in large print and also developing and producing our brochures in audio for our website, that people could access through our website.

And then I guess it's related to a federal judicial matter that the Government of Canada has been in discussion with the federal Human Rights Commission in regards to continuing to upgrade their websites so all federal websites are more useful for persons with disabilities. And so we now have level one . . . [inaudible interjection] . . . Oh it's a worldwide . . . that WSC, the website worldwide world committee of accessibility compliance guidelines. And so we've got the first level. We're partway through the second level, and probably for 2015 our goal might be to get to the third level, along with other websites across the country.

[08:45]

And then for our templates, there were improvements made for 2007, but after they were printed it was noted that the little phalange that's in the template was supposed to be on the outside, but it was on the inside. So we're getting them reprinted with it on the outside so that the slight possibility of a ballot getting caught in the template will now be lessened because the phalange will be on the outside rather than on the inside.

And so those are those figures there, bearing in mind that the two eight two would in fact be two two eight eight ten because it's an increase of 108,000 over what we did for the cost of constables, or now information officers, for the 2007 election.

Shall I go through this and then if you have any questions, or do you want to go through any questions as we go through one, two, and three? Whichever you prefer.

The Chair: — I think we can hold the questions till the end.

Mr. Wilkie: — To the end, okay. And then use of identification at the polls, as a result of the new legislation which was passed on August 15th requiring ID [identification] at the polls, we've undertaken a number of initiatives. And we have had liaison with SGI [Saskatchewan Government Insurance] regarding messaging around drivers' licences. And I guess if you had any questions, Sandra's been the contact with that person from SGI, so we could follow up with her about those questions.

And also we've created some new forms regarding the ID requirements and making poster size signs that will list the

accessible forms of ID. And so there would be two of those per polling place.

And we're just finalizing now that our voter information cards, we're looking at having them through a company other than Canada . . . Canada Post will eventually be mailing them, but this company that has dealt with Elections Ontario, Elections New Brunswick, Elections Alberta, they have extra space in the mailout that we can put more messaging in. So the messaging that we would put in the listing along with the card, the voter information cards for the people in that house or apartment. We would also have the messaging on the new voters . . . the ID at the poll for voters. And then also we would have some additional newspaper ads. So the approximate total for the use of ID at the polls at this point is 251,000 is our estimate.

And then for overall election preparations, all the returning officers and election clerks have been trained and are prepared for enumeration and revision. And the training of enumerators is now taking place from September 1st to 7th and then each RO [returning officer] and election clerk would be training their enumerators from September 1 to 7th.

The enumeration kits were prepared in our office and, as we speak, those have been sent to all the returning officers. Also, any of the new forms and the new regulations for enumeration outside of the writ and all the other items essential to conduct an enumeration have been sent out to the returning offices. And enumeration begins on September the 8th, so the Thursday after Labour Day, and is completed by September the 26th.

And then also I would add that all of the office supplies and computer equipment, photocopiers, fax machines, and telephones are all scheduled to be delivered and set up no later than September the 1st. And then voters lists would be made available to registered political parties by October the 3rd. Also the business managers would be getting their electronic financial module which will show them what the new electronic version of their candidates forms are. That'll be given to them, they'll be able to get a link off our website. Is that . . . [inaudible interjection] . . . Yes, yes. And then in November there would be training for business managers available across multiple locations across the province from mid- to late November.

Also as an update, since we've spoken here about this before, that our payroll system for all election workers will go live, I guess that's later today, August the 30th. And then data entry into the system begins September the 1st with an expected 10,000 records being entered.

The final training for ROs and election clerks is expected to be complete by mid-September. Our website training for the last few automation coordinators should be completed by the end of this week, and the official launch of our new Elections Saskatchewan website is scheduled for September the 6th. So that's the updates that I had for you. And, Mr. Speaker, if anyone has any questions for more details . . .

The Chair: — Thank you very much, Mr. Wilkie. Questions? I've already had indications from a couple of members, Minister Morgan and then Mr. Yates.

Hon. Mr. Morgan: — The recommendations that both yourself and the Chief Human Rights Commissioner had made with the expectation that we would embody provisions in *The Election Act* so that we provided complete services for voters with disabilities, I just want to make sure that what you are proposing would be the same as if we had had that legislation in place.

And I think I want to speak for not just all MLAs [Member of the Legislative Assembly] but all candidates as well that it would be our expectation that your office would provide those services as if it was enshrined in legislation because I think we want to ensure that all voters would have the right to participate. I think all of us agree with the recommendations that both you and the Chief Human Rights Commissioner made.

Mr. Wilkie: — Yes, insofar that we are operating on the assumption that polling places have to be accessible unless it can be proven that nothing is available, and in some cases these mats or ramps can do that.

The only things that wouldn't be available in that regard is that if there was to have been any movement towards having machines at the returning offices, such as New Brunswick and Ontario — New Brunswick last year for their election and Ontario for their pending election — those kind of things would have to come in a legislative package long enough in advance that we'd actually be able to test them out. So that's something that other jurisdictions have taken months and months to do something like that, so it's not something that we would have been able to absorb in such a short period of time.

The Chair: — Mr. Yates.

Mr. Yates: — Thank you very much. I have a number of questions and wouldn't mind you walking through with us how the actual process is going to work for voters and identification. And before you do that, I'd just like to set sort of the frame of what the concern is.

In a number of communities and First Nations across the province, there are upwards of sometimes 10 or 12 people live in a home. And in many cases the bills or documentation that would come to the home about individuals living there may be in the name of a single person. And how are those people going to be able to vote? And that is as common perhaps in some urban ridings as it is with new Canadians and others as well. Is there going to be a process where a person can swear a document that they in fact live at that address? I notice it does say, it says attestation of residence that is a form acceptable to the Chief Electoral Officer, but it talks there about students' or seniors' residences, not any other types of facilities.

Mr. Wilkie: — On the student residence side, we have had, someone in our office has had some initial discussions with the University of Regina residence, and we'll be following up on that shortly and also with the University of Saskatchewan, that they are able to provide . . . I guess it would be the appendix at the end of *The Election Act Regulations*, yes, and the table. And it's 2-2, attestation of residence. So that's something that for students we would be following up on what has been done, very similar way of doing things for Elections Canada in the recent general election.

And I think we still have a bit more discussion to do on that with the Regina Qu'Appelle Health Region as far as that, so something similar would be able to be used with some of the larger facilities, whether we're talking about Wascana Rehab for example.

Now we do have a sample from Elections Canada in regards to the facilities designation regulation with regards to a shelter or soup kitchen or a facility designated as a health centre. So we've got those samples that we've got federally, but we still have to do some more liaison with people from those organizations.

Mr. Yates: — Thank you very much. Specifically during the federal election on First Nations reserves they were able to — representatives, the chief or a designated representative — was able to sign that an individual in fact lived on the reserve and that person was eligible to vote. Are the same provisions going to be provided in the provincial election?

Mr. Wilkie: — Probably we're going to have to do a bit more work on that and get back to you.

Mr. Yates: — Thank you very much. I have to tell you this has been a concern that has been raised with us across the province, and there is a large concern in the First Nations community about their right to vote being taken away because of a greater restriction on documentation required, which many First Nations, particularly in northern Saskatchewan, don't have and is much more difficult to obtain because of services available in their communities and in the North, right.

Secondly, how will it work in correctional facilities and jails across the province for identification?

[09:00]

Mr. Wilkie: — We do have to get back to them as well, being there's the two routes insofar as persons in remand facilities, the same as in hospitals, have polling places in fact in person at the institution, and whereas the actual correctional facilities, whether it be provincial or federal, have the system of absentee voting for persons in those institutions.

So we have to have some more liaison with them to explain to them that there is a change in the legislation in regards to the procedures in the past.

Mr. Yates: — The concern is many of those people don't have identification or don't have access to identification, yet somebody can actually attest to who they are. But strictly looking at the regulations and the legislation, they may be ineligible to vote.

The other scenario that in the federal, most recent federal election, was that you could vouch for a single person. And other concerns that have been raised are by families where the parents . . . You get two adult children living at home but they don't have any bills or anything in their name. And the parents could, or the father could vouch for one, couldn't vouch for two children, type of thing, which just seems to the average citizen and average person out there illogical. You know, these are their children. Right? And so one could vote and one couldn't

vote.

And I've had a gentleman come to my office who actually is a Regina lawyer here that is quite concerned about the fact that taking away the right to vote from any citizen by virtue of a set of rules is, in his mind, not the intent of our constitution and not the intent of what a civil society would like to do.

So has there been any thought about, one, can you attest to one individual that they live at that address still? And two, is there any thought to allowing a parent to attest to more than one child?

Mr. Wilkie: — There's quite a few different possible options, I believe 53. And we certainly have done some work on it but continue to need to do more work on it as we get closer to election, or the writ day and election day to get across the point about various possible IDs that people may or may not be aware of. So there are a number of different alternatives.

But certainly your examples there, we have to think some more as to how we're going to get the message across to people in the various groups across the province.

Mr. Yates: — Thank you very much. Just one final question before I hand it over to a colleague of mine who wants to ask some questions. If an individual — I don't think I have a, didn't get a clear answer — is a citizen going to be able to attest for another on a residence for one person like they are in the federal legislation?

Mr. Wilkie: — Yes they can, as long as they're already on the voters list, then someone can vouch for one other person.

Mr. Yates: — Now why would one person be acceptable and not two?

Mr. Wilkie: — I guess you'd have to ask the minister on that. As far as I know, that that's the similar wording to Elections Canada, but you'd have to ask the minister.

Mr. Yates: — Okay. Thank you.

The Chair: — Ms. Eagles.

Ms. Eagles: — Thank you, Mr. Chair, and thank you, Mr. Wilkie. On the purchase and installation of mats and ramps, while I'm not disagreeable to that so please don't misunderstand, but in a previous lifetime, I was assistant returning officer for a federal constituency and it was always the responsibility of the returning officer to find, you know, accessible polling stations. Is that not the case provincially?

Mr. Wilkie: — Well they are to do that. But until this election my understanding is that, not in all cases but in some cases, the returning officers would phone the person at the hall or the school or whatever and say, basically is it accessible? And of course they'd always reply, yes of course it's accessible because they wanted to get the money for renting it. And so this time, based on the human rights complaint in Saskatoon, then we made it compulsory that, with exceptions for the two northern constituencies because of the huge rental of airplanes that would have had to have been involved, but for the 56 southern

ones that they did an in-person check. And so the first choice of course is to find one that's already accessible.

But did you want to . . . Sandra went through these in more details. Did you have anything you'd like add to comments to Ms. Eagles?

Ms. Arberry: — Thank you. So what happened was back in November when we asked the returning officers to go throughout their constituency and identify polling locations, they did an accessibility study at that time. There are some locations simply due to, you know, a rural area that that's the only place available. There are other places where the accessibility requirements have changed. And so in terms of a lip on a door, a lot of times you'll see an accessibility lip can only be one inch or less, and a lot of times there may be one and a half to three.

So when we talk about accessibility, the returning officers are responsible for identifying that. But oftentimes they're an easy fix, which is where the mats come in. So I think at the end of the day this audit has shown that we need 78 mats, and that is just to make sure that those lips are within that acceptable accessibility range.

Mr. Wilkie: — And in those cases, the ground may have shifted over the last four years, six years, eight years or whatever.

Ms. Eagles: — And if I could, Mr. Speaker, one more? The hiring of an information officer at each polling station, and again I know it used to be in the federal elections that polling stations with five or more polls within them automatically had an information officer. Is that what you're looking at, or are you hiring an information officer for each and every poll?

Mr. Wilkie: — Certainly for the larger polls. And I should go backwards two CEOs [Chief Electoral Officer] ago. Ms. Baker, even though she could have given constables, she did not choose to give them and we had complaints from people that were not serviced well. And so the previous Chief Electoral Officer made some movement towards having the larger polls having them.

But given that some of the complaints that we had in 2007, only one of them came in as a result of a human rights complaint. But frankly I'm surprised, based on some other complaints that we had, that it didn't hit the media and didn't result in more human rights complaints, is that some ROs, I think most of those ROs are gone now, but some ROs were very slow in realizing or taking up the idea that we do have a responsibility to provide accessible polling places. And so also because — and this came across in our discussions with persons from the disability community — that November 7th might be good weather, might be a nice weather, but if it's snowy at all then it becomes a lot trickier with more people perhaps slipping.

And some of the schools, for whatever reason, have said that if it's snowing, they can't keep up to the volume of keeping the doors or the entrances clear from snow, so that in fact they would be wanting these information officers to assist the schools to keep that. So I think it's better to err on the side of caution as far as having more people available rather than less

in the event that it is snowy in November, and that their services could be needed.

Also there's some crossover as well as numbers here, in that some schools as well have said that they require, no matter how many polls are in the school, that they are going to now require that there be an information officer because they're afraid of people, the voters, wandering the halls and students, particularly elementary schools, having strangers wandering the halls. In some apartment blocks, if we have the polling places in there, the seniors' buildings, they're afraid of people getting in the elevator and going up, so that's another reason why we're moving into having more and more of the polling places having information officers.

Ms. Eagles: — All right, thank you, sir. Thank you, Mr. Speaker.

The Chair: — Thank you. Mr. McCall.

Mr. McCall: — Thank you very much, Mr. Speaker. And with the indulgence of the committee, I've followed this legislation with the amendments made to *The Election Act* with a great deal of interest. And of course the debate has taken a number of turns through the House, through committee, and it certainly bears a great deal of relevance to what we're talking about here today, Mr. Wilkie. Because of course in the elections Act, fundamental to it is who is allowed to vote. A franchise without the means to avail yourself of it doesn't mean one whole heck of a lot. And from the opposition's perspective, we've followed this debate very closely and with a great deal of caution.

And even the move to photo ID as one of the fundamental credentials that is needed, that people need to get access to their vote, that of course is an interesting question in the province of Saskatchewan as to who doesn't have photo ID. And when we raised those concerns, it was responded back by the government that, well that will not be a problem because we're following the federal legislation and there are mechanisms available under the federal legislation that make up for people that don't have photo ID — seniors, poor people, students, and particularly First Nations in the province of Saskatchewan. And under the federal regime, there is of course the provision of an identity card and then something that establishes residence. And neither one of those has to be a photo ID per se.

I guess the thing that we find more than just a little curious is that the work that you're describing in terms of liaising with health care centres, long-term care centres, student residences, soup kitchens, the like, those are covered under the federal legislation with provisions for people being able to attest to the residency of those individuals. Now those have been transferred over into the provincial legislation and transferred into the regulations. And I'm presuming that's where you draw your mandate to conduct the further work that you've indicated today. Is that correct?

Mr. Wilkie: — Right. In the appendix at the end of the regulation, saying that attestation of residence in the form acceptable to the CEO and similar for the other soup kitchen one and so on.

Mr. McCall: — And even, be that as it may, those regulations

came out earlier this month. And you've indicated that there's a fair amount of work ongoing to make sure that that provision is well understood and is available to the people of Saskatchewan that need to utilize that to access the ballot box. Is that correct?

[09:15]

Mr. Wilkie: — Yes, that is. We have done some work, but there's more work to be done. Also, nearing the end of summer, it will be easier to get a hold of some people and so on as well.

Mr. McCall: — And nearing the end of summer as the case may be, it's two months and a week out from election day. Does that time frame work in terms of the work that you have to do with those groups to ensure that they have access to the ballot box?

Mr. Wilkie: — I think it can be done. We certainly have our plates full. It takes a lot of work, but I think that that liaison can be done.

Mr. McCall: — So I guess the second point under the heading of attestations and ensuring that people have access to the ballot box, in the federal legislation there's a provision for First Nations to invoke attestations to establish residency. Is that correct?

Mr. Wilkie: — Sorry, I'm . . .

Mr. McCall: — So in the federal legislation, and documentation has been tabled with the committee of the legislature chaired by Mr. Michelson in May, and in point of fact, this provision in the federal legislation was referenced by the Minister of Justice in the second reading speech wherein attestations were made available for First Nations. And I'd just like to quote from the minister's second reading speech. This is December 1st, 2010, *Hansard*, and I quote, "An attestation of residence issued by the responsible authority of a First Nations band or reserve . . ." And again, it was in the second reading speech of the minister and again talked about how that this piece of legislation and the regulations that you're charged with, going forth with, took inspiration from the federal regime and was presented as an improvement to our democratic practice in this province.

Now I guess the question I have is, you know, it was referenced in the second reading speech by the minister. The supporting documents that were utilized by the federal government in the conduct of the last federal election that referenced attestations for First Nations, that was tabled with this committee. There was a lengthy discussion. It was tabled with a committee of this legislature. There's a lengthy discussion about that. And yet when the regulations came forward earlier this month, there was no such provision in the regulations.

Are we missing something, Mr. Wilkie, or is there no provision akin to what the federal government has put forward in their legislation for First Nations being able to establish residency and to be able to access the ballot box? Is there no such provision in the regulations put forward that you are charged with carrying out?

Mr. Wilkie: — I know that the provision that was added by

Elections Canada with regards to using the voter information cards for the last election was used for persons on First Nations reserves or in university residences or in long-term care. That has come through in that the voter information cards can be used by any voter as the one proving their address. But what you're speaking of specifically, the wording, I don't see the wording exactly as you've indicated.

Mr. McCall: — There's no provision for attestation for First Nations within the regulations that you're charged with carrying out. And I guess the concern that we have from the opposition benches, and I think the concern that finds some residents throughout the province, is that in the last federal election they had introduced photo ID requirements, and there were alternate paths to the ballot box that were held up as some kind of stopgap or as a safety valve for those that didn't have photo ID. And that tends to be poor people, tends to be seniors, and it tends to be First Nations in the province of Saskatchewan. One of the key means by which First Nations were able to access the ballot box was through the use of the attestation.

In your discussions with Elections Canada, what is your familiarity with the use of attestations in the last election? Because from where we sit, we think that it involved . . . We think that hundreds if not thousands of First Nations' citizens utilized this mechanism to gain access to the ballot box and to be able to cast their vote in an election that they were duly entitled to cast a vote. What is your understanding of the use of attestations in the federal election? I guess, if you could answer that for me first off, Mr. Wilkie.

Mr. Wilkie: — Elections Canada hasn't indicated to us what that amount is, but I can certainly contact them to see if they can . . . whether they've broken them down on a per-province basis to find out how many attestations may have been used for people in First Nations in Saskatchewan.

Mr. McCall: — Well I thank you for that, Mr. Wilkie, but I guess if I seem angry, I'm not angry with you. You're a public servant being tasked with carrying out the elections of this province. And it's not only a difficult task, it's certainly a noble one. It's a noble function in this democracy of ours.

I guess my anger is that, despite representations that were made around if photo ID doesn't work, provisions will be made to ensure that people are not denied access to the ballot box, that the vote that has been given many years ago will not somehow be taken away through procedural gains.

When we review the committee proceedings that related to this election, this piece of elections legislation, when we review the second reading speech in the House in December of this year, there was reference made to the use of attestations for First Nations establishing residency and thereby being able to access the vote. That is nowhere in . . . It's not to be seen in the regulations despite the fact that attestation has been brought forward for people in long-term care homes, in soup kitchens, in shelters, in student residences. The only group that is missing from the federal practice of the use of attestation, the only group missing are First Nations on reserve. And if this carries forward, we can't help but think that this is . . .

There was an editorial earlier in the year that talked about

changes to elections legislation are important if it improves the practice of democracy, but if it disenfranchises even one person, then that is too many. If this is not remedied, this is a practice that will disenfranchise hundreds if not thousands of First Nations citizens in this province.

I can't help but think that the work that you have been doing and the work that Elections Saskatchewan has been doing to engage with First Nations, to better engage around the electoral process, to invite First Nations participation in the Saskatchewan election, I can't help but think that if the changes aren't made to at least live up to what the federal practice is, that you're going to be inviting a lot of people out to the ballot box only to be denied by a procedural wrinkle on election day. And the work that you're doing to try and make sure that First Nations can exercise that franchise, to engage them in our democratic practice in this province of Saskatchewan, I can't help but think that all that good work will be for naught.

So are you aware of any efforts being made to remedy this circumstance where attestations, as they apply to First Nations, will somehow be included? Or is it your understanding that this is the practice on through to election day and that First Nations will have their democratic rights interfered with by not having access to this attestation process as is the case federally?

Mr. Wilkie: — I'm not aware of any changes. We're given this, the regulations, a very short period of time before we were told they had to be . . . they were being put in place. I don't believe that there's any further changes under way.

Mr. McCall: — Well again, you're busy preparing materials. This was outlined at the start of this meeting, so pieces of, you know, informational documents such as that put forward by the federal government, I imagine will be almost identical except for one thing. There will be nothing in the provincial documentation that references attestation of residents by the responsible authority on First Nations and our reserve. There will be nothing in that regard. There will be no provision made to ensure that First Nations are able to access the ballot box to get to cast their vote as has been made by the federal government. There will be nothing in that regard in the provincial conduct of this election.

Mr. Wilkie: — I guess not unless the regulations are further amended.

Mr. McCall: — Thank you, Mr. Wilkie.

The Chair: — Mr. Yates.

Mr. Yates: — Thank you very much, Mr. Speaker. My question I guess is going to then go to the Minister of Justice who's responsible for the legislation. In the second reading speech, the minister read into the record every — every — criteria that the federal government put forward. And then he went on to say . . .

Hon. Mr. Morgan: — Mr. Chair, we're not answering questions here today. We have the officials here to answer questions, but we're not prepared to enter into a debate today at all on this. That was done while we were in session, so we're not prepared to deal further. Maybe Jeremy, on behalf of his

First Nations in his constituency, can talk to you afterwards.

Mr. Yates: — Mr. Speaker, I have the floor and I'd like to read into the record. It says:

Mr. Speaker, the reason I have read those into the record [referring to the entire list that the federal government brought forward, including attestation on First Nations] is specifically so that we are able to get an understanding of the steps that the government is going to ensure that people are not disenfranchised.

Then the minister goes on to say, and I quote, "This Bill will ensure that our process meets the standard set federally . . ."

And now we have a specific group of Saskatchewan residents that aren't going to be given the same rights to exercise their vote as they were federally, and it could disenfranchise thousands of Saskatchewan voters — thousands of Saskatchewan voters.

And around the world, there are nations fighting to have the right to have a democratic process where people get the right to vote, and here we have a government taking away the right to vote. In one of the freest and supposedly most open societies in the world, we have a government taking away the right of citizens to vote. And I think that's just absolutely shameful.

The Chair: — Do have any further questions of Mr. Wilkie and the folks from Elections Saskatchewan? Yes, go ahead.

Mr. Taylor: — Yes, thank you very much. Just to Mr. Wilkie, the process of drafting regulations is often done first and foremost by the Department of Justice lawyers, vetted by the various departments. Were these regulations first presented to you from the Department of Justice, or were these regulations drafted in-house by Elections Saskatchewan and then moved through Department of Justice?

[09:30]

Mr. Wilkie: — They were done by Department of Justice and then they were shown to us very briefly.

Mr. Taylor: — Okay. So it would be your opinion that if there's something missing in the regulations — and you indicated in your last answer to my colleague from Elphinstone that the regulations to do what we're asking would have to be further amended — is it your understanding or would it be your opinion then that the regulations as drafted for your review and not containing this one piece for First Nations could have been omitted by the Department of Justice in error, not having read the minister's second reading speech, or on purpose because of direction, perhaps from the minister?

Mr. Wilkie: — I wouldn't know that. We had indicated that we . . . When I was first given notice about this meeting, I had not yet seen the regulations, so it's been very time-shortened. It has been very difficult to not see them for a very short period of time. I know they were trying to get them done in time for us to do training, but it's been a very tight time period.

Mr. Taylor: — Okay. I appreciate that answer and the short

timetable. Has there been any work done within Elections Saskatchewan on these regulations since the debates in the House, the discussions during committee, with the Department of Justice at all in the drafting of these regulations?

Mr. Wilkie: — The Department of Justice lawyer asked for a link from our website so that if people were looking at our website and had comments, that they could go to this committee that was looking at them. But no we haven't, because it was said that instead of these other jurisdictions like Elections Canada or Elections BC [British Columbia], Elections Ontario where the regulations were actually put forward by the Chief Electoral Officer, in these regulatory changes, that was a change; instead it was coming from the ministry itself.

Mr. Taylor: — Okay. Is there any opportunity as the enumeration begins and the information starts to come forward, or even as the enumeration is complete, is there any opportunity for Elections Saskatchewan on an early or later analysis of the data coming in by the enumerators, is there any opportunity to advise the Department of Justice that some practices may disenfranchise some voters? Is there any process whereby, once the enumeration is complete and maybe the data indicates there's some difficulties out there, is there any opportunity for you to communicate to the Ministry of Justice, the Minister of Justice to seek some clarification on how to handle things at the advance poll or the polling stations themselves?

Mr. Wilkie: — At first thought on that, we're not likely to get too much information that would be useful on that point. Certainly we had indicated that as we advertise for enumeration and revision that we would always build in a component to make sure that the voters are aware of the new legislation for ID. So certainly it will be when our new website comes up September the 6th, that that would be made prominent that there is a change with regards to regulations for ID, and we would be directing people to look at the details of these regulations on our website. So that we're trying to make them prominent in our website and in any materials that we advertise.

Mr. Taylor: — Okay. I think you're aware or should be aware and certainly the federal elections office is aware, enumeration on, within a First Nations community has historically been a challenge. Enumerations after the fact are often said to have been very poorly done on reserve.

Have there been any efforts made up to today for our November election? Have there been any efforts made in Saskatchewan to try to improve enumerations on reserve based on past experience used to guide us.

Mr. Wilkie: — I think we mentioned earlier at the time of the budget that with having a set date, it provides us with the opportunity, which isn't always there in a non-set-date election, and that is to do some community relations initiatives outside of the writ period. So we have hired some community relations officers, and this is for youth and for Aboriginal persons and some ROs that have in the past had difficulty making connections with the First Nations community as far as getting enumerators.

The community relations officer, working for the summer and part-time in the fall, they have been able to make those

connections. We believe that it should be easier for returning officers to find First Nations people to be the enumerators and be the poll officials on election day. So there has been some work done on that.

Mr. Taylor: — Okay. But for all intents and purposes, it's still done very much on a local basis.

Mr. Wilkie: — Yes. Done on a local basis. We now, with enumeration outside of the writ, have a longer period. It's essentially almost twice as long, so that there's more time involved. And we have increased the rate of pay going to enumerators, so we think that will also be more of an incentive for people to be enumerators.

Mr. Taylor: — When I prefaced my comments earlier about your knowledge of enumeration on First Nations being a challenge, you nodded. I'm assuming that meant that yes, you are aware that . . .

Mr. Wilkie: — Yes.

Mr. Taylor: — Enumerations have not always been exactly as we would have liked on-reserve.

Mr. Wilkie: — Yes, I am aware that since I've been here in 2003 there have been challenges. Also when I was in Manitoba there were challenges there as well.

Mr. Taylor: — Okay. Now I don't know this for a fact, but it's my opinion that one of the reasons of a number that I might reference, one of the reasons for the attestation on-reserve, the federal government recognized that there was an enumeration challenge, and so getting the people in advance was difficult. So with the chief's signature there's a recognition of the ability of the band office and the chief authority there to recognize and understand who the community members are and how long they've lived there. So I think the feds recognized enumeration was a challenge.

The other part was the feds also issue treaty cards, and treaty cards are a source of identification. Treaty cards are issued basically on a term basis, despite the fact once you're treaty you're always treaty, but they have a five-year expiry date on them. And the feds are also well aware they can't keep up. So there are many people out there right now with a treaty card that expired two years ago. Is it Saskatchewan's plan to, if you recognize a treaty card for identification purposes, will the date be irrelevant on that card? Or if that card has expired, will that person's treaty status or identification status as a treaty person not be accepted at the polling station? How will the returning officers interpret the date on a treaty card?

Mr. Wilkie: — My understanding from speaking with Darcy McGovern is that the way the table is set up at the end of the regulations that number one is valid, original identification documents, and then the second one being original documents. So that certificate of Indian status, a status card, or secure certificate of Indian status issued by the Government of Canada is in the first one. So it's a number one, so it would have to be valid is my understanding.

Mr. Taylor: — So if someone . . . [inaudible] . . . because the

feds are two years behind in issuing cards, will in fact without a chief's attestation, an otherwise valid voter would be disenfranchised by the returning officer for having an invalid treaty card.

Mr. Wilkie: — They would have to have one of the other pieces of identification.

Mr. Taylor: — Yes. Good luck. Okay. I think Saskatchewan Elections needs to review this, whether there's the authority from the minister or not, and make recommendations to the minister that further amendments are required. Thank you.

The Chair: — Do we have any further questions of the Chief Electoral Officer and his staff? Seeing none, I want to thank you, Mr. Wilkie, and your staff for taking the time out of your schedule as you prepare for the upcoming election to come and speak to the board and bringing us up to date as to how the progress you're being able to make in regards to handling the outcome on elections. So thank you very much. Mr. Morgan.

Hon. Mr. Morgan: — On behalf of all members, thank you and your officials for coming. As always, much appreciated.

The Chair: — Mr. Wilkie, I wish you well in your operation. I trust that it will address the issue that you're dealing with. While the Clerk and the staff move to the head of the table, we'll get ready to move on to item no. 1.

We'll now move forward to item no. 1, the tabling of the Legislative Assembly first quarter financial and fiscal report. Do you have any questions before I move a motion? First of all, I'll invite Mr. Putz just to give us a brief update of any comments and then we'll move to any questions from there.

[09:45]

Mr. Putz: — Thank you, Mr. Speaker. You have before you the first quarter report, which was the standard report. Basically it's only three months into the new fiscal year. We are projecting that we will be on target, except in some certain areas where we reported potential pressures. But of course as with going forward, we won't know what those potentials are, this being an election year. You just had a healthy discussion on the electoral process. Of course, when we come out of that process, we will know what the costs are or will be for the Assembly, and we'll be able to better determine those pressures. But right now they're more or less just reported as pressures. So with that brief explanation, if there are any questions, I'll answer those for you.

The Chair: — Are there any questions regarding the first quarter financial report? Seeing none, can I have someone move a motion to accept the first quarter financial report? Moved by Minister Morgan, second by Mr. Taylor. Are we all in agreement?

Some Hon. Members: — Agreed.

The Chair: — Agreed. Carried. Thank you. For the next two items, I believe it would be appropriate for us to move in camera. So can I have a motion that we move in camera? Minister Harrison. And a seconder to that motion? Mr. Yates.

We are in agreement? Carried. So we'll move in camera. Thank you.

[The board continued in camera from 09:47 until 10:31.]

The Chair: — I'll call the meeting back to order. And under item no. 2, consideration of Legislative Assembly Service restructure, and I have a motion:

That the board authorize a maximum expenditure in the amount of 625 for the Legislative Assembly Service in order to implement a new organizational structure for financial services and human resource and payroll services; and further that the funds be appropriated as required through March 31st, 2012.

Do I have a mover to that motion? Minister Morgan. I have a seconder to that motion? Mr. Taylor. Any further questions? Seeing none, are we all in agreement?

Some Hon. Members: — Agreed.

The Chair: — Agreed. Carried. Moving down to item no. 4, special warrant for the funding of the Children's Advocate. Could I have a mover to the motion:

That for the 2011-12 fiscal year request for special warrant funding in the amount of 160,000 be approved for the vote 76, Children's Advocate.

Could I have a mover to this motion? Minister Harrison. A seconder to the motion? Mr. Yates. Any further questions? Seeing none, are we in agreement?

Some Hon. Members: — Agreed.

The Chair: — Carried.

One further item on the agenda in regards to dissolution documents. I have a motion by Minister Morgan.

Hon. Mr. Morgan: —

That the *Legislative Assembly of Saskatchewan Dissolution Guidelines for MLA Expenses, Benefits and Services 2011*, section 6.22 Accommodation in Regina - Reimbursement of Expenses be amended as follows:

Insert new paragraph after paragraph 1 as follows:

If a member is not re-elected, he or she may claim reimbursement for expenses in Regina for the month of the polling day and the month following polling day provided the member has sufficient travel funds available.

So moved.

The Chair: — Do we have a seconder? Mr. Yates. Any further questions? Seeing none, are we in agreement?

Some Hon. Members: — Agreed.

The Chair: — Carried.

Any further business before the committee? Seeing none, do I have a motion of adjournment? Ms. Eagles. Seconder, Mr. Yates. We're all in agreement?

Some Hon. Members: — Agreed.

The Chair: — Carried. Thank you so much. Have a great day and thank you to our staff for joining us today. We appreciate it.

[The board adjourned at 10:34.]