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Tuesday 3 March 2009

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Mardi 3 mars 2009

**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

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

SELECT COMMITTEE ON ELECTIONS

COMITÉ SPÉCIAL DES ÉLECTIONS

Tuesday 3 March 2009

Mardi 3 mars 2009

The committee met at 1608 in room 228.

REVIEW OF ELECTION LEGISLATION

The Chair (Mr. Greg Sorbara): I now officially welcome you back and say we're glad to have you here.

Mr. David Zimmer: Thank you, Chair.

The Chair (Mr. Greg Sorbara): Although your colleague Kevin Flynn did a great job in your absence at our last meeting.

I have—

Mr. Peter Kormos: If I may, Chair, I want to commend Mr. Flynn as well and assure Mr. Zimmer that every time the Chair said something, he'd look at Mr. Flynn and Mr. Flynn would say, "I agree." He was impeccable.

The Chair (Mr. Greg Sorbara): No. He said, "I agree" when you said something, not when I said something.

Mr. Peter Kormos: It was like Edgar Bergen.

Mr. David Zimmer: I'm sorry if I caused any disruption here.

The Chair (Mr. Greg Sorbara): None whatever.

Mr. Peter Kormos: I missed you.

Mr. David Zimmer: I think the last time we had a telephone conference of this meeting, all I heard was Mr. Sterling speak, and then the next thing I heard was a lapping of waves on a dock. That's when I realized you were in the south.

Mr. Norman W. Sterling: That was my bathtub.

Mr. David Zimmer: I think, Mr. Chair, when you were speaking, I heard the ping of golf balls in the distance.

The Chair (Mr. Greg Sorbara): No, not me at all. You might have heard tennis balls.

Mr. David Zimmer: Tennis balls. Maybe that was it.

The Chair (Mr. Greg Sorbara): Just a couple of things before we continue through the set of recommendations that are before the committee.

The first thing that I would like to have agreement of the committee for is that we make public the documentation that is before us right now. Just for greater certainty, it would be the draft recommendations and legislation under my name, the report of the Chief Electoral Officer's submission to the select committee, the research piece dated January 20 by our research officer, Larry Johnston, and a follow-up research piece from Larry

Johnston dated January 22—that these be part of the public record of the committee. Is it agreed? Agreed. Okay.

Mr. Peter Kormos: Chair, if I may?

The Chair (Mr. Greg Sorbara): Yes?

Mr. Peter Kormos: Is there any way these documents are going to be available to interested parties via the Ontario government Internet site, as a hyperlink on the committee's—you're a select committee, not a standing committee.

The Chair (Mr. Greg Sorbara): That is a question that I would refer to the clerk. I have no idea about that.

The Clerk of the Committee (Mr. Trevor Day): What we can do is attempt to scan these and have them available in pdf as a link off of our site, as documents of the committee.

Mr. Peter Kormos: Which site would that be?

The Clerk of the Committee (Mr. Trevor Day): Under committees, the select committee has its own site.

Mr. Peter Kormos: Excellent.

The Chair (Mr. Greg Sorbara): The next thing I want to mention is apropos of our discussion on vouching, just to make a note that we had a discussion with Elections Ontario subsequent to that. This arises from Mr. Kormos's concerns specifically about populations that are without an address, that are homeless. Just to let you know, Elections Ontario has a very specific process, and indeed a fairly comprehensive process, serving electors who are homeless. I'm going to pass out copies of what is actually done to members of the committee and to the Chair, and this would be part of the public record as well.

Mr. Norman W. Sterling: Just by way of note, Mr. Chairman, I don't know what Mr. Kormos thinks about this, but I have no objection to the chief elections officer coming here and sitting here as a resource. He came to talk to me this morning; he requested a meeting with me. Obviously, the meeting emanated out of the Hansard of our previous meeting. He wanted to clarify some points. I found that very helpful in certain matters in terms of the mechanics of what some of the recommendations meant. So I have no objection. He might be helpful in terms of saying, "This is how this would work," or what the section would mean.

The Chair (Mr. Greg Sorbara): Well, that's a good point, Mr. Sterling. I have indeed said to him and to the people at Elections Ontario that we would urge and invite them to be present at our meetings, now open sessions

thanks to the wisdom of my friend from Niagara—Welland?

Mr. Peter Kormos: Centre.

The Chair (Mr. Greg Sorbara): Centre.

We will reiterate that. I don't think we need them at the table, but certainly monitoring these discussions would be very important.

I'm just informed by my assistant by way of the clerk that there is no one here today from Elections Ontario because of the by-election, preparing for that, but in subsequent meetings they will be here and available.

I wanted to mention, because we had an interesting discussion on committees and commissions, whether or not we put that in a statute or a recommendation—I think Mr. Sterling had some good points on that. Maybe I should do it by way of putting my personal aspiration before this committee. You may have heard it before. But I would like to see us in a position where Elections Ontario is so good at management of the raw data—that is, election lists—and the deployment of elections that they become a de facto back office for both federal and municipal elections, able to be a service organization. There is already a lot of interaction between Elections Canada and Elections Ontario; less so at the municipal level. But if we were to develop a state-of-the-art address authority and other technologies and voting mechanisms, it may be that Elections Ontario would be of greater service in the election process in Ontario, no matter at what level the election was taking place.

The other thing is that any commission or committee that the CEO were to establish, that work would be reported on in the annual report of Elections Ontario to the Legislature. So with that—

Mr. Norman W. Sterling: Let me, because I talked to the chief elections officer this morning and he's going to read my comments on this. He wants this very much, but he made it very clear that his notion was that some of these commissions and committees would be people who were paid for what they were doing. Quite frankly, my view is that the chief elections officer's primary goal is to run a by-election and an election; it's not to be out expanding his jurisdiction, to be involved in other elections or whatever. His primary function is Ontario and Ontario elections.

There's nothing to prevent him, without this power, from having voluntary committees, meeting with other people or promoting his particular way of doing things, but whether they would report to the Legislature in an annual report means nothing to me. We get oodles and oodles of annual reports from all kinds of commissions. I don't even open them, Mr. Chairman. I don't have time to open them. I'm not going to chase after what each of the committees or commissions that the chief elections officer could or couldn't create is going to be doing. I want a select committee or a committee of the Legislature—if there needs to be innovation or change, I want the politicians to be charged with involvement in those discussions. I want them to be at the head of the discussions. I don't think it should be a third-party legis-

lative officer who is driving those changes. That's my view.

The Chair (Mr. Greg Sorbara): I think that point has been made and obviously will be taken into consideration as we prepare our report.

Can I move to number 8 now? I'm on the draft set of recommendations. Number 8 is entitled "Clarify student residency," and it reads: "The act should make it easier for students to choose where they live for the purposes of voting."

Mr. Norman W. Sterling: We're against this, Mr. Chairman. We believe that a student residency is a temporary thing and that the residents of those communities should be deciding on their representation. The student, with mail-in ballots in particular, should have the ability to vote in their own constituency.

The Chair (Mr. Greg Sorbara): Mr. Kormos?

Mr. Peter Kormos: As I told you last week, we are far more benign about this proposal. Students may use their parental home base, because that's what you're talking about for all intents and purposes, but in fact, they are living in that university community. Mr. Sterling has university communities but I've only got Brock University. I'm very familiar with it, I think, the process of election. New Democrats believe that that's a reasonable proposal. So I don't know how you want to address this.

The Chair (Mr. Greg Sorbara): David?

Mr. David Zimmer: In effect, a student who is away from home attending a university—if the student is on their own without parental support, then they will choose their residence, wherever that may be. I don't see why a student who's old enough to vote ought not to be able to say, "My residence is my parents'," or, "I'm living in the city of Toronto at the University of Toronto."

1620

The Chair (Mr. Greg Sorbara): Yes. Notwithstanding Mr. Sterling's concern and perhaps the view of his party, this again would be one of those provisions which is permissive rather than prescriptive. In other words, it's not to say, "You're a student living at Brock University; you have to vote in the riding of Niagara Falls" or Welland or whatever it is; it's simply to say, "You can be enumerated there and vote there." Some students, every September, have a different residence at their university of choice. But some have a permanent address at their parents' place. Maybe the licence still has that address. But the fact is that, most of the year, they live in another place, in an apartment somewhere in the heart of the city of Niagara Falls. What we want to do is facilitate the enumeration of that student where he is at election time.

Mr. Peter Kormos: What's the default position? How would that work? Because you talk about an election by the student, which implies him or her doing something. What's the default position in the proposal, if the student does nothing?

The Chair (Mr. Greg Sorbara): If the student does nothing, the unfortunate likelihood right now is that he wouldn't get enumerated.

Mr. Peter Kormos: Quite right, but he or she could show up at a polling area.

The Chair (Mr. Greg Sorbara): And would have to show identification, including hydro bills, to show that they are resident in that area and they are who they say they are. The same with anyone who's not on the voters' list.

Mr. Norman W. Sterling: But you see, the student's health card is probably going to be tied to their parents' residence.

The Chair (Mr. Greg Sorbara): There's no address on a health card. A health card is just to identify an individual by way of photo ID.

Mr. Norman W. Sterling: No, but the registry is going to use the health card to find out where the people are.

The Chair (Mr. Greg Sorbara): Not necessarily. I think we're spending too much time on this. This isn't controversial. The idea is to get universities to provide better data to Elections Ontario about where students are living and determine whether or not they should be enumerated in that area. Simply, it's a facilitation mechanism.

Mr. Norman W. Sterling: But the election is early October, so you have a freshman come into the university who's in town for a month: What does he know about the community? Is he expressing the community's wishes when he casts or she casts her ballot?

The Chair (Mr. Greg Sorbara): The fact is that that's not absolutely true. That student may be in his fifth year of a doctoral program at Brock University. So yes, he arrives every September on September 1. In some instances, it might be his first year.

Mr. Norman W. Sterling: I prefer our solution.

The Chair (Mr. Greg Sorbara): This is just a facilitation mechanism. It may not even require a statutory amendment.

Let's go on to number 9: identification and the use of health cards for that purpose. Any comment there? Any negative views?

Mr. Peter Kormos: We indicated last week that we support that proposition enthusiastically. Of course we mean photo health cards.

The Chair (Mr. Greg Sorbara): Photo health cards, yes.

Did we discuss, last time around, the use of polling locations, because my assistant told me to start at number 7 and—someone should help me out here.

Mr. Peter Kormos: We did 8 and 9.

The Chair (Mr. Greg Sorbara): That's right. We did, of course, because we're repeating some of it. But I'm recalling a discussion on the use of schools as polling locations, so I'll just put it to you again. Any issues or discussion on that?

Mr. Norman W. Sterling: On what?

The Chair (Mr. Greg Sorbara): The use of schools as polling locations. And this is not for legislative change; this is just—or we might put something stronger in the legislation. There is increasing resistance from

school boards and school principals to have these ragtag elections take place in their gymnasiums and compromise the safety of their students.

Mr. Norman W. Sterling: I would only agree that the last election was a ragtag election, with the wrong results.

The Chair (Mr. Greg Sorbara): You don't think the government got enough seats? Is that what you're putting to this committee? Because I tend to agree with you.

Mr. David Zimmer: I think there's a grammatical error in that thing: "... to build stronger support with school boards for ongoing use of schools"—

Mr. Norman W. Sterling: What number are we dealing with here?

The Chair (Mr. Greg Sorbara): Number 1 under "Recommendations," page 2.

Mr. Peter Kormos: I'm on page 2; there's 8 and 9.

Mr. David Zimmer: I've got something on page 2: "Recommendations:

"1. Use of schools as polling locations."

The Chair (Mr. Greg Sorbara): I'm going to try to help the committee out by reminding them that we are looking at the confidential memorandum from me, dated Tuesday, January 20: "Draft—recommendations and legislative changes."

Mr. Peter Kormos: I'm looking at Larry Johnston's proposal, a research paper which he has identified very clearly as being the government's shopping list. Am I misstating anything?

Mr. Larry Johnston: The recommendations are at the end.

Mr. Peter Kormos: And the school recommendations are on page 4. We're working from two different documents here.

The Chair (Mr. Greg Sorbara): I am inviting you to work from the document that the Chair is working from.

Mr. Peter Kormos: If I had it. I like the Chair, and I've known him for a long time, but I know Mr. Johnston to be an impartial and authoritative source of information. Here we are. Thank you very much.

This is a draft. Why are we working from a draft when Mr. Johnston has the finished product?

The Chair (Mr. Greg Sorbara): I'm going to assume, unless I hear to the contrary, that there's no controversy or disagreement with this provision on the use of schools as polling locations.

Mr. Peter Kormos: We agree with the proposal.

The Chair (Mr. Greg Sorbara): Good.

Mr. Norman W. Sterling: There's no legislation around this, is there? I mean, this is just a choice that's being made. Isn't there something in the legislation which forces the school board to provide the schools?

Mr. Larry Johnston: The CEO can require the use of schools, yes.

Mr. Norman W. Sterling: I thought the question was whether or not we were going to give some legislative authority to create a PD day.

The Chair (Mr. Greg Sorbara): It's not going to happen. Let's put it this way: Elections Ontario would much prefer that election day be a PD day, a provincial

holiday or that voting take place on a Saturday or a Sunday or a day when schools are not in session.

Mr. Norman W. Sterling: Right.

The Chair (Mr. Greg Sorbara): It is clearly the government's view that that's not going to happen. We are not going to create a PD day. We are not going to create another holiday and we are not going to move to a weekend election process.

Mr. Peter Kormos: Why is there so much deference to Elections Ontario in so many areas, but when the government says it doesn't want to do it, Elections Ontario's view is deemed irrelevant?

The Chair (Mr. Greg Sorbara): It's not irrelevant. It's a very interesting position. We have done a great deal of research on the impact of another holiday or a PD day. The government's position is that the best answer is to strengthen the relationship, might I put it that way, between Elections Ontario and the school board system to facilitate the use of schools.

Mr. Peter Kormos: So when the government agrees with Elections Ontario, Elections Ontario is right. If the government disagrees with Elections Ontario, Elections Ontario is full of hooley.

The Chair (Mr. Greg Sorbara): That's exactly right. You've hit the nail on the head.

Mr. David Zimmer: Or, as Mr. Sterling would say, it's important for the politicians to stay in control here. Like you said earlier, Mr. Sterling.

Mr. Norman W. Sterling: Why don't we just say that one of their PD days will be on election day, whatever they have in their contract?

The Chair (Mr. Greg Sorbara): It's not going to happen, and Elections Ontario is not full of hooley, as Mr. Kormos would put it—

Mr. Norman W. Sterling: Why not? If we are in control, why can't we do that?

1630

The Chair (Mr. Greg Sorbara): They have an interesting perspective on this. The government has a different perspective.

The answer to your question, in simple terms, is: That would basically have the government intervene into the collective bargaining decisions of school boards and teachers in respect of PD days, and we are not prepared to do that.

Mr. Peter Kormos: I suppose I should make the further observation, although I've noted this to be the case early on in this committee process—this committee process is not a consensus-building process.

The Chair (Mr. Greg Sorbara): You are wrong there, and that's the first time, I think, since the beginning of the calendar year. This is a consensus-building process.

Mr. Peter Kormos: Okay, but if the government doesn't agree with the two opposition representatives—

The Chair (Mr. Greg Sorbara): It will be there that the consensus ends.

Mr. Peter Kormos: The government will prevail.

The Chair (Mr. Greg Sorbara): That's right.

Mr. Peter Kormos: I've got to tell you this—we've got time. As you know, I was in cabinet for a short while in that notorious Rae government, and Frances Lankin was the chair of cabinet. We'd go in there and I'd see the discussion drifting away from the original proposal, and I'd see Rae nod to Lankin that he wanted to speak, and I was able to say, "Oh, oh, watch it. There's a consensus coming," which of course endeared me to my dear old friend Bob Rae. He thought that was a delightfully witty observation.

The Chair (Mr. Greg Sorbara): My experience is that cabinets have unique ways of voting to a resolution of the issue before it.

Mr. Peter Kormos: Sometimes it's that the majority rules; sometimes it's, "Let's build a consensus," and sometimes it's, "Because I'm the goddamn Premier, that's why."

The Chair (Mr. Greg Sorbara): Pretty much, those three capture all decisions.

The second category of proposals come under the heading "Improving the Voters' List." The proposed legislative change is the creation of an address authority. I think we've had some discussion about this. I should tell you that I am awaiting a discussion with the people at the Municipal Property Assessment Corp., which is the entity identified as most appropriate in creating such an address authority.

Mr. Peter Kormos: My folks darn near swallowed their bubble gum when they saw MPAC down there. They—

The Chair (Mr. Greg Sorbara): That's just a silly bias, with all due respect.

Mr. Peter Kormos: Oh, really? They're understaffed, under-resourced—

Mr. Norman W. Sterling: —and they're controlled by the municipalities. MPAC is a municipally controlled corporation. It's not controlled by the province. Why MPAC? What's the reason?

The Chair (Mr. Greg Sorbara): Here is my response: that once we have received some assessment of this idea from MPAC, we invite MPAC to come before this committee to talk about what work might be involved. To me, it just makes sense that an entity in the province be responsible for bringing a standard process for identifying the address of properties, and the fact is that the only organization in the province which has a comprehensive list of all properties in the province is MPAC. There's no other entity that does that.

Mr. Peter Kormos: The caucus was interested in the proposal, but again, just immediately, it was like putting an aluminum pie plate in your microwave oven. The sparks flew.

Let me query this, because it was made clear: This isn't about identifying voters; it's about identifying addresses.

The Chair (Mr. Greg Sorbara): That's right.

Mr. Peter Kormos: It has nothing to do with identifying voters.

The Chair (Mr. Greg Sorbara): That is right.

Mr. Peter Kormos: That's number one. Number two: Why is MPAC the only authority? How do GPS services, for instance, identify addresses? Do they use Teranet's database? My little \$200 machine seems to do a pretty good job—although it doesn't do apartments, to be fair.

The Chair (Mr. Greg Sorbara): They probably contract a lot of the data from MPAC, as does Teranet. There is a data-sharing relationship between Teranet and MPAC. The GPS authorities are private entities that purchase data from these entities.

Probably, to help the committee and to help this committee's chair understand what the implications of creating an address authority are, we ought to have a discussion here and we ought to have some material. What is driving this is a higher-quality voters' list and a better ability to link an address, particularly a rural address, with an appropriate poll. The complaint we hear, particularly in rural areas, is that because the only address available to Elections Ontario is RR4, Thornbury, Ontario, often the voters at RR4, Thornbury, Ontario, are placed in a poll where the polling place is 25 kilometres away from the address. That's the mischief we're trying to come to grips with.

Mr. Peter Kormos: Why wouldn't Elections Ontario perform this role?

The Chair (Mr. Greg Sorbara): Because they just don't have the capacity to do it. An address authority deals with parcels of land, and MPAC's database is essentially a database with all the parcels of land in the province.

Mr. Peter Kormos: The Quebec model that is referred to, where the legislation requires various public bodies to provide information to, I presume, their address authority—MPAC could be required to produce its information. Canada Post has a pretty good database. You can punch in an address and get a postal code, among other things.

Mr. David Zimmer: Let me ask this question: Presumably, you'd have no objection if the elections people were asked to do that, and they'd probably end up picking up the phone and calling MPAC and saying, "Give us your data." Maybe it's just a question of nomenclature.

Mr. Norman W. Sterling: Does the address authority—we're going to give some authority to somebody to look at health cards and correlate the addresses of people on those to try to get the best possible information as to where everybody is. Where's the information drawing to? I thought that would be the address authority, who would then, as a *fait accompli*, present it to the chief election officer.

Mr. David Zimmer: The authority would be something under the—

Mr. Norman W. Sterling: Larry, do you know how they do it in Quebec?

Mr. Larry Johnston: My understanding is that the address authority in Quebec is the electoral office. It's essentially two databases: One is a geographic database, and the other is a database of addresses. Most of the

address information comes from the health insurance body and other provincial ministries, including the automobile insurance as well.

Mr. Norman W. Sterling: That's what I thought. So when I saw MPAC—

Mr. Larry Johnston: MPAC's role, as I understand it, would be to provide the geographic database—but that would not necessarily provide information in terms of who is resident at those addresses—so that there's one, unique address for every location in the province. MPAC is one possible source to construct that geographic database.

Mr. David Zimmer: What there would have to be is a database that has all the addresses in the province, and then somehow the elections people have to figure out who's living at that address. All we're asking for here is a list of the residential properties in the province, if you will, and somebody's got to figure out if there's one person or two there and who they are.

Mr. Norman W. Sterling: Part of the Chair's argument about the address authority was that the address authority would present this information for municipal elections, with which I agree, or federal elections if they want to use that information as well. Where do they go to get that? Do they go to the chief election officer or do they go to MPAC? I would think that MPAC is the address authority's principal supplier of information. I don't mind legislating that they have to share that information with the address authority, whether that's the chief election officer or a third party.

Mr. David Zimmer: That's what I thought. So you guys over there agree that we ought to be able to somehow access the information that MPAC has, and it's a question of how to get that information.

Mr. Norman W. Sterling: Oh, absolutely.

1640

The Chair (Mr. Greg Sorbara): And the fact is that all that happens now. For our purposes, the list of electors is the result of data-gathering from a wide variety of sources: from Revenue Canada—taxpayers will often check that little box saying, "Use this to get me on the voters' list"—the driver's licence system, MPAC, not health cards right now but other registers with sophisticated databases within the province. Elections Ontario gathers all that data and generates a preliminary list of electors.

This business of an address authority is not to totally transform that; it's to bring clarity and uniformity to an address system in Ontario. People have an address for post office purposes or for their driver's licence. Maybe the address is somewhat different for property tax purposes. Some people live on streets that have two or three names. So it's to bring standards to determine how to establish an address.

One example you may not know about is that right now, one of the best authorities for addresses in Ontario is the Ministry of Health 911 response system. Because you have to get there within two minutes, it's not much good if a call comes in and, "Where do you live?" "Well, I'm on RR1, Thornbury."

It's just to standardize this process, but I suggest that we not go much further down this route without having a good discussion with the president of MPAC, who is a great deal more authoritative on address authorities than I am.

Mr. Peter Kormos: I'd also like to have a similar discussion, one way or another, with the Quebec address authority. In your somewhat more expanded proposal in your paper, as compared to the list that was provided to Mr. Johnston, you say that the address authority, MPAC, would provide addresses to the Chief Electoral Officer, and then the Chief Electoral Officer would overlay this data with the data from provincial suppliers of information, which include the Ministry of Transportation etc. So MPAC, as you propose it here, isn't really the address authority; it's one source of address information provided to the Chief Electoral Officer, who then overlays it with all the other sources. So they in fact are the address authority.

The Chair (Mr. Greg Sorbara): MPAC would be the address authority.

Mr. Norman W. Sterling: That's what I'm having difficulty with. I'm having difficulty with who is collecting the formation. Who goes to the post office? Who goes to Revenue Canada? Who is collecting that information? I would like one authority to be able to do that. I don't know whether or not that's MPAC's business. MPAC's business is really talking about property owners and geographical areas and that kind of thing. We're talking about a much larger part of the population, in terms of an address authority; we're talking about trying to bring all of these together.

I guess the last point is that I don't know whether Dr. Cavoukian would have some opinion on this, and I'd like to know what that opinion is. What is the safest way that we can get the best information in the hands of the chief election officer and ensure that certain parts of the information are not transferred, and what protects the privacy of people the best we possibly can?

That's my problem. I'm not arguing against the concept of having it and trying to use this information, as long as it respects the privacy of people, and getting it there. I always thought that the chief officer would be the address authority.

The Chair (Mr. Greg Sorbara): A final comment on this, and then I'm going to suggest that we defer it until we see if we can hear from MPAC more directly and answer all these fascinating questions. Mr. Kormos.

Mr. Peter Kormos: I'm looking at Mr. Essensa's recommendations, page 19, and he talks about an address authority; he doesn't mention MPAC.

The Chair (Mr. Greg Sorbara): Right.

Mr. Peter Kormos: I recall—and correct me, help me—when Hollins was here, he spoke of the same thing, if I recall correctly, and he never mentioned MPAC. Maybe we should specifically ask Mr. Essensa for some elaboration.

The Chair (Mr. Greg Sorbara): I think that's fine. However, in my discussions with Mr. Essensa, it was

clearly his view that this is something that MPAC would have to do, unless you re-created MPAC and somebody else also had a comprehensive list of all properties in the province. Okay?

Mr. Norman W. Sterling: I need clarity on who's going to have access to the health information.

The Chair (Mr. Greg Sorbara): Who's going to have access to what?

Mr. Norman W. Sterling: The health information, the revenue information, that kind of thing. Is it the chief election officer or is it MPAC?

The Chair (Mr. Greg Sorbara): The information derived from the Ministry of Health, from health cards, would be for the chief election officer only, not for MPAC. It may be that MPAC, if it creates an address authority, would notify Mr. and Mrs. Smith, whose address on their health card or in the health card information is RR4, Thornbury, that henceforth on their health card their address is going to be 2515 County Road 12, Thornbury. That's what MPAC would do to standardize the address for that property for all government purposes. Okay?

Let's go on to number 2—equally controversial, I think, for my friend Mr. Sterling: “Ensuring consistency of language by removing references to enumeration and replacing with targeted revision.”

Mr. Peter Kormos: This was strongly resisted by the NDP. I explained to them, and they understand from their own experience of, let's say, working in elections, about the diminishing returns, as the years go by, of door-to-door enumeration/canvassing. But the elimination of enumeration was highly, highly offensive to them.

The Chair (Mr. Greg Sorbara): Do they know that we haven't done enumerations in Ontario for quite some time?

Mr. Peter Kormos: We're well aware of it. When we see the voters' lists that show up in consecutive elections, the failure to enumerate is apparent.

The Chair (Mr. Greg Sorbara): I know that, notwithstanding their views, you will be supporting this provision.

Mr. Peter Kormos: You know that, do you?

The Chair (Mr. Greg Sorbara): Yeah, because you are a man of wisdom and you understand that we're just clearing up language here.

Mr. Peter Kormos: Yeah, well, I also know bullshit when I hear it.

Mr. Norman W. Sterling: Tell me what the difference is. What are targeted revisions?

The Chair (Mr. Greg Sorbara): Targeted revision is simply this: In the riding of Vaughan, since the last election, there have been four new subdivisions built, totalling 3,000 households, and the only effective way of getting information is to target that area and go in and do classic enumerations, to ensure that the voters' list is as accurate as possible.

Mr. Norman W. Sterling: We have some resistance to it, but I don't know—you can't enumerate many—

The Chair (Mr. Greg Sorbara): Exactly.

Mr. Norman W. Sterling: You could do it in some ridings, but you can't do it in others. That's the problem. It's just an impossible task.

The Chair (Mr. Greg Sorbara): Okay. I'm now going to—

Mr. Peter Kormos: In that regard, then, are there people who have considered—you say you want to enumerate a new subdivision, but in theory, the same methods of capturing those voters that apply to an old part of town should apply to a new part of town, right?

The Chair (Mr. Greg Sorbara): Yes, that's exactly right.

Mr. Peter Kormos: But yet you say you have to enumerate the new subdivision to get accurate voters' lists.

1650

The Chair (Mr. Greg Sorbara): No, I'm not actually saying that. What I'm saying is that in a pre-existing area of the riding of Vaughan, the quality of the voters' list is relatively good with no enumeration at all. That is, we've got a list from last time and we've got new data coming in from the department of highways, new data coming in from Revenue Canada, so the, let's call it, electronic revision of that area is pretty good.

In a new subdivision, that is probably not the case. People have moved in there too recently; there's not enough data from other sources, including the list from the last time around, to get very many people. Even when one does an enumeration in one of those new areas, because of the same problems of, "No one's home and you go back three times," typically the list for the first election after the creation of that subdivision is not of a high quality.

Mr. Larry Johnston: I would just note that the act does permit the CEO to conduct a targeted registration program for any electoral district or any part of an electoral district, including a building with multiple dwelling units, as the CEO considers desirable. It could be an established part of the district; it could be a district which is identified as having a high turnover of residents; it could be any number of reasons why a selection or even an entire district is the target of a targeted registration.

Mr. Norman W. Sterling: I guess my concern here is, it's the CEO who is given this power, and how do we ensure that the CEO responds to the returning officer, who is saying, "I'm getting deluged with calls from subdivision X or condo building Y, which in the last election was a complete mess"? That's the problem that I face. The returning officer says to me, "Norm, we know we have trouble out there, but I don't have the money to send the enumerators out."

Mr. Peter Kormos: Yes, and that's exactly the point. Mind you, the returning officer, with the professionalization and secularization of returning officers, is going to be less inclined to do that than a political appointee because they're part of the team. They want to keep their job. Isn't that—

Mr. Norman W. Sterling: That's true.

Mr. Peter Kormos: I think there'd be, in some cases, the risk of an inherent bias against requesting enumerations because of the expense. By the time the election happens, of course, it's too late. You're right: It's after an election has been followed up. But we saw, with all due respect to Mr. Hollins, an incredible disconnect from the Chief Electoral Officer in the last provincial election with what was happening out there on the ground. There were all sorts of horror stories in every riding that I'm familiar with, and not just isolated instances. There seems to have been a complete disconnect. So I'm worried about that flow of information as well, and the absolute and discretionary authority. How do you build some minimum standards in there and say, "But in these instances, there shall be"? I appreciate that's difficult; not easy.

Mr. David Zimmer: It says in number 2 of the recommendations, "Ensuring consistency of language." That's all we're trying to do here, as I read that.

Mr. Peter Kormos: A little misleading, isn't it, Mr. Zimmer?

The Chair (Mr. Greg Sorbara): We're just trying to get some clarity in the act with appropriate language. The issues that you raise, I'm sure Elections Ontario will have some responses to as they review the Hansard of this committee, so I suggest that we leave it at that and then move on.

The recommendations: There's actually only one of them. This would not result in legislative change, but it is really about greater co-operation between Elections Ontario and the Ministry of Training, Colleges and Universities and colleges and the universities "to develop a standardized communications outreach strategy to post-secondary education students," including the ability of Elections Ontario to get a list of students at the beginning of the school year so that Elections Ontario can write to them and invite them to register to vote.

Mr. Peter Kormos: You're speaking of only post-secondary?

The Chair (Mr. Greg Sorbara): Yes.

Mr. Peter Kormos: Why not secondary?

The Chair (Mr. Greg Sorbara): Because the vast majority of secondary students have not yet reached voting age—the vast majority.

If there are no comments, I'll go on to page 3 and—

Mr. Peter Kormos: We don't quarrel with that.

The Chair (Mr. Greg Sorbara): I'm sorry?

Mr. Peter Kormos: We don't quarrel with that proposition.

The Chair (Mr. Greg Sorbara): We agree with that? Okay.

Then we will move on to page 3 and a discussion on "Professionalization of Service Delivery."

The first proposal, under "legislative changes," is "depoliticization of election workers"—that is, "deputy returning officers and poll clerks." I think the proposal coming out of Elections Ontario is that we just have one category and call them "poll workers"—"election workers."

Mr. Peter Kormos: We generally agree with that. However, there are concerns about the manner in which a person is removed from that position—the means whereby, let’s say, people in a community can raise issues or concerns about a poll worker, if that’s the proper language.

The Chair (Mr. Greg Sorbara): “Election worker.”

Mr. Peter Kormos: “Election worker,” yes. What’s being considered? In definite terms, what’s the process of firing one of these people?

Mr. David Zimmer: I thought the whole idea was to turn it over to the CEO to hire the election workers, figure out a pay schedule for them, train them, fire them and all of that sort of stuff, so that, in fact, we could use all those good people on our campaigns.

The Chair (Mr. Greg Sorbara): Yes. The essence here is that there is a stupidity in the act for modern elections requiring a returning officer to wait until 10 days before an election to get a list of proposed poll clerks from campaigns.

Mr. Norman W. Sterling: I don’t think we have any objections to the first two. It’s when you get to the appointment of the returning officer that—

The Chair (Mr. Greg Sorbara): Okay. So there is an agreement there.

To answer Mr. Kormos’s question, the idea is to develop or incorporate Management Board of Cabinet standards dealing with the employment relationship. I don’t think there will be any new proposals or new employment laws dealing with the firing or the dismissal of an election worker, but for all practical purposes, it doesn’t happen because there’s not enough time—because the period is so short. But if an election worker is hired and three days later he or she commits an egregious offence, that election worker would be dismissed.

Mr. Peter Kormos: Right.

The Chair (Mr. Greg Sorbara): Okay, and the removal of the schedule of fees—I should point out there, in number 2, that it’s about developing a schedule of fees that reflect the standards of the Management Board of Cabinet, and, frankly, with a pay scale that actually allows you to develop that large, urgent workforce.

Number 3 is about returning officer appointments. Historically, returning officers have been appointed by cabinet. The proposal here is to continue the appointment of returning officers by way of order in council, based on recommendations from the chief elections officer.

Mr. Peter Kormos: This is even dicier, because it’s an OIC that appoints them. What is the process, again? Does the CEO recommend a similar order in council terminating the RO’s position?

The Chair (Mr. Greg Sorbara): Again, if there is activity warranting dismissal, it would be done by an order in council on the recommendation of the CEO.

1700

Mr. Peter Kormos: With respect to 2, you’re recommending that the CEO establish the wage scale. Why wouldn’t or couldn’t that be done by regulation?

The Chair (Mr. Greg Sorbara): I think it would be done by regulation, on the recommendation of the CEO. There would be a mechanism—it’s not whatever pay scale. We’ll flesh out those details, and they would be by way of recommendation. But right now, the fees are set in the act, and in practical terms, it’s very difficult to find a competent workforce at the schedule of fees as they exist right now.

Mr. Peter Kormos: Again, the order in council would be an appointment for life, an appointment up to the age of 65—

The Chair (Mr. Greg Sorbara): Of the returning officer?

Mr. Peter Kormos: Yes, of the RO.

The Chair (Mr. Greg Sorbara): My expectation is that it would be for a period of time, perhaps three or four years, with the opportunity and the likelihood of renewal.

Mr. Peter Kormos: That’s interesting, because surely you would want them—you see, when you get to orders in council, there’s an element of politicization. Is that fair?

The Chair (Mr. Greg Sorbara): It gives the final appropriate political touch to the selection process.

Mr. Peter Kormos: Well, okay. Mr. Sorbara smiles as he—

The Chair (Mr. Greg Sorbara): For the record, Mr. Sterling is—

Mr. David Zimmer: Hiding his face.

The Chair (Mr. Greg Sorbara): —hiding his face from this committee.

Mr. Peter Kormos: Because he knows, too.

Wait a minute. I thought we wanted to develop positions like ROs who were going to work for a considerable period of time, assuming their competence in that riding. That’s a very valuable thing. They’d acquire familiarity with the riding, with earlier election experiences. You don’t see a change in returning officer with a change in the Chief Electoral Officer. You don’t see a change in the returning officer with a change in the government. Heck, down where I am—I think you know Helen Durlley, whom I love dearly, who has been very supportive of me, but a good Liberal. She was running damned good elections well beyond the age of 65. That’s why it seems to me that if this is important, we should be wanting to create ROs who have lengthier tenures than three or four years.

The Chair (Mr. Greg Sorbara): Yes, I agree with that. I have no problem with that. You want to develop, particularly given this new world of fixed election dates—again, my dream is that we have a team of returning officers who are competent to do the Ontario election and maybe the federal election, and be a senior adviser on a municipal election just because they’re very good at it. So, a set of standards established for the position by the chief election officer, interview, vetting, maybe some testing, and then appointment by order in council, which I think simply allows the political perspective to say, “Oh, my goodness. You know what? I know that person, and frankly, he is too deeply committed to a political

party”—or something happened. It’s a vetting process, much like the way in which we now appoint people to the Ontario Municipal Board. It’s all about getting a professional staff.

Mr. Peter Kormos: Oh, Mr. Sorbara. Please. Come on. I didn’t just fall off a turnip truck.

The Chair (Mr. Greg Sorbara): I’m telling you, I’ve been there on the OMB stuff, on the appeals board of the workers’ safety and appeals tribunal.

Mr. Peter Kormos: If we’re talking about depoliticizing it, why is there still an order in council involved, which is a very political act?

The Chair (Mr. Greg Sorbara): Right. That’s exactly right.

Mr. Norman W. Sterling: I support an order in council because, quite frankly, I would rather have a Liberal or an NDP competent person who knows what elections are about than have an academic trying to run the show—who understands that you’ve got to get down and dirty in terms of dealing with staff and you’ve got to work your butt off 24 hours a day in terms of running an election.

I think that that’s the other part too: No cabinet would ever appoint somebody who was not respected in the community. You can’t necessarily always tell that in terms of the paper that’s presented. Some people can have tremendous formal qualifications, but if the person you appoint as a returning officer is not respected in the community in terms of keeping their word and is known as—now, the one thing, and I talked to the chief election officer about this this morning and I think we should consider this: I think that there should be some discretion given to the CEO within a certain time frame in front of the election where he can appoint a returning officer without an order in council. So that if he’s faced, let’s say three months—that’s the number I thought of—whereby somebody was too sick—

The Chair (Mr. Greg Sorbara): Somebody dies.

Mr. Norman W. Sterling: —somebody dies or resigns or whatever it is, we’re into the summer period, cabinet is not meeting for two weeks, whatever—I believe that there should be some discretion given to him to make some unilateral decisions within the short time frame before the election.

The Chair (Mr. Greg Sorbara): I think it’s an interesting suggestion. I would point out that my own experience within the cabinet context is if someone is available to replace someone who is no longer available, an order in council can be expedited as quickly as eight hours.

Mr. David Zimmer: I think this idea of delegating to the CEO the hiring of these people to run the show is a good one. The CEO makes the recommendation to the government, which does an OIC. It’s inconceivable to me that the CEO would not put forward quality people. Frankly, I would be very surprised if any of those names that came forward on recommendation by the CEO would not be routinely put through as an OIC.

But having just that bit of a safety valve—as Norm has said, the last step is the political dotting of the “I” and

crossing of the “t”—is a good one. In the last analysis, the authority rests with the government.

Mr. Peter Kormos: I’m not going to flog this one.

The Chair (Mr. Greg Sorbara): Okay. Let’s invite you, then, to flog the next one.

Interjection.

The Chair (Mr. Greg Sorbara): Oh, Norm is going to flog this one.

Mr. Norman W. Sterling: What happens when we get into the throat of the election, two or three months in front, and he finds out that a certain RO just is not responsive? What are his options at that point in time? Does he go back to cabinet and say, “You’ve got to make an argument and get an order in council to get rid of him”?

The Chair (Mr. Greg Sorbara): I think we will hear from Elections Ontario on that by way of response to the question, but I’ll tell you what I know. If it’s a matter of recruiting another returning officer and there’s plenty of time, that issue would come back to cabinet. But you can be sure that there have been a number of instances over the past five or six elections where the returning officer was a disaster. As a practical matter, a team is sent in from head office to just keep the ship sailing until the election is over.

Okay. Redistribution of ridings. The proposal here is—

Mr. Peter Kormos: Hold on, because I’m trying to jibe your draft draft—your draft—with the formal document prepared by Mr. Johnston. Where are you now?

The Chair (Mr. Greg Sorbara): Just as you’re—

Mr. Peter Kormos: Page 3?

The Chair (Mr. Greg Sorbara): We are at page 3.

And there is commentary and authority—not draft, but authority—from our researcher, Mr. Johnston. The proposal is really quite simple. It’s about establishing a permanent boundaries commission—and I’ll just read through here—“comprised of the Chief Electoral Officer, a justice of the Ontario Superior Court, and an academic, who will, using the coterminous federal boundaries as a baseline, on a regular, established schedule, review any special requirements that the province may have to ensure that the principle of effective representation of electors is respected.”

1710

By way of commentary, we do not have a statutory direction to tell us what the boundaries of our ridings will be when the federal boundaries change, so we need to deal with this issue of boundaries. The proposal here is that the baseline is that we use the federal boundaries, that we remain coterminous. So, as a practical matter, we would adopt those boundaries after the first election in which the federal Parliament used those boundaries, but we would have the authority, through a boundaries commission, to adopt those coterminous boundaries, subject to variation to achieve provincial objectives, including more representation in the north, as we have now.

Mr. Peter Kormos: This was a very contentious proposal in my caucus. First of all, we didn’t know the

extent to which the federal boundaries being used as a baseline—how influential that was. One of the things we wanted to see was an example of the statutory language.

The Chair (Mr. Greg Sorbara): Yes. I think we'll have the further debate when we get the statutory language, but from my perspective as the one who is actually the drafter of these draft, draft recommendations, my view is that the federal boundaries dictate, by and large, what the boundaries are but, as we did when we adopted the federal boundaries last time, we made a provision to maintain one more riding in the north. The idea is to find statutory language to allow that to happen, and my perspective is that the voters love this. That is, the voters themselves want us to continue to have coterminous boundaries.

Mr. Peter Kormos: The other issue was the panel. There was concern about the CEO, the Chief Electoral Officer, being on that panel as compared to merely receiving the recommendations. Is it recommendations—which, of course, have to be enacted—or is it delegating the authority—

The Chair (Mr. Greg Sorbara): No, no, no. It's recommendations, which would then come before the government and be presented to the Parliament by way of a bill. The boundaries have to be established under the proposed act by way of law.

Mr. Peter Kormos: Quite right, but the legislation wouldn't say that the Parliament "shall" adopt the recommendations.

The Chair (Mr. Greg Sorbara): I would be very surprised to see that.

Mr. Norman W. Sterling: How do they do it federally? There's quite a bit of power in the boundaries commission in the federal Parliament. When there's a redistribution, there's always an outcry.

Mr. Larry Johnston: It's quite a detailed process that's outlined.

Mr. Norman W. Sterling: Yeah. I have a bill in front of the Legislature establishing a permanent boundaries commission, as we are the only jurisdiction in all of Canada that does not have one. Quite frankly, my reading of the law was that the act which you passed which allowed the northerners to be overrepresented in relation to southerners probably would not have withstood a constitutional challenge because you were not within the boundaries of the law in terms of the variations that were there. When you establish a boundaries commission, you're turning it over holus-bolus to them unless you try to allow a sleeve of 30% or 40%, which probably wouldn't stand up to a constitutional challenge. All of the other jurisdictions have a sleeve of 25%, and your sleeves to allow 11 representatives to stand up north were 34%, 35% in terms of what they were doing now. The next redistribution will probably take care of that because the number of seats is going to dramatically increase in Ontario.

The Chair (Mr. Greg Sorbara): So what you're telling me is that the policy—

Mr. Norman W. Sterling: I'm in favour of a permanent boundaries commission.

The Chair (Mr. Greg Sorbara): It's the policy then, what you're telling me, of the Progressive Conservative Party that the people of northern Ontario are overrepresented in this Legislature?

Mr. Norman W. Sterling: No.

The Chair (Mr. Greg Sorbara): I'm just kidding.

Mr. Norman W. Sterling: Our position was this: If you wanted 11 representatives in the north, you had to increase the representation in the south in order to allow it.

Here's the thing: I was the guy who changed this law in 1996 when I told Mike Harris that this was what we should do in taking the number of seats in the provincial Legislature down from 130 to 103. Peter is looking at me askance, but I thought it was the right thing to do at the time. There are only two times we've had a contraction in the number of seats: in the 1930s and when we did it after the 1995—

The Chair (Mr. Greg Sorbara): And it was very well done.

Mr. Norman W. Sterling: It was done—

The Chair (Mr. Greg Sorbara): Politically difficult; well done. Very popular.

Mr. Norman W. Sterling: It's much easier for the residents to understand. They have one federal member and one provincial member and they live in whatever riding it may be.

I just don't think that the work of the provincial boundaries commission should be that great. If you take the federal boundaries after they've gone through an exhaustive process—it is an exhaustive process if you look at the federal boundaries commission. My feeling was, it was kind of useless work. If you give the federal boundaries commission reasonable rules to work with, they're going to come—

Mr. David Zimmer: But with respect, the idea of having a baseline: It is a Confederation, and the province of Ontario is a partner in that Confederation and we are our own level of government. So I'm quite happy with the permanent commission and that it work with this idea that the base is the federal boundaries and then we'll go from there, recognizing that we are an independent and equal level of government in our Confederation.

The Chair (Mr. Greg Sorbara): I agree with that. The great good fortune for those of us on this committee is that Larry Johnston, our research officer, has a paper to be distributed today—I think it's already before you—with further research, including reasons for an independent provincial boundaries commission. So we will all look at that. However, I think I detect a consensus that we are to have a boundaries commission because we have to have one.

Mr. Norman W. Sterling: If you're going to alter any of the federal boundaries—

The Chair (Mr. Greg Sorbara): For that boundaries commission, the baseline ought to be boundaries that are coterminous with federal boundaries and that there

should be some flexibility to present proposals that divert from those coterminous boundaries. The devil will be in the statutory language, and that's the reason why I am hoping that our report can have a draft bill appended to it so that we will have done some work on the statutory language.

Mr. Norman W. Sterling: I'll lend you my bill.

The Chair (Mr. Greg Sorbara): We'll probably adopt it verbatim.

Mr. Peter Kormos: Who does Mr. Sterling contemplate being on this commission?

Mr. Norman W. Sterling: One of the things I wanted to ask Mr. Johnston is: Who's on the federal boundaries commission? What do they have there? There are 10 other boundary commissions in Canada. What is the normal mix?

Mr. Larry Johnston: There are one chairperson and two members for the federal boundaries commission and then there are chairpersons for each province, who are appointed by the Chief Justice of the province and the members by the Speaker of the House of Commons.

Mr. Norman W. Sterling: The members by the Speaker of the House of Commons?

Mr. Larry Johnston: Yes.

The Chair (Mr. Greg Sorbara): Do you know what? I think, Norm, you should give some thought to this and look at the research. You have a bill on boundaries before the Legislature, so bring your insight and your views on the makeup of such a commission to this committee, and it may well be that we want to adopt them.

Mr. Norman W. Sterling: But I want to make it clear: You can't have a boundaries commission that is then directed by majority government legislation if they want more representation in one part of the province than another. You've got to have general rules of application of drawing the boundaries and then leave it to them to draw those boundaries, and God help you if you don't follow them. That's how Pat Binns got thrown out of PEI: by having a boundaries commission come in, and then the government came in and said, "No way, José. We're going to gerrymander the province," and they lost.

The Chair (Mr. Greg Sorbara): Ultimately, the bill that establishes the new boundaries is presented by the government, and the government would have to evaluate the political consequences of any deviation that it has from a boundary commission. Is that right, Mr. Johnston?

Mr. Larry Johnston: Yes. The paper I've given you does discuss the Supreme Court's rulings briefly on deviation from a standard electoral quotient or rep by pop.

Mr. Norman W. Sterling: Okay.

The Chair (Mr. Greg Sorbara): We have consensus on that as well, so let's go to the next section.

Section 5: "Modernizing Election Finance Rules.... Proposed legislative changes: 1. Corporate credit cards." I think everyone is in favour of that.

Mr. Peter Kormos: We agree with that.

The Chair (Mr. Greg Sorbara): Number 2 is "Emerging financial technologies." This just simply is, again, permissive, allowing the Chief Electoral Officer to examine and approve new methods of payment as they emerge. I don't think it's controversial.

Mr. Peter Kormos: We agree with that.

The Chair (Mr. Greg Sorbara): "Spending limits," number 3. The proposal is for candidates to be advised of spending limits beforehand—makes sense—but that that spending limit be a baseline. Even if the final voters' list is not as large as expected, the spending limit could only go up, so as not to Catch-22 the candidate.

Mr. Norman W. Sterling: We agree with that.

The Chair (Mr. Greg Sorbara): Good.

The next proposal, number 4, is in respect of electronic receipting. This is a much more significant proposal, because it really contemplates what's best described as a partnership between Elections Ontario—or, election financing Ontario—and riding associations and political parties to modernize the receipting process, to digitalize the receipting process, and to bring greater transparency to the receipting process.

Mr. Norman W. Sterling: You've changed your original proposal. Your original proposal was that the chief election officer would issue the receipt.

The Chair (Mr. Greg Sorbara): That's right.

Mr. Norman W. Sterling: You've changed it.

The Chair (Mr. Greg Sorbara): I have changed it significantly. I've changed it because I was advised appropriately by Elections Ontario that they cannot both issue receipts and be the enforcement agency in respect of receipting. We're developing a new model where basically there is a shared data-processing system and software, so that the receipt is actually issued by the political party or the riding association in a software system that is part of a larger Elections Ontario system, so that the data is at the same time available to Elections Ontario and the riding association, and the ability to report donations and send out receipts is much easier.

Mr. Peter Kormos: Why is it easier?

The Chair (Mr. Greg Sorbara): Because it would be done electronically through shared software systems.

Let's just talk in practical terms. Joe Smith, the CFO of Welland, receives a cheque for \$200 for the Peter Kormos campaign. Joe Smith has access to software in which he can input that data and a receipt would be electronically issued to the donor. Or, Jim Smith wants to make a donation to the Willowdale riding—he's very impressed with Mr. Zimmer. He can go online, make the donation, and an electronic receipt would instantly be issued out of software that is developed by Elections Ontario and the political parties. The data are instantly available to Elections Ontario and are part of a data file for the riding of Willowdale.

Mr. Peter Kormos: That last comment was the key part: It's instantly available, so it feeds it into an Elections Ontario database at the same time as it's issuing the receipt down in the little basement office of the chief financial officer of one of our campaigns. You see, there was confusion about that because you had—

Mr. Norman W. Sterling: Well, you see, I've got to go back to my party and talk about this, because this is significantly different than—

The Chair (Mr. Greg Sorbara): Central receiving.

Mr. Norman W. Sterling: Yes. I think we should— we were to meet until 5 o'clock.

The Chair (Mr. Greg Sorbara): Oh, really? I thought we were to go until 6 o'clock.

Mr. Peter Kormos: The other thing, about that, the other comment—

Mr. Norman W. Sterling: Five o'clock is what I was informed.

Mr. Peter Kormos: —is this, and I've made the observation and I'll tell you again. Elections Ontario: I see it in the political donations of the four leadership candidates—huge, huge, huge delays in getting that stuff processed by Elections Ontario; just unbelievable. And that's peanuts; that's small amounts of money, small numbers of donors. It's just very frustrating to see their inability to post—

The Chair (Mr. Greg Sorbara): Part of that is because of the intractability of the current system and the reporting requirements.

Mr. David Zimmer: But in fact, as I understand the computer technology, because my wife manages all the household finances on the thing: She can sit down at the computer, send money to wherever and push a button and, bang, she gets a receipt almost instantly; well, she gets a receipt on the screen and pushes another button and prints it out. Presumably, this is exactly what they do.

The Chair (Mr. Greg Sorbara): Yes, I mean—

Mr. David Zimmer: So it's a no-brainer.

The Chair (Mr. Greg Sorbara): Well, electronic receipting right now is illegal in Ontario because it can't be signed by the CFO. So all of us are doubling and trebling the amount of work we have to do, based on the technologies that would be available.

The beauty here is that if we can do this and authorize by statute the chief election officer to develop the software, it will be the most efficient way both for Elections Ontario and political parties to better manage.

There's one other advantage, and then we'll go to you, Mr. Kormos. Right now we have a 10-day reporting requirement for donations to political parties, but a-year-and-a-half requirement if a similar amount of money goes to a riding association.

My own suggestion is that if we can develop this system, we have a standard of transparency I would suggest every month or every quarter for all donations, whether they're given to the New Democratic Party of Ontario or the riding of Niagara Centre.

Mr. Norman W. Sterling: The only problem you have there is that you're dealing with volunteers; you're not dealing with paid people. In the party you have paid people doing these transactions and in your riding organization you have volunteers. To start putting more onerous reporting on them is—

The Chair (Mr. Greg Sorbara): But, Norm, the fact is that you burden volunteers much more greatly with the kind of paperwork they have to do, keeping track of paper.

Mr. Norman W. Sterling: I don't argue against the electronic thing. I just want to talk to my—

The Chair (Mr. Greg Sorbara): Yes. Okay.

The fact is that we would have to authorize this by statute to authorize the chief election officer to develop the software capacity. But in fact, he would be developing it for all political parties. It would be, I think, a unique partnership which allows him to maintain the oversight and enforcement function while ensuring a far better functioning of the system.

Mr. Peter Kormos: What I'm telling you is that the Chief Electoral Officer doesn't seem to have developed software to deal with the relatively modest number of monetary donations in this NDP leadership campaign.

Mr. David Zimmer: Ah, but there's a new sheriff in town.

Mr. Peter Kormos: Okay, maybe your wife should do it.

Mr. David Zimmer: I have confidence in the new CEO.

The Chair (Mr. Greg Sorbara): Peter, you're absolutely right, but it's partially because they don't have the authority to put into place the kinds of systems—we have been having these discussions with them about a relatively dramatic change in the way we do this.

Mr. Peter Kormos: So maybe they're going to retain Tom Jakobek to develop the retainer with the software development firm.

The Chair (Mr. Greg Sorbara): Probably they will. In fact, I think that's the only reason why we would be proposing this.

I understand that Mr. Sterling has to get out of here as quickly as possible. Have you got five more minutes?

Mr. Norman W. Sterling: No.

The Chair (Mr. Greg Sorbara): Okay.

Mr. Norman W. Sterling: I just would like somebody to contact the privacy commissioner with regard to the address authority and get her positioning before we go too far.

The Chair (Mr. Greg Sorbara): We'll do that, but if the committee is agreeable, I will try and get the folks from MPAC here to talk about address authorities in general and specifically.

Mr. Peter Kormos: Yes, please.

Mr. David Zimmer: Next time, do we pick up on the Chair's memorandum at page 4: "Blackout"?

The Chair (Mr. Greg Sorbara): Yes. Larry will contact the privacy commissioner.

Interjection.

The Chair (Mr. Greg Sorbara): We'll start there. We say it's just blackouts, not walkouts.

The committee adjourned at 1731.

CONTENTS

Tuesday 3 March 2009

Review of election legislation..... EL-47

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)

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Mr. Trevor Day

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