



**Legislative Assembly of Saskatchewan**

**BOARD OF INTERNAL ECONOMY**

**MINUTES AND VERBATIM REPORT**

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No. 3 — September 28, 1998

## **BOARD OF INTERNAL ECONOMY**

Hon. Glenn Hagel, Chair  
Moose Jaw North

Bill Boyd  
Kindersley

Hon. Joanne Crofford  
Regina Centre

Myron Kowalsky  
Prince Albert Carlson

Hon. Eldon Lautermilch  
Prince Albert Northcote

Harvey McLane  
Arm River

Grant Whitmore  
Saskatoon Northwest

## BOARD OF INTERNAL ECONOMY

Room 10 Legislative Building

8:30 a.m. Monday, September 28, 1998

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

Hon. Glenn Hagel, Chair  
 Mr. Bill Boyd  
 Hon. Joanne Crofford  
 Mr. Myron Kowalsky  
 Hon. Eldon Lautermilch  
 Mr. Harvey McLane  
 Mr. Grant Whitmore

**Staff to the Board**

Marilyn Borowski, Director, Financial Services  
 Gwenn Ronyk, Clerk  
 Margaret Kleisinger, Secretary

**AGENDA** Moved by Mr. Kowalsky, seconded by Mr. Whitmore, that the proposed agenda be adopted. Agreed.

**MINUTES** Moved by Ms. Crofford, seconded by Mr. Boyd, ordered, that the Minutes of Meeting #2/98 be adopted. Agreed.

**ITEM 1 Table Item – Provincial Auditor’s Memorandum of Audit Observations for the year ended March 31, 1998**

The Chair tabled the Provincial Auditor’s Memorandum of Audit Observations for the year ended March 31, 1998.

**ITEM 2 Decision Item – Appointment of the Acting Chief Electoral Officer**

Moved by Mr. Lautermilch, seconded by Mr. Whitmore:

That Directive #25 – Appointment of Acting Chief Electoral Officer be adopted to read as attached and as recorded in the minutes:

***DIRECTIVE #25******APPOINTMENT OF ACTING CHIEF ELECTORAL OFFICER***

(1) Subsection 4.2(3) of *The Election Amendment Act, 1998* provides as follows:

“4.2(3) Where the office of the Chief Electoral Officer is vacant or the Chief Electoral Officer is suspended pursuant to subsection (1), the Board of Internal Economy shall appoint an acting Chief Electoral Officer to hold office until:

- (a) a person is appointed as Chief Electoral Officer pursuant to section 4;
- (b) the suspension is revoked by the Assembly; or
- (c) the Chief Electoral Officer is removed from office by the Assembly pursuant to subsection 4.1(1) and a person is appointed as Chief Electoral Officer pursuant to section 4.”

(2) As of June 30, 1997, the position of Chief Electoral Officer became vacant.

(3) Effective October 1, 1998, the Board of Internal Economy hereby appoints Janice G. Baker as Acting Chief Electoral Officer pursuant to subsection 4.2(3) of *The Election Amendment Act, 1998* to hold office until such time as a person can be appointed as Chief Electoral Officer pursuant to section 4 of *The Election Amendment Act, 1998*.

(4) Effective October 1, 1998, Ms. Baker is appointed at a salary of \$6503 per month in the salary range of \$5621 - \$7308 (Management Level 11).

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

**ITEM 3      Decision Item – Chief Electoral Officer's Salary and Expense Allowance**

Moved by Ms. Crofford, seconded by Mr. Boyd:

That Directive #26 – Chief Electoral Officer's Salary and Expense Allowance be adopted to read as attached and as recorded in the minutes:

***DIRECTIVE #26******CHIEF ELECTORAL OFFICER'S SALARY AND EXPENSE ALLOWANCE***

(1) Subsection 4.4 of *The Election Amendment Act, 1998* provides as follows:

“4.4 The Chief Electoral Officer is entitled to be paid:

- (a) a salary to be fixed by the Board of Internal Economy following consultations with the Chairperson of the Public Service Commission; and
- (b) an allowance for travelling and other expenses incurred in the performance of the duties of the Chief Electoral Officer at a rate approved by the Board of Internal Economy.”

(2) Effective October 1, 1998, pursuant to section 4.4 and following consultations with the Chairperson of the Public Service Commission, the salary for the position of Chief Electoral Officer shall be equivalent to a Management Level 11 classification in the Public Service.

(3) Employee benefits applicable to the public servants of Saskatchewan and Legislative Assembly employees shall apply to the position of Chief Electoral Officer.

(4) Effective October 1, 1998, pursuant to section 4.4, there shall be paid to the Chief Electoral Officer travel and other expenses incurred in the performance of his or her duties in accordance with the provisions for travel and other expenses approved under *The Public Service Act* for employees in the Public Service.

The question being put, it was agreed to.

**Minute #1459**

**ITEM 4      Decision Item – Request for Board of Internal Economy to Supervise Chief Electoral Officer Budget**

Moved by Mr. Lautermilch, seconded by Mr. Whitmore:

That the Board of Internal Economy accept the request of the Minister of Finance to assume responsibility for the review of the budget of the Chief Electoral Officer, effective with the preparation and review of the 1999-2000 budget.

The question being put, it was agreed to.

**Minute #1460**

The meeting adjourned at 9:05 a.m.

**The Chair:** — Let me call the meeting to order and thank all hon. members for your prompt attendance. I don't anticipate that we'll be looking at a lengthy meeting today as we're essentially dealing with matters related to one subject, that being the Chief Electoral Officer.

The first item of the agenda is the approval of the proposed agenda. It would be in order to have a motion to approve the agenda if someone wishes to move it. Mr. Kowalsky, seconded by Mr. Whitmore. Discussion? In favour? Opposed? And that's carried.

The minutes of meeting no. 2/98 are in your package and the secretary of the committee, Ms. Kleisinger, and I have reviewed them for accuracy and I believe them to be a correct and accurate record of the meeting of July 7. Is there a motion to adopt the minutes? Ms. Crofford. Is there a seconder? Mr. Boyd. Discussion? Those in favour? Opposed? And that is also carried.

We'll now move to . . . Before we move to our decision items, we have one tabling item. The Provincial Auditor's memorandum of audit observations for the year ended . . . fiscal year ended March 31, 1998. That is provided for you in your package. It isn't before you for consideration or a decision item at this meeting. However, I do intend to bring a recommendation for the board's consideration in response to the Provincial Auditor's memorandum when we hold our pre-Christmas budget meeting. With that information I simply declare that that item is tabled for you.

We'll now move to item 2 on our agenda which is a decision item regarding the appointment of the Acting Chief Electoral Officer. And if I can refer you then to item no. 2 in your meeting package.

Back in May of 1998 of this legislative year in the legislature, the Assembly passed amendments to the election Act of 1996 to strengthen the independence of the Chief Electoral Officer by making the position an officer of the Assembly to be appointed by resolution of the Assembly. And the amendments also then authorized the board to make an acting appointment when the Assembly was not in session and then to set the salary and expenses for the Chief Electoral Officer.

As all members will be aware, a nationwide competition was held and interviews and the selection was made by a search committee which included representatives from each of the three caucuses. The search committee has now asked the Chair of the board to present the committee's recommendations to you and we'll deal with that just in a moment. And I recommend to you then that the board accept the recommendations of the search committee and the attached directives 25 and 26 to adopt and appoint . . . that they be adopted and then in effect appointing Ms. Janice G. Baker as Acting Chief Electoral Officer with the salaries, benefits, and expenses outlined therein.

Now if I can just refer you to the letter you will have in your package, the letter from the representatives of the caucus dated August 27, a letter to myself. And if I can just summarize that for the record, you'll have it before you.

In that letter the representatives of the caucus — Mr. Trew of the government caucus, Mr. Krawetz of the official opposition caucus, and Mr. Osika of the third party caucus — indicate that they received 76 applications, interviewed 9 candidates over the summer months, and then make the unanimous recommendation to the Board of Internal Economy that Ms. Jan Baker be appointed to the position of Acting Chief Electoral Officer effective . . . they say effective September 1 in their recommendation. That will be slightly different from the directive before you because of the date that we're at right now.

And they also recommend that the salary for the Chief Electoral Officer be set at an annual salary of 76,500, in the range of 76,452 to 87,696, at an ML (management level) 2 classification. And they also recommend that the allowance for travel and other expenses for the Chief Electoral Officer be set at the rate for public servants, pursuant to The Public Service Act.

They point out that they have met the obligation of the board in consulting with the Chair of the Public Service Commission regarding the recommended classification level as required by section 4.4 of the election amendment Act of 1998.

And I'll ask Margaret to distribute to you a slightly amended directive 25 from the one that you received earlier, and when you've got it I'll just draw your attention to the change. It'll be in the fourth point, the precise amount of the salary level.

Let me go immediately to that point. On point number 4 you will see it was recommended that the range . . . that the salary be set at 6,375 and in the range of 5,621 to 7,308. That's slightly revised. The reason being that the salary range has had the 2 per cent adjustment in the range but the 2 per cent adjustment was not applied to the original salary. So the one that I recommend to you in the revised version of 6,503 per month is the recommended figure plus the 2 per cent to parallel the range that is recommended to you. So I do recommend directive 25, and the floor is open to you . . . If someone wishes to move that, and the floor will then be open for debate.

Mr. Lautermilch moves. Is there a seconder? Mr. Whitmore. And the directive 25 just in summary — it will be listed in the record's verbatim — but without going through it necessarily verbatim then, provides for the appointment of Ms. Baker and then sets the salary at the rate of \$6,503 per month in the range of 5,621 to 7,308, management level II. The floor is open for discussion.

**Hon. Mr. Lautermilch:** — Yes, Mr. Chairman, I . . .

**The Chair:** — Management — sorry. That's management level 11. Sorry. That's not Roman numeral II. Sorry.

**Hon. Mr. Lautermilch:** — Thank you, Mr. Chairman. I recognize that this comes as a recommendation from the three parties, as the instructions were, and that this is an acting appointment to be moved to the Legislative Assembly and then dealt with in the Legislative Assembly.

I have just two questions. We were provided with, in the information here as I see it, no background on Ms. Baker. And secondly, I would like to know how the salary figure was

arrived at. Given the salary range is 6,521 to 7,308, this is somewhat in the middle of the range, and perhaps we could be enlightened as to how the salary figure was arrived at.

**The Chair:** — Just in response to your question, Mr. Lautermilch, the search committee didn't provide us with specifics on either of those. I can advise the committee that Ms. Baker has been in the Chief Electoral Officer's office for nearly 20 years and has been acting in the capacity of the Chief Electoral Officer for the past 14 months. The precise figure recommended for her, the rationale for that was also not provided to us by the committee, but it was recommended to us by the committee after consulting with the Chair of the Public Service Commission.

I'm advised that the Public Service Commission in arriving at the precise figure recommended, took into consideration two things: Ms. Baker's length of time in the office as well as her length of time acting in the capacity of Chief Electoral Officer in the interim. And I'm afraid I'm not able to provide any more specific information then, to that.

It would be also . . . oh, okay let me just add to that just slightly from some other information that's been provided to my office. She's been in the electoral office since 1979, so it would be 18 years, and provided technical support to the electoral boundaries commissions of 1988, '91, and '93 here in the province, and has also got some international experience assisting in the conduct of elections in Namibia in 1989, in Ethiopia in 1992, and in Peru in 1992. So she has 18 years in the province — 14 months as Acting Chief Electoral Officer, and also involved in the supervision of three boundary commissions in the province and three elections internationally.

**Mr. Boyd:** — Thank you, Mr. Chair. The official opposition certainly supports the decision of the search committee. I think the process worked, from my understanding of it, very, very well. It was for all intents and purposes a non-partisan effort at looking for the best person for the position, and looking for and choosing I think the right person at the end of the day. As you see, there were . . . as I see, there were a surprising number of applicants, 76, with a short list I assume of 9 candidates that were interviewed over the summer months.

I think it goes to show that in spite of what a lot of people feel, these kinds of things can work, that committees of this nature or search committees of this nature can work and do work and we've arrived at a decision here that I think is something that all of the parties are supportive of. I think the government could learn some very good lessons from this and certainly we've learned some very good lessons from this.

There are other areas that this could be applied to. We have been pressing and pushing for some time to see these types of similar decisions handled for example with the Crown Corporations Committee, for the board of directors of the major Crowns in this province. I think you would find that you would rather than winding up with the government of the day . . . and I won't accuse the government of the day, but of the government of the day putting their slate forward and deciding on their slate, we would have all parties putting forward recommendations and deciding upon the proper, shall I say proper, or best people to head up the directorships of the Crown corporations. Far

better I think than the process we have here currently in this province.

The Crown corporations are extremely important just as the Chief Electoral Officer is important. I think that there has to be a tremendous level of impartiality in the chief electoral office and there should be in the Crown corporations in terms of the decisions that they make which are on behalf of all of the taxpayers of this province and on behalf of all of the shareholders who are the taxpayers of this province. So we certainly believe that this process could be extended and should be extended and we hope it will be extended by the government to include a number of different things like Crown corporation board of directors.

In addition to that, again we have arrived I think at a very good decision by a non-partisan effort to select a Chief Electoral Officer. One of the functions of that office is to assure the people of Saskatchewan that elections are held in a proper fashion, to assure the public that we have a free democratic process that is not subject to any kind of interference.

In saying that, there is one area that we still think in terms of the elections of people here in Saskatchewan and an election process here in Saskatchewan that should be addressed to again assure people that there is a fair and open process. We think that the Chief Electoral Officer should be the one that determines who the deputy returning officers are throughout the province. Currently the government of the day selects the DROs (deputy returning officer) from across Saskatchewan, and generally speaking it is people who are supporters of the government I would argue.

We think that this is an opportunity for the government to show that, to extend this process, and show the people of Saskatchewan that committees like the Board of Internal Economy, Crown Corporations Committee, Public Accounts, all of the committees work in a non-partisan effort to arrive at who is best for these positions.

The Chief Electoral Officer could and should select those people, the deputy returning officers. Again as a — if nothing else, and I would argue that there's far more than nothing else — but if nothing else an effort to show the public of Saskatchewan that someone that has been chosen by all . . . chosen and supported by all three parties in this legislature is the one that is making the decisions on the deputy returning officers. A process that is far better than having the government of the day select people into those types of positions which should be non-partisan positions or should be seen as non-partisan positions by the public, in order that they would have some degree of confidence and support for the democratic process.

The DROs certainly could be made on recommendation by the parties to the Chief Electoral Officer, but the Chief Electoral Officer should be the one ultimately at the end of the day, rather than the Premier, making the decision in consultation with his caucus as to who those people are going to be. Thank you.

**The Chair:** — Thank you. Is there any further discussion on the motion?

**Hon. Ms. Crofford:** — Well maybe I'll just acknowledge, Mr. Chair, that I appreciate the support Mr. Boyd is showing for the initiative brought forward by the government and also his support for public ownership of the Crowns.

**Hon. Mr. Lautermilch:** — Just to say that I do appreciate Mr. Boyd's comments in terms of the co-operation that has taken place in this process.

Quite clearly, you know, the protection and the sanctity of the democratic process of electing members to the legislature is important and should be important to all of us. And one of the goals I think that we all should aspire to is accountability with respect to our constituents so that when an election takes place, they understand that they can be, will be, part of the electoral process; that the people that they elect — it's well understood who they represent and what they represent through an open and democratic process. And I think all members of the legislature should aspire to that level of integrity.

And certainly over the course of time as we move to strengthen that democratic electoral process, ensuring enhanced accountability which the Board of Internal Economy has been very much part of, over the last few years there has much progress been made in that regard and I think it's something that we all need to continue to strive towards.

With respect to Mr. Boyd's comments, I think that all of us will want to work in the future, step by step, to ensure that we are allowing the democratic process to strengthen and I think this has been a very good step. I agree with Mr. Boyd that it has worked. There are other areas that I think we need to ensure more accountability of.

We all understand that there are some political decisions that members make over the course of the time that they operate as a member of the legislature. But I think it's important that we assure the people of Saskatchewan that we will all move to a process in all areas, whether it be matters that the Board of Internal Economy deals with or the electoral process itself, that we all move towards more accountability and more honesty in terms of what we represent as members of the legislature.

**Mr. Whitmore:** — Thank you, Mr. Chair. Being involved in the process, beginning with the election Act that was started as an all-party discussion in terms of where we needed to go there, and culminating here with the Chief Electoral Officer and the independence of that, the work that's been done in the Board of Internal Economy regarding the changes that have been made there in terms of accountability — we've come a long ways in terms of democratic reform in the province of Saskatchewan.

And each thing we have done has been historic in terms of what the changes have been. Today we've made something . . . this is a major change for what has been historically, basically an appointment by order in council, the Chief Electoral Officer.

I simply want to thank, being involved in the election Act, as a member of our caucus and the discussion there with other caucuses from the opposition parties, that it's been an interesting process. It certainly has had some difficulties at times, but at the end is that we've all come to consensus in terms of what we wanted to do.

There's still points. I think this is an area of constant change, and I think this is something we'll be reviewing on an ongoing basis by all political parties as to how we make things better. And I think those things taken into account, we will continue to make those changes that make politics more accountable to the people of Saskatchewan. And again I want to thank the opposition parties for their involvement in this too.

**The Chair:** — Thank you.

**Mr. Boyd:** — Well thank you. I appreciate certainly the comments of the opposition . . . or, pardon me, the government members on the committee — Mr. Lautermilch, Ms. Crofford, and Mr. Whitmore — with respect to this. If what they are saying is code for they are going to continue down this path of electoral, and openness, reform, certainly we would support that.

This goes a long ways I think, to directing people and convincing people that indeed the legislature can and does work together from time to time.

**The Chair:** — Thank you. Any further discussion? If not, then the motion before you is the motion moved by Mr. Lautermilch, seconded by Mr. Whitmore:

That the board adopt directive 25 as recommended.

And just to be clear, this is the directive which sets the annual salary at \$6,503 per month. Those in favour of the motion, please indicate. Down. Opposed? And that's carried unanimously.

We'll now move to directive 26 which sets out in general terms and for ongoing reference the Chief Electoral Officer's salary and expense allowance. The essence of it is to acknowledge that the salary set by the board was determined after consultation with the Chair of the Public Service Commission as required by the Act, The Election Amendment Act, 1998, section 4.4; that it sets in place allowance for travel and other expenses as approved by the board; and that effective October 1 the salary shall be equivalent to a management level 11 classification of Public Service.

And it also puts in place that employee benefits applicable to public servants of Saskatchewan and Legislative Assembly employees shall apply to the position of the Chief Electoral Officer. And finally that the rate of travel and other expenses incurred in performance of the duty effective October 1, 1998 pursuant to section 4.4 of the Act, be set in accordance with the public service Act for employees in the public service.

That is the directive 26 which is recommended to you. It would be in order to have a motion that the board adopt directive 26 as recommended, or something else if someone wishes to move that.

**Hon. Ms. Crofford:** — I so move.

**The Chair:** — Is there a seconder? Mr. Boyd. And the floor is open for discussion. There being none, then it is moved and seconded that the board adopt directive 26 as recommended. Those in favour, please indicate. Down. Opposed? And that is

also carried unanimously.

Finally we move to item no. 4, a decision item. And you will have in your package a memo which was received in my office on Friday. It comes from the deputy minister of Finance who is secretary of the Treasury Board, and which I understand to be sent to me as Chair of the committee on behalf of the minister.

If I may just read it into the record:

As you are aware, the Government has made the Chief Electoral Officer an independent officer of the Legislative Assembly. As discussed with your office and with the Office of the Clerk of the Legislative Assembly, in order to facilitate this transition, Finance and Treasury Board, through this memorandum, request that the Board of Internal Economy assume responsibility for the review of the budget of the Chief Electoral Officer.

And I would then flowing from this, if it is your wish to move forward, then I would recommend to achieve that, that it would be in order to have a motion:

That the Board of Internal Economy accept the request of the Minister of Finance to assume responsibility for the review of the budget of the Chief Electoral Officer effective with the preparation and review of the 1999-2000 budget.

Is there a mover? Mr. Lautermilch. Is there a seconder? Mr. Whitmore. The floor is open for discussion. There being none, those in favour of the motion, please indicate. Down. Opposed? And that's also carried unanimously.

Ladies and gentlemen of the board, that brings us to the conclusion of our agenda. I anticipate our next meeting to likely be about a couple of months from now, in that neighbourhood. We'll be in touch with you to determine dates as appropriate.

And we'd be looking at a lengthy meeting in which we would deal with all of our budget proposals including the Legislative Assembly and other officers of the Assembly some time in the late November, early December period for the fiscal year of '99-2000. And also at that time we'll bring recommendation to you for your consideration in response to the auditor's report related to the board.

Are there any final comments before the Chair adjourns the meeting? If not, then this meeting stands adjourned. Thank you for attendance.

The meeting adjourned at 9:05 a.m.