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Chair

Mr. Gary Goodyear



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● (1110)

[English]

The Chair (Mr. Gary Goodyear (Cambridge, CPC)): I call the meeting to order.

Ladies and gentlemen, I would remind members that this meeting is in public today. The purpose of the meeting is to continue the committee's review of the Canada Elections Act.

I should probably let the witnesses who are here today know briefly what the committee has been doing so far. There have been a number of reports in the past that have made recommendations on how to improve the Canada Elections Act. We have had Mr. Kingsley as a witness as well. The committee has taken a considerable amount of time reviewing almost every recommendation we've read, and now we have invited all the parties in Canada to submit reports. Indeed, the four main parties have been asked to appear before the committee as witnesses.

If representatives from each of the four parties want to take their seats at the back, that would be very helpful. We will try to focus our comments today on how to decrease the fraud and decrease the mistakes within the electoral process in Canada, as well as improve the accuracy of the elections lists.

First, I would like to thank each and every one of you for coming today. I know that sometimes we don't get the opportunity for a whole bunch of notice, but we do know that you guys and gals have been very diligent in getting your ideas together. Indeed, some of these ideas, I understand, have been coming along for years.

The first thing I would like to do is take a minute or two for you to introduce yourselves. Once we've had the chance for all the committee to be introduced to you, we will start the process.

[Translation]

Mr. Eric Hébert (Federal Secretary, New Democratic Party): My name is Éric Hébert, and I'm from the New Democratic Party.

Mr. Martin Carpentier (Director, Bloc Québécois): My name is Martin Carpentier, and I'm from the Bloc québécois.

Mr. Gilbert Gardner (General Director, Bloc Québécois): My name is Gilbert Gardener, and I'm from the Bloc québécois.

Mr. Steven MacKinnon (National Director, Liberal Party of Canada): My name is Steven MacKinnon, and I'm from the Liberal Party of Canada.

[English]

Mr. Michael D. Donison (Executive Director, Conservative Party of Canada): Mike Donison, executive director of the Conservative Party of Canada.

[Translation]

Mr. Paul Lepsoe (Legal Counsel, Conservative Fund of Canada, Conservative Party of Canada): My name is Paul Lepsoe, and I'm legal counsel with the Conservative Party.

[English]

The Chair: Welcome, and thank you very much for coming.

I think the process I will follow right now is to give each party five minutes. I regret that I will try to hold you to five minutes. Ultimately, we have a very tight meeting. If there are points that you are not able to get across in your five minutes, there will be opportunity as the meeting carries on to get those points across.

I will start with the Conservative Party of Canada. You have five minutes, and welcome.

Could you introduce yourself? Thank you.

Ms. Jess Turk-Browne (Assistant Federal Secretary, New Democratic Party): Jess Turk-Browne from the NDP.

The Chair: Thank you very much.

Mr. Donison, please.

Mr. Michael D. Donison: *Merci, monsieur le président.* Thank you, Mr. Chairman, and members of the committee, for the opportunity for the political parties represented in the House of Commons to address your committee this morning.

You've given each party five minutes, Mr. Chair. I'm just going to make a couple of remarks, and then I want Mr. Lepsoe, who is legal counsel to the party, to make a couple of remarks. I'm a lawyer by training as well, so to get two lawyers to combine in five minutes, Mr. Chair, I think is something we should report in *The Hill Times*.

Basically, I focused on going through Mr. Kingsley's report *Completing the Cycle of Electoral Reforms*, which was tabled in the last Parliament on September 29. Of course, there are an awful lot of recommendations, and I want to mention just a few that I commend to this committee and to this Parliament.

First, from an administrative side—and this has now been adopted in the province of British Columbia—I really like the idea of nominations before the writ. The writ is called and everyone is scrambling around to find the 100 names. I'm sure Mr. MacKinnon and all the parties have this problem of how they are going to get all 308 candidates nominated by the deadline. So once a candidate has received his party's nomination, I really commend the idea of allowing political parties to be able to file with Elections Canada and having all that paperwork done even before the writ is dropped. I strongly recommend that, and I know that's been Mr. Kingsley's recommendation.

There are a couple of others that I think are very useful. One of the areas where we are finding a great deal of growth is with the use of the special ballot. I think part of the whole purpose of the Canada Elections Act is to make sure—and there are the issues of fraud that you've dealt with—that we maximize the opportunity for legitimate voters, in this busy society of ours, to be able to cast a ballot and not be restricted simply to the advance polls or polling day. So the special ballot I think is something that's working very, very well.

My suggestion would be—and we can get into the details later—that the special ballot be expanded so that any eligible Canadian should be able to attend at the office of any returning officer anywhere in Canada, apply for the special ballot, and cast the ballot right there, rather than necessarily having to mail it back it back to Ottawa. I've raised that already with Mr. Kingsley.

I think the idea of the removal of the five-year limitation for outof-country voters is very fundamental. If you're a Canadian citizen and you're living abroad for more than five years, you should also be able to cast your ballot. Mr. Kingsley has recommended that, and I would commend that to the committee as well.

The other area, of course, and one I gather you have had a lot of discussion about, is this whole issue of identification at the polling place. Again, I'm not getting into a lot of details about that, but I think everybody agrees that this absolutely has to be tightened up. If you combine that with the problems of the permanent voters list.... For instance, I notice that Mr. Kingsley, in his most recent report on the 39th general election, stated that there were 3.5 million changes to the voters list between the issuance of the preliminary voters list and the final list. That in itself says something about the accuracy of the list.

Those are the key things I think the committee should be focusing on: ID, quality of the list, and the pre-nomination process.

I'm going to ask Mr. Lepsoe to speak for a few moments, if you'll allow him, Mr. Chairman.

Thank you.

• (1115)

The Chair: Absolutely, there are two minutes left.

Please.

[Translation]

Mr. Paul Lepsoe: Thank you, Mr. Chairman. I'd like to add a minor point that doesn't have anything to do with the report of the Chief Electoral Officer. Mr. Kingsley referred to allowances for auditors.

[English]

I've distributed a small package that refers to a provision in the Manitoba act, which I'd like to refer for your consideration. When I appeared on Bill C-24, which I guess was three years ago now, having acted as legal counsel to a party for a long time, I was very concerned about the new compliance burdens that would be placed for the first time on riding associations, nomination contestants, and leadership contestants, as well as new burdens on parties and so on. I made a reference at that time to the Manitoba provision, and I'd just like to take another stab at it.

The Bill C-24 process was very compressed. Maybe with a bit more leisure, this committee could have a look at this Manitoba provision, which essentially excludes, as a contribution, the services of someone acting, and it says on page 2, "as an auditor, financial agent, official agent or legal counsel". On page 3 is a possible amendment to the Canada Elections Act along the lines of Manitoba. I just put that out there for your consideration. Compliance is an issue, and I think we see that increasingly under the legislation. There is such a great need now for financial accounting under Bill C-24

This might be something the committee might want to look at. If people who are incorporated or giving more than \$1,000 are willing to help out a riding association on these financial compliances, should it really be deemed to be an illegal contribution? I just put that forward for your consideration.

The Chair: Thank you very much. We won't have to call *The Hill Times* in, because that was 20 seconds over.

Mr. MacKinnon.

Mr. Steven MacKinnon: I think this is perhaps a moment of rare agreement between myself and my friends from the Conservative Party. I could short-circuit my entire presentation by saying I essentially agree—although without prejudice to reviewing my friend's amendment—with everything they've just said.

I do have prepared remarks. With your indulgence and that of the committee, I'm going to try my best to get through it, and if you deem that I'm going on too long, then I'm in your hands, Mr. Chair. But I can undertake to provide the entirety of these remarks to the committee.

[Translation]

Thank you very much, Mr. Chairman, committee members,

[English]

thank you for this opportunity to speak on observations our party has on the state of the Canada Elections Act and its administration.

As the national director of the Liberal Party of Canada, I had the opportunity to hear comments from all corners of Canada, both favourable and critical, reflecting the experiences of Liberals on the campaign trail and their dealings with Elections Canada before, during, and after the election period.

Despite the fact that these remarks will necessarily put the emphasis on the points on which we've noted deficiencies in the electoral process, I must take a few moments to mention that, in general, this way of doing things in fact works.

Thousands of Canadians who work for Elections Canada, whether it be for a few months or even a single day, and also all those who work for the organization on a full-time basis are people who render an invaluable service to the entire Canadian population with regard to the preservation and maintenance of our democracy. Most of them do a remarkable job. The country owes them all a big thank you. [English]

With the greatest of respect to the best efforts of so many, there are nevertheless failings in the system, some profound, some merely frustrating. I would like, in the short time available to me, to highlight just a few of these and to encourage you to consider the need for amendments to the Canada Elections Act.

The first topic I would like to discuss is the registration process. Perhaps our single greatest concern, if not a source of outright alarm, is the registration process. As several of this committee's members know from their own experiences, the provision of a valid residential address is not something that Elections Canada seems to put much weight on. We have experienced voters registered as living in supermarkets, U-Store-It facilities, business office towers, non-existent addresses, and a university bookstore.

The problem here is twofold. In our view, Elections Canada places little or no emphasis upon verifying or validating residential addresses contained in the register of electors. The Chief Electoral Officer often points out that lack of resources is never an issue for his office. With respect, the resources may well be there, but the will is not

In one particular electoral district where problems of this nature were identified by us in extreme proportions, Trinity—Spadina, such concerns arising from the 2004 election went unaddressed in the 2006 election—

● (1120)

[Translation]

Ms. Pauline Picard (Drummond, BQ): Mr. Chairman, he is speaking so quickly that the interpreter has to speak quickly. It makes no sense for me in French.

Mr. Steven MacKinnon: I gave the interpreters the French version of my remarks. I'll be pleased to give it to all committee members.

[English]

The Chair: Is that acceptable, Pauline? We'll distribute a list and you can read along.

[Translation]

Ms. Pauline Picard: You have it in both languages?

Mr. Steven MacKinnon: I have a reading copy here.

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Are you telling me it's impossible for you to slow down?

[English]

The Chair: Order. Could we speak through the chair, please? Thank you.

I will give you your two minutes to start over. We will distribute the French copies.

[Translation]

Mr. Steven MacKinnon: Mr. Chairman, I'm trying to give all my presentation in the time allotted to me.

[English

The Chair: We don't have copies for everyone else, which is part of the deal that we have made, that copies would be distributed to all members of the committee in both official languages.

I regret that this report is not in both official languages. I'm going to move to question period for Mr. MacKinnon and cut the discussion off.

Did you have a comment, Mr. Hill?

Hon. Jay Hill (Prince George—Peace River, CPC): My understanding is that he does have it in both official languages, but it hasn't been distributed to individual members.

The Chair: One copy was delivered to the interpreters.

Hon. Jay Hill: With respect, Mr. Chair, I would suggest that you at least grant him the remainder of his five minutes.

The Chair: Is that acceptable to the committee? I will accept the will of the committee.

We are going to reset the clock to 2 minutes and 30 seconds, and perhaps we can do the rest of it, if you can, Mr. MacKinnon, in French, to assist them, and the interpreter can speak in English. Is that acceptable to the committee?

Mr. Marcel Proulx (Hull—Aylmer, Lib.): The question on the table, Mr. Chair, is that our colleagues are finding that he is speaking so quickly to meet the five-minute deadline that the interpreters have to interpret or read the copy they have so fast that it is difficult for them to take notes as we go along.

May I suggest that maybe the notes can be looked at after we get the blues from the committee, which doesn't help for question period, but at least let our representative of the Liberal Party tell you what he wants to tell you this morning within the five-minute debate. That is why we are here. Take it from there.

The Chair: Mr. MacKinnon, is there any way that if we give you two and a half more minutes you can summarize that report and get the details out?

Mr. Steven MacKinnon: With respect, Mr. Chair, I doubt it, but I will do my best.

With the committee's indulgence, I'm certain that I won't abuse your patience.

The Chair: Thank you very much. We will reset the clock, please.

Thank you, committee.

Mr. Steven MacKinnon: I'll pick up where we were. We were at the University Book Store.

The problem here is twofold. In our view, Elections Canada places little or no emphasis upon verifying or validating residential addresses contained in the register of electors. The Chief Electoral Officer often points out that lack of resources is never an issue for his office. With respect, the resources may well be there, but the will may not be. In one particular electoral district where problems of this nature were identified by us in extreme proportions, Trinity—Spadina, such concerns arising from the 2004 election went unaddressed in the 2006 election.

But on the other side of the coin is the ability of interested parties to raise specific objections. Under sections 103 and 104 of the act, the opportunity to make objection to a name on the list arises only in an election period, because you may only object to a name on the list of electors, not a name on the permanent register of voters.

● (1125)

[Translation]

We need a way to proceed that is effective so that we can remove invalid names from the permanent register and be able to do so on a continuing basis, and also so that we can remove those names from the list of electors at the time of an election. We must insist positively with Elections Canada so that, in addition to putting in place a reliable procedure for raising objections, these names are subsequently deleted.

We recommend that an effective process be established by Elections Canada and that the political parties be consulted with regard to that process.

[English]

The next issue is voter identification cards, Mr. Chair. The misuse of voter information cards is quite simply out of control. We have reports of neighbourhoods where individual single-family dwelling mailboxes, not apartments, were systematically de-mailed of such cards, and with the greatest of respect to the Chief Electoral Officer when he appeared before you in April, he mischaracterized the entire problem. It is not about using the cards as identification for the purpose of registering, an absurd notion, since the very existence of a card demonstrates that a person with the name and address that appears on the card is already registered. It is about using the cards as identification when voting. It is about walking into a polling place with a card in your hand, presenting it to an official without so much as uttering a word, and being issued a ballot.

This abuse happens constantly. Subsection 143(1) of the act requires that an elector "shall give his or her name and address", and there is no doubt in my mind that this requires the person to state their name aloud, but in the interest of efficiency it seems that more and more no time is lost on that trifling detail.

A rhetorical question for the committee to consider is this. If you vote this way under the name of someone else without ever saying that you are the person named on the card, is it even an offence, and shouldn't it be?

We recommend that this committee continue to delve more deeply into the issues of this card. We encourage you to continue to pursue these issues in some depth with Canada Post and with Elections Canada.

I am going to try to cut this short. I was going to comment on Mr. Hawn's observation about the bus with 40 people. Suffice it to say that we are concerned, as he seems to be, about what we call serial vouching, and we are profoundly troubled by the number of on-site registrations: 55,000 at advance polls, plus 795,000 at election day polls, for a total of 840,000, or an average of over 2,700 people per riding. Assuming this number to be roughly consistent riding to riding, it means that your voters list did not allow you to identify 2,700 of your electors in advance, that the local spending limit was around \$1,400 less than it could have been if these people were on the list earlier, and that national party limits are reduced by about \$600,000.

But it is not an even distribution. The Liberal Party of Canada has asked Elections Canada to provide a riding by riding breakdown of on-site registration levels. We want to know where registration levels were simply excessive. The committee may wish to ask for this information as well.

In Trinity—Spadina alone we understand there to have been 12,000 election day registrations. There are people who were on the list who gave up waiting in line to get into some polling places because they were just too congested.

The Chair: Thank you very much, Mr. MacKinnon. It's great information. We're already a minute and a half over, and I do apologize for interrupting you, but I've given you an extra minute and change.

We'll move on to the Bloc Québécois, please.

[Translation]

Mr. Gilbert Gardner: Thank you, Mr. Chairman.

We are pleased to see that all parties are now in favour of one of Mr. Kingsley's main recommendations, that returning officers be appointed by the Chief Electoral Officer, thus echoing a recommendation that the Bloc québécois has often made. The last time, in December 2004, Mr. Guimond introduced a bill containing a provision that does not appear in Mr. Kingsley's recommendations and which, we think, should be included, and that is that the said appointments should be made following a public competition.

Under the Quebec statute, this procedure has been followed in Quebec for 25 years. It was updated in 1989. Section 503 of Quebec's Election Act very clearly describes the public competition process. I believe that this is what is lacking for the appointment of returning officers to be done in a manner such that those officers have all the neutrality and objectivity we are entitled to expect.

Mr. Carpentier.

● (1130)

Mr. Martin Carpentier: We agree with Mr. Kingsley on two other points, to which we return election after election. They are the date of birth and the single elector number. I've had discussions with Elections Canada on the subject, and they have studied the matter to determine what would be possible to do.

The problem is that, depending on the version of the list we receive—during an election, we receive three lists and a final list is subsequently sent to us—the elector sequence numbers, which are one way of recognizing electors in the polling divisions, are constantly changed. Consequently, supporters who work in the various electoral districts after the election campaign have trouble dealing with the information they have gathered on election day.

The other problem that this could solve is the problem of elector information cards. All parties agree on that. Their distribution by Canada Post in apartment buildings poses a problem. Letter carriers simply take the cards and leave them at the entrance, so that anyone who goes to a polling station with the voter information cards of all the residents in his building can vote.

If we had the date of birth, when a person whose date of birth was 1928 and who looked 20 presented himself, the clerk and the deputy returning officer could ask him questions to determine whether he is really the person registered.

These are the three main recommendations we wanted to talk to you about. However, a number of Mr. Kingsley's other recommendations could be discussed during the question period.

Mr. Gilbert Gardner: As regards the date of birth, we don't feel the privacy issue is a problem, since this provision has been in effect in Quebec for a long time. Some provisions require those in possession of electoral lists to undertake not to use them except for electoral purposes. This information is already in the possession of the returning officers. It should be made available to the parties that receive the official lists.

[English]

The Chair: Thank you very much. It was very brief, and I appreciate that very much.

We'll turn to the NDP now, please.

[Translation]

Mr. Eric Hébert: Thank you very much.

The NDP agrees on a number of the views previously expressed. In our view, if we could implement Mr. Kingsley's recommendations on the advance registration of candidates, we would solve half a dozen problems. I don't see why we couldn't do it, if we all agreed. So I ask you to correct this fairly serious problem.

I'd also like to talk briefly about audit fees. How can auditors contribute to campaigns? That could be a way to view the problem. There's another way to see the problem. Currently, auditors are paid differently, depending whether they audit the financial statements of electoral district associations or candidates' returns. That's a problem and a dilemma. Things should at least be unified for the auditors.

As for bank accounts of nomination contestants, there's also a fairly serious problem. In the NDP, nomination contestants do not always spend a lot of money. Often, a candidate will print 50 or so copies of a pamphlet on his printer at home. However, he is required to open a bank account, because he has spent money for goods and services. It's ridiculous; it makes no sense. We must absolutely review the obligation that nomination contestants have to open bank accounts, in which there will be no official transactions. The impact of the act was a bit unexpected, and it should be corrected.

There's also the question of membership fees. Bill C-24 set a limit on contributions, and that limit did not include membership fees in a political party, which in itself was very good. That means that, if you spend \$25 for a membership, you're not entitled to a \$25 tax credit. Consequently, someone who gives more than that \$25 amount receives a greater benefit with respect to tax receipts than another person who only paid the membership fee. I believe that's another problem inherent in the Elections Act that could not be anticipated at the outset. So we're proposing this change. We don't see any objection to it being excluded from the maximum, but this must be considered as a contribution and must grant entitlement to a tax receipt.

We can transfer surpluses from campaigns and candidates, and the same should be true for debts, it seems to me. If a candidate has a debt, he should be able to transfer that debt to his riding association, if it is in agreement. Things should be made so that this is possible.

Let's talk about eligibility for public financing. Do you remember that there was an eligibility threshold for political parties with regard to that amount of \$1.75—which is not \$1.83, I believe—per vote received by a political party. We of the NDP believe that a proportional arrangement would be fair and would give all votes equal value. In the same vein, the same is true with regard to political party financing.

● (1135)

[English]

I'll tell you that I don't think our party would benefit in any way from this particular change. It would actually probably benefit many of our opponents, but from a purely justifiable position, it seems to me that if somebody votes for the Libertarian Party of Canada, their vote should have the same value as the vote that somebody might cast for our party or for one of the bigger parties. That is a serious undervaluing in the votes, and I think it doesn't do justice to our system.

Finally, I'd like also to recommend that we seriously consider the possibility of having limits on the spending of leadership candidates. All other campaign-related activities are subject to limits in our system, with the exception of leadership contestants. Nomination contestants are required to follow strict limits, but our leadership contestants are not. I think that would be a step toward greater accountability as well.

The Chair: Thank you very much.

Again, I appreciate the information we've received so far. Committee members will know that some of it we've heard before, and I'm sure we'll have lots of time for discussion later.

I will open the first round of questions. Try to hold it to seven minutes, please. Let's try not to get into a discussion, because that will eat up your time. If we can keep our questions short and our answers short and to the point, we'll have lots of rounds.

Monsieur Proulx first, please.

Mr. Marcel Proulx: Thank you, Mr. Chairman, and thanks to the witnesses for travelling here to meet us this morning.

I would like to address two topics, and I would appreciate it if the representatives of the four parties briefly gave us their comments on both

The first subject concerns the process followed on election day. The parties must organize a system for transmitting information from the polling stations to their organization offices to determine which voters voted at what time in the day. That's commonly called the bingo card system because that information is transmitted. There's currently a similar system at the municipal level. I'll give you the example of my municipality, Gatineau. As the day advances, the returning officer himself provides multiple copies, at regular intervals, of the list of people who have already voted. Every hour or 90 minutes, the parties or candidates go to pick up their copies. I'd like to know what you think of that.

Second, in the changes to the Elections Act, reference is made to the right of access to residential buildings for all candidates, but there appears to be a problem with regard to what are called gated communities. I use that term because that's how we know them. Then I'd like to ask you whether we should also allow candidates to have access to public places, that is to say shopping centres, stores or places of that kind.

So I await your answers, and I thank you.

(1140)

[English]

Mr. Michael D. Donison: On the first question concerning the Canada Elections Act, having a handout during the course of the election day—who has voted—I would welcome that. That would reduce the resources the parties have to put to scrutineering.

Most of the resources in scrutineering now are really to identify the vote. It's not so challenging. So if there's a way to officially get that, I have no problem with it. I think it would be a good idea.

With regard to gated communities, obviously the same access should be granted to them. I think Mr. Kingsley has suggested the current act covers it, but if not, perhaps a tight legal amendment needs to be made to the statute. If you have access to apartment buildings, you should be able to have access to a gated community.

Mr. Marcel Proulx: What about stores and shopping centres?

The Chair: I want to hear from all the witnesses, so we're going to extend the time a little bit here, but we need to go very quickly, please.

Mr. MacKinnon.

Mr. Marcel Proulx: Excuse me, but I didn't get an answer on shopping centres.

Mr. Donison, as with gated communities, should we include shopping centres giving access to candidates?

Mr. Michael D. Donison: Do you mean during the course of the campaign or—

Mr. Marcel Proulx: Yes.

Mr. Michael D. Donison: Well, I guess that's an issue of the ownership, the owner of the shopping mall. I am not sure of the answer. I have to think about that. It's something to consider.

Mr. Steven MacKinnon: On the second one, I think in principle anything that ensures access of Canadians to their elected representatives or candidates is a good thing, and if that access is not wide enough, then we ought to look at widening it.

On the first point, and in the interests of time, I will simply say that I agree with both the member and my friend from the Conservative Party.

The Chair: Thank you.

Mr. Gardner, or someone from the Bloc.

[Translation]

Mr. Martin Carpentier: There are also list clerks in Quebec City too. There's a form that's distributed to the parties. They're called the "pale" forms, and the returning officer pays for them.

Another attempt was made in the context of municipal elections to computerize the lists. The problem arose with one of the companies that supplied the system. The advantage of that was that the political parties or candidates had received hourly computerized statements containing all the information as well as the names of the electors who had voted.

Mr. Gilbert Gardner: As regards access to public places, I think the act should absolutely guarantee candidates unlimited access to public places. That was corrected in the past with regard to signage, but there were obstacles. The act clarified that, and I think we have to proceed the same way as regards access.

[English]

The Chair: Mr. Hébert.

[Translation]

Mr. Eric Hébert: With respect to the role of deputy returning officers, it isn't just a matter of bingo cards. All the parties admit that we have to be able to verify voters' identities and to ensure that those voters indeed have to vote at that place. We don't want to eliminate deputy returning officers, but we're absolutely not opposed to the idea of having this kind of system.

As regards access to buildings and shopping centres, we agree, in the context of an election campaign, we should have access to the public in all possible places.

[English]

The Chair: Thank you.

Your time is definitely up. I'm sorry. I'll add your name to the next round.

I want to thank our witnesses, because I felt you kept that very brief. I know we have a couple of extra people at the table, but could we have just one spokesperson from each party?

Mr. Reid is next, for eight minutes.

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Thank you, Mr. Chairman.

My first question is not really so much a question as a request for all the participants. We have the written presentation of Mr. Lepsoe and our representatives from the New Democratic Party, but not from the other two parties. I'm hopeful that if you have notes, you'd be willing to hand them to our clerk, who could arrange to have them translated and distributed. That would be very helpful for us.

One of the problems we have in this committee, and all committees, is that it takes a long time for the committee Hansard to get done and get back to us. They're a lower priority than the Hansard for the House. It can take a number of weeks; sometimes it doesn't happen until over the summer, and if we're trying to come to some kind of decision, it would be very helpful, rather than trying to go from our notes and from memory, to have your notes. If you could do that, I would be very grateful. I'm sure the other members of the committee would be as well.

Having made that pitch, I'd like to use the rest of my time to ask Mr. MacKinnon, who had a very interesting presentation for which he didn't estimate his time quite right, if he could continue where he left off.

● (1145)

The Chair: That's exactly what we should do. Yes, please.

Mr. Steven MacKinnon: Thank you very much.

It's most appreciated. I apologize for underestimating the amount of time I had, or underestimating how long this would take.

I'll perhaps just pick it up where I left off, if you like, for the record, but I did give English and French versions of this to the clerk. I did not bring enough copies. It's not the clerk's fault. She gave it to the translators, and either we will supply them or she can retrieve them and get them to you.

[Translation]

We talked about the riding of Trinity—Spadina, in downtown Toronto. In that riding, deputy returning officers who tried to see what was going on with regard to the registration procedure realized that it was pointless since they had no right to do so.

Sections 143 and 144 of the act state that a deputy returning officer at a polling station has a right to ask an elector for his or her name and to require the person to show satisfactory proof of identity and residence. However, the legal department at Elections Canada has taken the liberty of stating firmly, once again, that these rights were non-existent at another registration desk, since, under subsection 161(3), deputy returning officers may be present on the premises; they have no right to say or require anything.

In fact, they were not even given the opportunity to see the pieces of identification of a potential elector who wanted to register or to ask questions concerning documents which clearly were inadequate and that they nevertheless perceived. And yet that was the case, even when it violated directives published by Elections Canada.

[English]

In essence, if someone registered to vote on the basis of a photocopy of a cable bill or with a magazine label, they were powerless to bring their disquiet to the attention of officials. Those who did were told they would be removed from the polling station.

At the University of Toronto, the university administration provided lists of the names of resident students to Elections Canada in advance of election day. A student on such a list only needed to provide proof of identity, not of residence, in order to register, yet our scrutineers were never, either before or on election day, permitted to see these lists—not to contact the potential voter, not to question whether the person still lived there, not to look into whether they might be citizens, and certainly not to investigate whether they had voted at an advance poll at their parents' residence.

We strongly recommend that the act be amended to provide for effective representation of candidates at all stages of the process, and in particular in all aspects of election day.

Next is targeted revision. Given the statistics Elections Canada likes to present as to how registration accuracy and comprehensiveness exceed goals, we continue to be surprised at the extent to which there are pockets throughout the country in which the registry is a poor reflection of reality. Whether this is due to high mobility rates or low interest is immaterial. The system is predicated upon the notion that we have adequate lists of voters in all areas. Not only do spending limits depend on this, but if you don't know who the voters are, it makes it rather awkward for political parties to locate them to communicate or to keep track of their voting intentions.

[Translation]

A detailed list is a thing of the past. In far too many places, not enough people open their doors, but a serious and precise review is essential; otherwise, there is too great a risk that the registration system in the country will be determined by political motivation to register voters, with parties trying to register voters in the proper manner provided they vote for their party. In the Canadian system, we need an approach that is both neutral, oriented toward the government and dynamic in order to make specific changes to the procedure for registering voters. An amendment to the present act could prove necessary in order to reinforce the idea that this need is part of Elections Canada's mandate.

[English]

Therefore we recommend targeted revision be increased.

In what little time I have left, I would like to touch briefly on some election finance issues. We could discuss many such issues at greater length with significant benefits, so we would welcome an opportunity for a further visit with you in the future, but here are three key concerns.

When an election is called, your supporters naturally want to start giving, but if they give to your campaign right at the beginning, they can't get a tax receipt. Those are not available for any donations received prior to the day Elections Canada accepts your nomination. In each election, some candidates and donors run into trouble over this

The solution is exceptionally simple, as my colleagues have indicated. In Ontario, under the Election Finances Act, a candidate may pre-register for campaign purposes. In the absence of an election writ, this pre-registration has no legal meaning, but on the day the election is called, the candidate is registered for financial purposes and may start accepting receivable contributions. Amendments to both the Canada Elections Act and the Income Tax Act would be required to streamline the rather less rational federal status quo.

Second, as all of you know, your financial returns for the last election were due on May 23. What you may not know is what happens not only if you are late but if your return is missing even one single yet essential document, such as the auditor's checklist. Prior to May 23, if there was a problem that made it difficult for you to meet the deadline, you could simply request and routinely receive an extension from the Chief Electoral Officer, but after May 23 he lost that power.

There is now a two-week window following May 23 to get dispensation from a judge on a formal court application to permit a late filing. The legal costs of such applications run into the thousands of dollars. What's worse, though, is that the political costs are higher. The sitting member who is in default is legally prohibited from sitting or voting in the House of Commons. See subsection 463(2).

In one case after the 2004 election, a filing was late because a candidate's official agent had been diagnosed with cancer the day prior to the deadline. In another case, the auditor's report had been obtained and was inadvertently left out of the envelope.

We need strict deadlines, but clearly, reasonable extensions should be possible.

The last point I'd like to make, and I will conclude on it, is related to the point my friend from the Conservative Party made about the overall compliance burden on volunteers in local ridings. We think it is crazy. We think Bill C-24 did not contemplate the kind of work involved in complying with the act at the local level. As we all know, complying at the national level is hard enough.

We recommend that Elections Canada conduct a thorough review of the process with a view to cutting the red tape and lessening the burden on all of the volunteers, who could put their energies to better use in supporting our candidates in our respective parties.

Thank you very much. I appreciate the time granted to me by the member.

• (1150)

The Chair: Thank you very much, Mr. MacKinnon, and thank you, Mr. Reid, for allowing this.

We will now go to Monsieur Guimond.

[Translation]

Mr. Michel Guimond: Thank you, Mr. Chairman.

I want to go back to the voter identification procedure. The members around the table have all campaigned and, like me, have had occasion to observe that, in election campaigns, when we enter residential buildings, multiple-unit dwellings, at the entrance, where the mail boxes are, we see a series of voter information cards in the

blue recycling bin or else outside scattered across the lawn. In the 2004 election, I brought back approximately 150 to the office of the returning officer. You know that's the preferred method for identifying voters.

First, I'd like to hear from the Bloc québécois representative, then from those of the other parties. I began making my colleagues around the table aware of the need to improve the Elections Act in this regard, and I sense that progress has been made. I refer you to what is in effect in Quebec. The Quebec system doesn't have the reputation of working poorly. No one has questioned the democratic principle of elections and referendums in Quebec. I refer you to section 337 of Quebec's Election Act, which states:

Each elector shall declare, to the deputy returning officer and the poll clerk, his name and address and, when so required, his date of birth.

I can say that I'm Bill Clinton and give a date of birth and an address. Perhaps I'm suffering from a split personality, and I'm inwardly convinced that I am Bill Clinton. That's why the act provides that the elector shall state certain information and also provides:

In addition, each elector shall produce as identification [...]

It then lists various documents that may be used to establish one's identity in Quebec: the health insurance card issued by the Régie de l'assurance maladie du Québec, driver's licence issued by the Société de l'assurance automobile du Québec, Canadian passport issued by the Department of Foreign Affairs Canada or any other document that has been issued by the government and is determined by regulation of the government, where there is another identification document that may be appropriate.

I would therefore like the representatives of each party to give us their opinion. Would it be a good idea to have the equivalent of that or something similar in the federal act? Of course, things are progressing. Among other things, there is the fact that we have the date of birth on the electoral lists. I don't know whether that's attributable to the change of government—I don't want to incense the Conservatives—but that kind of information is very useful. For example, in Lac-Saint-Jean, there may be 112 persons with the name of Marcel Tremblay. One was born in 1922, and the person before us seems to be 24, unless he's had access to the fountain of youth and has stayed young...

I'd like to have your comments on voter identification.

• (1155)

[English]

The Chair: The Bloc, please. Mr. Gardner.

[Translation]

Mr. Gilbert Gardner: We entirely agree on the idea of drawing on the section from the Quebec Election Act. I don't think that's excessive. It doesn't delay the conduct of the vote. On the contrary, Quebec's voter turnout rates are generally higher than those of Canada. In addition, the polling stations are open for virtually the same number of hours.

So it doesn't delay the conduct of the vote and is not excessive, but it makes it possible to ensure that the person who is before the deputy returning officer or the clerk is the right person and that that person can democratically exercise his or her right to vote. That is definitely desirable.

As for the date of birth, I want to point out to you that this isn't yet a reality. In any case, it's no longer in the act. There now appears to be a greater openness in this regard, but there has to be a legislative amendment so that the political parties can get a hold of dates of birth.

[English]

The Chair: Thank you. Would the NDP like to comment briefly? [*Translation*]

Mr. Eric Hébert: Definitely.

It would be useful to have proof of identity. I'm not sure about the kind of proof that should be requested or the scope that should be attached to this requirement. Some people don't have the necessary pieces of identification. In some cases, they may provide only a Hydro-Quebec bill or something similar. It is possible to apply a system, but I would like us not to get to the point where we prevent people from voting, all the more so people who have just moved, because they don't have any pieces of identification.

Mr. Michel Guimond: I can answer that.

In Quebec, a table is set up for checks of that kind. A voter who has none of the required documents is directed to a table where he is checked. There is an oath-taking procedure.

So it is ultimately provided that the elector can exercise his right to vote. However, I believe that no one wants to see a voter use 34 votes, as has previously occurred.

[English]

The Chair: Mr. MacKinnon, would you like to respond?

[Translation]

Mr. Steven MacKinnon: I entirely agree. I find it completely reasonable that voters should be asked to submit a more or less official document, preferably with a photo, which proves their identity and place of residence.

In the riding I mentioned earlier, there were magazines containing addresses. There is an endless number of examples. I hesitate to use the word "fraud", but when you hear about 12,000 persons on the very day of the election, it's no minor matter. Moreover, we filed a complaint on the matter with the Commissioner of Elections.

I think the idea of adopting the Quebec system at the federal level is desirable. I have known the system and I find it reasonable. It's not inappropriate to ask voters who come to exercise their democratic right to vote to provide pieces of identification or documents that moreover are used everywhere.

[English]

The Chair: Mr. Donison, do you have a final word?

[Translation]

Mr. Paul Lepsoe: I'll answer.

I'm not sure we should go that far. I don't believe that the date of birth is the entire solution. However, I agree with Mr. MacKinnon: we should at least specify the right of candidates' representatives to ask questions. Perhaps we should also determine which pieces of identification would be considered acceptable by returning officers.

(1200)

Mr. Michel Guimond: Don't resort to double talk, Mr. Lepsoe.

Mr. MacKinnon said he agreed with the idea of requiring proof of identity. A list of the documents in question could be drawn up, but, for the moment, I'd like to know whether you agree on the principle. It isn't just a matter of the deputy returning officer's right to ask questions. That's not what I was talking about.

[English]

The Chair: Order, please. I'm sorry, the time has already run out. I would like to allow the witness to respond.

[Translation]

Mr. Paul Lepsoe: Mr. MacKinnon was talking about clarifying the right of candidates' representatives. That's what I said.

[English]

The Chair: Thank you.

Ms. McDonough, please.

Ms. Alexa McDonough (Halifax, NDP): Thank you very much, Mr. Chair.

I assume that at the end of the day this committee is going to be trying to find some reasonable consensus around some of these issues. I regret that I was not here at the very beginning, but I wonder if I might ask each of the witnesses to address the three recommendations that were brought forward by the New Democratic Party representative that have financial implications, the first being the recommendation that membership fees be tax receiptable in the same way that contributions are, so that you don't penalize those who are least able to afford to make larger contributions.

Secondly, with respect to the transferring of debts, I'm wondering whether there is agreement in the same way that a candidate can transfer their surplus to their electoral district association, that they should have the opportunity to do so with respect to debts, which seems to eliminate the need for a campaign account being kept open for considerable periods of time.

Thirdly, with respect to leadership contestant spending limits, I know this is an issue that doesn't arise directly out of the most recent election, but it does arise I think as a serious concern a lot of people have about whether in fact or in perception, because of the lack of any real limits on leadership contestant spending, there can be the sense that a candidate has actually bought their way into the leadership, and the absence of accountability around that.

Could the witnesses indicate whether they agree or have a different point of view on those three recommendations?

The Chair: Thank you. We'll move to the panel now.

There are three points, if you can keep it as short as you can, please.

The Conservative Party of Canada first.

Mr. Paul Lepsoe: With respect to membership fees, I'm not sure we have strong views either way.

I was in favour of the amendment in Bill C-24 that said there wouldn't be contributions. I think the idea was that membership fees would be taken right out of the act so you wouldn't get into the complications of transfer rules, and they wouldn't be considered donations for certain disclosure purposes, and so on. I think that was the idea, to try to simplify. If you're saying it's almost having the opposite effect, and making it more complicated for some people, maybe it should be looked at. Making them straightforward contributions across the board does have some complications.

With respect to the transfer of debts, I'm not sure I fully understand that, because it's possible to do that right now. A riding association can simply pay the candidate's debts. That's perfectly permissible under the law right now. I don't think it's fair to third-party creditors to transfer these debts to someone else. If the riding association wants to absorb them, they simply pay off the third-party creditors and deal with the fundraising themselves.

With respect to leadership contestant spending limits, this is the first major party under Bill C-24 to have a leadership contest, so I don't know if we really have the data to have a position on that.

The Chair: Thank you.

Mr. MacKinnon, would you like to comment?

Mr. Steven MacKinnon: Again, without needing to repeat, I share the views of my Conservative friend on my ambivalence on membership fees and on the debt thing, but I think we'd be open to any change that would make it easier and would be a reasonable one.

With respect to what you call an absence of accountability with respect to leadership spending limits, I must respectfully remind you that the Liberal Party, as the first party to go under Bill C-24—you'll recall the Conservatives acted in great haste to make sure their leadership election was conducted under the previous rules, and did so very, very quickly and mysteriously on New Year's Eve. They were able to escape the rather new regime of Bill C-24.

The Liberal Party has gone above and beyond the Elections Act and has declared a spending limit. All spending must be declared publicly through Elections Canada. All contributions must be declared publicly. I note some discussion around those. The leadership expenses committee, which is a quasi-judicial tribunal in our Liberal world, is there to enforce those rules. We have published those rules and made it clear that any transgressions will not be tolerated. The Liberal Party has acted with extreme accountability, extreme transparency, in running our leadership campaigns. We set the limit based on our party's constitution, based on the fact that we need a nine-month process to have a leadership race. It's a big country, and we want to be able to get from Halifax to Acadie—Bathurst.

● (1205)

Ms. Alexa McDonough: The real question is whether you think the voluntary imposition of limits is good enough or whether there should actually be limits specified in legislation.

Mr. Steven MacKinnon: As a general principle, I think it's possible to go too far. I don't accept the fact that political parties are not mature and have not evolved enough to run their own affairs, to

run their own nomination meetings, and to conduct leadership conventions. At the end of the day, we respond to and are judged by the public. I know we are sensitive to that. I'm sure my colleagues on this panel are sensitive to that in formulating all rules. We make them public. You can read them. They are there for all to read. I don't think we've received any criticism for establishing an unreasonable limit, given the contribution limits leadership candidates must live under in the present context. Frankly, I doubt any of our leadership contestants will spend the limit we've allowed.

The Chair: Ms. McDonough, I'd like to give the others an opportunity. We can put you on the list for another question.

Thank you.

Mr. Gardner, please.

[Translation]

Mr. Gilbert Gardner: As regards the idea of classifying membership fees and contributions, I don't see anything against it, in principle. However, guidelines should be established because there could be membership fees for honorary members representing several hundreds, even thousands of dollars. So some guidelines should be set, taking into account the different cultures within the various parties. We should also take into consideration the fact that these membership fees include membership-related costs. Should they be subtracted from the total amount? A membership can be sold for \$25 and cost the party \$10 in administrative fees. Is that \$10 amount eligible or not? That question should be considered.

As for debts, the act already provides that registered riding associations borrow and transfer funds to the candidate. Consequently, the candidate has no debts as such. Furthermore, candidates must have paid off all their bills before they can file their financial return, and do so within 90 days. So the act already contains provisions on loans.

As for the limits included in the act for leadership races, a trend has emerged in the past 15 years or so, in that the acts limit the amounts that can be spent in the context of a nomination. There remain leadership expenses. The cultures of the different parties and the different types of parties have to be taken into account. Obviously, a party that has a number of candidates won't adopt the same procedures for its leadership race as another party. However, I think we should start thinking about this and eventually include provisions on spending limits in the act.

● (1210)

[English]

The Chair: Thank you very much.

I'll allow the NDP the final comment, if you have one. Thank you.

Mr. Eric Hébert: Of course, as you might imagine, we agree with our brief.

Some hon. members: Oh, oh!

Mr. Eric Hébert: In terms of its debts, just to be clear, a riding can of course embark upon the debt to begin with. But at the end of the day, the expenses—not necessarily a loan of that nature—must all be paid by the candidate, who can have unpaid claims up to 18 months after an election. All of these sorts of provisions exist, which means that at the end of the day we're stuck with a situation where an account has to be left open because it has to be paid from the campaign account. All of these different aspects become problematic from an administrative perspective. So it seems like a fairly simple thing to be able to correct.

On membership fees, just to be clear again, as far as I'm concerned, these fees should not be counted in the \$1,000 limit. I'm not suggesting that that contribution be considered part of the limit, but I do think we shouldn't be preventing it from being tax receiptable; I think that's the problem we've created. The vast majority of the people who give to political parties in this current context don't give huge amounts of money, and when they give, usually their membership contribution is one of the first portions of the money they give. And it's a bit unfair to those who can't afford much more than their \$25, or \$10, or whatever, membership fee not to grant them the tax credit but allow moneys over that amount to be tax creditable. I don't think that was the intention of Bill C-24 and I think it's something that needs to be corrected.

The Chair: Thank you.

We are entering our second round of questions. As you can probably tell, I'm giving a lot of leniency to the time we're spending, particularly on the answers. We'll start the second round at five minutes, and I would hope that we can keep the questions as short and succinct as possible so that we can hear from the witnesses.

Round two, Monsieur Simard.

[Translation]

Hon. Raymond Simard (Saint Boniface): Thank you very much, Mr. Chairman.

First, for information purposes, I'd like to go back to Mr. Proulx's remarks. In Manitoba, in two ridings in particular—mine and Saint-Boniface—the returning officer indeed posted the names of people who had voted, every hour or every two hours. Consequently, that's already being done. Personally, I assumed, and I assume that it's legal. That was done in Manitoba; that's what I wanted to tell you. [English]

Mr. Chair, I'd like to pose three questions, if I could, and then have our panel respond.

I'd just like to know if Mr. Kingsley consulted you prior to tabling his report. I would imagine that he would have consulted the parties, being that you are involved in this on a daily basis. I would assume that would have been done.

My second question deals with what is probably one of the toughest issues we'll have to deal with here, the whole issue of fraud and registration. I'm assuming you have already determined some solutions for that. Could we hear what some of the solutions might be? I'm assuming that you probably won't have time to give us all the answers, so I think the members here would appreciate it if you could submit something to us in terms of possible solutions, because

we will be struggling with them. So we would really appreciate some documentation on that from all four parties, if that's possible.

The third thing is that we're struggling and throwing around a lot of ideas right now, and while we have you here, I wonder if we could pick your brains on, for instance, the 100 signatures. Some people have indicated that's an issue. Is that a problem? What about the requirement for a photo ID, for instance, at the polls, and having advertising warning people that it is an offence to do illegal things? Are those things we should be looking at? There's also, for instance, voting on a Sunday to be able to increase voter turnout. Those are issues to consider, because it's our job here not only to analyze Mr. Kingsley's report, but also to make recommendations on how we can improve the system.

So if I could leave those questions with you, please....

The Chair: It could be tough to answer five questions, but please remember the questions. These are good questions. Perhaps in a submission after today we could get those answers. We will start with the Conservative Party.

Do your best, Mr. Donison.

Mr. Michael D. Donison: Thank you, Mr. Chair.

For the record, Mr. Chair, the leadership of the Conservative Party in 2004 was not governed by Bill C-24. We had self-imposed limits, full disclosure, and I believe the expenditure limits were less than the current Liberal one. In fact, on the website of our party for over two years, every single leadership candidate had to post every single donation.

The Chair: Please answer the questions, since we're using up the member's time.

Mr. Michael D. Donison: I wanted to put that on the record, Mr. Chair.

As far as tabling his report, Mr. Kingsley consults with the parties two or three times a year, but he doesn't specifically ask us to review his reports before they're tabled. We don't get a complete look at them before he tables reports before Parliament, and I'm sometimes as surprised as honourable members at what shows up in the report, but not always.

I think the ID issue in the polls is the most central issue you're facing. I think the photo ID is something you have to seriously consider as a basic requirement. I really do.

On the signatures, I like the idea of pre-nomination anyway, and I'm not so sure you'd need signatures. I'm all for candidates just being able to file their papers with Elections Canada, having been certified by the party that they've obtained a nomination and they're the nominated candidate.

On advertising, absolutely, there should be all sorts of warnings around polling stations—breach of this, breach of that, and the gendarmes are going to come and put you in jail. I'd be all in favour of that.

On voting on a Sunday, I'm going to have to think about that one. I'm not so sure about that one.

• (1215

The Chair: Thank you very much for that brief answer.

Mr. MacKinnon, answers, please.

Mr. Steven MacKinnon: I would indicate the Conservative leadership race did not happen with the contribution limits as envisaged by Bill C-24.

The Chair: We're going to cut you off if we don't get answers to the questions.

Thank you.

Mr. Steven MacKinnon: Voting on Sunday is something that seriously has merit. With the risk of sounding like a heathen, it is something that should be seriously examined. Voting on a Sunday is something that would tangibly and manifestly increase voter turnout.

On the signatures, again, I agree with my friend on most of these administrative details, and as a general note it should be considered that frankly on most of the issues we agree most of the time. We have common experiences with respect to the administration of elections.

Photo ID should be seriously considered, and I would go one further. Proof of citizenship where required is something that should be considered.

I've done it as best I can, Monsieur Simard.

[Translation]

The Chair: Thank you, sir.

Mr. Martin Carpentier: Let's talk about the consultation following the last election. The Chief Electoral Officer did not even consult the advisory committee to tell it about the report he was going to submit. We weren't consulted on his recommendations or on what he wrote in his report.

The registration issue is one that affects a lot of things. I have questions even for Quebec. We also spoke with the Elections Canada people. In Canada, they use a permanent list that is compiled from data from the Régie de l'assurance maladie du Québec and from the Société de l'assurance automobile du Québec. Consequently, people are automatically on the electoral list from the time they turn 18. That's not the case of the National Register of Electors at the federal level

There's also the entire matter of research. How do you go about registering youths and how do you get them to participate more in elections? Elections Canada should also ask itself some questions on that subject. If they start thinking about it, we should do so as well. We need a mechanism to allow that at the Canadian level, as is being done in Quebec.

In Quebec, they use two data bases to constitute the permanent voters list, which is updated every month. Surely there's a way to do the same thing in Canada. Unfortunately, there's too much data overlap. That's why the lists are incorrect. If Quebec only used the permanent list, that would already be a major step forward. Unfortunately, there is overlap with Revenue Canada and Citizenship and Immigration Canada. That's what causes all the problems and all the duplication you see on the list.

[English]

The Chair: Thank you very much.

I'm just going to remind the witnesses that there were three other questions. Could I get just a yes or no for the member on photo ID, advertising or warnings at polls, and Sunday voting. Are there any comments on that?

No? Thank you.

The NDP, please.

Mr. Eric Hébert: On documentation for protecting against fraud, I agree something needs to happen that's a bit better than just saying who you are. I agree with that; I just don't want it to become so onerous that we're actually disenfranchising people. I'm sure we can find ways amongst us to figure it out, but I think we have to be very careful

Concerning the 100 signatures, it's a bit ridiculous. I don't think anyone finds the process actually makes it easier, better, or more authentic for a particular candidate to be a candidate by virtue of having found 100 people to say it was okay for them to be a candidate. I find that a bit weird and I'd be quite happy to see it go.

On advertising about illegal actions, sure, as often as possible, wherever possible; we're okay on that.

Concerning voting on Sunday, I'd certainly be more open to the voting on Sunday issue, and this despite being an active church-goer, than I would be to creating a national holiday, which was something else that was suggested: that voting day, on a Monday, become a national holiday. I fear that, because what it does is create a long weekend, and people leave. It doesn't exactly provide you with the right incentive. That would be my only comment on it.

• (1220)

The Chair: Thank you very much.

Mr. Preston, please.

 $\boldsymbol{Mr.}$ Joe Preston (Elgin—Middlesex—London, CPC): Thank you.

I'm happy to hear some of the comments on the use of ID, perhaps photo ID, and I'm with you: I don't want to disenfranchise anyone. I think we're now talking about such a small minority of people without ID that to ask for ID at the polling place may be an easier way to go. I'm happy to see that we're talking about that way.

Someone mentioned the citizenship requirement, which is another one that's been really bothering us, as to how we know. Some of these people are put on the electors' list from their tax return by their inadvertently checking a box when they're not Canadian citizens. Where is the challenge spot for that? As you've mentioned, there's also a great deal of hardship for scrutineers in challenging someone at the poll.

The third part, and I guess where I really want the answer is, this comes down to verifying against a list of electors. I think we can put all these other pieces in place to verify against a list, whether it's photo ID, citizenship proof, or anything else, but how do we make the list better in the first place? It's really coming down to the list's having an error rate greater than anyone would accept in any other way, shape, or form.

You mentioned 840,000 registrations on election day. These are people who wanted to be on the list and weren't there, but how many people aren't on the list in total? Mr. Kingsley admits an error rate, I believe, of 15% from his own surveys, and I would bet it's closer to double. I ask for your views on that.

Here are a couple of other quick ones. For alternative forms of voting, since we brought up Sunday voting, what about online and text voting?

The Chair: We'll start in reverse order, please, with the NDP first, if that's okay.

Mr. Eric Hébert: Concerning online voting, there's a part of me—and this is by no means an official party position—that worries considerably about online voting in the sense that.... Right now, in fairness, special voting regulations mean that people can be voting in their houses right now. At the same time, there's something less concrete and I fear more subject to...not fraud, necessarily, but more subject to problems.

Mr. Joe Preston: Something worse than where we are.

Mr. Eric Hébert: Yes. I think it goes an extra step beyond my personal level of comfort.

On your previous point—

Mr. Joe Preston: How do we make the list better?

Mr. Eric Hébert: That part of the problem, to some degree, is that we need to do targeted revision in a bigger way. I think this has been mentioned before: we have areas of high turnover, particularly in urban areas, where there are ridings that turn over every year. Even when we have minority Parliaments that have elections every year, it seems to mean that people are moving, and that sort of thing.

We talked to Mr. Kingsley about targeted revision at his last meeting with the political parties. One of the points we brought up with him is that we really need to be able to devote more resources to this. He said in large part the problem was that returning officers were afraid to engage in allowing parties to say a particular area really needs to be targeted for revision, and that now that he would have more control over returning officers, it might help. I'm hoping it's going to assist.

Finally, having a specific ID number for voters I think will go a long way to making the list better as well. I think all of us tend to agree that having that type of number not only will assist us in the work we do on election day, but will also help to make the list better, because when somebody moves out of the riding, their number goes with them. It would help from that perspective.

The Chair: Mr. Gardner, please.

[Translation]

Mr. Gilbert Gardner: On the one hand, I think that, if a list were really permanent, it would be possible to improve it, to correct it permanently. That would be one way to improve the list. Using a single and permanent voter number, regardless of moves that occur over time, is also another way to locate electors very easily and quickly and to avoid repetitions that undermine the precision of the electoral list. I believe these measures are easy to implement and would make the list much clearer and more precise than it is today.

(1225)

[English]

The Chair: Thank you very much.

Mr. MacKinnon, would you like to make a brief comment?

Mr. Steven MacKinnon: On the issue of the validity of the list, the best I can say is that my friend from the Bloc has given us a good suggestion. Let's have better sources for that data. It is optional on your tax return, as you know. I don't know why it is an option. I don't know what the downside is for having your name on a permanent list of electors. If you do not avail yourself of your right to vote, then so be it.

That would be my fundamental observation. This has to be the priority for Elections Canada, simply put.

The Chair: Mr. Donison, you have a final word.

Mr. Michael D. Donison: On the improvement of the list, I think the specific ID number is a good one; it follows the voter. We should also be able to challenge the permanent list between elections. We could organize our parties at the ground level to do that. There isn't enough time during the normal 36 days—well, it was 55 this time.

On the issue of online voting, again I'm expressing my own personal view. I'm not expressing the party view—okay Joe? We've already been talking about ID problems. Wow. Can you imagine the potential for fraud if human beings do not have to physically show up and apply?

Mr. Joe Preston: They only have to show up with a magazine label; I'm not certain we have good enough security.

Mr. Michael D. Donison: I'm instinctively opposed. I think public voting should be public voting.

The Chair: Okay. Thank you very much.

Madam Picard is next, please.

[Translation]

Ms. Pauline Picard: Thank you, Mr. Chairman.

The question I wanted to ask the Bloc québécois representatives has already been asked. Improving the voters list by ensuring that voters are identified by a single number was a priority for the Bloc québécois. Everyone answered and seemed to agree. That would be a great improvement. Using a number would help those who prepare the list and those who identify individuals.

[English]

The Chair: Thank you.

You may go ahead, Monsieur Plamondon.

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour): I'd like to have your opinion on the tradition of having a representative from each party at the voting table during the election. There's the clerk, the deputy returning officer and a representative of each party. As we are heading into a century of extensive democratization and creation of a number of parties, one day there could be a clerk, a deputy returning officer and 12 individuals representing the parties at the table. Do you think it would be possible for the returning officer to appoint a person and to assign a person a list? That person would circle the names of individuals who vote, and that sheet would be posted at the door and would be available for all parties. Do you understand what I mean?

The Chair: Could you give very quick answers, Mr. Gardner, please?

[Translation]

Mr. Gilbert Gardner: On the one hand, before you got here, the principle that the returning officer gives the numbers of electors who have voted—with a single number, that would be easy—was already referred to. I would add, with regard to the clarification of the electoral list, that, if we also have the voter's date of birth, we'll then have another tool available to all parties that would make it possible to clean up the voters list.

[English]

The Chair: Are there any further comments?

We will hear from the NDP, please.

[Translation]

Mr. Eric Hébert: I'd like to add this. If there is to be a table where checking is done and the representatives are there to check and attest that the checking procedure is official, then perhaps it's less important to have people at each table.

[English]

The Chair: Mr. MacKinnon, you're okay?

Mr. Donison, would you have any comments?

● (1230)

[Translation]

Mr. Paul Lepsoe: I believe everyone will agree that the deputy returning officer, or the clerk, hands over completed bingo cards during the day. However, I think that the principle of the right of candidates' representatives to be there is important, for other reasons. Perhaps it would be enough for them to be at another identification table. Whatever the case may be, I believe we should maintain the principle of the right of candidate representatives to be there.

[English]

The Chair: Monsieur Plamondon, are you okay?

Thank you very much, sir.

Mr. Godin.

[Translation]

Mr. Yvon Godin (Acadie—Bathurst, NDP): I'd like to continue in the same vein as Mr. Plamondon. I don't know whether Elections

Canada has monitored this phenomenon, but witnesses from certain political parties are being paid \$75 to appear. It looks like there's not even any control: they're fighting to find out who can pay whom in order to be there.

I remember that, one time, a person came to conduct an audit at one of the polling stations. That person represented a political party and had been paid \$75. I checked that day to see whether anyone had voted for that political party; however, no one had.

I see there's a flaw in the act. Without accusing anyone, I can nevertheless say that someone is going around with a big roll of cash and paying people to be there. That wasn't even reported to Elections Canada. Perhaps there should be a limit, I don't know. You've no doubt heard about it, and I'd like to hear your comments on it.

Furthermore, with regard to donations for leadership races, do you think the age of donors should be stated? Is it normal for an 11-yearold child to be able to give a candidate \$5,000? I know it's becoming increasingly ridiculous. In these kinds of situations, we see that Canadians or other individuals no longer respect certain things. We introduced Bill C-24, and I'm proud of it. Unfortunately, people are finding flaws. If I wrote a \$5,000 cheque to my 11-year-old child, I'd be surprised if he was very proud to learn at 21 that I had withdrawn \$5,000 from his bank account. Just imagine! Seeing an amount of \$5,400 withdrawn from the account! I'd really like to know what you, as a representative of a political party, think of that, and to hear your recommendations for putting a stop to these practices. Don't tell me no one's violated the act! I don't want to hear that. I'd like to have recommendations for putting a stop to these stupidities because we're the laughing stock of a lot of people. We pass bills guaranteeing that we have the best solution. A political party introduced Bill C-24, but we're caught in ridiculous situations, and we're being laughed at.

I'd like to hear from you all. What solutions, what proposals or what comments can you give us to put a stop to these kinds of situations?

[English]

The Chair: Thank you.

We can start now with the Conservative Party.

[Translation]

Mr. Paul Lepsoe: As regards the payments to candidates' representatives, I believe it's a special tradition in the Maritimes that I'm not very familiar with. It's something...

Mr. Yvon Godin: No, it happened in Toronto this time.

Mr. Paul Lepsoe: Oh, that's nice. I thought it was unique to the Maritimes.

[English]

The Chair: Order.

Can we just answer the question, please?

Mr. Paul Lepsoe: The issue of donations made by youths is an example of the technical problems caused by Ms. McDonough's proposal. I don't know whether you were here, but the NDP is proposing that the purchase of a membership be considered a donation. Will we have to say that a person under 18 years of age may not become a member of a party because that would constitute a donation? That's a minor example of a technical problem.

● (1235)

Mr. Yvon Godin: We're not talking about \$5,400.

Mr. Paul Lepsoe: That's a minor example of a technical problem. If we say that membership fees constitute a form of donation, that causes technical problems that have to be taken into consideration. In principle, I believe that, in all parties, a person 14 or 15 years of age may take part in the party's activities. Can we deny that person the right to make a donation? I don't know. I believe the act is clear: to make a gift, you have to use your own money. If the act is complied with, is there really a problem? I don't know, but the act is very clear in that regard: you have to use your own money.

[English]

The Chair: Thank you.

Mr. MacKinnon, would you like to comment?

[Translation]

Mr. Steven MacKinnon: Mr. Godin and I come from the same province, and we are familiar with the political traditions with regard to deputy returning officers. There is indeed a tradition of paying people who work at the polling stations in the Maritimes. I don't see anything inappropriate about it, as long as those payments are recorded on the list of candidates' expenses.

As for contributions from youths under 18 years of age, I have learned that one of our party's leadership candidates repaid those kinds of contributions. We have responded to a public reaction in his case. I think that's appropriate in the circumstances.

Having said that, I share the view of my friend Mr. Lepsoe. Can we afford to go to court to prohibit a youth under 18 years of age from making contributions? Can a youth make a contribution to the political process provided it involves his or her own money? You have to be at least 14 years old to vote for a candidate for the leadership of the Liberal Party of Canada. You have to be at least 14 to be a young Liberal registered on our delegate list. We've previously seen youths taking part in a democratic exercise in a political party. In my opinion, we must act with extreme care in this regard.

I'll close by asking you whether you are sure that no one under 18 years of age has contributed to the New Democratic Party, and whether your procedures for remedying this kind of situation are adequate.

[English]

The Chair: We're not in a debate. Just an answer to the question would be appreciated.

Mr. Gardner.

[Translation]

Mr. Gilbert Gardner: It's nevertheless strange that, at the very time the government wants to lower the age of consent for other things, we're having a discussion about a person who can make a contribution.

More seriously, each party establishes rules regarding the minimum age for membership in the party. It seems to me that's a standard. I believe that no political party accepts 11-year-old children as members. That seems to me to be a bit much at that age.

The age of membership could serve us as a guide for determining whether it's possible for a person to contribute. If you consider that, at 16, a person may become a member of a political party, then that person can also support the democratic life of that party by contributing to it.

As to representatives' expenses, that's already provided for in the act. They must be reported. If people don't report them, they violate the Canada Elections Act and are subject to prosecution. To the extent that's done in accordance with the act, we don't have a problem, whether it happens in the Maritimes or Toronto.

The Chair: Thank you.

Mr. Eric Hébert: Mr. Godin raises a fairly important question concerning the representatives of political parties. That appears in the candidate's return, but it's now required that that be done in the candidate's personal expense return. That means it isn't accounted for in that political party's election expenses at the local level. To resolve this situation, it seems to me they should be told that, if they want to pay their representatives, that's an election expense subject to the expense limit. In my view, that would be the way to solve the problem, and we could examine that solution.

As for a person's ability to contribute, I also share Mr. Godin's concerns, but the present act allows a person to pay for someone else's membership. That already happens and it's not illegal. It happens, and we've consulted Elections Canada on the subject.

(1240)

[English]

The Chair: Direct the comments to the chair, please. Thank you.

[Translation]

Mr. Eric Hébert: Yes, absolutely.

As regards nomination races, people can legally buy memberships for other people, and that's considered as a contribution by them. This procedure already exists, although I find it somewhat bizarre. I believe this arrangement can be used to enable a 12-year-old to become a member of a party because, in general, 12-year-olds don't have enough income on their own.

I believe there are ways to resolve the membership issue and to establish sensible criteria for those who can contribute, particularly amounts of money, as we've recently seen.

[English]

The Chair: Thank you very much.

We're going to move very quickly to our third round. We are running out of time, but this is an interesting and important discussion. I'm going to ask that we go to a three-minute round. Keep your questions short. If we could have short answers, it would be great. Pick your best questions.

Mr. Maloney is next.

Mr. John Maloney (Welland, Lib.): I go back to photo ID. There's a growing consensus that it would go a long way towards preventing voter fraud. There's a practical problem in that some people don't have photo ID—seniors who don't drive any longer, who use an old Ontario health card that doesn't have a photo on it, and who don't have a passport. If you were going to put in the requirement of needing a photo ID, would there be an exception, and what proof would you require for the types of individuals I have just described?

The Chair: Is that question directed to anyone specifically?

Mr. John Maloney: It is to the panel.

The Chair: Thank you.

Let's start with the NDP on that side.

Mr. Eric Hébert: Once again, it's all about making sure we're not disenfranchising people, particularly those who aren't as well off as others, or seniors, or young people. I think photo ID per se is where we start crossing the line into the area you and we are concerned about

As long as I think there is some mechanism by which people can swear an oath or be able to do something along those lines that actually.... If they have to show ID and they don't have ID, then the exception is that they can swear an oath. I think that might be the way to do it, because right now they don't need to show ID at all.

If we go to the step of ID and then provide the oath as the backup for the ID, it might be the best way. Then you can also track who had to swear an oath because they didn't have ID, and you can track how many people asked for that particular approach. That would help us, I think, solve any problems that could happen in the future.

The Chair: Mr. Gardner.

[Translation]

Mr. Gilbert Gardner: I believe 90% of Quebeckers and Canadians have these kinds of documents. There should be exceptional measures for people who don't have them. If this measure is implemented, Elections Canada could advertise to encourage people to take those pieces with them when they go to vote. Those who don't have them could go to a mediation table, where people would be called upon to solve this kind of problem. Then, once the auditors were satisfied, the person would be allowed to vote on a certain number of conditions.

[English]

The Chair: Mr. MacKinnon, please.

Mr. Steven MacKinnon: I think anything that encourages participation, that ensures that we ensure people's proper identity is established, but that has the *souplesse* needed to mediate, as my friend says, or swear an oath or whatever, to establish identity... whether that is challengeable is I think a fair one. I would have, very clearly, some latitude for people who do not possess photo ID, and

ways in which they can establish their identity. Other parties or people would be able to challenge that identity if necessary.

The Chair: Thank you.

Mr. Donison, you're on board.

Mr. Michael D. Donison: I think the photo ID should be the base. There may have to be some exceptions—you gave an example—but I think we should start from the base, the principle. Everybody should know that's the operating principle.

Perhaps in the case of people who don't have them, as I say, an oath could be sworn at a registration table with representatives of all the parties there. Perhaps we could do what you do in the old world polls: you get someone whose ID has already been verified, who has already voted in the same polling station, to vouch for the person. That may be another way to deal with seniors and people like that.

There would probably have to be some exceptions, but I think the base operating principle should be that photo ID is required.

The Chair: Thank you very much.

Mr. Allison, give us your best question.

Mr. Dean Allison (Niagara West—Glanbrook, CPC): Thank you, Mr. Chair.

It's all been talked about so many times in terms of the list. We go back to that. I agree with the statements made by the witnesses who said we should be able to challenge that list over the course of time.

We go back to Mr. MacKinnon. You talk about Trinity—Spadina, the 12,000 added on election day—whatever the case was—and being able to go back and verify that over the course of the year. With regard to that, Mr. Donison, you talked about a special ballot and the idea that we should probably be able to go in anywhere and be able to deal with that. How would we verify it? Would that be handled in the same way as adding someone to the list?

I wanted the other witnesses' comments and thoughts on the special ballot. Should we try to make it more accessible across the country as well?

● (1245)

The Chair: Thank you.

Mr. Donison, please.

Mr. Michael D. Donison: Currently, with the special ballot, you can fax in to Elections Canada as a way to prove your ID. I'm just suggesting that people should be able to do it at the returning office. There's enough time before polling day. Instead of the trouble of having to mail it to make it arrive, perhaps the returning officer can simply facilitate in getting it to the other riding or, in this case, Elections Canada.

We should encourage the use of the special ballot as much as we can. We're a busy society now, and people often just can't make the other times.

The Chair: Is there further comment?

Mr. Steven MacKinnon: To pick up on that, we're a busy society, a society in constant motion, in which in urban areas especially, people are in different ridings, and so on.

I think in terms of the principle of yes, you must establish your identity, we need to firm up those procedures and make balloting more accessible. Wherever you may be or live—whether you're overseas, in another riding, or wherever—we should be establishing a fundamental principle in the process and in the act.

The Chair: Thank you.

Mr. Gardner, do you have any comment?

[Translation]

Mr. Gilbert Gardner: There's not really any problem with polling stations for those who have special ballots. However, we are told that more and more people think they can vote anywhere, even on election day. Until the electoral list has been computerized, it's completely unrealistic to think that we can allow people to vote wherever they want, at any polling station. As long as we record votes manually, that will be impossible, because a person can go to 25 different locations and we'll never know whether that person has already exercised his or her right to vote.

[English]

The Chair: Thank you very much.

NDP, you have the last word.

Mr. Eric Hébert: On the special voting regulations, in particular, I think one of the problems we have is this period between E minus 6 and election day. For whatever reason, if you intend to vote on election day but are hospitalized, or there are other problems, there's that window of disenfranchisement, as I call it. I think this is the problem with the special voting regulations. If there's some way to tighten that, we should be looking at it.

The Chair: Thank you.

Madam Picard.

[Translation]

Ms. Pauline Picard: In his presentation, Mr. Gardner suggested that, to make the process more transparent, we should recommend that returning officers be appointed by the Chief Electoral Officer, as provided in Bill C-2, but only after running in a competition open to the public, so that things are more transparent and we can get the most qualified people to perform this high office.

I'd like to know whether the other parties agree on this recommendation.

Mr. Steven MacKinnon: Yes.

Mr. Eric Hébert: Yes.

[English]

The Chair: Perfect.

Is there any Conservative comment?

Are there comments from the Bloc?

[Translation]

Mr. Gilbert Gardner: The Conservatives didn't make any comment. I'm prepared to wait if they want to think about it.

We're obviously entirely in favour of that. I think it's the only way to ensure transparency, in the eyes of Quebeckers and Canadians, with regard to the first step in the democratic process, which is the appointment of returning officers.

[English]

The Chair: Merci.

A voice: Absolute power already, Mr. Chair.

Some hon. members: Oh, oh!

The Chair: Are there further comments?

Mr. Michael D. Donison: I was asked that question in committee this morning.

The new Accountability Act sets up some strict criteria for merit appointment. I would trust Mr. Kingsley and the Canada Elections Act people to do that. An open, public competition, I suppose.... I think being a returning officer is a particularly unique job, and the act, if it becomes law, will bring enough protection.

The Chair: Thank you.

Madam Picard, are you fine?

[Translation]

Ms. Pauline Picard: Yes. Thank you.

[English]

The Chair: Monsieur Godin, you have the last word.

[Translation]

Mr. Yvon Godin: I want to go back to the youth issue. It troubles me a bit.

You didn't say this, but I believe it would be almost discrimination against young people to prevent them from taking part in the life of a political party. However, the act allows a parent to use the name of a one-year-old child, which is contrary to the spirit of the act. There is indeed no age limit. It was said that you need to be at least 14 to become a member of a political party and that, consequently, young people can give money from the age of 14. We won't start playing around with three or four-year-old children.

The government is currently very serious about children not having sexual relations before the age of 16. I believe that's discrimination in that regard. It wants the age of consent to be set at 16, but there's no problem when it comes to a 14-year-old who wants to give money to a political party. That was just a comment.

The other problem concerns signatures in order to become a candidate. We have to be careful. The number can be lowered to 50, but, if it's lowered to zero, anyone on the street can become a candidate. There would be no control. Someone has to be able to support a person who wants to run as a candidate. If the person who wants to run as a candidate can't gather 50 signatures, in the public's view, that person should not be a candidate because he or she doesn't have enough support. There wouldn't be all these people giving \$1,000. On the other hand, if a person who wants to run as a candidate doesn't need 50 signatures, anyone can give him \$5,000 because he wants that person to run.

So signatures are a form of protection, and I think we have to be careful about that.

● (1250)

[English]

The Chair: Are there comments from the panellists on that? I didn't hear a question in that. Are there any comments? We have exactly one minute and sixteen seconds.

Mr. Yvon Godin: If there are no questions, I would like to hear the comments on what I have said.

The Chair: Thank you.

Mr. Gardner, please.

[Translation]

Mr. Gilbert Gardner: We agree on the idea of keeping the number of registered voters per candidate at 100 so that a person can run as an official candidate. This practice exists. It's not a problem for us, and it guarantees a minimum degree of serious intent in candidates appearing on the list. There shouldn't be any homonyms simply to undermine the conduct of the vote.

[English]

The Chair: Is there any further comment?

Yes, Mr. Lepsoe.

[Translation]

Mr. Paul Lepsoe: I want to emphasize that the act is clear: a parent cannot make a donation on behalf of his one-year-old child. It is very clear that the child's own funds must be used to make donations. That's already provided by the act. I don't know whether that addresses your concerns.

Mr. Yvon Godin: We should conduct a survey on the way cheques are written. You're dreaming in technicolor if you think a five-year-old child has \$5,000 in the bank and wants to give it to a political party. Let's not dream in technicolor. Shouldn't we add a form of protection in the act to prevent these things from occurring and to prevent abuses?

[English]

The Chair: We'll take that under review.

Right now we have finished our third round, and I must thank everybody, members and witnesses alike. We've got through a lot of business today.

I would like to take a special moment to thank all the witnesses from the Conservative Party, the Liberal Party, the Bloc, and the NDP. I must say that you came very well prepared. You answered our questions directly. I suspect that our clerk will make sure that we have copies of your reports distributed to all members in both official languages.

I would also request that maybe if some of the members have other questions, they may get a hold of you in the next few days to seek answers, or if you think of things that you would like the committee to know about that you did not have a chance to get out today, please feel free to submit them to me. I will make sure that all members get a copy.

And finally, in closing, I just want to express our sincerest thank you. I know it was a busy day and a short time period. We appreciate you showing up before the committee.

Before the members leave, I'd like to just cover some reminders to the committee members. Next Tuesday we will be dealing with private members' business. The following meeting we will not have the Chief Electoral Officer or the commissioner here. We will continue with our conversation about this the meeting after that, when they will be available. There was a conflict in their schedules.

Is there any further business?

Thank you very much. The meeting is adjourned.

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