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# Standing Committee on Procedure and House Affairs

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**Tuesday, February 24, 2009**

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**Chair**

**Mr. Joe Preston**

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Tuesday, February 24, 2009

•(1100)

[English]

**The Chair (Mr. Joe Preston (Elgin—Middlesex—London, CPC)):** Good morning.

I would like to remind all of the members that we're here today under Standing Order 108(3)(a)(vi), matters relating to the election of members to the House of Commons. We have some guests with us today. We are in public today, so we will remember that as we move forward.

I would like to call on Monsieur Mayrand to give some opening remarks and introduce the people he's brought with him, and then of course afterwards we'll have time to ask him some questions.

[Translation]

**Mr. Marc Mayrand (Chief Electoral Officer, Office of the Chief Electoral Officer):** Thank you, Mr. Chairman.

I am pleased to appear before the committee today to discuss the Report of the Chief Electoral Officer of Canada on the 40<sup>th</sup> general election of October 14, 2008.

My report deals not only with the general election but also, as required by the Canada Elections Act, with matters of significance that occurred in the previous general election which, I believe, should be brought to your attention.

I am accompanied today by Stéphane Perrault, Senior General Counsel, Rennie Molnar, Associate Deputy Chief Electoral Officer, and Belaineh Deguefé, Director General, Outreach, Communications and Research.

My introductory remarks will be brief. My purpose today is to listen to your feedback and respond to your questions, particularly those regarding the report I submitted to you on February 2, but also any other matter related to the election. I will then be able to take your comments into account as part of the ongoing improvement process that we have set up at Elections Canada to administer elections.

The 40<sup>th</sup> general election was the first general election that I administered since becoming Chief Electoral Officer in February 2007.

According to the feedback we have received to date, the administration of the election generally met the highest standards of service expected by Canadians. There were, of course, a number of incidents that arose which will need to be addressed. However, they should be considered in the wider context of delivering a major event.

My report indicates that there are key areas that merit your attention: first of all, the administrative processes described in the act, the voter identification requirements and, finally, political financing rules.

Over the years, the administrative processes have become more complex, especially given the short 36-day calendar for an election. The legislation is prescriptive in nature and provides little flexibility in the administration of the various processes that underlie a successful election. For instance, any delay in the short timelines to set up Elections Canada's local offices risks compromising our service to electors and candidates. Our capacity to recruit and train election workers and their ability to fulfil their duties are also affected by the legislative framework.

[English]

The second area posing some challenges is the new voter identification requirements, which were administered for the first time during a general election. Preliminary evidence from our post-election telephone survey of electors indicates that a clear majority of electors were aware of the new requirements and did not experience any problems when voting. However, we know that certain groups of electors, including seniors, students, aboriginal people living on reserves, and homeless electors face particular challenges in proving their identity and address. The need to ensure consistent application of the new requirements by election workers is another challenge that will need to be addressed.

The third area that merits your attention is the administration of the political financing rules. Successive legislative reforms in this area have resulted in complex financing rules for election participants and a significant regulatory burden. We have heard much anecdotal evidence about this issue from various political entities, and I believe opportunities can be found to streamline the process and to reduce the procedural burden on participants.

To conclude, I would like to draw to your attention that while the Canada Elections Act requires that I report to Parliament within 90 days following the return of the writs, a thorough assessment of the election cannot be accomplished in this timeframe.

My office is presently conducting a series of post-election evaluations. These will help us to further identify and establish priority areas that may require improvement. These findings will be part of an integrated report that I intend to submit to this committee later this spring. I also intend to submit to Parliament by the end of the year a report containing my recommendations for the better administration of the act.

Thank you, Mr. Chair. At this time my colleagues and I would be pleased to answer questions that you may have.

• (1105)

**The Chair:** Thank you very much.

Monsieur Proulx, would you like to lead us off?

[Translation]

**Mr. Marcel Proulx (Hull—Aylmer, Lib.):** Thank you, Mr. Chairman.

Good morning, Mr. Mayrand. I would like to welcome you and your team of experts to the committee.

I must tell you that I spent a few hours reading your report. I must tell you that, for the first time, I feel that the report reflects what we actually experienced during the campaign. The report includes the positive aspects, but also those that were not so positive.

You were correct in stating that the issue of voter identification was one of the problems encountered. You noted in your report that employees are given three hours of training. Clearly, this is inadequate. I am under the impression that the training you provided or tried to provide focused almost exclusively on the exceptions rather than on the general rule.

For the most part, there are two categories of people who agree to work at a polling station. First of all, there are the election workers who have been doing this for a long time. These people show up for their training and they half listen to it, justifying their lack of attention under the pretext that this is the eighth or fifteenth election they've participated in and therefore they are familiar with the song and don't have anything new to learn. With respect to the workers who fall under the second category, they are there simply because they want to pick up their cheque at the end. I say this with all due respect for these people. However, this does constitute part of the problem.

If someone was not carrying the pieces of identification included on the printed list, it was not clear to everyone, at least not to the staff, that these people could prove their identity in another way, but taking an oath.

We have such cases in my riding, cases involving couples, not necessarily elderly people, where the husband could vote, but not the spouse, because she did not have a driver's licence or another piece of approved identification. However, this woman was not told that she could take an oath, that she could do so because she was accompanied by her husband, who was duly registered and carrying the requisite pieces of identification.

This shortcoming is in part owing to the short training time, which is three hours. You're trying to give an election law course to people who are more or less prepared or attentive. You dealt with this issue in your report. You should be very aware of the fact that, for the next election, training will have to be improved.

There is another problem with respect to the employees. Your report indicated that only 33% of the deputy returning officers, poll clerks and registration officers working on the day of the election had been appointed from the lists provided by the candidates. This percentage was higher in my riding.

Recruiting is very difficult. It drains human resources and takes up a tremendous amount of time. I always make jokes about this at every election. The fact remains, however, that there are always people who make a commitment and take the training, but on the very morning of the election, for all kinds of reasons, decide that this is not worth the trouble and no longer want to work.

The whole issue of compensation is another problem, and you touched on this in your report, Mr. Mayrand. Moreover, you increased compensation depending on the location in the country and in accordance with requirements. We must pay careful attention to the issue of compensation. First of all, compensation should be increased. Secondly, we must resolve, once and for all, the whole issue of taxation of these earnings. People often change their minds after training when they find out how much money they will be paid.

• (1110)

The people come back to us and say that they are going to be getting employment insurance or welfare and that the amount they are going to be given, that they're going to have to declare, is so insignificant, if I may say so, that the effort just isn't worth the bother. As you said, these are very long days. Consequently, I think that we are going to have to take certain issues into account.

At the very end of the campaign, I was discussing matters with the returning officer in my riding's local office. To my great surprise, I saw several employees packing all kinds of documents, including electoral lists which had been used during the campaign, into boxes. They told me that they had to send these to the head office rather than use a shredding system. From what I could gather, this was a waste of money. Indeed, other government officials award contracts to shredding companies. These companies show up with their truck and certify that everything has been done. That avoids us having to spend days packing up all kinds of documents and sending them out. Sending the documents from my riding to your office must not cost a lot of money in terms of transport, but from Victoria to Ottawa, that must cost quite a pretty penny. So this is one aspect that should be looked into.

How much time do I have left, Mr. Chairman?

[English]

**The Chair:** Out of your seven minutes, if Mr. Mayrand would like to answer he now has about 15 seconds.

**Mr. Marcel Proulx:** That's long.

**The Chair:** Right.

**Mr. Marcel Proulx:** All he has to say is that he agrees with me.

**The Chair:** That's as simple a solution as you can get, but we'll give him a little time. Let's have a response.

[Translation]

**Mr. Marcel Proulx:** I will get back to that issue later.

**Mr. Marc Mayrand:** All right. You have raised some important issues, issues that are essential to the smooth running of an election. We did indeed note that improvements needed to be made to the training provided. Obviously, because of constraints in the legislation, we have to recruit the 200,000 or so workers we need two weeks before the day of the vote, which leaves very little time for training. Training is limited to three hours, but we have to provide workers with training on all aspects of the election process and not just on specialized tasks. So we have to be realistic and understand that even if we focus on voter identification, the time dedicated to this issue was not adequate. We are therefore going to have to improve our training techniques.

As for the issue of recruitment, we have noted that if you go east to west in the country, the reference rate for deputy returning officers on polling day declines. In fact, it falls to 2% in Alberta and 3% in British Columbia. I would like to point out to the committee that returning officers cannot recruit actively before the 17<sup>th</sup> day prior to the election. So, if so few names are referred, that makes the returning officer's job and challenge that much greater. You touched on the issue of compensation. This will be one of our priorities over the next few months. We are going to look at the rates and propose the required adjustments so that the governor in council can set a new excise tax.

I have noted your comments regarding the shredding process. I will look into this matter. If we can improve the process and make it more efficient, we will do so.

•(1115)

[English]

**The Chair:** Thank you for your comments.

Mr. Lukiwski.

**Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC):** Thank you, Chair.

Thank you, Monsieur Mayrand, for appearing here with your officials.

I want to talk briefly on an issue—and I know, as a committee, we'll probably have many questions on many issues—that I know concerns all of us and all parliamentarians, and frankly all candidates across Canada. It relates to voter turnout. I note that, once again, we had a decrease in voter turnout this year to under 60%, which is almost unconscionable.

One of the things I also note is that there has been a relatively steady increase in voter turnout at advance polls over the course of the last few elections. In the last Parliament, the government introduced Bill C-16 on expanded advanced polling days. That was never passed. It was relatively gutted through committee and never passed by Parliament.

I'm wondering if you have an opinion on whether more advanced polling days, increased opportunities for voters to cast ballots prior to election day, could have a positive impact on voter turnout.

**Mr. Marc Mayrand:** I would simply say that yes, it's a disappointment to observe the turnout rate. I think that there are many factors at play there. Some of the factors directly relate to Elections Canada, which has the responsibility to ensure that voting

is as accessible as possible for all electors and that we reduce or remove any administrative barriers that exist.

In terms of increasing the number of advanced polling days, there was draft legislation that was tabled in the last Parliament. At that point, I believe we had commissioned and tabled a study from an academic discussing the possible impact of advanced polls. There's no clear indication that it would materially affect turnout. Again, nobody can say that it doesn't. More opportunities normally would lead to more participation, but you cannot make an automatic link with the increase in voting days.

**Mr. Tom Lukiwski:** Unfortunately, you're probably quite correct. There's no empirical evidence that says it will, but you pointed out quite correctly that there's no empirical evidence to suggest it wouldn't.

I wish we had the opportunity to try to find out whether it did have an impact. Beyond that, what other plans do you have? Clearly, if this decrease in voter turnout continues, it's not inconceivable to think that within a few years we'll have fewer than 50% of eligible voters electing governments in this country. That would truly be a tragedy. What plans does your office have, if any, to try to deal with this decrease of voter turnout, this apathy among voters? How can you assure this committee that your plans will have some positive impact prior to the next election?

**Mr. Marc Mayrand:** Our mandate and authority in that regard is somewhat limited. One of the concrete initiatives that we plan to have ready for next fall is that we will be looking at advanced polls in rural ridings across the country with a view of making it more accessible to rural electors. That's one administrative measure that we can put in place.

At a broader level, we're seeking to better understand the phenomenon and what factors motivate electors to participate in the electoral process. Some of these studies will be coming out over the next short while.

We are also engaged with other electoral bodies across the country, because the phenomenon is not unique to the federal election; it is also very much present at the provincial and municipal level. So we'll see how we can combine our efforts to reach the youth, especially, which is a segment of the population that tends to vote less than other groups.

Beyond that, I think it will require the involvement of many other players, and some of the key ones are here around this table. Parliamentarians, educators, and parents all have a significant role in fostering greater engagement of their fellow citizens in our democratic process.

•(1120)

**Mr. Tom Lukiwski:** How much time have I got left?

**The Chair:** A couple of minutes.

**Mr. Tom Lukiwski:** I'm pleased to hear you say that you'll be engaging in some studies to try to find the root cause for voter apathy. It's tough to improve voter turnout if you don't know the reasons why voters are not turning out to begin with. I applaud you for that, and hopefully those studies will reveal some information that you will be able to employ.

You also mentioned in your presentation that you plan to put some practices in place that might increase the voter turnout in rural Canada. Have you identified statistical information that indicates that rural Canadians are voting less than urban Canadians?

**Mr. Marc Mayrand:** We're in the process of doing that. That's what we will do over the next few months, and we will engage political entities in the ridings that would be affected, but right now we're looking at turnout rates in advanced polls in rural areas to see whether it's geography—the distance to the poll and things of that nature—that may be affecting the participation.

**Mr. Tom Lukiwski:** Finally, I've always been a believer in the fact that education is the primary factor in terms of increasing voter turnout, and you'd mentioned in your remarks that you have plans—and correct me if I'm wrong—to increase the educational outreach component of your office to try to get into schools more frequently, to impress upon school children of voting age and younger of not only their right but their privilege and their responsibility to vote. Could you elaborate on that?

**Mr. Marc Mayrand:** We would certainly like to work with our colleagues across the country in that regard so that we can agree on some sort of common civic curriculum regarding the electoral process that could be made available to school boards across the country.

Another initiative that is also mentioned briefly in the report is Student Vote, which runs a parallel election during the federal election across the country. In fact, they reached out to 3,000 schools and colleges and to close to 500,000 students who participated in the process last fall. One of the issues we have is that there's no continuity around this. Normally those events are around the election. I think one thing that we need to pay more attention to is what happens in between elections. Education is a continuous process, and it can't just happen haphazardly once every two or four years—hopefully four years.

**The Chair:** I'll go along with that.

Monsieur Guimond.

[Translation]

**Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ):** Thank you, Mr. Chairman.

My colleague, Mr. Proulx, was very greedy and put both hands into the candy dish. I will try to come up with other questions. I was asking myself the very same questions with respect to the recruitment of election staff, training, compensation, etc.

Instead I will talk about the fluidity of the vote. You are no doubt concerned about the decrease in voter turnout that we observed during the last vote. If we look at the past five or six elections, we can clearly see that we are on a downward slope. I would imagine that the members of your team and you are looking for ways to encourage participation, but we have to go beyond advertising and the Internet. People who show up must at least be able to exercise their right to vote. Unfortunately, this does not always happen. I could spend the next 24 hours giving you examples. I once talked for 5 hours and 45 minutes during a filibuster... But still Mr. Lukiwski broke my record!

I'd like to give you a little example. Polling day was beginning but the list of voters was not contained in the polling boxes. That caused a 40-minute delay. As a result, 50 people who were waiting in line left, and it so happened that this occurred in the riding of Laurier—Sainte-Marie, my leader's riding.

I can tell you many other similar horror stories. We need to speed up operations at the polling booths, and I do know what I'm talking about. Perhaps not all candidates do that, and I do not claim to be the only one to do so, but on the day of an election, I begin at 9:30 and I travel 351 kilometres; I visit nearly 70% of the polling booths in my riding. I then vote in my area at 8:00 p.m. So I begin at 9:30 and I make the rounds, I shake hands. By the way, we need to clarify the legislation so that it stipulates that candidates are entitled to enter the polling offices and shake the hands of all of the election workers and candidates. We've had a problem, and I have too. Election workers checked with the returning officer and were told that this practice is tolerated but that the law was not clear on the matter. This clarification needs to be made.

In some locations, it can be 6°C outside, particularly when the election takes place in the fall. When it's raining and 150 people are waiting outside in the rain, it means that people have to be determined if they want to vote. You are a father, Mr. Mayrand, just imagine a young couple in their 30s who are starting to lose interest in politics and are beginning to get fed up with politicians. The man asks his employer for permission to leave at 4:00 p.m. instead of at 5:00 p.m. He is with his spouse, they are in the car, they've picked up the kids at the day care centre. The kids start squabbling and crying. They get to the polling station and see 150 people waiting outside. In your opinion, will they stop in order to vote? No, they will not go. The reality for them is about the routine of homework, bath time and all that this entails. I am giving you this example of a young couple in their 30s, but there are also a lot of baby-boomers who have other activities, whether it be bridge lessons, poker, a hockey league; you can think of all kinds of activities.

Basically, I think that the process does not run smoothly enough. You would almost think that some individuals feel compelled to slow things down in certain locations, but at any rate, the system is not working well, not in the vast majority of locations. Sometimes, the polling stations are managed properly.

•(1125)

I would like to mention a small detail that would save six seconds. While one voter is marking his X in the polling booth, we could invite the next person to identify himself. So when one person leaves the polling booth, the other is ready to go in. But no, no one else can go to the table until the person in the polling booth leaves. This is a detail and I am no expert as you are, but you should consider this issue. I would like to hear your comments, and I have many other questions that I can ask you after that.

●(1130)

**Mr. Marc Mayrand:** My report did not describe the problem the same way that you did, but it did refer to the need to review the way we manage voting locations. The legislation states that these tasks are to be assigned to two individuals who are responsible for managing the ballot box and all aspects of the voting process, which can result in the situation where people are waiting in line in front of the polling table while the people working at the next tables are unoccupied or waiting for voters to show up.

Over the next few months, I would like to look at alternatives in order to facilitate the voting process, while at the same time maintaining integrity, and add a little bit more flexibility to the distribution of tasks. Among other things, this would enable us to serve electors better and it would also make it easier to recruit and train people, if we were to specialize the tasks in a polling station.

I do intend to make recommendations to you on this matter by the end of the year. Obviously, numerous changes need to be made to the legislation. I hope that we will be able to discuss these changes at that time.

**Mr. Michel Guimond:** I would like to raise one further matter. We also need to ensure...

[English]

**The Chair:** You have one second.

[Translation]

**Mr. Michel Guimond:** It is unfortunate that you took on this job at a very controversial time, during the controversy regarding the veiled voters. I do not want to remind you about bad memories, because this issue not doubt gave you stomach problems.

You made the news despite yourself, during the last election campaign, because of the ballot boxes that were lost in the Quebec City riding. That also led to charges. We are in politics. We respect each other, but we are not necessarily bound to like each other. So this situation gave rise to accusations. Certain parties accused another party that had suggested a list of deputy returning officers, but had not given any consideration to the Bloc candidates. When they are sworn in, they come under your jurisdiction. You discuss this issue on page 27 of your report, in the highlighted area at the bottom.

I know that the problems facing rural ridings are not the same as those in urban ridings. Could we do something about this? You said that the ballot boxes were in the custody of the deputy returning officers. Could we do something to avoid looking ridiculous and ensure that the situation that occurred in the Quebec City riding does not repeat itself?

**Mr. Marc Mayrand:** That was an unfortunate incident. It was reported that the ballot boxes were missing. It finally was brought to light that the boxes were not missing but they were still under the custody of the deputy returning officers. They were found, and to everyone's satisfaction, I believe, it was determined that the boxes had not been compromised.

How do we avoid this type of situation from recurring in the future? We need to re-examine the procedures. I have already mentioned that, according to the legislation, the deputy returning officer is responsible for custody of the ballot boxes. Between the

time of the advance polls and the day of the vote, a week goes by. Should we amend the legislation in order to recall these boxes? Would that be a better guarantee that there will be fewer risks of losing boxes? We will have to analyze the situation. At the end of the year, we will no doubt be back with recommendations, particularly if amendments to the legislation are required.

[English]

**The Chair:** Thank you.

Monsieur Godin.

[Translation]

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** We too have several complaints. In British Columbia, the polling stations close at 7:00 p.m. Why? People feel that their voting rights have been violated. They start their day at 8 or 9:00 a.m., just like everyone else, and the polling station close at 7:00 p.m. Let's count the votes later; we will in a final analysis find out who will be elected Prime Minister of Canada and which political party will form the government, as well as the names of the members who have been elected. But for these people, this is totally unacceptable. Is it the legislation that makes this so? Is that is the case, it is up to us to chance this part of the legislation.

We were told that there was a shortage of staff and that it was difficult to recruit people. This is unfortunate, because there are a lot of available people. However, they are wondering whether it is worth their while to spend a day working in a polling station only to lose their employment insurance cheque because of the money that they would be earning that day. They would wind up poorer than they were.

We need to change the legislation to ensure that people receiving employment insurance benefits are exempted, when they want to work on election day. This would not apply to the people who are working full-time for Elections Canada. I am certain that we could get good people to do this work. Moreover, with the current economic crisis, many people could help you.

The other problem pertains to identification. In my riding, there is incredible frustration. In British Columbia there was even a newspaper article about the poll you conducted.

●(1135)

[English]

“New rules stop 450,000 Canadians from voting”. Wow!

[Translation]

I saw people going to a polling station in order to vote but they did not have an ID card. Sometimes, in a polling station, you may know a person very well but if they do not have any identification cards, they are not allowed to vote. People leave the station saying that they won't ever vote again in their life. They are frustrated.

The same thing applies to the universities. I do not know whether or not you read the article. A young student had problems voting due to a lack of cooperation. And she was not alone.

I received a letter from Libby Davies, who said the following:

[English]

Registered voters were required to line up at the Registration Desk prior to proceeding to their assigned Poll. At many polling stations in the Vancouver East riding, voters were required to line up at a single Registration Desk to show the required identification prior to proceeding to their Poll number and showing the same identification again. The result was long lines and delays that dissuaded or prevented eligible voters from casting their ballot. It was not until around 2 p.m. (Pacific) when Elections Canada's head office (in Ottawa) confirmed with Libby Davies' NDP Campaign Office that voters were allowed to go straight to their polls and the Registration Desk was actually supposed to be more of an "information desk".

[Translation]

It doesn't make sense. We are unable to train our people. I do not want to go into all of the details; you received the letter. I think that the members have done some good work compiling the problems noted in their riding.

I'm going to raise another issue. The legislation states that we can go anywhere in order to connect with the people, but we have to be outside of the building. I went to a federal building in order to shake people's hands. However, an official told me that I was not authorized to be on the building grounds, beside the city sidewalk.

[English]

I did stay; I didn't go. But then I had to fight with them for about an hour on the side, and finally the security guard came to me and told me to get lost. I said, "Sorry, call the cops, but I'm staying here. I'm going to exercise my democratic right to meet the people. I am in Canada here. We have people who went to war to give us the right to vote and to be able to meet people. We're not living in a country with a dictatorship. We're going to meet people and let people know who we are."

I think there is a need for some education about this in the government, in the ministry where they have buildings across the country.

● (1140)

[Translation]

Some mobile workers, people who left in order to work in Alberta, for example, did not have an opportunity to go at all. I called the Elections Canada main office. I was told that there were posters on display everywhere explaining how to vote. I telephoned people directly, in the camps where they were living, and they told me that there was no information there. They checked for several days, but there was never any information.

I see that my time is up, I will listen to the little bit that you can tell me about. We are here to discuss these issues because there were a lot of problems and we will try and to resolve them together.

**Mr. Marc Mayrand:** Absolutely. I think this is the advantage of the appearances.

The business hours are established in the legislation for every region of the country. If the act is to be amended, that would require the attention of the committee, because Elections Canada has no say over the opening and closing hours of polling stations.

As for staff recruitment and employment insurance penalties for the unemployed who would like to work on election day, you are right. There are two aspects to this. First, work done by an election

worker does not represent insurable earnings. Second, if a person who is already receiving employment insurance is paid an amount that is more than 25 % of his or her benefit, he or she will see an equal amount deducted on the next employment insurance cheque. As an example, I would say that an election worker who is paid \$195 and who is also unemployed and receiving benefits of \$400 will see the next benefit cheque reduced by \$95. That reduces the incentive to work for the elections. In any case, these are issues that would require amendments to the Employment Insurance Act. This would at the very least require amendment to the regulations. However, this is completely beyond the mandate of Elections Canada.

You talked about identification issues. This is a new procedure. As I mentioned, generally speaking voters have adapted to it quite easily. I mentioned a few groups who faced certain obstacles. I would simply advise you to be cautious concerning the article that you mentioned. The article is based on a study that was done following by-elections that concerned only four ridings, and it was the first time that identification was required for the vote. I always wait for the general election for a result of surveys. I do not believe we can apply the results of by-elections held in four ridings on a national scale. We must be prudent in that regard. I would prefer to see the results of the national survey that was just held following the last election in order to see if those figures are confirmed.

I finally have Ms. Davies' letter. We will answer her, absolutely.

You raised the issue of access to public spaces, that is to say private spaces that are accessible to the public, whether it is a question of government properties, shopping centres, residential properties, etc. Bill C-31 increases the access of candidates to these sites. You are not doubt correct in saying that it would be beneficial to organize a public information campaign. For the last election we issued a letter from the Chief Electoral Officer recognizing candidates' right of access. This was sent to all candidates. They could easily present that letter to anyone who objected to their presence or to their activities. The feedback I got on this issue was that it generally worked very well, but we did get a few complaints from candidates who found themselves denied access to areas that were accessible for campaign activities.

● (1145)

[English]

**The Chair:** Thank you very much.

That ends our first round. I've been pretty tolerant with time. We were well over ten minutes in a seven-minute round with a lot of those, but we're getting some great feedback.

As you noticed, Monsieur Mayrand would love to share information with us. As much as I love the oration of the members of Parliament, of course, the answers we're looking for are from that end of the table today. In the next round, if we could, try to get your questions in about half the time you're allowed and let the answers come from the other end. I think we'll be a lot better off and I'll keep my chairmanship of the month award that's been given to me.

**Mr. Yvon Godin:** It's a long way from my turn again to get the rest of the answers.



**The Chair:** Monsieur Proulx, you practise first.

[*Translation*]

**Mr. Marcel Proulx:** Thank you, Mr. Chair. We will try to pick up the pace.

Mr. Mayrand, there are some files I would like to inform you about. In the riding of Laval—Les Îles, the local Elections Canada Office was informed of the fact that some voters had given false addresses allowing them to vote illegally in this riding. The latest news was that in fact there is no news. I am assuming that someone in your office is dealing with this. There must be someone in your office who is studying this complaint concerning Laval—Les Îles.

**Mr. Marc Mayrand:** If a complaint was filed, that is certainly the case.

**Mr. Marcel Proulx:** Could that be verified and an answer sent to us later on? If not, we will make sure that a complaint is filed.

**Mr. Marc Mayrand:** If I understand correctly, this is an issue of false addresses in the riding of Laval—Les Îles.

**Mr. Marcel Proulx:** That is correct.

[*English*]

In Etobicoke Centre during the first week of the campaign, the Green candidate officially dropped out. Why is it that the name of that person still appeared on the ballot without any attempt to communicate with the voters that this candidate was no longer in the running?

Of course the voters who voted for that particular person lost their vote—it went into the ocean—but is the Green Party getting financial consideration for the votes this non-existent candidate obtained?

**The Chair:** Are you having trouble with the translation?

**An hon. member:** Yes.

**Mr. Marcel Proulx:** So I start all over again, right?

**The Chair:** No, but we will stop at that.

**Mr. Marcel Proulx:** If you want, I can do it in French.

**The Chair:** I'll keep talking so we can see if you're getting translation.

Are you now getting French translation?

[*Translation*]

**Mrs. Claude DeBellefeuille:** Yes, I can hear you, it's all right.

[*English*]

**Mr. Marcel Proulx:** What do we do now? French or English, or English or French?

**The Chair:** At your leisure, whatever you would prefer. You have about 30 seconds gone. You're at a minute and 44 or 45 seconds.

• (1150)

**Mr. Marcel Proulx:** Okay.

My question was whether the Green Party is getting credit for the votes that were cast for the candidate that did not exist.

Also, in Etobicoke Centre a candidate did a full riding drop of brochures against the incumbent on the Saturday evening of the long

weekend just before the election. An Ontario Superior Court justice described the brochures as containing clearly defamatory material. The judge went on to state that “If the brochure is further distributed, the damage that could be inflicted on the plaintiff's reputation would be irreparable.” Consequently, the judge granted an unprecedented injunction against the candidate and his campaign from further distributing these materials.

I don't know if you have been made aware of this, but the story continues. The candidate appealed. The judge laid down a second injunction. The candidate deliberately distributed materials that were factually incorrect, in this case providing widely incorrect statements dealing with a member of Parliament's attendance record on committees.

Is Elections Canada investigating this matter, and what will be the consequences to the candidate for having put together factually false and defamatory materials at a strategically critical point in the campaign? Obviously that particular candidate dropped that on the Saturday, knowing very well that nobody would have time to reply to, answer, or deny what was in the pamphlet. I can show you in the pamphlet where it talks about his attendance record on committees. It goes as far as naming a committee that does not exist in the House of Commons.

I'm wondering if Elections Canada is aware of this, and what is going to be done about it.

**Mr. Marc Mayrand:** On the last point, on the defamatory information, normally that's a matter that would be brought to the attention of the commissioner. I cannot confirm today whether it has actually been brought to his attention or whether there is an investigation going. I'll validate that when I return.

**Mr. Marcel Proulx:** May I ask who would bring it to his attention? Would it be Elections Canada?

**Mr. Marc Mayrand:** Normally we would get a complaint. Probably the victim of the defamation would bring it to our attention, either to Elections Canada or directly to the commissioner.

**Mr. Marcel Proulx:** Okay.

**Mr. Marc Mayrand:** On the issue of a candidate who withdrew, again the act is relatively clear. It sets deadlines, and again the name may have stayed because it was too late to withdraw it.

**Mr. Marcel Proulx:** My understanding is that it was within the limits. It was during the first week.

**Mr. Marc Mayrand:** I would have to look into it. I know there has been at least one other case across the country. In some cases where it's too late to withdraw, the party cannot cancel the endorsement.

The other side of that situation is that the votes will be attributed to the party for the benefit of determining allowances.

**Mr. Marcel Proulx:** So they would get monetary credit?

**Mr. Marc Mayrand:** Yes.

**Mr. Marcel Proulx:** How much time do I have left?

**The Chair:** None.

**Mr. Marcel Proulx:** You're kidding. Your watch has to be wrong.

**The Chair:** Now you have no time left.

Mr. Albrecht.

**Mr. Harold Albrecht (Kitchener—Conestoga, CPC):** Thank you, Mr. Chair.

I would like to thank Mr. Mayrand as well for the report and for coming today. Also, I'd like to commend you for your initiative in meeting with us, as members of this committee, to discuss specific issues. I found that very helpful. I was also made aware of a number of situations in my riding in which complaints had been delivered to your office and on which your office had followed up personally, and I want to thank you for that.

In your remarks today, you say that your office is presently conducting a series of post-election evaluations to help further identify and establish priority areas that may require improvement. I'm not sure if the initiative came from your office to do the 15-minute surveys. On January 21 I received a letter indicating that we were welcome to participate in a 15-minute survey to evaluate our experience as candidates. I chose to participate in that, and it was somewhat helpful, although I will say that it would appear to me that it would have been far more helpful if either my official agent or my campaign manager had done the survey, because many of the questions....

Is that too fast?

• (1155)

[Translation]

**Mr. Yvon Godin:** No.

[English]

**The Chair:** We just lost it again. Apparently we are having some trouble with those desks and that translation.

Let's try again and see what happens.

Go ahead, Harold.

**Mr. Harold Albrecht:** Just to recap, about the survey that was conducted by the way of candidates, I'm just wondering if you are also going to be doing one—or maybe one has been done—that would ask similar technical questions to the campaign managers and/or official agents. I think they would have been in a better position to deal with most of the questions, which were more technical in nature. We were going door to door, we weren't in the office and were not able to observe some of the issues you're referring to here.

**Mr. Marc Mayrand:** Again, this was a new initiative this time around, carrying out the survey with candidates.

With agents, we do run a training session and we have a feedback session at the end of the training. That was done right after the election.

Unfortunately for campaign managers, they're not necessarily known to us. We would need to get your input in identifying them. I entirely agree that sometimes they would have a better on-the-ground understanding of the issues.

You should know that we will share this with political parties at the advisory committee of political parties later in the spring. I'm sure I will be getting more feedback from representatives of the parties during the session.

**Mr. Harold Albrecht:** Do I have any more time?

**The Chair:** A little bit.

**Mr. Harold Albrecht:** I noticed on pages 26 and 27 of your official report, where you're speaking about the special ballot initiative, the numbers there dropped almost 50% between the 39th election and the 40th election in terms of the special ballot.

It was my observation, anecdotally, that there wasn't the same initiative that went into the general information. I noticed that you're intensifying efforts to specific electors, and you identify those. But in terms of the general voters, there were many people who were not aware that the opportunity was there to vote any day up until...was it October 7? I forget the exact date.

**Mr. Marc Mayrand:** Register and vote until polling day.

**Mr. Harold Albrecht:** Do you have ideas as to whether or not that could be re-implemented? It could be one small piece of increasing the voter turnout. Granted, it's 200,000 votes, but that's 200,000 votes.

• (1200)

**Mr. Marc Mayrand:** I think what happened was that the previous election was a winter election, and there was a broader effort to reach out to electors, especially snowbirds and people who were in transit during the campaign. We did not repeat that same effort during the last election. We went back to an out-of-season election, if I can use that expression.

It is something that we would have to consider for the next election. Again, it has its limitations, but it could be an effective alternative for voters to cast their ballots.

**Mr. Harold Albrecht:** Just as a final question, you mentioned the Student Vote program. Has there been any study to follow up in those areas where Student Vote has been conducted consistently or for any length of time? Has there been any effort to follow up in those areas, those ridings, to compare whether or not the voter turnout among the younger population is any different from the areas where Student Vote had not been conducted?

**Mr. Marc Mayrand:** Certainly it's something that I, for one, would have liked to do. Unfortunately, you cannot track these individuals. Students move around, and there's no real way of finding out whether.... And it is something we need to do. We need to look at the long-term effect of a program like Student Vote.

We are looking at some alternatives to measure the impact, but again, it's rather tricky. Students move around, and it's very difficult to follow them through.

**The Chair:** I'm sorry, Mr. Albrecht, your time is up.

**Mr. Harold Albrecht:** Thank you.

**The Chair:** Madame DeBellefeuille.

[Translation]

**Mrs. Claude DeBellefeuille:** Thank you, Mr. Chairman.

Mr. Mayrand, I would like to speak to you about accessibility for people with reduced mobility, disabled people or people who are walking with a cane or using a three-wheel scooter to get around. Many polling stations were not accessible to these people. I have the following question.

When a returning officer chooses a polling station, is the choice of a site that is accessible an essential, important and unavoidable criterion? If the premises are not accessible, are there any additional funds available to the returning officer in order to install a temporary ramp, for example? In my riding, certain arrangements were made. Other polling stations were not accessible, and in general, my colleagues in the Bloc found that there was a lack of accessibility for people with reduced mobility.

This is a matter that is very close to my heart. These people are often confronted with public spaces that are inaccessible, but when the time comes to exercise your right as a citizen to vote, in my opinion there should be no exceptions. We must make all polling stations accessible.

My second question is the following: You said earlier on that it was not within the scope of your mandate to recommend changes to legislation other than the Canada Elections Act. For example, Mr. Godin explained to you that in ridings where there is a great deal of availability in the labour force because of the crisis in the manufacturing sector, many people on EI and other unemployed people would be ready to work. However, trading four quarters for a dollar, if I may use that expression, does not interest them and with good reason. Their benefits are reduced.

Under the Employment Insurance Act, their income is taken into account but not their contribution at work. If I work for 12 hours, the legislation does not recognize my contribution. They are not recognized as insurable hours. In this way some people can find themselves short a few hours. In my riding, there are two Elections Canada workers who were short five hours in order to be eligible for employment insurance.

You may not be aware of this, Mr. Mayrand but only 50% of the people who pay premiums are eligible for employment insurance, because it is a very restrictive program. Every hour counts. I wondered if this could be one of your recommendations. Since the income is taken into account in clawing back social assistance or employment insurance, could you recommend that, if you were to raise the salary of Elections Canada workers, those hours be insurable, so that they could count towards employment insurance along with the other hours worked by these same people?

My final question concerns the training given to returning officers. There are many new returning officers. This was true in my riding, and half of the staff were new as well. Do brand new returning officers receive any particular or additional support? Inexperienced returning officers caused a lot of problems in some ridings, as well as the fact that they were surrounded by new staff. We often had to provide them with information on election legislation in Canada, as to how it works, etc. Is there any specific training intended for staff at polling stations where practically everyone is new at every level, whether it be for the returning officer or the staff he has at a polling station?

• (1205)

**Mr. Marc Mayrand:** As far as accessibility to voting stations for electors with mobility problems is concerned, the act sets out that level access must be provided. When that is impossible, special authorization from the Chief Electoral Officer is required. During the

last election, out of the 16,000 premises, this permission was granted for only 37, for which there really was no other alternative.

Furthermore, Elections Canada has set out the criteria as to what constitutes level access. In certain situations, we will provide temporary ramps; in others, funds were set aside for the construction of temporary ramps. This is negotiated with the owners of the buildings.

You are quite right to raise these issues. I became aware of several complaints or of correspondence reporting on accessibility problems at times, but also on the quality of the voting stations. This remains a problem. I will no doubt touch on that in the recommendations. Given the timeframe, it is often very difficult if not impossible to get the first choice of premises. One must plan for several possible alternatives, and obviously they are not all of the same quality.

As far as the recommendations on employment insurance are concerned, potential changes to the Employment Insurance Act would no doubt facilitate our recruitment. This is something I would like to see and that I would applaud. I can make such a recommendation to the committee, who in turn could submit it to the government in order for them to make changes to the Employment Insurance Act. Employment insurance rules are part of a much broader context that I am not necessarily familiar with, but anything that would make recruitment easier would be welcome.

**Mrs. Claude DeBellefeuille:** You will therefore make the recommendation.

**Mr. Marc Mayrand:** Yes, it would certainly be one way of making recruitment easier.

[English]

**The Chair:** Monsieur Godin.

Oh, sorry.

[Translation]

**Mr. Marc Mayrand:** You are right to mention it. One hundred and twenty-one new returning officers were appointed for the last election. There is an intensive training program for returning officers. When changes are made to the act, they are routinely called back in order to receive training on the new provisions.

There is also a support program for those referred to as field liaison officers. We grouped the ridings in clusters of 10 to 15. We found regional experts, who had a great deal of expertise in electoral matters and who acted as resource persons to the returning officers.

Obviously, we offer support services to returning officers. These programs are described in the report.

[English]

**The Chair:** Monsieur Godin.

[Translation]

**Mr. Yvon Godin:** Thank you.

I was seeking answers. We were talking earlier on about young people and what they experience when they go to university. I think you understand the problem. Young people leave home to go to university. Some keep their address, whereas others change it to the apartment they take in the city where they are studying. For example, young people leave the Acadian Peninsula to go to the University of Moncton. They take an apartment in their own name, or perhaps they live in the university residence and keep their former address.

Another problem is posed by National Defence and soldiers based in certain areas. Problems were raised in Halifax. I became aware of complaints in the Halifax region where problems cropped up when the time came to vote.

Another problem has been bothering me recently. I have already explained the situation in the past, but I will repeat it for the benefit of the people present today. In my corner of the country, many workers leave the region to go and work out west, for example in Fort McMurray in Alberta. These people do not have the opportunity to vote. Even worse, some of these people came back during the week before the elections in order to vote. They went to the Elections Canada office with their identity cards in hand. However, the act stipulates that one cannot vote at the polling station during the week preceding the election. These people were therefore not able to vote because they were leaving the very day of the election, at 6:00 a.m. And the people going to work out west do not number just two or three hundred, but there are thousands. That many people were not given the chance to vote. This resulted in complaints.

Do you have any recommendations on this subject?

• (1210)

**Mr. Marc Mayrand:** The student vote is an issue that is raised during every election.

**Mr. Yvon Godin:** During every election, we say that young people cannot vote.

**Mr. Marc Mayrand:** At the same time, it is the group that participates the least in the electoral process. We must also point out that for young students on college or university campuses, it is their first experience with the voting process.

The act is structured in such a way that every voter must be tied to a riding. Those students living outside of their home ridings must do what other voters cannot do: they must choose where their residence is in terms of the vote. It may be the family home that they return to in the summer or the place where they live during their studies. The student can register in the riding they live in while they are studying. This riding is not necessarily the riding in which the university is. For example, students at the University of Ottawa may come from many ridings and temporarily reside in different ridings. Students must register in the riding they live in while they are studying. The other alternative is to vote by special ballot in their home riding.

**Mr. Yvon Godin:** How are they informed of this? If they only find out about it on election day, it is too late.

**Mr. Marc Mayrand:** In order to inform them, we set up kiosks on campuses across the country. We send out electronic notices to the student associations. The report mentions that there were 600 community relations officers on campuses during the last election. We have a specific information campaign that targets students on campuses. But the process remains rather unclear. I understand that

students would like to be able to vote on campus. But the legislation sets out that only students who live on campus can vote there. The others must go to the polling station that they are assigned to under the Election Act.

There is another problem with young people that brings me back to the issue of the identification card. Often, most young people who are living away from home and studying in various campuses have documents that establish their place of residency as the home riding, if I can use that expression. They have a driver's licence, but this does not indicate their residence on campus. For example, instead of mentioning the riding of Vanier, it will indicate Moncton as the place of residence.

This is a problem for young people. They have few documents showing their current place of residence while they are on campus. One of the measures we implemented for those living on a university campus was to accept a letter of certification from the university authorities in order to establish their address. If they have a driver's licence that shows Moncton, but a letter of certification for their residence in Vanier or on campus, they may vote on campus.

This does not solve the problem of the many students who do not live on campus or who are simply renting an apartment. The certification process to establish residency is not available to them. In the report, I state that for certain voters, we must consider accepting the voter's card as one piece of identification proving residence. It would be particularly useful for young people who registered before election day.

• (1215)

**Mr. Yvon Godin:** And what about the people working in Alberta?

**Mr. Marc Mayrand:** That's another problem. I assure you that we do send information kits to all the work camps. Are they posted? Elections Canada does not have control over that. Many of these camps are not accessible, and it is not always practical or feasible to go and check. In any event, these information kits are sent to the managers of all the camps identified.

You raised the issue of people who want to vote on election day. The act stipulates that if you register to vote by special ballot, you cannot change your mind afterwards. Even if the circumstances have changed, once you have registered to vote by special ballot, it is impossible to vote on election day.

**Mr. Yvon Godin:** Just one point—

[*English*]

**The Chair:** If Madam Jennings would like to give you her time, it would be fine.

**Mr. Yvon Godin:** No, it's just that he got it wrong; it's not what I said.

**The Chair:** I recognize that.

Hopefully, if we get through all of the members who'd like to speak today, you could go again.

Madam Jennings.

**Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.):** Thank you very much.

Very briefly, in the performance report that's been tabled, the estimates for the period ending March 31, 2008, at page 26 under key program 3—public education, information, and support for stakeholders—you had planned spending of \$10,827,000. You received authorities for \$7,194,000 and you actually spent just under \$7 million.

Of the \$3 million that you had planned to spend but didn't, in what areas in public education, information, and support for stakeholders did you not spend money?

If you don't have that detail now, you could give it to the committee through the chair.

**Mr. Marc Mayrand:** I will have to get back to you.

**Hon. Marlene Jennings:** Okay, that's fine.

**Mr. Marc Mayrand:** I just want to point out that these expenditures most likely reflect expenditures relating to by-elections during that year. They do not reflect expenditures linked to the election.

**Hon. Marlene Jennings:** Perfect. Okay.

The next question is about the whole issue of students, the low student turnout and the confusion about where students can actually vote, given their fluctuating residences, etc.

You have some good ideas, and you've heard some ideas from the members here, but what about student-only polling stations in the educational institutions? Would the law as it now stands permit this? Would it require an amendment to the law? And do you think it's something that could possibly be part of the solution, if there were polling stations for students in the CEGEPs, the colleges, and the universities? And would you staff them primarily with students? They want that money, and it may be a way to draw in more of the student vote and to get more of them involved.

I am putting that out as a suggestion—and I have to say that this suggestion comes from my parliamentary intern.

And I have a final question.

[*Translation*]

In the small yellow box, where the report deals with pre-election spending on advertising, the second sentence in the third paragraph reads as follows:

Elections Canada considers that a householder that is in transit before the issue of a writ and has reached the stage where the member of Parliament no longer has the ability to stop its delivery prior to the issue of that writ will not be considered to have been used during the election period even if its actual delivery to the recipient takes place during the election.

Now according to Elections Canada, when is the member of Parliament no longer able to cancel the delivery of a householder?

• (1220)

**Mr. Marc Mayrand:** According to our interpretation, it's once these householders have been given to the postmaster here on Parliament Hill. After that moment in time, it's beyond the member of Parliament's control. This is one of the issues that the House Board of Internal Economy can review.

**Hon. Marlene Jennings:** That's fine, but this issue is not completely clear to me.

According to your interpretation and the information that was given to you, it's once the householders are in the hands of the postmaster of the House of Commons. From that moment onward, the member of Parliament no longer has control over the householder. So if these householders are then distributed to all the houses in a riding, after the dropping of the writs for a general election, it's not deemed to be an electoral expenditure. Is that right?

**Mr. Marc Mayrand:** Yes, you're right.

**Hon. Marlene Jennings:** Thank you. It might be a good idea to recommend that the House or the Board of Internal Economy send a letter to all members of Parliament to inform them of this. Or during the preparations for an election in the future, Elections Canada could inform all candidates at that time.

**Mr. Marc Mayrand:** I've done that. I wrote to the Speaker of the House, who—

**Hon. Marlene Jennings:** No, I'm talking about candidates.

**Mr. Marc Mayrand:** Oh, I see.

**Hon. Marlene Jennings:** The House can inform the members of Parliament. During an upcoming election, some members will run again, but not all candidates are members of Parliament. It would be a good thing if we knew that our householder was in compliance with the rules, and would not be considered to be an electoral expense; on the other hand, there could be 10 candidates running against us and they would not know that. That's why it would be a good idea to insert a note in the envelope that is given to all the candidates once they obtain their official status so that they are informed of this. That way, we could avoid pointless complaints.

**Mr. Marc Mayrand:** Okay, duly noted.

**Hon. Marlene Jennings:** Thank you, Mr. Mayrand.

[*English*]

**The Chair:** Ms. Block.

**Mrs. Kelly Block (Saskatoon—Rosetown—Biggar, CPC):** Thank you very much.

I too would like to thank Mr. Mayrand for allowing us the opportunity to meet and discuss his report and some of the key issues that he's identified.

I have a couple of issues I would raise with you that I heard of during the election campaign and shortly after. One regards the workers who end up being on rotation, leaving their riding to work for a couple of weeks and then coming back, and that having the advance poll one week before the actual election date was perhaps problematic for some of them.

The second issue would be the clustering of the advance polling dates all around a weekend. I don't know if that's typical; I've never voted in an advance poll. I don't know if there are some requirements to do that around a weekend, but that was raised as well.

Also, looking at the clustering of advance polling dates, am I correct in my understanding that currently a voter could actually vote in an advance poll, travel to another location before the lists are updated and vote a second time in an advance poll without much recourse?

Would an electronic list-tracking system prevent such occurrences? Is this being worked on? What are the pros and cons, and what would the costs be to do something like that?

• (1225)

**Mr. Marc Mayrand:** On the clustering of dates, that is set out by the act. It requires that it be a Friday, Saturday, and Monday. I think there were some discussions and proposals in previous legislation to have the Sunday of that weekend also set as an advance poll date. That has not occurred yet. So yes, it's clustered. It's the weekend prior to polling day.

In terms of electors seeking to vote more than once, that's an offence, of course, under the legislation. You're entitled to one ballot only. Bill C-31 was designed to address some of those concerns, because electors still have to prove their ID at the poll each time.

In the long term, I believe technology would make us improve service to electors, but also build better integrity and better trust around the processes. I certainly can foresee a day when we would have electronic lists available in the polls, and when a name gets struck, it's struck off across the riding and across all ridings. But there's a way to go to get there. Hopefully we will all be witnessing the occurrence of that new technology in the next five years, I would say—unless you give me a fixed date.

**The Chair:** Ms. Block, do you have any other questions?

**Mrs. Kelly Block:** You've answered my question. Currently if all that's required is to show ID, someone could go to an advance poll and vote and then visit another advance poll in the same riding and vote again. We don't require residents to go to certain advance polls.

**Mr. Marc Mayrand:** No, no. You have to go to the advance poll that's linked to your address. You cannot just show up at any poll. You have to go to the site that's assigned to your residential address. That's the only spot you can go to.

**Mrs. Kelly Block:** So then that couldn't happen, where someone could—

**Mr. Marc Mayrand:** No. That would involve a fair bit of fabrication. It couldn't happen by mistake either.

**The Chair:** You couldn't accidentally go.

Monsieur Guimond.

[*Translation*]

**Mr. Michel Guimond:** Mr. Mayrand, you will be looking into Ms. Jennings' suggestion that we inform all candidates that the outgoing member of Parliament could send out a householder in which he or she boasts and criticizes the government, and that all of this could be legal. I have some reservations about this.

Perhaps you should rather be managing complaints. If a candidate from another party accuses the outgoing member of Parliament of using his or her franking rights to send out a flyer, you would need only send that individual a copy of the decision made by the Speaker of the House of Commons stating that this is legal. I have serious reservations about Ms. Jennings' suggestion, but she does have the right to make it.

I will conclude with a combination of three different subjects, which are unrelated. This is a combination plate, because I have to

leave to eat a combination salad before the end of the committee meeting.

First of all, I would like your legal experts to look into the following situation. Apparently, the French and English versions are not identical regarding the right of members of Parliament to register on the voters' list of their riding on voting day. It seems that the English version is much clearer. A member running for re-election is permitted to vote in his or her riding rather than in the riding in which he or she lives. However, it seems that the French version is ambiguous. Could you look into that, because your employees are much more bilingual than I am.

Second, serious consideration should be given to allowing representatives and list runners to require only one power of attorney that is clear and signed by the candidate or the official agent and that would allow them to go into the different voting places on the same day. At the moment, a power of attorney is required for each voting place. Sometimes, the list runners may visit 29 voting places in urban communities. They are running around with a pile of powers of attorney in their pocket. Simple rules could be applied. Why complicate things when they can be done simply? I should mention in passing that this is what is done in Quebec. The list runners or the representative have a single power of attorney for the entire voting day.

Third, I would like to talk about the issue of leaders voting in polling stations with the media present. I have an excellent memory. I remember the news reports of June 28, 2004. You were not the Chief Electoral Officer at the time, but it is never too late to correct a mistake made by your predecessor. During one of these news reports, there was footage of Mr. Martin, Mr. Harper and Mr. Layton casting their ballots. You are going to accuse the Bloc Québécois of playing the victim, but what I am telling you is true; I could play the recording for you if you like. The only leader who was not filmed voting for broadcast on the news was the member of Laurier—Sainte-Marie, the leader of the Bloc Québécois. His returning officer had enforced the spirit of the act to the letter. However, in the three other provinces or three other voting locations, the leaders were filmed as they voted and this footage was shown on the news reports that day.

• (1230)

I think the rule on this should be stated clearly in the act. We should allow the media to film leaders casting their ballot. In any case, the people in the media are very competent. They will not start scanning or zooming in to film other people who have come to vote.

I am familiar with this reservation, because I threw one of my famous fits on this with Mr. Kingsley. His reply was that the cameras would identify voters. The cameras can film leaders smiling as they put their ballot into the box. By the way, there was footage of Mr. Obama voting on the news last November, and Mr. McCain as well. I will give you an example of an even newer democracy. Recently, President Karzaï was shown voting. If the cameras can film leaders voting in Afghanistan and the United States, I think the same could be done in Canada.

**Mr. Marc Mayrand:** I think this did happen in October. After the introduction of a protocol, authorization was finally given to film party leaders voting at their polling stations. This is mentioned in the report, and I think the committee will want to look at this, because it was something new. On the other hand, I had as many complaints because some candidates would have liked to have had the same media coverage. I think this is something the committee will want to look at at some point—namely, setting clearer rules in the act to determine what the media can and cannot do in polling stations.

**Mr. Michel Guimond:** I would remind you that the act is silent on this.

• (1235)

[English]

**The Chair:** Michel, you're well over.

[Translation]

**Mr. Michel Guimond:** The act would have to be amended. It is silent on this matter.

**Mr. Marc Mayrand:** The act states that the Chief Electoral Officer may authorize an individual to be in the polling place. That is what I did on October 15. I authorized one representative and one pool camera to be present in the four or five ridings of the parties.

[English]

**The Chair:** Great.

I'm going to go to Monsieur Godin. Please keep in mind, though, that there are members who have not asked questions.

**Mr. Yvon Godin:** No, no, it will be a very short question.

[Translation]

This has to do with the question that was raised earlier. It is not about people who were already registered and who wanted to change the place where they voted. These people were registered properly in their own riding. They left to work out west for 20 days, followed by a 10-day rest period, for example. They came back during the seven days preceding the vote. They wanted to go to the polling station, just as anyone may, at any time. In the seven days preceding voting day, people may go to a polling station to vote.

**Mr. Marc Mayrand:** No. Let me come back to this, if I may. You were talking about the special voting rules. In order to vote using a special ballot, voters must be registered by the seventh day before voting day at the latest. If someone goes to vote on the sixth day before the vote and is not registered, it is too late to register.

**Mr. Yvon Godin:** People have to register.

**Mr. Marc Mayrand:** If people are registered, you are right, they may vote up to 6:00 p.m. Ottawa time, or until the local polls close. However, they must be registered before the seventh day before election day.

**Mr. Yvon Godin:** People must be registered. These people were working on the oil fields out west, so they could not register. They came back by plane, and by the time they got here, they could no longer vote.

**Mr. Marc Mayrand:** Depending on how much time was left, or if there were an advance polling day, the only other option was for

these people to vote on election day. That is something that should be included in the act.

[English]

**The Chair:** Thank you, Mr. Godin.

Mr. Cuzner.

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Thanks very much.

There have been some good suggestions here today, Chair. I like the one offered by my colleague, Ms. Jennings.

We had a specific situation in Central Nova at St. Francis Xavier University. They were able to get a special ballot at St. FX, but it was in Stellarton, which is about a 40-minute drive away. So there was a disincentive, or we made it very difficult for the students to actually vote on election day. I think the suggestion that was put forward about having the special polls right in the universities has merit. Obviously there will be an additional cost, but nonetheless, if we're trying to encourage young people and university students to vote, sometimes you have to bring the mountain to Mohammed.

On page 63 you identify that you're in the process of doing surveys and studies with electors and what not. Do you focus specifically on that 40% who are not showing up, the 40% who are not casting ballots, or is there a broader base? Is it a general survey that you do, and could you give me some kind of perspective as to what's involved in the survey? What is it you try to get from the survey? Is it just reasons they didn't vote, or what motivated them to vote? Can you give me some kind of context there?

**Mr. Marc Mayrand:** The survey involved 3,500 electors from across Canada. There is over-sampling of certain groups, but again there's a methodology to ensure the integrity of the findings of the survey. It covers a wide range of areas. One is turnout. It also looks at service, and whether our information campaign was effective, and the factors that trigger their involvement or their lack of involvement. So we are trying to understand the causes or factors at play for why those who voted voted and those who did not vote did not vote.

It also looks at another area. There are a few questions that look at their approach to technology and whether, if there were technology available—something like e-voting—it would have influenced their decision to vote or not. So a wide range of topics are covered.

• (1240)

**Mr. Rodger Cuzner:** I think some measures have been undertaken in the last couple of elections that have made it easier for people to vote. But I continue to be perplexed as to why people aren't exercising their right. It's been frustrating all around, and I'm sure when you speak to people, the comeback ranges from "they're all the same and none of them are any different" to those foolish bail-out excuses as to why not.

I think it's important to see if there's something within the mechanics of the voting procedure. I really think some good measures have been undertaken so far, but I think we have to challenge ourselves to look a little bit differently at whatever it is that would get them out and get them engaged. As Marlene suggested, I think that's where we have to go with it.

We have that pool of 40% of the voters who didn't show up. We could be drilling down on that 40% to find out what it was that didn't motivate them or that precluded them from voting, or what barrier there was to casting a ballot. I think we have to glean that from that group anyway.

**Mr. Marc Mayrand:** The survey will probe a little the reasons why those who did not vote did not do so. As I mentioned earlier, I think we need to carry out a fair bit more research to fully understand the factors that are at play in the decision not to vote and how those factors relate to one another.

**The Chair:** You have about 30 seconds if you'd like to get another quick one in.

**Hon. Marlene Jennings:** It's not a question. It's just the piece of information we had discussed at our meeting about the software program some of my volunteers had developed. Instead of using the bingo cards, we had a program that we programmed into cell phones, which was using the Internet to connect with our computers at my committee room. They just had to go down the list and punch off the voter number of the person who had voted, and it automatically and instantly communicated with our program in our committee room. So we had rapid updates saying voter number 5 in poll number such-and-such had just voted, and it reduced the number of volunteers that we needed.

I have asked the president of my association and chief campaign organizer to contact Elections Canada to provide that information to you, because it may be of use to you and ultimately to other members who are planning on running.

**Mr. Marcel Proulx:** I love the bingo cards.

**The Chair:** Monsieur Lauzon.

**Mr. Guy Lauzon (Stormont—Dundas—South Glengarry, CPC):** Thank you very much, Chair.

I'll endorse my colleagues in welcoming you for the two hours that you're spending with us.

We've talked a lot about the problems we had in the last election. I agree with my colleagues that there were some horrendous problems—and we've talked about it privately—about confirming the identity of the people, especially the elderly people, in my riding. I think I might have a partial solution, if we can talk about solutions for a bit.

My riding is made up of a city of about 45,000 people and a rural area of five or six municipalities of probably 3,000 or 4,000 people each. It really works well in the city of 45,000 because there's an election office there where anybody can go in and vote at any time. There's no excuse for not voting, because you can go there 12 hours a day, I think it is, for 35 days. I wonder if it wouldn't be effective and economical if we were to have a one-person or two-person office out in those little municipalities for the same time. They would accommodate the people in that area.

What happens in my case—it's about an hour's drive at the furthest point—is that if the person happens to be going into the larger community for whatever reason, to see the doctor or something, they'll take advantage of the chance to vote, but other than that, they're not going to make the special trip into the larger community

to vote. However, if they were just going down the street, they would.

I think that's money you would save. If you can get the people to spread out the vote, it makes your life a heck of a lot easier on election day. Anyway, it's something I think you'd want to think about. In the major cities I don't think it's an issue, because in every riding you probably have Elections Canada offices within a few miles.

The other thing is something that my CFO has asked me to bring to your attention. I think I lost a friend over this last election, because my CFO is a chartered accountant, with 35 years of experience in the business, and he's never seen anything like the report that he's required to file with Elections Canada now. This is his second time around, and that's why I think I've lost a friend for sure. He agreed, but I had to convince him to do it. On the report he has to complete, the software, he says—and I don't know, because I don't understand it—is the most unfriendly software that he's ever seen anywhere. I really think that maybe you should communicate; you do have a list of the CFOs, I'm sure.

• (1245)

**Mr. Marc Mayrand:** The official agents? Yes.

**Mr. Guy Lauzon:** Yes, the official agents. Maybe you should get some feedback from them. Like I said, I don't know anything about it.

**Mr. Marc Mayrand:** Yes, we are getting feedback. We ran information sessions with official agents. This is interesting, because during those sessions the feedback we were getting is that.... As I mentioned in the report, there's a regulatory burden at play here that needs to be addressed, but in terms of the electronic system to file returns, the feedback we got was positive. In fact, I will share that with the committee at some time.

**Mr. Guy Lauzon:** Well, as for his experience, you can take it for what it is and maybe you can talk to others.

**Mr. Marc Mayrand:** Absolutely.

**Mr. Guy Lauzon:** One of the things that seems to be a problem, and not only at election time, is the receipts. Right now, for anything over \$20 you need to have a receipt or a cheque, right?

**Mr. Marc Mayrand:** Yes.

**Mr. Guy Lauzon:** Especially during elections, it's so complicated to take a donation from someone because they can't give it to the Guy Lauzon campaign. It has to be to some official agent, the riding association, you know, and it's just very complicated. I wonder if there isn't a way for donations under \$50 or under \$100.... There has to be a way to—

**Mr. Marc Mayrand:** It would require a change to the legislation. That's prescribed by the act.

**Mr. Guy Lauzon:** I think maybe we want to take a look at—

**Mr. Marcel Proulx:** You already have all kinds of money. Don't worry about it.



**Mr. Guy Lauzon:** We might want to take a look at that, because there again, for all these receipts that people are filling out, both with our people doing them and your people confirming them, it's time-consuming.

Those are my comments and suggestions.

**Mr. Marc Mayrand:** If I may address the issue of additional offices, I just want to point out that we think of 308 ridings, but we have in addition 119 offices in 77 ridings that are larger, with distributed population centres. So we will authorize up to four offices in large ridings to supplement or complement their returning office. For your riding specifically, I'm not aware of the circumstances.

**Mr. Guy Lauzon:** It might be interesting to know those ridings where you have more than one. You have one because of the geography.

**Mr. Marc Mayrand:** Geography, yes.

**Mr. Guy Lauzon:** I wonder if the turnout is better.

**Mr. Marc Mayrand:** We can look into it...special ballots.

**Mr. Guy Lauzon:** If the turnout is better, maybe this does make sense.

**Mr. Marc Mayrand:** We could look into it.

**The Chair:** Before I move to the last round then, I just want to make sure of everybody who had a question or wanted to ask one. Mr. Reid, did you? I know I have Mr. Proulx on my list too.

**Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC):** I did want to ask a question, yes.

**The Chair:** Then I will go to you quickly, with Mr. Proulx's permission. You've not asked anything today.

**Mr. Marcel Proulx:** For Scott, anything—almost.

**The Chair:** Mr. Reid.

**Mr. Scott Reid:** What I wanted to do is just follow up on Mr. Lauzon's comments, and this relates to the conversation you had when you came by my office. Actually I should start by saying I very much appreciated your going to our offices that way. I know your predecessor went to one member of each party, which was a good idea. I think by going to every member of the committee you set a new standard, and I applaud you for it.

The issue of having advance polls or other easily available places to vote in advance of election day, such as the returning office, I think really does make a difference. We actually went through the exercise of measuring this in my riding. When my riding was redistributed, I lost the suburban part of the riding in the city of Ottawa—Kanata—and retained the rural part. We noticed the obvious thing, which was my next-door neighbour, Gordon O'Connor, getting a much higher turnout at the advance polls than we did. At first we couldn't explain it. It certainly couldn't be personality-based; at least we don't like to think that's the case. But then we also noticed similar results related to the fact that advance polls are in our towns but not in our rural areas. So there is something there.

Here's a thought, maybe, for the other members here. We worked with our returning officer over a period of time to change the locations of some of the advance poll locations and to get an

additional satellite office put in, on which she was very helpful. She was very good. I expect other members might find the same thing if they tried doing that with their returning officers. That's advice from us.

The other thing I was thinking of was that after we had our conversation I realized that there's rural, where we can do this sort of thing, and then there's remote. It seems to me that maybe there's merit to some kind of special effort, perhaps a special advertising campaign advising people in really remote areas. Remote is where you simply can't drive to an advance poll and you can't set up an advance poll. In our office I discussed the idea of how you deal with a place like Nunavut, where a community is isolated by hundreds of miles from the next community. That doesn't prevent from engaging in a wider use of mail-in ballots, for example. I don't know if you do anything of that sort, but if you don't I think there would be some merit to thinking about that as a way of boosting voter participation from folks who live in remote areas. Obviously I don't mean just in Nunavut. There are wide swaths in the country where that might apply.

• (1250)

**Mr. Marc Mayrand:** Absolutely. That's something we will certainly consider.

**Mr. Scott Reid:** Thank you.

**The Chair:** Monsieur Proulx.

**Mr. Marcel Proulx:** Thank you, Mr. Chair.

I read the reports; that's the difference.

Just as a quick comment, I'm not sure I enjoyed what Mr. Reid was just saying about manipulation of the local Elections Canada representative in deciding or influencing the choice of locations of advance polls. I mean, Elections Canada is definitely at arm's length, especially from the MPs. If we are to approach your representatives in each and every riding and make suggestions as to where the polls should be, I'm not particularly certain the law allows us to do that, and I'm not particularly sure you would want your representatives to be allowed to accept these recommendations. But that's for another discussion.

I have three quick points.

**The Chair:** Just really quickly, I'm going to recognize Mr. Reid. You did mention him in your dissertation.

**Mr. Scott Reid:** You did mention me in the form of referring to manipulation.

What the returning officer did in the constituency I represent was in the context of all-party meetings. So there was participation from all the parties at that time. She was very careful about that.

**Mr. Marcel Proulx:** Okay, a different story. Thank you.

[Translation]

Mr. Mayrand, you mention a suggestion for the future on page 40 of your report. You say that you could make better use of election workers in voting sites. I do have some reservations when you say: "...voters could then vote at any polling station within the site". I have no objection to your identifying voters and allowing them to vote, except that it must be possible to record the vote for statistical purposes by polling division.

**Mr. Marc Mayrand:** Definitely.

**Mr. Marcel Proulx:** So we are on the same wavelength here.

On page 44, you talk about the voter identification card. There is reference to the fact that it could be considered one of the authorized pieces of ID. I have many reservations about that, and I will tell you why.

From the very beginning, I have had problems with the famous permanent list, because I do not think it is accurate enough. It is not uncommon to find cases in ridings where, according to the final list, there are four occupants in a one-bedroom apartment. I know that there could be bunk beds, but at some point, it gets difficult to fit all these people in. With door-to-door enumeration, we find that people are not in these apartments 100% of the time. There can also be an issue with private residences. I have the list of the neighbours on my street, and I know that some of them have been gone for five or six years or have died. And yet they are still on the list. If people are allowed to use the voter information card, I think we are opening the door to fraud. I would ask you to be very cautious in this regard.

On page 38 of your report, you talk about the problem getting our telephones connected quickly or reasonably quickly. We have experienced this problem as well. You say that you are currently looking a new telecommunications technologies. I would ask you to keep us informed of what you find out, because this could be very helpful to us as well.

• (1255)

**Mr. Marc Mayrand:** I would be happy to share that with you.

**Mr. Marcel Proulx:** I very much appreciated your being here and your openness to our suggestions and comments. We took a major step forward during the last election. I said at the beginning that your report reflects what actually happened in the last election, and I appreciate that very much. Thank you.

**Mr. Marc Mayrand:** Mr. Chair, may I add something about the voter identification card, because I would not want to leave the wrong impression. I know that the accuracy of the list is of concern to a number of people.

I would just like to make two points. First, the list covers 93% of voters. Of the 23 million cards that were sent out, fewer than 1% were returned. I think we must take this into account.

**Mr. Marcel Proulx:** To Elections Canada?

**Mr. Marc Mayrand:** Yes.

Second, what is suggested in the report or what I suggest is not that the voter information card be the only ID accepted, but that it be one of the pieces of ID accepted. The difficulty we have with seniors, students, aboriginals and other groups is that we have often done a targeted revision and sent them out a card. They show it in

order to vote, and often they have no other documentation to prove their address. So is one piece of ID, together with another duly authorized—

**Mr. Marcel Proulx:** Let us be cautious about this.

**Mr. Marc Mayrand:** Yes, absolutely.

[English]

**The Chair:** With permission of our guests, we're going to take just a couple more questions. We had a little trouble with translation earlier and it ate some of our time.

**Mr. Marcel Proulx:** My time.

**The Chair:** No, your time has expired.

Madame DeBellefeuille.

[Translation]

**Mrs. Claude DeBellefeuille:** Thank you, Mr. Chair.

Mr. Mayrand, like Mr. Proulx, my questions are about the accuracy of the electoral list. What explanation can there be for the fact that the federal electoral list from the last election contained 250,000 more entries than the Quebec list? You said that 1% of the cards were returned. There must have been many duplicates.

**Mr. Marc Mayrand:** First of all, the criteria for getting on the electoral list are not the same. People move around a lot. People are required to have lived at the same address for six months in order to be registered on the Quebec list. That is not true in the case of the federal list. The federal list includes all the residents, regardless of whether or not they have lived at their current address for six months or not. There are all sorts of factors of this type that come into play and that give rise to some variations, but I must say that Quebec probably has the most accurate voters' list.

**Mrs. Claude DeBellefeuille:** Even counting these 250,000 registrations?

**Mr. Marc Mayrand:** Yes. There is a great deal of mobility. Four million people in our population change status every year. So 250,000 over a period of a few months is not a very high number.

**Mrs. Claude DeBellefeuille:** To what extent are the returning officers obliged to respect the recommendations made about the people working during an election?

I am in a fairly good position to talk about this matter because my riding, for the most part, is rural. More than 30 small towns are located in my riding. When we make recommendations about the people working during elections, we specify that such and such a person should be in such and such a town. As far as these people are concerned, it's a matter of mobility. In some polling stations the returning officer does not respect the recommendation made by the candidate. So a worker from one town could find out, at the last minute, that he is going to have to travel some distance in order to get to another town. That causes problems with respect to transportation logistics. Someone who is supposed to be working the next morning in a small town may be asked to help out in another town. It's almost as if there is no accommodation or thought given to these last-minute situations for election officials in the rural areas. I think that it would perhaps be wise to point this out to the returning officers and to really respect the recommendations, which pertain not only to an individual's competence but also place of residence.

•(1300)

**Mr. Marc Mayrand:** Returning officers are encouraged to consider these aspects. Obviously, all kinds of situations can crop up, sometimes people back out or at the last minute there is a staff shortage, meaning that workers have to be re-assigned. Regardless of what the case may be, we will remind the returning officer to consider, to the extent possible, the suggestions made by the candidates.

**Mrs. Claude DeBellefeuille:** Thank you very much.

[*English*]

**The Chair:** Thank you.

Monsieur Lauzon, keep it real short.

[*Translation*]

**Mr. Guy Lauzon:** You said, I believe, that only 1% of the voter information cards were sent back.

**Mr. Marc Mayrand:** Two percent of the cards, representing 285,000 out of 23 million.

**Mr. Guy Lauzon:** And the other addresses were valid?

**Mr. Marc Mayrand:** The cards were delivered to the proper addresses and they were received.

**Mr. Guy Lauzon:** That is incredible! It's impossible that all of these addresses, 98% of the total, were accurate.

**Mr. Marc Mayrand:** Canada Post, under an agreement we have with them, recovers the rejected voter information cards. Canada Post must then return these cards to us.

[*English*]

**The Chair:** If I can suggest something on that too, it means they were rejected, but if I received something at my house that wasn't addressed to me, I could just as likely throw it in the trash as send it to return.

**An hon. member:** You wouldn't do that.

**The Chair:** No, certainly not a voter card. I'm suggesting one of those applications for a credit card.

**Mr. Marc Mayrand:** There's a note on the card inviting whoever receives it to contact Elections Canada.

**The Chair:** Right.

Anyway, we'd like to thank you for coming today. We've had a really good couple of hours.

And thank you for your report. There were a couple of questions asked that you may want to get back to the committee on. It would be fantastic if you would. And we look forward to hearing further reports from you about this election when you're finished your surveys.

**Mr. Marc Mayrand:** Yes, okay.

Thank you very much, Mr. Chair. Thank you for your comments.

**The Chair:** Thank you very much.

The meeting is adjourned.

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