Legislative Assembly
of Ontario

First Session, 39th Parliament

Assemblée législative
de l'Ontario

Première session, 39e législature

Official Report
of Debates
(Hansard)

Thursday 30 October 2008

Journal
des débats
(Hansard)

Jeudi 30 octobre 2008

**Select Committee on
Elections**

Review of election legislation

**Comité spécial des
élections**

Révision de la législation électorale

Chair: Greg Sorbara
Clerk: Trevor Day

Président : Greg Sorbara
Greffier : Trevor Day

LEGISLATIVE ASSEMBLY OF ONTARIO

SELECT COMMITTEE ON ELECTIONS

Thursday 30 October 2008

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ SPÉCIAL DES ÉLECTIONS

Jeudi 30 octobre 2008

The committee met at 0905 in committee room 1.

REVIEW OF ELECTION LEGISLATION

The Chair (Mr. Greg Sorbara): Good morning. To the committee members and those in the committee room: I just want to take care of a little bit of business before we get on.

As it turns out, November 3 is not a good day for the committee, the week after that we're in constituency week and then the following week is not a good day as well. The long and the short of it is that the proposal is that this committee reconvene on November 27. I hope at that time we can have a broadly based discussion amongst all the committee members as to the specific issues that they would like to see addressed as we move forward. Then on the following Thursday, we intend to hear from Greg Essensa, the new chief elections officer. That's sort of our schedule up until that point.

I have been advised by the clerk that the notice and advertisement that we agreed upon last time around has been sent to all of the registered political parties as well as all the returning officers from all the ridings across the province.

JOHN HOLLINS

The Chair (Mr. Greg Sorbara): With that, our business this morning is to hear from the former chief elections officer, John Hollins. I'd invite John to come up to the table. I think the procedure for this morning will be that John will make a presentation, probably based on information that he sent us in writing, but he's free to take that discussion wherever he likes. Then we'll move around the committee to the members for a period of questions for about 45 minutes.

With that, let me welcome John Hollins to the table. Thank you, sir, for coming. We look forward to hearing from you.

Mr. John Hollins: Thank you very much.

The Chair (Mr. Greg Sorbara): Okay, whenever you're ready.

Mr. John Hollins: Okay. I actually have a presentation I've put together. I hope it covers what you're looking for.

Mr. Chair, members, staff and members of the public, thank you very much for inviting me to appear before

your committee today. My name is John Hollins. I was the Chief Electoral Officer of the province of Ontario from January 2001 to June 2008, where I participated in two recounts and conducted two general elections, one referendum and 15 by-elections. My municipal election experience includes directing elections from 1985 to 2001 at the amalgamated city of Toronto, the former cities of North York and Toronto and having held various other responsible roles in election administration from 1972 to 1984 at the former city of Toronto. During my municipal election years, I had the privilege of participating in five recounts, 12 general elections, one referendum and numerous by-elections.

My international experience includes being senior adviser to the Central Elections Commission of Palestine for the 2005 presidential election, and international observer status for Britain's parliamentary elections, Scotland's parliamentary elections and three presidential elections in the United States of America. My Canadian experience outside of Ontario includes observer for three Canadian federal elections, provincial and municipal elections in Quebec and British Columbia, and municipal elections in Alberta and New Brunswick.

0910

I have had the honour of making presentations to committees of the House of Commons, Senate and Legislative Assembly of Ontario; the Association of Municipal Managers, Clerks and Treasurers of Ontario; the New York State Board of Elections; and the International Institute of Municipal Clerks.

I appear before you today understanding that your mission is to consider the current effectiveness of the Election Act, the Election Finances Act and the Representation Act in the preparation, administration and delivery of elections in Ontario. I encourage you to also review municipal election legislation with a view to regulating election systems, including technology standards and system guidelines; further, to identify the best source for preliminary lists of electors for both provincial and municipal elections.

I encourage you to remove the barriers to voting in Ontario while embracing the principles of access, integrity and fairness, to introduce a modern approach to election management and, most importantly, to place the elector at the centre of the process.

It is my intention to identify where the process is today, where I believe it should evolve to, and things the

committee should consider during the process. I will do this while focusing on five themes: the elector; enhanced voting opportunities; register and list; and integrity and efficiencies.

Elector-centred principles: It is important to note that electors see the role of election administrators as providing notification of impending elections, providing information on how they can exercise their franchise, and ensuring easy access while protecting the integrity of the process. While it is not the role of the government or election officials to increase voter turnout, it is within their role of responsibility to ensure that they are in no way discouraging or disenfranchising voters. This includes acknowledging voter fatigue, confusion between various jurisdictions, and personal distractions. As people become busier, they opt for more convenient methods of doing business. As a result, it is incumbent upon us as we review the electoral system to eliminate barriers and look for opportunities and efficiencies to enhance voting, and put the elector at the centre of the process.

To that means, "a vote anywhere in the electoral district" strategy should be adopted.

Currently, all electors in an electoral district choose from the same set of candidates and are qualified to receive the same ballot, yet we force voters to attend a specific location. These polling divisions were created for efficiency based on the deputy returning officer and poll clerk staffing model, while allowing us to track electors to a specific poll. In multiple polling locations, it often resulted in long lineups in one or two polls while four or five polls in the same location sat empty.

The administration of a polling division should be reviewed and the use of deputy returning officers and poll clerks should be a thing of the past. Electors should be able to attend at any polling location in their electoral district and polling locations should be designed to process electors as quickly and efficiently as possible. Modern technologies, along with the requirement to produce identification, will guarantee accurate record-keeping and maintain the integrity of the process in a more efficient polling division. Voting at any location in an electoral district has proven to be successful during advance voting in the last two provincial elections.

Second, proxy voting is a process whereby an elector legally passes their right to a ballot to another elector. This is usually done in a case where an elector is unable to cast their ballot at an advance poll location or at a polling location on election day. Proxy voting should be discontinued and modern strategies deployed to ensure every elector gets to mark their ballot.

I urge you to consider the following strategies, all of which would be a service improvement for Ontario's electors and have been used successfully in other jurisdictions.

Electors living outside their electoral district but somewhere else in Ontario should be able to attend at any returning office in the province and cast their ballot during the advance voting period. An advance voting strategy for communities of these electors should be considered. Examples of this would include pockets of displaced workers and students residing at schools outside their electoral districts. In addition, existing practices such as special ballots, which is the federal model, for armed forces personnel on active duty, foreign service workers, incarcerated electors and any other electors that are abroad should be considered. Other opportunities include encouraging shut-ins to register in advance and have election officials attend at their place of residence during the advance voting period.

Electors with disabilities should be able to attend at returning offices, and using a ballot-marking device that includes the ability to use pressure-sensitive control panels—a sip-and-puff system—should be allowed to use these systems to complete their ballot in privacy. This service level should be seen as only the beginning, with a long-term commitment to providing a ballot-marking device at every polling location in the province on Ontario in the future. All of these strategies would focus on providing the greatest accessibility to electors without jeopardizing the integrity of the process.

Enhanced voting opportunities: Over the past several elections, administrators at all levels of government have seen an increase in the number of electors opting to vote at advance polls. In keeping the elector at the centre of the process, I believe it is vital to provide as many opportunities as possible for electors to exercise their franchise.

First, electors should be able to attend at a returning office as soon as it opens to cast their ballot. A write-in ballot could be used and this would allow electors to fit voting into their busy schedules.

Second, the current community-based advance voting period should be reviewed and returning officers should be authorized to determine the number of days each location will be open. This will help service smaller communities and special interest groups.

Third, make Election Day a holiday or weekend. Election Day, for most Ontarians, starts when they get home from work. With polls closing at 9 p.m., that only gives them a three-hour voting window.

Voting statistics suggest that turnout is low up until the age of 42. Interestingly enough, most people in this demographic are married with children, so a weekday means getting home around 6 p.m. and meeting with your spouse and children to determine your evening priorities. I am sure that eating, homework and children's activities are high on the list. I would venture a guess that this is impacting our voter turnout.

Fourth, move election day to the spring, when the days are longer. This would make things safer for election staff, candidates going door to door and electors attending their polling locations after work. A further benefit may be the return of university students to their principal residences.

Fifth, the use of as many advance voting and election day polling locations as possible should be supported. Legislation should continue to guarantee access to government institutions. Election administrators are

presently on a collision course with school boards over school security issues. In Ontario, schools make up 27% of polling locations and support the voting of 45% of the electors. It would be prudent for your committee to include school boards in your discussions. The solution may be as simple as making election day a professional development day in the schools across Ontario.

Sixth, some consideration should be given to poll closing hours in view of the closing hours of the municipal and federal elections. Electors continue to complain about the lack of consistency between the electoral agencies, which leads to confusion. In this case, an elector attending an Ontario poll thinking it is open to 9:30 pm may arrive after 9 p.m. and be turned away from the poll only because, in the last election they participated in, the polls closed at 9:30.

Focusing on the register and the list—permanent register of electors: When register statistics are compared to Statistics Canada data by year of birth, it is clear that the register could be more thorough in the 18-to-24-year-old age demographic. Access to education databases for electoral purposes would allow the election administrators to place the names of new electors on the register prior to the next general election. This would provide them with the opportunity to notify each new elector on their 18th birthday regarding their rights to vote and to request permission of this elector to include them in the preliminary list of electors for the next election.

0920

Accurate addressing is vital to locating an elector on the ground and to ensure that they are assigned to the correct polling division and electoral district. Inconsistent addressing protocols can make it a challenge when assigning electors to polling divisions. Appointing a single-address authority in the province would increase electoral efficiency.

Information transfers from databases being used to keep the permanent register both accurate and current are often delayed, creating a currency gap between data delivery and the electoral event. It is important to use the period immediately prior to an election to revise the register.

Target registration in an election year should be continued. Target revision with every electoral event that takes place in Ontario is a must to ensure currency.

The list of electors is delivered to the returning officers immediately following the issue of the writs. The list is distributed to candidates and a revision process is commenced immediately. Prior to advance voting, a second list, complete with revisions, is compiled and distributed to advance voting officials, and prior to election day, a third list, the official polling list, is compiled, complete with revisions included, and advance poll voters are crossed off this list for distribution to election day officials. Consideration should be given to providing candidates and parties with an electronic copy of all three of these lists. We're all partners in the delivery of election day. Currency to the election officials, candidates and parties is imperative.

Determination of the number of electors who were entitled to vote is completed following election day. This number is the basis for candidate and party spending. As you will see, this date happens to lie after the event itself. We call it the quiet trap, in the sense that a candidate and parties are forever asking us for new numbers—"How much can I spend?"—and of course the legislation only provides us the opportunity to compile the list post-event. Consideration should be given to choosing a number that is in the public domain prior to polling day, or prior to writ day, if that's a possibility. This number could be based on the number of electors on the preliminary list of electors or population totals pre-set and determined by census numbers prior to election day.

Focusing on integrity: Integrity of the electoral process means that the electorate needs to be confident that the electoral process is managed and operated in a transparent and impartial manner with all the necessary checks and balances in place. If we are to embrace this principle, it is important that we consider the following. First, review the identification requirements to access a ballot and make them as consistent as possible for all three levels of government. Eliminate the confusion for the voter in Ontario. Consideration should be given to amending the Health Card Act to allow the health card to be used for electoral purposes.

In 2007, electors whose names appeared on the list of electors but were unable to provide documentary proof were permitted by statute to make a declaration to obtain their ballots. I would suggest that a person with the proper identification should be allowed to vouch for one other person. Historically, our legislation allows such a situation to be remedied in rural municipalities only.

The Chair (Mr. Greg Sorbara): Did you say to vote for one other person or to vouch?

Mr. John Hollins: Vouch for one other person, which would allow them to have access to a ballot based on the ID of that person.

The Chair (Mr. Greg Sorbara): Right.

Mr. John Hollins: Similarly, I would suggest that a person with the proper proof of identification and residence should be allowed to vouch for one other person on election day to have their name added to the list of electors. Also, in view of the identification requirements, electors should no longer be required to state their name and place of residence to the deputy returning officer prior to receiving a ballot.

Instead, to eliminate possible confusion at the poll, all electors should be asked if they are Canadian citizens and questioned as to whether they have voted in this election, prior to being issued a ballot. Matching qualifications to identification requirements is difficult when trying to confirm a person's citizenship; a simple question should suffice. Municipal qualifications provide for some electors in Ontario to vote in more than one municipality. Again, a simple question would clarify this issue. One other concern is the consideration of some municipalities to include non-citizens in the electoral process.

To enhance transparency, election officials should continue to record the name and address of every elector

who receives a ballot, and immediately following the election, the Chief Electoral Officer should continue to compile a province-wide list of these electors. Any instance where an elector has voted more than once should be included in the Chief Electoral Officer's report. Modern tracking methods in the polling locations should be encouraged. The compilation of all voters' names will provide a new security level. Given that parties already have access to which electors voted on election day through their scrutineers and they also have the right to inspect records post-election, a move to further transparency would be the distribution of the compiled list to the parties.

Finally, eliminate partisanship from the electoral process. Currently, returning officers cast the deciding vote in a tie. I suggest that research should be done into how other jurisdictions solve a tie prior to the committee making recommendations.

Returning officers are appointed by the Lieutenant Governor in Council. Other jurisdictions have moved to a merit-based system. Elections Canada and the provinces of British Columbia, Saskatchewan, Manitoba, Quebec, and Newfoundland and Labrador have shifted the responsibility for appointing all election officials to their respective Chief Electoral Officers. The province of Alberta is presently considering this move in view of the negative press the government received during the last provincial election.

In addition, candidates provide lists of poll workers to returning officers, and returning officers are directed by legislation to not appoint these positions until 10 days prior to election day. Waiting for these lists places the administration of election day in a difficult position for many returning officers. I recommend that returning officers encourage all candidates to provide lists to assist them with their recruiting. However, appointment to positions should be merit-based and according to the returning officer's schedule.

Consideration should be given to relaxing ballot legislation, allowing administrators to stay current with the changes in paper security and printing practices. Mills have informed us that security measures are more advanced than we have been using, and printers have advised that technology has passed us by, making our ballots both expensive and difficult to prepare in a short period of time—the 36-hour turnaround that we have to put ballots on the street for advance voting.

Focus on efficiencies: Perhaps the greatest opportunity in drafting new electoral legislation comes in the government's ability to create one agency to deliver elections to the voters for all three levels of government. Not only would greater efficiencies be found, but voter confusion on where and how to vote would be minimized.

0930

On October 14, enthusiastic Ontarians voted for the third time in as many years. They gathered up their identification and headed off to the polling location, to realize that the polling station was not the one they attended last year at the provincial election, or even the year before, at

the municipal election, and their identification, which worked fine last year and the year before, wasn't enough to secure them a ballot in this election: three different sets of rules; three different agencies conducting the electoral event. In fact, we have a fourth agency that produces the list of electors municipally in Ontario. I realize that federal elections are not within this committee's authority; however, I do encourage dialogue with your federal counterparts for the sake of Ontario's electors.

On that note, I suggest that the committee seek efficiencies within the provincial and municipal electoral frameworks. One set of rules and one agency delivering the electoral event would provide the consistency that electors are looking for. This one agency would be responsible for providing preliminary lists of electors for elections in Ontario. Thus, electors would only have to update their information once and it would be reflected on all lists.

I suggest a meeting between Elections Ontario, the Municipal Property Assessment Corporation and municipalities and/or their representatives to identify a voters' list strategy that includes an address authority, a preliminary list provider and a revision process that ensures an accurate and current list for both provincial and municipal elections.

When considering efficiencies and modernized elections, it is also incumbent upon us to consider new voting systems as well as voting and vote-counting technologies. Municipal election legislation amended in 1996 empowered election officials to explore the electoral landscape, not unlike the United States prior to 2001. I would suggest, as we now see in Florida, that these technologies need to be regulated and required to meet provincial standards prior to being used in Ontario, and that guidelines should be provided to all administrators who wish to adopt any system that differs from the basic paper-ballot hand-count system now used in provincial elections.

In summary, thank you for allowing me this opportunity to bring forward my vision of electoral priorities. As mentioned, this is a time of opportunity, a time to review all legislation and build a framework that will serve the electors of Ontario well into the future and as elections continue to evolve. An elector-based philosophy that considers one set of rules for all levels of government will not only eliminate confusion but create efficiencies for the voters of Ontario.

The Chair (Mr. Greg Sorbara): Thanks very much, John. Would you feel okay about providing the committee with a copy of your written remarks, so that they'll have them available?

Mr. John Hollins: Sure, they can have them.

The Chair (Mr. Greg Sorbara): I think we'll go around the room, starting with Norm.

Mr. Norman W. Sterling: I would prefer the questioning to go sort of by topic or whatever. If I ask a question about a particular thing and somebody else wants to jump in, it's probably better that way.

The Chair (Mr. Greg Sorbara): I think that would be fine. What I was going to propose is that we start with Peter and then go to Norm and to David, but I certainly want to permit and encourage committee members, if they have supplementary problems or want to explore an issue a little bit further, to just raise your hand and I'll recognize you and we'll do that. Is that okay with everyone?

Mr. Peter Kormos: Okay. What I want Mr. Hollins to expand on is the proposition of more than one voting day, the proposition of a holiday for a voting day or using weekends. It's interesting that a whole lot of countries use that. It would be something of a political culture shock for Ontarians and Canadians, because they're used to waiting up till whatever time at night to get the election results on election day. What do you have in mind? Help us in that regard.

Mr. John Hollins: I look at it from two perspectives. One, in other countries where I've been, they establish election day as a holiday, because they see that as all-encompassing to the electorate: "This is a very special day in our country; we want you to participate." That is the message they send out. They open the polls, they open their schools, they make it mandatory for their teachers to actually operate the polls, because those are seen as upstanding citizens within their communities, and I see that they have had great success in the participation rate. I find that to be attractive.

Mr. Peter Kormos: What about the idea of weekends, using Saturday or Sunday? Some suggest that that would accommodate any number of faiths and also expand the time for voting, and also because this last federal election put incredible pressure on the staff—not only the paid staff but the volunteers who work in the polling areas—because of the incredibly lengthy day. What about weekends?

Mr. John Hollins: I've seen—and I have to admit this actually surprised me—weekend attendance at the municipal elections in Quebec. I think they get a 76% turnout; it's incredible. It's on a Sunday, and people fit it into their schedule. I would have thought, it being more a religiously-based province than Ontario might be—I really wasn't sure what I was getting into when I went and watched and assisted. But no, it's their right. They feel proud to be able to vote, and by giving them a full day to work with, they seem to be able to work it into their schedule to participate in the electoral process.

Mr. Peter Kormos: What about two consecutive voting days?

Mr. John Hollins: I think that would be very difficult for staff, I think there would be security issues, looking at what you do with the ballot box overnight, and I'm not sure where the gains would be in that.

Mr. Norman W. Sterling: At first blush, I would be a supporter of that. If we did that with restricted hours on both days—not the same kind of hours until 9 at night, but let's say 10 to 6 on Saturday and 12 to 6 on Sunday, something like that—would it be much more expensive to do it that way? You mentioned the security risk about the ballot box overnight, which I had not thought of, but it's a valid point. My concern with the polling hours we have now, at least in the last provincial election, is that nobody was voting after 8 o'clock at night—very, very few people.

People who run the polls are generally senior citizens and that kind of thing, and in the rural areas for them to bring back the ballot box after they've counted, after 10:30 or 11 o'clock, is very onerous. It's hard to get somebody who is way in the back 40 to bring that in. They don't bring it in until 11:30, 12 o'clock at night, and there's some danger in terms of them driving at that time after they've been sitting around all day. I have some support for a dual day. Then you do away with any kind of religious objection, because you can say that if your Sabbath is on Saturday or your Sabbath is on Sunday, you can vote on the other day.

Mr. John Hollins: I think the first question was: Would it be any more expensive? It would be more expensive. I don't know the numbers. I don't think it would be double the cost. If you're going to adjust the hours, that would certainly be a consideration. As you mentioned, it is a long day for the staff, 9 to 9:30 at night, and all the things you mentioned with regard to safety and security—I guess one you didn't mention that we always experience is the fatigue of the election officials. Of course, the most important thing of all is counting the ballots. Well, we do that when they're in their most exhausted state.

Mr. Norman W. Sterling: Another issue in that light is: Has there ever been any consideration in any other jurisdiction with regard to starting to count the advance poll before the polls close; in other words, start the advance poll counting two hours prior to the end, but nobody comes out of the room until the polls close?

Mr. John Hollins: Yes, and there are a couple of different methods. One is that they have technologies to count the ballots: They just put all the ballots through a machine and only the machine knows the numbers. At 8 o'clock they push a button and out come the numbers.

The other is to factor in counting teams based on time and sequester them at 6—two hours before they close the polls would probably be a better approach—and then they count the ballots, so that the first numbers that are reported are the advance poll numbers. I've seen that done quite often, actually.

0940

Mr. Norman W. Sterling: Where is that done?

Mr. John Hollins: I've seen it done in the United States. Actually, I've seen it done in the municipalities here, with the machines. They put them all through, and then they just press a button.

Mr. Norman W. Sterling: And you're not permitted to do that now?

Mr. John Hollins: No.

Mr. David Zimmer: If I could just pose two questions, discussing two issues: As you know, obviously, our ridings throughout the province of Ontario differ wildly in their makeup—their geographic makeup, their border

makeup, their cultural makeup and so on: rural ridings in remote Ontario, downtown city of Toronto, ridings like mine, ridings that are principally farms, ridings that are a collection of small towns, ridings that are composed of single-family homes, ridings like mine where there are huge numbers of apartments and condominium units. So the lifestyle of the voters in each of those ridings varies widely.

What are your thoughts on what I'll refer to as riding-by-riding solutions to problems that crop up in the whole range, that is, from what goes on on voting day in these very different ridings across Ontario and in all of the events leading up to voting day: getting the voters lists organized and the maps, and all of that sort of stuff? Do you think there is any room for some discretion, within the context of the rules of the Election Act, on a riding-by-riding basis, to propose local solutions, so that the end result is, it makes it easier for the voters in those very disparate ridings to cast their votes?

Mr. John Hollins: In the existing—

Mr. David Zimmer: If you allowed for that riding-by-riding solution, what would be the process to delegate that discretion to the ROs and the DROs?

Mr. John Hollins: In the legislation today, no, there's not. Essentially, the voters are equal across the province. Let me share with you some—of course, we sit, election administrators, around the table, and we talk about some bizarre things that we either want to do or would like to try to do. There was a time when I really believed that every electoral district in the province of Ontario should vote and decide on which way they get to exercise their franchise. I used to believe strongly in that, and I think that emanated from the fact that we let the municipalities do that. As we see now—we've seen them vote by Internet, by telephone, by mail; we make some go to polling booths. I don't believe that anymore. I think that what I'm seeing evolve in the electoral communities around the world is that it's not about the electoral district; it's about the person. You can't take this group of people, regardless of boundaries, and say, "Let's treat them all the same." I would envision that the process in the future would be multi-channel voting, that the electoral administrator would offer many ways for you—

Mr. David Zimmer: Sorry, I didn't catch that word. Multi—

Mr. John Hollins: Multi-channel voting, just like your television set. So you have a menu: 10 ways of voting—which one appeals to you?—and each one has its own built-in security. If you're going to vote in this manner, then I'm going to require a signature, and when you submit the ballot, a signature, so I can identify—or there's going to be a double mail-out system. Or, in the case of, as I mentioned today, why not knock on the doors of shut-ins? People are doing that in other communities; however, you have to pre-register with somebody and something, so that we can maintain the integrity.

So in the future, I think, it's not the community we'll treat somewhat uniquely; it will be the individuals.

Mr. David Zimmer: So are you comfortable, then, with some mechanism that would in fact provide some discretion for individual ridings to, within a broader context, fine-tune how they conduct the vote, if you will?

Mr. John Hollins: I am, but I think that's only halfway there. If you say, "Take X riding" and say, "They can vote by mail," then someone else is going to start saying, "Why not us?" I think if you say, "Here are your 10 options, and all Ontarians have the same options. You can vote by mail, but here's the process. You can vote by going to your poll; you can vote by us knocking on your door," I believe that that is a better system in the long run.

Mr. David Zimmer: Okay, and then some other examples of local nuance, if you will. This idea that every riding has to have 350 folks working in the riding may be fine for riding A in downtown Toronto but not appropriate for a rural riding. Do you see cutting some slack for the local ridings, how they organize that?

Mr. John Hollins: Most definitely.

Mr. David Zimmer: Okay.

Mr. John Hollins: I think the 350 number was predicated on the fact that in the 1800s, we needed two people to treat so many people, as a service level, within a certain time and count the ballots. I think that number should be discarded. I think we now should build an efficient model around every polling location that we're going to use. In some cases, it might be 2,000 people in there, but you have a staff of 15 people servicing them efficiently.

Mr. David Zimmer: My next-to-last question is: The relationship during the writ process and on election day between the CEO and the DROs and the ROs—we heard, and don't in any way take this personally or anything, a lot of concerns about local ridings trying to sort out issues in which they needed input or decisions or direction from head office, as it were. It's my sense that in some quarters, there was a feeling that the relationship between the head office, if you will, and the riding was not fluid enough to enable the local riding to effectively manage the process. Did you sense any problems or issues there and, if so, what solutions might you offer?

Mr. John Hollins: I think it's more the nature of the beast. If you look at the historical rotation, you can say, "Yes, I see what he's saying." When Elections Ontario, as an entity, gets a large turnover of returning officers, which happened to us in 1999 and again in this last election, what happens is you have people for the very first time conducting an election. In this case, I think we had 85 of 107 who had never done this before.

What happens is, you only have so much time to spend with people. You have lots of call centres and lots of support things, but on the key decisions, you tend to spend more time with the people who—I don't want to say "squeaky wheels" because the system now is in such a way that you're identifying where the strengths and weaknesses are throughout the 28-day period, and you tend to trust people with experience and give them a little bit more room to manoeuvre.

The Chair (Mr. Greg Sorbara): David, I'm now just going to, in the interests of fairness, go back to Peter.

Mr. Peter Kormos: Mr. Zimmer's comments prompt my questions. I agree with you about the need for uniformity—from municipal through provincial through federal—and also stability. In other words, adopt a model, adopt a style, and for Pete's sake, stick with it. But that's why I'm interested in proxy voting. Is your concern about the integrity aspect of it?

Mr. John Hollins: It's twofold. We have a right to a ballot. What we've done is, because we don't want to increase our service level, we've taken the right away and handed you a proxy form. So someone who is—how do I put this properly? If you were in Afghanistan, you voted on a ballot for the federal election. The turnout there is probably very good. In our election, we send you an application for a proxy form and we don't get a turnout. I don't know if that's the intention of the way we design our system. I think we're past that now. I think we want to open up these channels and try to include everybody, no different than the person who's disabled going and they swear on a friend or a returning officer to mark the ballot for them. There are technologies that allow them to actually mark ballots in this day and age.

Mr. Peter Kormos: Most of the proxies that I've seen, down where I come from, are from people who are physically unable to leave their homes or apartments.

Mr. John Hollins: If we knock on the door and grant them a ballot, will they be happier?

0950

Mr. Peter Kormos: That's a response; that's an alternative. That's why I'm asking you: Is there a problem with the integrity of the proxy system or are you talking about the ability of a person to personally mark their ballot?

Mr. John Hollins: I think it's twofold. Proxies are the things we watch the closest during an event. I'd be absolutely lying to you if I said I didn't have people phone and complain that people were knocking on doors and trying to convince them to grant them their proxies, and I'd be lying if I said I didn't sit candidates down and read them the riot act. That's the nature of the business.

Mr. Peter Kormos: Okay, well—

Mr. Norman W. Sterling: Just a second. Do you have numbers as to how many proxies there are per riding or per constituency?

Mr. John Hollins: You know what? I don't have them with me. That would be a better question of—

Mr. Norman W. Sterling: But you have those numbers?

Mr. John Hollins: Yes, most definitely. That's something we track and watch.

Mr. Peter Kormos: And are there patterns, are there communities or parts of the province where proxies are more frequently used, perhaps more part of the political voting culture, than they are in other communities?

Mr. John Hollins: If I answered the question, people would take it back to an area of the province, and I don't think it would be fair. But, yes, you're right.

Mr. Peter Kormos: All right, so don't identify the area of the province for the moment, but what motivates that? What prompts that?

Mr. John Hollins: What prompts them to do what they do?

Mr. Peter Kormos: Yes, why are there certain ridings in which they're more common than others?

Mr. John Hollins: I think it's that candidates believe that they have to win, and winning is getting an edge. Someone plants in their brain that these people will not be leaving their house to vote, so the way to get them to vote is to convince them to give you a proxy. Then that turns into, you knock on my door and you want a proxy, I'm not going to say no to you, so I give you the proxy, you vote, I show up at the poll and now people are asking me why I gave a proxy when I wanted to vote, and I say, "I couldn't say no to the person at the door."

Mr. Peter Kormos: Is there any auditing of that? Is there any testing of that to determine—

Mr. John Hollins: No. We don't record it. It's anecdotal. I don't know that we'd want to record it, actually, other than when we would have to press charges on someone. But, to date, we've always alleviated that just by discussion.

The Chair (Mr. Greg Sorbara): We're going to get on to another topic now, but with the indulgence of the committee I just wanted to put a couple of follow-up questions.

I take it that part of what is driving your view of areas of reform is efficiency, integrity and creating a model of access that encourages more people and allows more people to come out to vote. On the issue of Saturday or Sunday or a holiday, many of us think, "Well, then, more people will vote and the result will be a stronger one."

I'm just wondering, John, whether there has been some good, solid research done amongst a segment of the population, and particularly that segment that did not vote, to determine why it is that they didn't vote. Was it because of the day? Was it because of work hours? Was it because of a holiday? Have we got any current research to say that these things impede people from coming out to the polls?

Mr. John Hollins: Just to share with you, with the polling, we poll everything. I'm sure you do as well. It's important to know that: what people are thinking. But elections are a funny thing, and as the pollsters say, "We'll phone people, and by our poll out there, they'll tell us 90% voted today, even though you got a 50% turnout, because there's that inner guilt of people, that they really don't want people to know they're not supporting their society."

That aside, yes, there are statistics and they would be available through Elections Ontario, where they have itemized exactly the reasons people have given. Some of them hold water; some of them are just brush-off comments. But you'll know that when you read that. I think that's something that you would want to read. They've got some very good statistics, even suggesting things like there's no appetite for Internet voting, voting by tele-

phone or voting by mail right now. Just little things like that, trying to keep current on what people are thinking out there.

The Chair (Mr. Greg Sorbara): I just perhaps want to put on the record my concern about making voting day a public holiday, although I think I can understand the reasoning for that, given that I was the person who first announced that there was going to be a new public holiday in Ontario in February—Family Day, as it's now called.

My concern with it would be that the culture here is that when there is a holiday, families in particular look at opportunities to get away for a while. The May 24 weekend, more people are away from their ridings than are there, at least in certain parts of the province. Nevertheless, I think the idea of examining whether we have the right day is a good one for committee.

Mr. Norman W. Sterling: On that point, I can remember talking about this issue in Premier Davis's cabinet about November 11. Our determination, or the determination—I can't remember whether it was a holiday prior to that time, but we would get greater participation in Remembrance Day ceremonies if it wasn't a holiday because the kids would all come from school and so the kids would celebrating in the schools or marking the day. That was an important part.

Can I ask a question about consistency, particularly in terms of federal-provincial, because in most of the ridings—I wish it was all the ridings—we have the same boundaries or constituencies. As you know, in the north we have 11 and the federal government has 10 seats. But outside of that, the federal election which we've just gone through—they have some real advantages that I see that we could adopt here in the province of Ontario. For instance, in terms of scrutineers going into the polls, the returning officer or the clerk—I'm not sure which one—actually fills out a sheet for each scrutineer and tells them who's voted and who hasn't. So the scrutineer walks in; they say, "Here it is." They do it a half-hour on the half-hour. It's very well organized and so it makes it much easier for the political organizations.

The other one that I'm attracted to is the mobile polls. They go from nursing home or a long-term-care centre to a long-term-care centre. It must be extremely boring to sit in a long-term-care home from—is it 9:30 the polls open?

Mr. John Hollins: Nine.

Mr. Norman W. Sterling: Nine to 9:30 for 12 and a half hours and all of the voting is done by 9:30 a.m. rather than 9:30 p.m. It seems to me a tremendous waste of resources with regard to the whole thing and a very, very boring day for a number of people, and if you can get everybody who's going to vote done in an hour, why not do it that way?

I guess my question to you is, if we were to adopt many of the practices that they have at the federal level and make our process more consistent with theirs, are there any that you object to at the federal level?

Mr. John Hollins: I quite like some of the things that they do in their legislation. I quite like exactly what you're discussing now: the mobile poll. I like it for administrative efficiency. It scares the heck out of me in law. If I go to the nursing home, go around and you all vote and Peter's in the washroom and I miss Peter, so every other person in Ontario got 12 hours to vote and Peter got an hour but was indisposed and didn't get to vote, have I now disenfranchised Peter? As a process—

Mr. Norman W. Sterling: No. Basically if you did the other thing that you're suggesting, and that is, have a rotating person whom you could call back in nursing home A where they voted from 9 to 10:30 in the morning, and Peter or whoever was in the washroom who didn't get a chance to vote and now wants to vote, you send somebody out to have him vote later on in the day, but to cover off that remote chance that somebody would be disenfranchised.

The Chair (Mr. Greg Sorbara): Peter, and then I'm going to start another line of questioning with—

Mr. Norman W. Sterling: I guess my question was: What don't you like?

Mr. John Hollins: What I don't like is that they don't have the authority to do things in Ontario that we do. If you sit with the CEO of Elections Canada and he says, "John, I wish I had the right to get into the schools that you have, but I can't because my government cannot guarantee that." It's like the municipalities: They get into their community centres; it's more difficult for us to get in. So the voter is constantly getting—you go to the church, you go to the school, you go to the community centre, and I think Peter nailed it. Every time I vote, I should go to the same place. Then I'm conditioned and it's easy; it's comfortable. As soon as you break that comfort stream, people are less likely to participate, and I think we experience that.

1000

The Chair (Mr. Greg Sorbara): Peter, you had a supplementary on that?

Mr. Peter Kormos: Just on the nursing homes, the extended-care wings of hospitals: Why wouldn't there be advance polls? Advance polls really create more than one day for any voter to vote in, assuming that that voter can get to the physical location, right? So why, in those specific areas, like a hospital—because one of the complaints we get down where I come from is that people who are hospitalized after the advance polls have been conducted—they're in the hospital, heart surgery, what have you, and then can't get out to vote. So it's very, very frustrating for them, at that point. Why wouldn't there be advance polls in those types of locations, giving those people more than one opportunity to vote?

Mr. John Hollins: Typically, why we haven't put them in nursing homes etc. is because there are so few and we know we'll capture them all on election day. Under the current legislation, we have to open on election day, by law. So if we're going to open on election day, why would we go in on Saturday and collect 10 votes, and then come back on Thursday and collect the other 10 votes?

The idea has been that the advance would be so that people would be able to find a way to get to where we

are; on election day, we would do the outreach program. If we were to—

Mr. Peter Kormos: If we choose hospitals, though, as an example, as compared to a seniors' residence or a nursing home.

Mr. John Hollins: It's the same concept. Hospitals are changing; people are flowing around on us.

The Chair (Mr. Greg Sorbara): I take it that what you were saying, John, in your opening remarks was that if there were a broader number of ways beyond proxy, so that people who by circumstances are away from their riding, whether overseas in the military or confined to a hospital, could cast a ballot by way of a mail-in ballot or a travelling system of some form or other—

Mr. John Hollins: Yes. Actually, Norm brought it up. It's the federal model: a special balloting system. That's what they use, and it's very effective.

The Chair (Mr. Greg Sorbara): Okay. I'm going to give the lead now to David Zimmer. I do, again with the committee's indulgence, hope I get an opportunity to put a question or two on the Election Finances Act, and particularly on moving the role of issuing receipts to Elections Ontario rather than to political parties.

Mr. Peter Kormos: Chair, if I may, on something akin to a point of order: Mr. Johnston prepared a list of queries that we aren't even close to having time today to put to Mr. Hollins. It's a very impressive list of questions, quite frankly, and important ones. How are we going to accommodate those questions?

Interjections.

The Chair (Mr. Greg Sorbara): Well, the clerk advises me that one solution would be for the list to be provided to Mr. Hollins, and he could get back to us either in writing—I don't think that we have an opportunity to extend the day today. Committee members can work from that list of questions, but with the agreement of the committee, we'll provide Mr. Hollins with those questions, and perhaps he can get back to the committee by written submission.

Mr. David Zimmer: In fact, I'd be prepared to take it a step further. I see that there are 32 questions here, and I must say, each of the questions is substantive and has triggered a chain of thoughts. I would like to see the committee formally ask Mr. Hollins to respond to those 32 questions in writing. I think that would really trigger some thinking on our part, if we got the answers to those questions.

The Chair (Mr. Greg Sorbara): I don't know how we formally do that, but—

Mr. Peter Kormos: Agreed.

The Chair (Mr. Greg Sorbara): The committee has agreed to that? We just formally did it, then. So we'll provide the witness with those questions and look forward to his written responses.

David?

Mr. David Zimmer: That takes care of a whole lot of questions that I had from the list, so let me just zero in on this: Back to my earlier question about some discretion, riding by riding, to get the vote out and so on, can you give me some specific examples where you think discretion could be exercised by the local riding on how it conducts various aspects of the vote, if you will?

Mr. John Hollins: As I mentioned earlier, there are two models. The one we've seen in the municipalities, where the municipality could—or, in this case, you could take a riding. We could hold a referendum in every riding in the province of Ontario and say, "There are 10 different ways of voting. Choose the one that your particular riding wants to use." Then the majority would rule and they would vote in that manner. It's not the one that I would prefer. The one that I'd prefer would be the individual: "In this election, we offer this assortment of opportunities for you to exercise your franchise. Here's how you would do it: If you want to vote by mail, we need you now to fill out an application and provide your ID. We need your signature. We need this, this and this. And here's the process for voting. You've now signed up. After the next election, we will engage you once more to see if you still want to stay on the vote-by-mail system," or the vote-by-telephone system, or it could be the vote-by-Internet system, or the I'm-going-to-show-up-at-my-poll system. You could even say, "Which poll do you want to show up at?" if you want to keep the polling division concept—

Mr. David Zimmer: What about discretion, for instance, in how they use the polling clerks and the staff who manage the election on a riding-by-riding basis, if I have 350 people carved in stone for every riding, regardless of the culture of that riding?

Mr. John Hollins: You mean the polling divisions—the 350?

Mr. David Zimmer: Yes, stuff like that.

Mr. John Hollins: Actually, I was just in the elections in New Brunswick in May. What would happen is, the voter would walk in with their card or a piece of ID, and they would scan it, because they'd have a computer sitting there; there'd be four people sitting just like this. Scan; you're on the list; take you off; sign this. Behind me, there are 25 people who issue ballots. You have to give them that security to get access to your ballot. So we've captured you in real time very quickly. We've handed you off to the person who's going to issue the ballot. That person would vote, they'd all go back through, hand it off to a person and put it in a machine, and they'd have the count. Instead of taking 30 seconds, this was like 10 seconds.

Mr. David Zimmer: What about something like advance polls—different times and different ways of conducting advance polls? It seems to me that conducting advance polls in a riding like Timmins, Gilles Bisson's riding up in the far north—how you do advance polls there and how you do advance polls in my riding of Willowdale. Here's the challenge in a place like Willowdale: I've got these huge numbers of apartments and condominiums, a lot of young people, everybody's working, and they work all over the city. They work in Mississauga, in Scarborough, in the north, and they typically vote at the end of the day. They've driven an hour and a half in traffic; they get home at 7, 7:30, and then—

Mr. Norman W. Sterling: They can't call on their cellphones.

Mr. David Zimmer: They can't call on their cellphones, and then they have to rush out and vote. The reality is, those kinds of folks are often just too exhausted to get out to vote. There are other challenges in the rural ridings. So why wouldn't we say to the local folks, "You know the culture of your riding best. How should we best manage the issue of advance polls?"? Do you think that kind of discretion could be given locally?

Mr. John Hollins: You could do the advance polls with the same menu of channels. The advance voting could be done on the telephone. Our ballot is pretty simple.

The Chair (Mr. Greg Sorbara): Peter, and then Norm.

Mr. Peter Kormos: From our perspective, these are all tools. You're right; these are tools that campaigns use. Obviously, we're seeing it in the States now in the presidential campaign, the effort to get people out voting in advance polls because you've secured the vote—you talk about capturing voters in terms of an election campaign—and you reduce the numbers of polling-the-vote that you have to do on election day. That's why Norm's question about the access that outside scrutineers have to the voting records is very important, because campaign teams are responsible for a significant part of the voter turnout. We know that because we have checkmarks that we can't even poll on election day. At 9:15 p.m., we're still calling them and doing everything short of physical threats to get them to go out and vote.

Interjection.

Mr. Peter Kormos: In all of these things, I think it's important to keep in mind to make them friendly and effective to the political campaigns themselves. I don't think that we should discount the role of political campaigns in getting the vote out.

1010

Mr. John Hollins: In the New Brunswick model that we experienced, I believe they had two opportunities. They would print a list, because they had a printer in the location as well. They could print a list of all the people who had voted, and I think they did it every hour or every 45 minutes. I think it was actually every hour until the rush hour, and then I think they went every half-hour in their printing and then the inside scrutineers were grabbing them right away. Apparently, the other thing they were doing was that they could also package it and send it. So if you're the outside scrutineer, every hour we could shoot you an e-mail: "These people have voted." Once you've captured it in the technology, it's just the movement of the data, essentially, and it moves very quickly.

The Chair (Mr. Greg Sorbara): So you are saying that Elections Ontario could, with the necessary resources, have available the technology so that on a half-hour basis, electronically managed and printed out so-called bingo sheets of people who have voted could be provided to inside scrutineers? That technology has never been in an Ontario polling place, I don't think. Is that right?

Mr. John Hollins: Two questions: The first thing—I think, because I'm not Elections Ontario, he should give it to you every couple of minutes. I'm sure he can't do that. Has it been done in Ontario? I haven't seen it done in Ontario. I've seen it done in New Brunswick, as I just mentioned, and I saw a different model of it done in Quebec. In Quebec, what they did was they granted the parties access to the voters' list. They could go through a portal and look at the voters' list. What they were doing is updating it in real time. They put it through the Internet and would cross the name off.

There are issues around that, I believe. I'd have to look at it more carefully about what's out there in that domain. The Internet scares the heck out of me from a privacy perspective. There would have to be certain guarantees to move that.

The Chair (Mr. Greg Sorbara): With the committee's indulgence, can I ask a question about the election-financing part of this whole business?

Mr. Peter Kormos: Sure, Chair.

The Chair (Mr. Greg Sorbara): Then I think we'll have an opportunity to go around once again.

You know, John, that one of the statutory burdens on political parties and riding associations is to manage the political donation process. A central part of the management of that process is the issuing of receipts for political donations. It's a system that requires political parties and riding associations to keep very accurate lists and report those to Elections Ontario, and for Elections Ontario to keep very accurate lists and report to the public on an ongoing basis and annually about political donations.

Is there any wisdom in the notion, given that basically three bodies—the central party, the riding association and Elections Ontario—need to maintain accurate lists and report accurate lists of donations that, under a revised consolidated statute, the responsibility for the receipting of political donations be put on the shoulders of Elections Ontario and that receipting be done electronically by Elections Ontario as soon as and almost instantly as a donation is received by a political party or a riding association?

Mr. John Hollins: At first blush, it sounds—we're seeing it done. You see these charities where you're going to donate to someone who's doing a walk—it's definitely those technologies. I don't see any problem at that level. Where I see an issue would be the troubleshooting. Not everybody does it correctly and not everything you receive is—it has to be investigated more. I believe it can be done. I think you're going to have to shape how it gets done and on what level. If someone's going to start handling cheques and someone's got to decipher the reading and someone's got to chase people down, I don't think Elections Ontario wants to be in that business. It ties them too close to the partisan—

The Chair (Mr. Greg Sorbara): Let me be very clear. Funds would continue to be received by a political party, and having received those funds, it is required by a

statute or a regulation to receive those funds, bank those funds and send that information to Elections Ontario electronically, at which point Elections Ontario would issue the receipt to the donor unless Elections Ontario's computer said that that donor is already at a maximum, in which case the program would advise the political party or the riding association that X amount of that donation had to be returned to the donor because it—I'm thinking, in other words, of the actual process of issuing the receipt, not the receipt of the donation itself.

Mr. John Hollins: Perfect. Yes, that would be even easier. I was a little nervous on the receiving of the money and redistributing. Yes, I don't know why that wouldn't be—it's all just technologies.

The Chair (Mr. Greg Sorbara): Right, okay. Now, just a final round of questioning. Perhaps I would start with Norm, then Peter and then David.

Mr. Norman W. Sterling: In terms of the vouching, I had understood earlier that you wanted to do away with the vouching altogether, and I heard today that you wanted to expand it into the urban ridings; is that correct?

Mr. John Hollins: I was very uncomfortable with vouching because vouching comes in on a definition of what a rural riding is. None of our ridings meet that definition; it made me very uncomfortable.

The second part that made me very uncomfortable was the fact that we're treating electors in Ontario differently. The north had one set of rules; the south had a different set of rules. In looking at that, had I brought that in with the identification rules for this election, I would have been treating some Ontarians differently than others. What I'm purporting is, I don't—vouching, to me, is a great point of accessing the system. However, we want to tie it to ID. Where we see it the most is in spouses—one has the ID and one doesn't. Then, all of a sudden—we had the affidavit, and that worked fine, but it made people uncomfortable.

I have to tell you, what we experienced in this election was that our deputy returning officers now need training in conflict resolution, because people—a small percentage—were not particularly pleased with ID, so that made it very uncomfortable for the people conducting the poll. If we can keep the integrity of the system and make it as easy as possible for a person to administer, I believe that's the right thing to do, and that's where I believe vouching would be good. If I and my spouse go in and she has her ID and I don't, using her ID, she can vouch for me and it's recorded against her ID; in other words, shifting the responsibility to her to say that yes, I'm legitimate. But still ask me the questions: Am I a Canadian citizen and have I voted before? Other cultures that are entering into our society don't know the non-citizen role; they clearly don't know that. We see that when they file their income tax and say, "Put my name on the list." That's why I believe it's important to ask that question.

Why did we annoy everybody last election by saying, "What is your name?" and "What is your address?" Because the act clearly told our people to.

Mr. Norman W. Sterling: Do you have any statistics on vouching?

Mr. John Hollins: I have none, because we didn't use it in the last election.

Mr. Norman W. Sterling: You couldn't vouch in the rural ridings in the last election?

Mr. John Hollins: No, you could not.

The Chair (Mr. Greg Sorbara): There are no rural ridings under the act. Peter?

Mr. Peter Kormos: Which is part and parcel of the whole issue of enumeration. All of us, again, in our campaigns—our workers come back, frustrated, encountering voters who aren't on the list. It's easy if it's three weeks before the election; it's much more difficult on election day. I come from small-town Ontario, which has a relatively stable population. There aren't huge apartment building complexes. We don't have the transient nature that, for instance, neighbourhoods in Toronto do. How do you address the accuracy of voters' lists—which goes to citizenship and qualifications as well, doesn't it?

Mr. John Hollins: I have to be honest. I don't know why the government of the day decided that we'd do a permanent register. I don't know that. So what you're going to hear from me is the logic that I think they probably or would have considered at the time. The logic from the administrative perspective was, when we were doing the door-knocking, we weren't getting people answering doors anymore—they just weren't doing it. I'll give you statistics—

The Chair (Mr. Greg Sorbara): We have the same experience as candidates.

Mr. John Hollins: This is something that we've studied to death. For instance, when we knocked on doors in 1975, we got 86% of the people answering the doors and giving us their names. By 1995, we were down to 80%, and it was declining. So in 1999, I believe the legislation was brought in to be more inclusive, bearing in mind that enumeration would give us only 80% of the names on the list, and you couldn't sign up on election day. It was a closed list and people were yelling at the administrators, "You're disenfranchising. You've got to find me when I'm at home. It's no good telling me that you knocked on my door the last seven days in a row." They don't care about that.

The new system that was adopted was essentially inclusive. At Elections Ontario—and Elections Canada does the same thing—we mail out to all the people who are out there voting, but also, at all the addresses we have where we don't have electors, we mail out to them as well, to try to make it as inclusive as possible, encourage people to participate, get them to the poll, because there, they can sign up.

1020

There were issues, and I think you've heard them over the years. The one that really closed the gap for administrators this time was ID. The enumeration system was great for ID, because we showed up at your door. We knew you, we knew you were there, and usually, if I knocked on your door and put you on the list, on election day I'd be giving you the ballot. Most returning officers tried to make sure you were also with your own poll

clerk. They were different times. It was single-income earners in most families. It was easy to get polling officials. All of those things are very difficult now.

I appreciate your comments on the rural and the urban: They are very different. Candidates in the rural area provide us with long lists of workers. In the urban centres, I'll tell you, they're not very long lists. Holding us to 10 days is a precarious position to put that poor returning officer in.

People often say, "Which system do you believe is better?" I have to tell you: In the 1970s I think enumeration was the system. Today, I don't think it is; I clearly don't think it is, and I see it happen. I was talking to the CEO of Nova Scotia in Ottawa on election day, the 14th. They're still enumerating, and she's shaking her head. It's just very, very difficult—and she doesn't have some of the issues we have in some of our urban centres.

Mr. Peter Kormos: Would you conduct more intensive campaigns between elections, encouraging voters to, in effect, register, encouraging people who come of age to ensure that they're on voters' lists?

Mr. John Hollins: Most definitely, but we need the tools or we need the empowerment, and that's what I asked earlier. Give us the students; give us the school board databases so we can do outreach to them. We know—because we compare the Statistics Canada data by year of birth to our register—the strengths and weaknesses of the register and we know that the gap is in the 18- to 24-year-olds. How do we get them on? It's like we've created a systemic issue ourselves by not getting access to those people. The driver's licence works a bit, but it's just not enough. All it does is, now we have to mail out to them and find the driver's licence people, and we get less than a 20% return on that.

The Chair (Mr. Greg Sorbara): Just to clarify that, the objective is the same for all of us—that is, improving the quality and the accuracy of the voters' list. You're saying that an Ontario address authority is part of the solution; greater coordination between a variety of agencies is part of the solution; greater empowerment of Elections Ontario to access data that is not now available to them is part of the solution; and a mandate to have a professional system of constant purging and updating of lists is part of the solution?

Mr. John Hollins: Those are exactly the three points that will make it a much better—it's a good list, but they will make it a better list. I know Elections Ontario, in the report—I was desperate: Even we would do it. I don't think it belongs there. In a perfect world, MPAC would be the address authority, Elections Ontario would be the list authority, and revision would be mandatory municipally and provincially.

Mr. Norman W. Sterling: One of the issues you raised earlier sort of twigged my mind, and I just wanted to ask you before we had to close the meeting—making the appointment of the returning officer a non-political thing and not by order in council: What about the rest of the officials? Do you want to make that non-political as well? Basically, as a candidate, I'd love you to make it

non-political, because quite frankly, every name I give you is a worker that I lose.

The Chair (Mr. Greg Sorbara): Let's face it: None of us can deliver all of those requirements to provide those lists.

Mr. Norman W. Sterling: But I don't think you can run an election without us. You need us as a resource, because people phone our offices and, particularly if you're an incumbent, they say to one of my constituency office staff, "I want to work in the election." All we do is pass that name along, but the tradition has been that the candidates who are involved have some influence over this. We really don't have a heck of a lot of influence, because you're usually scratching for people.

The Chair (Mr. Greg Sorbara): John?

Mr. John Hollins: I don't disagree at all. The focal point of the election is the candidates, and they bring us names.

I don't believe that the returning officer position in today's society should be partisan, essentially; I think it should be merit-based, but I also think, and I should have mentioned this, that the election clerk—it's the assistant returning officer—both of those positions, I believe, should be through application and chosen. The assistant returning officer should be afforded the same empowerment under the act to leave their place of work and do the public good. I know we have that for the returning officer; at this point, we don't have it for that assistant returning officer position.

The Chair (Mr. Greg Sorbara): David?

Mr. David Zimmer: Here's one last question, an observation from the last election. I would go out; it didn't matter where—condos, houses, apartments or wherever. I would deal with senior citizens, middle-aged folks, young people, and I often got this comment. It was not age-related, and it has to do with technology. I might get a senior who is really up on technology or a young person really up on technology. I'd say, "Get out and vote," all that sort of stuff, and they'd say, "Well, that's a real drag to get out and vote." They would say, "You know, Mr. Zimmer, if I can do the most complicated financial and banking transactions on my computer, and those transactions are secure, I'm moving money around, paying bills and buying things on eBay and all that with all of the security features, why can't I just sit down at my desk when I'm ready to vote on voting day, or whatever it is, and vote electronically?" I often had people say to me, "If I could vote electronically, I would, but I'm not going to truck off to wherever to scratch my vote."

What do you say to those people who express that concern and that frustration: "If I can do the most complicated financial transactions, with security, why can't I cast my vote?"?

The Chair (Mr. Greg Sorbara): A quick answer, because the bells are calling us up there.

Mr. John Hollins: There are two issues that you're going to have to look at. This committee will have to look into these.

One is remote voting, and how you feel about that. That means that person's not guaranteed the security of your polling booth. You're allowing them to vote from somewhere else, or someone else to exercise their franchise or bully the franchise.

The second part is technologies. I appreciate everything people say about banks. Now go talk to the presidents of banks and ask them what their error margins are. How many people do they have dedicated to investigating the monies that are being taken from them, stolen from them, during these transactions? That's what the person on the street never knows, because they don't share it.

We've had those discussions with these people. We know there are error margins. We've looked into this. We had a whole vote-by-Internet process set up; we're using Revenue Canada to go through the epass system to lock it down and give us total integrity, because we could not trust banking systems. They told us that. As you go through this stuff, ask the questions and bring the people in. They will tell you what their business is, because what you see upfront is always the hard easy sell: "We are the best product in the world" till you take it home. I think

that's what you're charged with here. Be sure you're comfortable as well. I've seen them all. I've seen systems that I thought were great and—

Mr. David Zimmer: Just for the record, I like to go to the polling station and put my mark with the pencil.

The Chair (Mr. Greg Sorbara): Yes, it's an X, not a check.

John, on behalf of the committee, thanks very much for your presentation and for being so forthright in your answers. I hope that if the committee wants to hear from you again you'll be able to make yourself available. You're carrying a lot of—

Mr. John Hollins: I'm at your disposal. This is a very big cause for me; always has been.

Mr. David Zimmer: Chair, just a process question: On the 32 questions that Mr. Hollins is going to reply to, when might we expect a reply, or should we set a—

The Chair (Mr. Greg Sorbara): At his leisure, as the clerk says. We're not going to put any time frame, but I know he's very much involved in this stuff. He'll be in contact with us if there's any delay.

We'll adjourn the committee for now.

The committee adjourned at 1029.

CONTENTS

Thursday 30 October 2008

SELECT COMMITTEE ON ELECTIONS

Chair / Président
Mr. Gregory S. Sorbara (Vaughan L)

Mr. Howard Hampton (Kenora–Rainy River ND)
Mr. Gregory S. Sorbara (Vaughan L)
Mr. Norman W. Sterling (Carleton–Mississippi Mills PC)
Mr. David Zimmer (Willowdale L)

Substitutions / Membres remplaçants
Mr. Peter Kormos (Welland ND)

Clerk / Greffier
Mr. Trevor Day

Staff / Personnel
Mr. Larry Johnston, research officer,
Research and Information Services