



ISSN 1180-5218

Legislative Assembly
of Ontario
Second Session, 41st Parliament

Assemblée législative
de l'Ontario
Deuxième session, 41^e législature

Official Report of Debates (Hansard)

Monday 28 November 2016

Journal des débats (Hansard)

Lundi 28 novembre 2016

**Standing Committee on
General Government**

Election Statute Law
Amendment Act, 2016

**Comité permanent des
affaires gouvernementales**

Loi de 2016 modifiant des lois
en ce qui concerne les élections

Chair: Grant Crack
Clerk: Sylwia Przedziecki

Président : Grant Crack
Greffière : Sylwia Przedziecki

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Hansard Reporting and Interpretation Services
Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES
AFFAIRES GOUVERNEMENTALES**

Monday 28 November 2016

Lundi 28 novembre 2016

The committee met at 1400 in committee room 2.

**ELECTION STATUTE LAW
AMENDMENT ACT, 2016**

**LOI DE 2016 MODIFIANT DES LOIS
EN CE QUI CONCERNE LES ÉLECTIONS**

Consideration of the following bill:

Bill 45, An Act to amend certain Acts with respect to provincial elections / *Projet de loi 45, Loi visant à modifier certaines lois en ce qui concerne les élections provinciales.*

The Chair (Mr. Grant Crack): Good afternoon, everyone. I'd like to call the Standing Committee on General Government to order. Today we are here to go through the public hearing process on Bill 45, An Act to amend certain Acts with respect to provincial elections.

We are on an order of the House. All delegations will have up to 10 minutes for their presentations, followed by nine minutes of questioning from the three parties. We'll be as fair as we can: three minutes, three minutes, three minutes.

I'd like to welcome all members of the committee, the Clerk's office, legislative research, Hansard and communications who are with us, and everyone who is going to be following the proceedings today. Welcome.

ELECTIONS ONTARIO

The Chair (Mr. Grant Crack): Having said that, we have three delegations before us this afternoon, the first being from Elections Ontario. We have the Chief Electoral Officer, Mr. Greg Essensa. With him, as well, is Mr. Batty, who is here. The floor is yours. You have up to 10 minutes, and we welcome you—

Ms. Ann Hoggarth: Point of order.

The Chair (Mr. Grant Crack): Point of order, Ms. Hoggarth.

Ms. Ann Hoggarth: I'm assuming that the Ontario Public School Boards Association has withdrawn?

The Chair (Mr. Grant Crack): I don't have them on my agenda at this point.

Ms. Ann Hoggarth: Thank you.

The Chair (Mr. Grant Crack): So we will continue with Elections Ontario. Mr. Essensa, the floor is yours, sir.

Mr. Greg Essensa: Thank you, Mr. Chair, members of the committee. Thank you for inviting me to speak to you this afternoon.

I became the Chief Electoral Officer of Ontario in 2008, and this is the ninth time I have appeared before a committee of the Legislative Assembly to speak about the administration of elections.

Over the past eight years, as changes have been made to our election laws, I have come before committees and encouraged the assembly to modernize the electoral process. Almost eight years ago to the day, the very first time I spoke at Queen's Park, I said these two things to the Select Committee on Elections: (1) Modernization requires a flexible legislative framework, and (2) Elections Ontario needs to preserve the integrity of the electoral process and put the needs of electors first.

That message has been the enduring theme of my submissions to committees and my annual and election-related reports to the assembly.

I think Bill 45 is the culmination of a long and important policy dialogue. I think the provisions acknowledge that elections need to keep pace with modern-day realities. If these changes are adopted, I think it will help to move election administration into the 21st century.

Today, I would briefly like to address three topics:

- (1) the timing of legislative change;
- (2) proposed refinements to Bill 45; and
- (3) the 2018 general election and beyond.

In 2009, in my first report to the assembly, I made a specific suggestion about election-related legislative changes. I recommended that the Election Act permit my office discretion to delay the implementation of requirements introduced within the six months before a general election. This provision would help protect the integrity of the process and ensure that Ontario's elections are administered successfully.

Let me explain why: Conducting Ontario's provincial elections requires years of advance planning and logistical support. I urge this committee and the assembly to pass this bill before it rises in December. If not passed, we will not be able to procure the technologies we wish to use in June 2018.

Expenditures required for legislative change cannot be made until a bill receives royal assent. If my office incurs such expenses before enactment, we would be in contempt of the assembly and be held to account by the Auditor General.

Elections Canada and Elections Quebec each have a similar provision in their legislation. I still recommend that we have a similar provision to our statute. It is more than reasonable to allow for six months' lead time to implement logistically complex processes. This is equally true in respect of Bill 45.

The provisions in Bill 45, as drafted, all take effect January 1, 2017. There are a number of sections of Bill 45 that I would request take effect no sooner than July 1, 2017.

Let me now turn to those specifics, among other refinements, that I hope you will consider.

There are five reforms that I would recommend be delayed for six months to allow for proper implementation. I have footnoted the precise section numbers of Bill 45 in my remarks, but let me review them with you in a summary manner.

(1) There are several amendments that relate to the permanent register of electors for Ontario and the distribution of products containing elector information.

(2) There are three amendments concerning the establishment of a register of 16- and 17-year-olds.

(3) There are four amendments, including changes to both the Election Act and the Election Finances Act, which completely overhaul the candidate nomination, registration and endorsement process.

(4) There are three amendments that make changes to advance polling times, information provided to scrutineers, and inspection of election documents.

(5) There is an amendment that establishes a new system of enforcing the rights of access for canvassers.

The mandate of Elections Ontario is to be election-ready at all times. Even with a fixed-date general election in 2018, we have to be ready to administer by-elections at any time. If the provisions I have listed above are enacted in December 2016, my office cannot guarantee we will have the necessary processes and systems in place in the space of a few weeks. To provide such a guarantee, we need until July 1, 2017.

Recognizing the principle that legislative amendments require adequate time to implement, I am very concerned about the timelines for implementing boundary changes in northern Ontario. Let me turn to that subject.

I have long advocated that Ontario needs a regularly scheduled process for redrawing our electoral map. We are the only province without one. If electoral boundaries in northern Ontario are to be redrawn, I am in favour of a commission being appointed. I think commissions are ideally suited to do this work. They allow communities to make their views known in a non-partisan setting to independent commissioners. Without such a process in place, communities like the residents of the Wahnapiitae reserve may feel marginalized. As Chief Electoral Officer of Ontario, that really concerns me.

I am happy to participate in the proposed Far North Electoral Boundaries Commission, and I am happy that it has to complete its work within three months. However, I am very concerned that the required legislation changes, many of which are known now, do not have to be

introduced until the end of October 2017. They do not have to be enacted until the end of 2017. That is simply too late; the election will be called within five months. I recommend that the deadline for enacting the legislation should be October 31, 2017.

My next suggestion concerns the duration of the writ period. I am very glad that if Bill 45 is passed, the date of the general election will be in June 2018. I have suggested for many years that a spring provincial election date is best. I am also happy to see that if Bill 45 is passed, my office has the mandate to modernize the voting process by adopting technology in voting locations across Ontario.

I do recommend that the Election Act be amended to create a longer election writ calendar, to allow for the printing of ballots and the testing of the technology. The current election calendar is 29 days. My post-event report for the 2014 general election outlines some key benefits of a 36-day election calendar. With the introduction of technology into the election process, it is even more important to create sufficient time for quality control on the printing of ballots and in logic and accuracy testing of the technology itself.

My last recommendation also touches on the use of technology. When I made my first recommendations to the assembly in 2008, I spoke of the advantages that new technologies provide to all and, in particular, to persons with disabilities.

I believe there is a drafting error in Bill 45. While I may not normally speak of drafting errors before committee, there is one I need to address here. The new section 4.6 of the Election Act, which affords my office discretion to employ voting equipment in polls across Ontario, is problematic. It is worded in a way that prohibits me from deploying assistive voting devices other than in a returning office during the advance vote period. I cannot believe that that was what was intended. It does need to be fixed.

Having made that final recommendation, I would like to conclude with some last comments about the next general election and beyond.

If Bill 45 is passed, the next election will be called 18 months from now. We have a lot of work to do at Elections Ontario. We are going to be transitioning to processes and systems that will start to bring us into the 21st century of election administration. And when I use the word "start," I do mean start.

The goal I have set for my office is that we will continue to modernize the electoral process. I see the changes we plan to introduce as the start of a continuum of innovation in elections well beyond 2018. I have often spoken to the assembly of the administrative efficiencies that such changes can bring.

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Quite apart from that, however, these changes help the voting process to remain relevant to our citizens. My focus is on the future of elections in Ontario. Bill 45, if passed, helps to provide my office the tools it needs to get down to the work of building that future. I can also

assure the assembly that if and when I see the need for future legislative change to modernize elections or protect the integrity of the electoral process, I will be sure to make my views known.

I thank you for the opportunity to speak to you again, and I look forward to your questions.

The Chair (Mr. Grant Crack): Thank you very much. We will start with the official opposition. Mr. Hillier.

Mr. Randy Hillier: Thank you, Mr. Essensa, for being here today, once again, at general government. We don't have a lot of time for deliberations on this bill, obviously. However, there are three elements that I would like to hear your view on, in addition. Hopefully we'll have some time to go deeper into your recommendations.

The first is suspending the initial blackout period, the administrative penalty for lack of access to buildings, and also your view on effective representation with the creation of one or two new boundaries in ridings in the north.

Mr. Greg Essensa: Thank you, Mr. Hillier, for the questions. With respect to suspending the blackout period, I have long advocated that the blackout period at the very beginning of the process had been put in place many, many years ago to prevent the sitting current government from effectively capturing all of the media broadcast airspace. Quite honestly, with the amount of opportunity for different vehicles and different forms for media, it was somewhat out of date and very difficult to enforce, to be perfectly honest.

I had advocated very strongly that we needed to eliminate that, especially given that we have also moved to fixed dates. I think the time—

Mr. Randy Hillier: Except for by-elections.

Mr. Greg Essensa: With the exception of by-elections; correct.

Mr. Randy Hillier: And the blackout period would no longer exist for by-elections as well.

Mr. Greg Essensa: Yes, it would. That is correct. It would not apply for the by-elections.

Mr. Randy Hillier: So the government would have an advantage because they're choosing the by-election date, and they would still be able to use that to their advantage for advertising etc.?

Mr. Greg Essensa: I actually think that when the original provision was written, we did not have as many different vehicles for communicating with electors that we do today. It was primarily written with the purpose in mind of preventing the government from tying up all of the TV, radio and billboard advertising space. I see in today's society we have a wide array, with the utilization of the Internet and other vehicles and social media that were not available during those periods of time. So I don't necessarily see the need any longer for that original blackout period.

Mr. Randy Hillier: We only have minutes. We'll zip through the other two.

Mr. Greg Essensa: Sure. The administrative penalty provision was brought forth primarily as a recommenda-

tion through the political advisory committee through my office. We have heard a number of times from parties both large and small that they have had a very difficult time entering multi-unit residential areas to canvass. Many times, superintendents or landlords would prevent canvassers from actually accessing those buildings.

Mr. Randy Hillier: Would it be prevention or would it be just—I can see, in any building where there is a concierge service or whatnot, that access is pretty easy, I would think, generally speaking. Where I run into the problem is for multi-unit residential buildings that don't have those sorts of concierge services and people being subject to a penalty because of their operations of the building.

Mr. Greg Essensa: As you will note in my opening comments, that's one of the areas that I've asked for some additional time for us to develop a series of standards and guidelines that we would be able to work with landlord and tenant associations across the province so that they would clearly understand their responsibilities. You are correct: There are a number of buildings in the province that have moved to no concierge or no superintendent on board. Our office would need to address that in a reasonable fashion so that those individuals—the owners of those buildings, the landlords—would be given reasonable notice to be able to provide access in a timely fashion. And should they fail to do so, then they might be subject to the fines that are anticipated in the bill.

The Chair (Mr. Grant Crack): Thank you very much.

Mr. Randy Hillier: How about effective representation?

The Chair (Mr. Grant Crack): Well, you're already a minute over.

M^{me} France Gélinas: I'll seek unanimous consent that he finish his question.

The Chair (Mr. Grant Crack): Do we have unanimous consent that Mr. Hillier continue?

Interjection: Sure.

The Chair (Mr. Grant Crack): I'll provide some flexibility over the course—we do have four hours, but this is an order from the House as well. So go ahead.

Mr. Greg Essensa: The northern boundaries commission that is envisioned in Bill 45, in my understanding, provides the opportunity to separate the two most northern ridings into either one additional riding or two additional ridings to provide for—my understanding of the debate, my understanding of the intention of the bill is to provide greater representation, particularly to the aboriginal community in the Far North. I have long supported the view that anything that provides greater opportunity and involvement of that community, that is somewhat marginalized in our electoral process, is a healthy amendment for the Legislative Assembly to consider.

The Chair (Mr. Grant Crack): Thank you very much. Ms. Gélinas?

M^{me} France Gélinas: Two questions: The first one has to do with Wahnapiatae First Nation. I have written to

you before and so has the chief of Wahnapiatae written to you to put the First Nation of Wahnapiatae into the riding of Nickel Belt rather than Timiskaming–Cochrane, where it now resides. Do you see this bill as an opportunity for this Legislature to finally do that?

Mr. Greg Essensa: I believe that when the Representation Act, 2015, was enacted, it was a missed opportunity to fail to recognize that the Wahnapiatae reserve was best located in Nickel Belt. It's the electoral district with which it has the closest community of interest. As you clearly indicated, yes, the chief has written to me. I have long advocated to the government that they should consider this. I think there is an opportunity with the establishment of the northern boundaries commission to rectify this issue.

M^{me} France G  linas: Thank you. My second question is that I know that you are happy to leave the consultation to three months, but I want to read this from the Nishnawbe Aski Nation. It says, "We understand that one of the stated goals of this proposed legislation is to increase representation of First Nations in the north. We are greatly concerned that the government of Ontario has made no meaningful attempt to consult or engage with NAN, especially our First Nation in the affected electoral riding, prior to the introduction of this legislation. If the goal is to benefit representation of First Nations, appropriate consultation and community engagement should have been held before the introduction of this legislation."

I'm reading this because if they were to ask for longer than three months to do the consultation so that there could be meaningful engagement, none of which has happened, would you support them?

Mr. Greg Essensa: My concern would be the time it would take to enact the law. For us at Elections Ontario, although it is a relatively small change, it still has significant implications for the products and processes which we put in place to deliver the 2018 general election. I would have some concern if it elongated the period where the law would be finally introduced. As I indicated in my speaking remarks, I already think the bill is somewhat problematic by indicating that the law will not be put in place until the end of 2017.

M^{me} France G  linas: Okay. But three months—I mean, if this starts in January, February, March, and then nothing happens until October, what's wrong with making the consultation process a little bit longer if nothing is going to be introduced till the fall session anyway?

Mr. Greg Essensa: Certainly the consultation process, depending on the scope and scale in which the commission determines it wishes to do consultation—my office, under my understanding of the bill, is charged with providing the administrative support. We've already begun the process of developing a number of scenarios for the Chief Justice to consider on how we would do consultation in this commission. But ultimately, it will be up to the Chief Justice to give direction on that.

M^{me} France G  linas: So there is some openness to meet the needs of NAN and its leadership and its representatives?

Mr. Greg Essensa: For sure.

M^{me} France G  linas: Thank you.

The Chair (Mr. Grant Crack): We shall move to the government. Mr. Colle.

Mr. Mike Colle: Thank you for your recommendations. I think they're very helpful.

In terms of the access to condominiums and multi-residential buildings, I find in my experience, whether there are concierges or doormen or whatever it is, they still basically deny you entry. It's common practice. So one of the things I wonder if you are going to—do you notify the owners of these buildings that they're required to undertake certain guarantees that they allow canvassers in the building during the election period?

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Mr. Greg Essensa: We have long notified multi-residential building units across the province, whether they be apartments or condominiums, of their requirement to allow canvassers—over many, many general elections. The issue that has often happened, as you indicated, Mr. Colle, is that even with that notification, many landlords, many superintendents, refuse access to canvassers, and there is very little recourse. We can write back to them, but if they continue to refuse access, it makes it very difficult on the particular candidate or political party to gain access.

My understanding of the provisions in Bill 45 is that they do direct us—and direct me, as Chief Electoral Officer—to develop a process where we would, in fact, allow for canvassers to access those buildings; and, should a superintendent refuse access, they would be subject to a fine, as outlined in the bill.

For us at Elections Ontario, we are looking at how that process would unfold, what's a reasonable period of time, if a canvasser showed up at a building and they were refused access—that there would be some notice provision provided. We are quite understanding of the very short electoral time period, so the notice provision would be relatively short—but the exact process that we would follow and how we would be communicating and articulating that to all of the owners in the condominium and apartment complexes across Ontario.

Mr. Mike Colle: The second question is about accessibility. There are different standards for accessibility between the federal, provincial and municipal elections. Have you ever had discussions with your counterparts at the other levels about getting uniform accessibility standards for polling stations?

Mr. Greg Essensa: Yes, we've had multiple conversations, particularly with Elections Canada, on adopting a similar standard for accessibility. Unfortunately, the legislative regimes in both the Canada Elections Act and our provincial Election Act are not the same. We have advocated for the longest period of time that those accessibility standards should be the same. There should be one commonality that we approach.

Municipally, again, it's more difficult, because many of the municipal councils are the ones that direct and drive what those standards are for their jurisdiction.

Mr. Mike Colle: Yes, because this has been very problematic.

The second part of that is, is there any discussion about having common polling stations? In the last round of elections, we had one election follow the other, and the polling stations kept on changing, so therefore people showed up at the school, and they said, “Oh, no, we’re not at the school. We’re down the corner at another building.” Is there any discussion about common polling stations so people would know that, every election, there is a polling station at the local school, for instance?

Mr. Greg Essensa: We have had multiple conversations. The outgoing Chief Electoral Officer of Canada and myself have a very, very common view on this. We believe that every citizen, if they go out their door and turn left to the community centre for a federal election, should go out their door and turn left to the community centre for a provincial election and a municipal election.

However, based on differing standards, based on differing access to facilities—for instance, federal returning officers do not have direct access to schools. They can go to the school, but in the province of Ontario, the school is not mandated to provide them that location. Some schools do; some schools don’t. Therefore, you immediately have a difference based on that.

We have long advocated that there should be a common set of laws across the country that would provide for every elector in the country to go to the same location to vote municipally, provincially or federally.

Mr. Mike Colle: The last question is, with the “vote at” cards, in the last provincial election, no one could read the writing. It was microscopic. I got so many complaints from seniors saying, “What does this say? I can’t read it. When is the advance polling date? The writing is so small.” Can we increase the size of the font, at least, in the next provincial election?

Mr. Greg Essensa: I think you will see us completely overhaul the voting card, based on the utilization of technology. For those of you who witnessed the Whitby–Oshawa by-election, the pilot that we ran there, we actually used the voting card as an ability to authenticate the residence of each elector, and we scanned the barcode on that. Based on Bill 45, allowing us to use technology more fulsomely across the province, we will now be looking at revamping the entire way that that card looks and, yes, we will be increasing this—

Mr. Mike Colle: The last little—

The Chair (Mr. Grant Crack): No, thank you very much. Sorry, Mr. Colle. I was kind of generous to you all.

Mr. McDonnell?

Mr. Jim McDonnell: I was wondering if, by permission of Mr. Essensa, if he’d be available after we’re done here for an extra round of questioning, because it is important, this bill. We do have lots of time between 3 o’clock and 6 o’clock, if that was available.

The Chair (Mr. Grant Crack): So what exactly are you asking?

Mr. Jim McDonnell: If it’s okay with Mr. Essensa if the committee would entertain another round of, say, five or 10 minutes of questioning each.

The Chair (Mr. Grant Crack): Are you asking for unanimous consent on that?

Mr. Jim McDonnell: I am, yes.

The Chair (Mr. Grant Crack): Okay. There has been a request for unanimous consent. Mr. Rinaldi?

Mr. Lou Rinaldi: Just for clarification from the Clerk, I believe this is an order of the House and I’m not sure if we can do that.

My other second question, I don’t know about the members opposite but I have another committee to get to. I know this was scheduled until 6 o’clock, but when I looked at the presenters—I’ve already made other arrangements. I just bring that up as a bit of discussion.

The Chair (Mr. Grant Crack): Thank you, Mr. Rinaldi. The order of the House was silent on any of the details. The direction that I provided with the Clerk was that we would use a similar process as we did with Bill 2, but if the committee decides or requests through unanimous consent that they would like to entertain something different, I will, as Chair, entertain that request.

We do have a request that we ask the electoral officer to come back.

Mr. Rinaldi?

Mr. Lou Rinaldi: Chair, could we be a bit more specific on the unanimous consent? Are we talking five minutes, 10 minutes, an hour? Because I think we need some parameters. Otherwise, I have to make other arrangements.

Mr. Mike Colle: Could I move that we have five minutes each per caucus, with the officer still here?

The Chair (Mr. Grant Crack): At this particular time?

Mr. Mike Colle: Yes, let’s get it done now.

The Chair (Mr. Grant Crack): Oh, and you would like to delay the other two presenters?

Mr. Mike Colle: Yes, if possible.

The Chair (Mr. Grant Crack): Why don’t we take a couple of minutes’ break, maybe three, so that the Clerk can request—if the other two presenters are here, I want to make sure that that’s okay with them, as well.

Mr. Mike Colle: Sure, absolutely.

The Chair (Mr. Grant Crack): Okay, so we have one. Are you Mr. Gunn?

Mr. Taylor Gunn: Yes. I’d be happy to wait and give my time to Mr. Essensa and have a seat here so you carry on for 20 minutes.

The Chair (Mr. Grant Crack): Waive your time and then not present at all?

Mr. Taylor Gunn: No, I would just delay it for a little bit.

The Chair (Mr. Grant Crack): Okay.

So now, is Mr. Roque, the chief, here from the—

Chief Ted Roque: Yes, I’m fine waiting.

The Chair (Mr. Grant Crack): You’re okay as well? Okay. Well, respectfully, we appreciate that.

So now there is some entertainment here of unanimous consent for an extra five minutes at this time for each party to question and comment with the electoral officer.

Now I should ask you, Mr. Essensa: Is that okay with you, sir?

Mr. Greg Essensa: I have a prior commitment that I have to leave at 3:15 for, so I do have time right now.

The Chair (Mr. Grant Crack): Okay. So right now we do have the 15 minutes available. Do we have unanimous consent for this? Agreed.

So we'll continue with Mr. Hillier, five minutes. I'm going to stick right on the five minutes.

Mr. Randy Hillier: Thank you. Just to follow up on that effective representation and your recommendation about that the legislation must be enacted by October 31 in order for you to be able to meet the June—would that still be enough time for the local riding associations to do everything that they need to do in order to be ready for the June 2018 election?

Mr. Greg Essensa: That is, quite honestly, a question I can't answer. That would be up to the individual parties. I know, from Elections Ontario's perspective, being able to register new riding associations, being able to provide some guidance and some training, yes, it would be enough time. But I can't speak from a party perspective as to how long that would take for them to ramp up new riding associations, etc.

Mr. Randy Hillier: Yes, I've often seen that. We usually leave between a year and a year and a half for the parties to reconfigure their riding associations to meet those boundary changes.

Mr. Greg Essensa: I have not disagreed with that, Mr. Hillier. I've seen it take a substantial amount of time. But, depending on the willingness of the party to move as quickly as possible, I could easily see them also doing it in six to nine months.

Mr. Randy Hillier: Pass it over to Mr. McDonell.

The Chair (Mr. Grant Crack): Mr. McDonell.

Mr. Jim McDonell: Thank you, Chair. I know we've had that discussion before about the election lists that you provide, the voters list. Any comment or, I guess, movement on that? Because, really, we have three different voters lists in this province and they're all bad, whether it's municipal, provincial or federal. We spend a lot of money on three lists—and just providing one.

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Mr. Greg Essensa: I have advocated in the past that I believe that there should be only one list for the province. I do believe that eventually we should morph to the Permanent Register of Electors for Ontario that we hold in Elections Ontario—that it should also be used for municipal elections in Ontario.

It is problematic, from my perspective as Chief Electoral Officer. We receive many, many complaints on all sides whenever there's a federal election, municipal election and/or provincial election. Many of you have expressed your concerns to me about the fact that individuals who have long been located at locations, who have been on various lists for a long period of time,

suddenly disappear and no longer receive important voter information cards.

The challenges in having three sets of lists, three sets of data that rotate between Elections Canada, ourselves, the Ontario Registrar General, MPAC—from the Municipal Property Assessment Corp.—as well as all of the other peripherals of information—Teranet, Canada Post, etc.—makes it increasingly difficult to keep an accurate list.

I have long advocated as well that we need to somewhat change the paradigm. In our British parliamentary Westminster system, it is the responsibility of the state to ensure that we have all the appropriate information of all of the electors at the right location at the right times. I do believe that there needs to be some onus put towards the electorate as well.

I think you will see us engage, as part of our transition and modernization approach to 2018, in a very active list management and elector engagement strategy where we'll be coming to every riding and encouraging electors to validate their information on our register, using our e-registration tools and other tools that we will provide to them.

The message to them will clearly be: If you are on the list and we get you a card, we will now, with the technology that we are putting in place, be able to service you in a minute or less. It's imperative that electors take that extra time to check that we have their information correctly.

A general answer to your question: Yes, I have advocated for a long period of time that there should be only one list that we use for both provincial and municipal elections here in Ontario.

Mr. Jim McDonell: I just know that from my time at MPAC they have zero tools, zero enforcement. They get a list of electors and really don't believe that they're the right entity to do it. They're mandated and they charge for it and I think would viably give that up to an overall voters list.

Mr. Greg Essensa: I would concur. I believe that with the amount of time, energy and resources that we allocate toward the permanent register, we could as well effectively provide the municipalities with the same list.

Mr. Jim McDonell: There's a lot of discussion around voter ID at the polls. Do you see any changes that should be made at that point? ID at the poll: What is needed when a voter shows up that they're on the list if they're not on the list?

Mr. Greg Essensa: I think the most important element for electors is to ensure that we have them at the right location at the right time. I would tell you, from all of our studies that we do after every single election, that the most defining element of the election that electors get in Ontario is that "vote at" card. We see it. When we issue the induction of the "vote at" cards, the 9.5-million "vote at" cards around the province, we see an incredible spike in our telephone calls.

Ontarians, as a whole, utilize that card. It is the prime piece of evidence that they are eligible to vote. It tells

them where to vote, when to vote and what they need to vote. That's why I'm strongly looking to encourage Ontarians to use every tool possible to make sure we have them at the right address at the right time.

The Chair (Mr. Grant Crack): Thank you very much; appreciate it. We'll move to Ms. Gélinas.

M^{me} France Gélinas: Thank you. Again, I want to bring some concerns that were put forward by the Nishnawbe Aski Nation, NAN. Basically, I'm reading from them. "We accept and welcome the intent to increase representation to First Nations communities in the north, but we question why the scope of the commission is limited to just one or two electoral districts." Then they ask, "Did this come from recommendations of the CEO"—they're pointing to you as the CEO—"or a political direction?" Can you shed some light as to why it is that the mandate of the commission, without them even having started, has already decided that the outcome will be one or two? Did you recommend this? Where does that come from?

Mr. Greg Essensa: I made no recommendations pertaining to the far northern boundary commission. My recommendations to the assembly have always been that we need to have a regularized process to review the electoral districts here in Ontario, and it needs to be in statute.

Clearly with the Representation Act that was put in place in 2015, I was supportive because, quite honestly, we had not had anything done and we were very susceptible to several charter challenges by many of the districts where we were far exceeding the plus or minus 25% variance from the median average that is the accepted norm for fair electoral representation in this country. So I was very supportive of the Representation Act. However, I don't think it went far enough because it does not establish a regular process for us in Ontario that automatically initiates a review of our electoral districts.

M^{me} France Gélinas: How often would you like this review to take place?

Mr. Greg Essensa: I think it should be consistent with the federal boundary commission, which is once every 10 years.

M^{me} France Gélinas: Once every 10 years? Okay.

Another question that comes from the Nishnawbe Aski Nation is that right now we have identified two ridings: Kenora–Rainy River and Timmins–James Bay. Those two ridings do not follow the treaties whatsoever. They do not follow the way First Nations are already organized for communication purposes and for transportation purposes. It sort of makes very little sense for them—not that I want to talk for them, but I am quoting from NAN.

Was it your recommendation that only those two, and within those geographical boundaries, that us, as in "us white men," decided that it was going to be this, and then the First Nation has to live within our preconceived notion of how they should be organized?

Mr. Greg Essensa: As I indicated, I made no recommendations with respect to the far northern boundaries commission.

M^{me} France Gélinas: So would you be opposed, then, to have more leeway? Because right now there is a little bit of Treaty 3 that is within this that have no way to be consulted or have a voice in this—the NAN territories—to expand the geography to follow more closely the way First Nations are already organized.

Mr. Greg Essensa: I would caution how much expansion would be provided in the far northern boundaries commission, given where we are on the electoral calendar. With the changes in Bill 45, we are voting at the very beginning of June in 2018, which is effectively 18 months from now. I do support consideration of communities, like the Wahnapiatae reserve, which I think are egregious missed opportunities that I think could be adopted. I would be reluctant and hesitant, though, to open it up entirely. I think that that might jeopardize the timelines under which the assembly would be able to provide the final bill and allow Elections Ontario to do the necessary work to be ready for June of 2018.

M^{me} France Gélinas: Okay, understood. Thank you.

I guess my last comment is that the very tip of the riding of Nickel Belt and the very tip of the riding of Algoma–Manitoulin are actually further north than Timmins–James Bay. I go north of where Timmins–James Bay starts—just a little bit west of them—and there happen to be First Nations that live there, but they're out. If they happen to be in Algoma–Manitoulin or Nickel Belt, it doesn't matter that they're part of the same treaty area and that they communicate together; there's no way to get them in.

Mr. Greg Essensa: As I said, the scope of the northern boundaries commission, as I understand it in Bill 45, is relatively restrictive. If there are small amendments that the justice feels that there is adequate time to consider in that scope, again, I would be supportive, but I would caution him or her that if that additional scope creep changes the timeline under which it reports back to the assembly and the ultimate introduction of any changes—if I feel it jeopardizes the introduction prior to June of 2018, I would be against it.

M^{me} France Gélinas: Who will select the two indigenous people to sit with the justice?

Mr. Greg Essensa: I'm not aware of that. I presume it would be a recommendation from cabinet to the Lieutenant Governor, but I can't speak to that.

M^{me} France Gélinas: You won't have a say in this at all?

Mr. Greg Essensa: I don't believe so.

M^{me} France Gélinas: Those people will be appointed? If they ever ask for your opinion, make sure that they ask NAN to have a say on it, because if those two indigenous people are selected by the Legislative Assembly without consultation with the First Nations and indigenous people, this process is doomed to failure. Just want to put that on the record—if they don't ask for your opinion, maybe you should still give it.

1440

The Chair (Mr. Grant Crack): We move to the government. Mr. Colle.

Mr. Mike Colle: Just on the “vote at” card: As much as it’s very important to have the voter card, I think there are some serious problems with it. That is, first of all, as I said, the font last time was not readable at all. The other thing is the fact that in the mail today you get about 20 or 30 cards a week in an average household: real estate, pizza places—they’re all about the same size, but variations of different advertisements. People tend to throw cards out. How do you distinguish the importance of the “vote at” card from all the other cards that they get by the dozens?

Mr. Greg Essensa: I think it’s a culmination of things, Mr. Colle. I believe it really has to be a coordinated communication effort that our office puts out, that we work with the political parties, to ensure that everyone understands when the “vote at” cards are coming. It has to include the advertising that we do, both in television and in radio and in various other forms of media, to indicate that the cards are coming during this timeframe.

I can tell you that we see an incredible spike in our call centre when the cards are first inducted. If Aunt Mary receives the card and her sister doesn’t, her sister calls us immediately. Our calls go through the roof.

Mr. Mike Colle: We receive the same spike of people who don’t get the cards.

Mr. Greg Essensa: Absolutely. The one thing that is consistent amongst all levels of electoral administration in this country is the utilization of those cards, whether it be municipally, provincially or federally. All three levels use it. It is a staple of our electoral administration. Are there things that we can do to make the card a little bit more noticeable? Certainly. Those are things that we’re reviewing now and considering what changes we will put in place for 2018—

Mr. Mike Colle: Would you consider putting the cards in an envelope?

Mr. Greg Essensa: I know that there are some municipalities that have done that in the city, and yes, we have looked and considered that option as a possibility.

Mr. Mike Colle: The other issue is—I think half the population of Ontario has English as a second language. Is there a communication rollout about election procedures and dates to multi-language outlets?

Mr. Greg Essensa: We have a very aggressive outreach campaign where, for any language that represents 3% within an electoral district, we produce materials in. We provide that. We have over 4,000 community, non-profit and NGO groups that we liaise with regularly. We provide them information in their home language on what the electoral process is, what they need to know: when to vote, where to vote, how to vote and what they need to do to get themselves—

Mr. Mike Colle: How about media advertising? Do you need added revenues to basically do multimedia outreach to the second-language population?

Mr. Greg Essensa: The way the election process works is that I do have a great deal of flexibility when it comes to administering the election from a spending perspective. Certainly from a media perspective, we

ensure that whatever monies we put in place, there is an adequate distribution of media throughout the course of the province. We ensure we touch upon all areas of the province in a wide array of media forums, whether that be television, radio, billboard, print, social media, through the Internet, banner advertising, etc. We use all forms of media. I don’t feel that we have any restrictions that would prevent us from using—

Mr. Mike Colle: I think the more multimedia that you use, the better, because—radio, or digital.

The other thing is about the training of election officials. We had a major confrontation with the Elections Ontario people—I don’t know if it was this election or the past one, where the returning officers were instructed to only accept an X. They said, “All other marks are illegal.” I don’t know how many lawyers we had to send in to battle your officials to say that the act does not read that, “Solely an X is the acceptable mark.” The act reads “any identifiable mark,” if I’m not mistaken, is it not?

Mr. Greg Essensa: It’s any identifiable mark within the circle beside the candidate’s name.

Mr. Mike Colle: I think it would be really helpful if there was better training of returning officers, because this was—again, this caused a great deal of consternation and resources and so forth because the officials insisted, “Only an X.” In this day and age, that’s unbelievable.

Mr. Greg Essensa: I will certainly ensure that we improve the training of the returning officers. That is not what the law says, and it’s not what we support at Elections Ontario.

Mr. Mike Colle: Even though we showed them the act, they still would not accept—they said that, in training, they were told it was just an X.

Mr. Greg Essensa: We will review those processes prior to 2018.

Mr. Mike Colle: Okay, thank you.

The Chair (Mr. Grant Crack): I thank you, Mr. Essensa and Mr. Batty, for your patience and for spending extra time with us this afternoon. It’s much appreciated.

CIVIX

The Chair (Mr. Grant Crack): Next we have on the agenda, from CIVIX, the president, Mr. Taylor Gunn, with us this afternoon. Welcome, sir. How are you?

Mr. Taylor Gunn: Good. You?

The Chair (Mr. Grant Crack): Good, thanks.

Mr. Taylor Gunn: I’ll hand the Clerk just something to start handing out. Then, if it’s necessary, I have some additional stuff.

The Chair (Mr. Grant Crack): That’s fair enough.

Okay. Thank you very much. Everyone has a copy. We welcome you again, Mr. Gunn. The floor is yours for up to 10 minutes.

Mr. Taylor Gunn: Thank you so much. I’m just going to make sure I have the attention of Mr. Colle and Mr. Berardinetti.

I'm here with you today because my job is to be concerned about our future voters. For the last 14 years, starting out of our parents' basement and now at our national office, headquartered in downtown Toronto, we've coordinated programs that attempt to build the habits and skills of citizenship within students under the voting age. I wanted to quickly go over some of our successes because they relate to the conversation, talk about a challenge that we face with the new election date, and then touch on some of the preregistration of future voters that the bill attempts to support election agencies coordinating.

We run four major programs. The one I'll speak most about today is called Student Vote. I know that each of you received votes in the last provincial election in the spring of 2014 through the Student Vote program. It's a parallel election program for students under the voting age where students learn all about the democratic process. Many schools host candidate forums with the official election candidates, which I believe a few of you have participated in. They go home, they engage their parents in the election, and they come back on their student vote day and they cast a ballot on the official election candidates running in their electoral district.

Three independent evaluations from Elections Canada have shown us that we, at the time of the election, begin to cause an interest in the democratic process and a sense of civic duty and we start dialogue between peers and their family and increase the knowledge of these students. What's important to note is that these are the characteristics of those young people that vote in elections. What we've also found is that parents are attributing their participation in the electoral process—because their students are participating in Student Vote at schools.

I come here today presuming that all of you would like to see an organization and programs like ours thrive because what we're trying to do is ensure that there's the next generation of electors coming into their adulthood ready, able and willing to participate in their democracy.

Our largest numbers ever were in the last federal election, where we had just under a million students across Canada, from approximately half of all schools in the country, participate in the Student Vote program: 3,200 schools, representing about 60% of all schools in Ontario, registered to participate, and we had 375,000 students cast a Student Vote ballot.

1450

What was great about the last election was a few things. One, of course, I can't ever guarantee, but it was the three-way race, an extra-long campaign and a fixed election date, October 19.

The first challenge we wanted to bring up, and I don't presume that this is the most important consideration for you and this bill or the election day, is that a June election day for us will heavily damage the numbers of students that participate in the Student Vote program. A June election day is a terrible day for schools. Although we have a civics course in Ontario, it's heavily criticized. Many students—I'm embarrassing her, but even my own

daughter took it in summer school, over the course of the summer, and the outcomes are mixed. Really, they depend on the capacity of the teacher instructing that course.

Even then, when we faced the June election in 2014—and, Clerk, if I may pass these around, these are just our participation history since 2003 in Ontario. When we last faced a June election day, we only had 175,000 students participate. So I can expect similar numbers, and when we're trying to continue to increase our participation, say, to half a million over the course of the next three years, a June election day is very challenging.

I know the chief election officer is keen on that day. We're hoping to work with them again. But that is something that I think you would all care about. You want more students to be participating in something like this because then we know they are, we know what the outcomes are; and if they're not, it's quite likely that they may not even be learning about the election in their class.

The second thing, related to establishing a provisional voters list for ages 16 and 17, is that we would argue, as an organization that's leading civic education across the country, the best way to teach a student about their democracy is not out of a textbook; it's through experience. So if you were to build a provisional voters list, ideally what you would do is have a student go through a parallel election program and then be informed that they can now opt in themselves to a provisional voters list.

I know the voters list has different functions and benefits to an election agency, but for anyone concerned about democracy, you want someone to understand the voters list because they've learned about it and its benefits rather than just being put on it and told about it afterwards. Again, that lines up with why we would continue to want to have high participation in the Student Vote program here in Ontario.

Outside of that, I think we should all share in the success that our educators have done to engage so many hundreds of thousands of students in the democratic process through civics programming. I hope that through some questions I might just be able to inform you a little bit more about some options on how we could, on our own, challenge a June election date.

The Chair (Mr. Grant Crack): Thank you very much. We'll start with the third party, Ms. Gélinas.

M^{me} France Gélinas: The stats that you just shared with us speak loudly to support the point you're making, that a June election date doesn't work really well for schools. Is there anything we can do to make it more feasible, or would a date in May be any better than June?

Mr. Taylor Gunn: It would. It would. I know, from our own research, that Ramadan in the spring of 2018 has something to do with the proposed June election day. I believe the number of days following the submission of a budget might have something to do with the election day being in June. But for us, any time earlier than June is much better than June. Schools, especially high school teachers, are told that they can't really focus on anything else other than exams by the time it's June.

M^{me} France G elinas: Although it would be early in June, it's still too late for you?

Mr. Taylor Gunn: Usually what happens in schools is that the end of May is culminating activities and then it's a complete switch to exam focus.

M^{me} France G elinas: I looked through your book very quickly. Were you able to get the same type of participation in northern Ontario that you did in southern Ontario, if you look at the number of schools or the percentage of schools from northern Ontario that had the chance to participate?

Mr. Taylor Gunn: Usually it's proportional to the number of schools in every electoral district across the province.

M^{me} France G elinas: So even the school boards from northern Ontario were equally represented?

Mr. Taylor Gunn: Yes, usually so.

M^{me} France G elinas: Would you know if schools on reserves were also represented?

Mr. Taylor Gunn: They are represented. I didn't bring that information with us, but as you may know, many indigenous students are also in Ontario's public education system in urban areas.

M^{me} France G elinas: Through the bill here, except for the date, is there something we can do to help make sure our youth become engaged and stay engaged?

Mr. Taylor Gunn: Really, what you would want to focus on—and I know it's outside of your mandate, but maybe it could be the encouragement of your peers—is an attempt to educate educators on the change of election day to that time in the school year. For example, if principals supported the civics course, and this should be occurring at every election, at the same time as the election, it creates a teachable moment.

Also, we will be soon proposing to the Ministry of Education a teacher training plan so that educators can learn about the provisional list and then also learn about the changes in timelines. The ideal situation is, you'd have an election every fall in following years, but because of minority governments and previous election days you always can't plan for that. So over the next two years, I think you'd want to train teachers to prepare to teach something like an election simulation in late spring of 2018.

M^{me} France G elinas: Thank you.

The Chair (Mr. Grant Crack): To the government side: Mr. Berardinetti.

Mr. Lorenzo Berardinetti: Welcome to the committee, and thanks for your comments so far today. I just wanted to let you know that this bill proposes a provisional register for 16- and 17-year-olds who sign up. Their information will be transferred to a permanent register—if the program goes well—when they turn 18. Can you share your opinion with us here as to the proposed provisional register, how it could help to engage future voters here in Ontario?

Mr. Taylor Gunn: As I said before, I think if you had a student go through a parallel election, it creates a teachable moment of what is the permanent register list

and that they could opt in at that time, hopefully after a satisfying parallel election, so that they understand what they're getting onto and why, rather than just what could be proposed as school boards sharing that information with election agencies. Ideally, you want to turn that opportunity into a teachable moment.

There are also other occasions within the school year that we're looking at that cause a sense of civic duty; for example, something like Remembrance Day, something like a citizenship ceremony or a rite of passage in high school into adulthood. It could also cause an opportunity to introduce the idea of the provisional voters list and have a student have the willingness to opt in.

Mr. Lorenzo Berardinetti: What I find really works a lot in my time in politics, and I've been around quite a long time, is when the school hosts an all-candidates' debate. I think it's a really good thing to do, and some schools do it and some schools don't. Would that be something that you would be looking at encouraging? Because they actually get to see the candidates and then they vote, even though their votes doesn't count in a general election, but they vote. Then, I always get comments later on. I get letters back from the teachers, and even the students, saying, "Thanks for coming to the all-candidates'. Now I know much more about how elections work. I like what you had to say, but I'm going to vote NDP." Just kidding. Then they tell us, what they're going to do, vote and everything. But it really brings awareness to them a lot.

Mr. Taylor Gunn: Candidate forums have become a main feature of the Student Vote program. I would expect that many of your colleagues here were either invited to or participated in them in schools during the last provincial election and previous provincials. We've also seen now the interest grow within candidates from all parties to attend those debates, and it seems to be known now that those debates are the most well attended, challenging and interesting of the campaign in communities across the province.

Mr. Lorenzo Berardinetti: Yes. Students ask different questions than other people do when you go to other all-candidates' meetings. I just found that very, very useful. Those were the main questions that I—I guess, if I have time—how much time do I have?

The Chair (Mr. Grant Crack): Two more minutes.

Mr. Lorenzo Berardinetti: Two more. Thank you.

The Chair (Mr. Grant Crack): Oh, I'm sorry. That's about it. I was thinking we were at the five-minute again. My apologies.

Thank you very much, Mr. Gunn, for—

Interjection.

1500

The Chair (Mr. Grant Crack): Oh, sorry; we're going to the PCs. Sorry. Mr. McDonell.

Mr. Jim McDonell: You mentioned some training. Are there any teachers' packages that would standardize some of the recommendations or help them out in what needs to be covered?

Mr. Taylor Gunn: We create all of those curriculum documents for elementary and secondary school

teachers—online materials. We're known for exceptional educational materials. They use those throughout the course of the campaign. Part of that also is just to ensure that what we're proposing to schools is transparent and recognized as non-partisan, which was a concern when we started in our first election, in 2003. We've never heard complaints about teachers abusing the process, and our experience is that they actually treat something like this with a great deal of pride.

We do supply them with physical and online materials and all sorts of other forms of support throughout the campaign. We've done some teacher training, which has given us an indication we should do more. Teachers who attend our Democracy Bootcamp, as we call it, have 50% more students in their schools cast a student vote ballot than non-participants. We see their students experience better educational outcomes if their teacher was trained. It's the same idea as, if you were a corporation, training your salespeople—or in this case, with Mr. Essensa, the ROs—so they do a better job.

Mr. Jim McDonell: What amount of time are you talking about? Generally you're talking high school as far as an election date, but is there a period to hold the election and maybe another period for some type of training—it's part of civics, so of course there's more than that available—that would tie them into the elections even if it's mid-June or early June?

Mr. Taylor Gunn: Just so that you know, we've got an average of about 40% of teachers from the 6,600 schools we worked with in the last federal election who said they dedicated more than 10-plus hours of class time to learning about the election.

We're told regularly—it's strange if we don't hear this—that teachers and parents believe their kids, through the Student Vote program, know more about the election than they do. When we talk about this going on in a school, this can take over a campaign length of a social studies or a civics class. We see quite interesting differences in the benefits to elementary school students, who are shocked that their parents may not vote or that people don't vote at all, versus high school students, who get more into the issues.

Mr. Jim McDonell: Those are specific to civics or, I think you said, history, but if you weren't taking those courses, then it would essentially be zero, I would imagine. But there is room for some type of program on election day or another day before. You're not tied necessarily to the election date if that's a real problem.

Mr. Taylor Gunn: For us, if you notice our results—and I have the previous provincial and federal results—our kids almost always accurately predict the winner. So what we try to teach students when they vote on their Student Vote day, which is in advance of election day—it's like an advance poll; you don't get your results then; we release the results following the close of polls on election night. I've had many elections where we have our results in on the Friday before the Monday or the Tuesday, where the pollsters are predicting an entirely different outcome. We sit on our results through the

weekend till the close of polls, and our students had those results accurately all the time.

It may be the size and scope, but if I hear what you may be proposing is if we ran our student vote in April and May, and then we put out those election results, if you paid attention to our Student Vote results you might wonder if the kids are predicting the winner a month in advance, and does that impact the actual election results? That's where we like to simulate the identical electoral process. The only difference in this case is that we won't be using machines—if Ontario uses machines.

The Chair (Mr. Grant Crack): Thank you very much. We appreciate, Mr. Gunn, your time before committee this afternoon.

Mr. Taylor Gunn: Thanks for giving me a few minutes. I appreciate it.

WAHNAPIITAE FIRST NATION

The Chair (Mr. Grant Crack): Next on the agenda we have Mr. Ted Roque, chief of the Wahnapiitae First Nation. Thank you, sir. Welcome to committee this afternoon. Thank you for your patience. It's much appreciated. The floor is yours, and you have up to 10 minutes.

Chief Ted Roque: First of all, I'd like to start off by just thanking the committee for allowing me to come here to make a presentation today and lobby to have our First Nation actually put back into the Nickel Belt district, where we used to belong. For some reason, a couple of provincial terms ago, we got moved without consultation and not knowing why we were moved. It doesn't even make sense why we were moved, number one, and I'm hoping I can explain that today a little bit.

First of all, I'll give you a little bit of history about Wahnapiitae First Nation. We're a very small community: membership, 500; voting members, just over 300. It's still a good size, but small in comparison. Our community is just northeast of Capreol by just less than 20 kilometres, and that is the Nickel Belt area. Boundary-wise, we're two kilometres away from the Nickel Belt area. All our children go to the schools in the Nickel Belt; they go to the French as well as the Catholic and public schools. All our elders etc. access all the health benefits that we can near the Sudbury area as well. We don't go near the Timiskaming–Cochrane area, period—at all. We have no reason to go there. If you were to drive around to get that particular area, it would take you three hours from where we are.

I've struggled lots in the last little while to be able—because the people from Wahnapiitae, my members, come to me and ask, “Why are we in this particular area? What happened? Who put us there?” For the life of me, I can't tell them. But I've been lobbying for the last few years to try to have us put back in the Nickel Belt area. I'm hoping that this is an opportunity. We feel that it's a great opportunity to be able to fix this, because it is wrong. We should have been consulted, but we weren't. Let's see if we can work together here and get this fixed.

I have also spoken with the minister, David Zimmer, who came to our community back in January, and ex-

plained the situation to him as well. He does understand, and I'm hoping, like when I have discussions with him, that we would be able get this fixed, that there would be an opportunity. I've dealt with France in the area for many years and, before her, with Shelley Martel. I don't think any of us could figure out how this happened, over eight years ago. But, like I said, France has brought this to my attention again, many times, and has been helping us to get us back there. I'm hoping that the standing committee here today can be an influence out there to help get us put back to where we should be.

I don't know what else I can explain to you about the area other than that it takes me 20 minutes to go to France's office, driving. If I was to drive to even just the satellite office of Timiskaming-Cochrane, of John, it would be an hour and a half.

So if you guys have any questions to ask me, I have no problem. I can maybe fill in some blanks. But like I said, I really appreciate the opportunity to come and present.

The Chair (Mr. Grant Crack): Thank you very much. Mr. Rinaldi.

Mr. Lou Rinaldi: Thank you very much, Chief, for being here today to talk about the issue that you face, as far as where you sit within the riding in which you're now represented. I think you make a very good case, and thank you for being here for that.

Instead of dwelling on that for a minute, which you eloquently put forward so well, can you give us your thoughts, speaking in the greater sense, on the realignment of the northern boundaries to give more representation either to the First Nations or non-First Nation folks? Can you give some insight on your thoughts—whether that's a good idea, how far that should go—and your recommendations, maybe, that we could pass on to the commission that's being appointed, to make that job a little more effective, to address those needs in the north?

1510

Chief Ted Roque: Speaking on behalf of Wahnapiatae, I guess the question I'm trying to figure out exactly—am I speaking on more the other First Nation communities, the NAN and the other—

Mr. Lou Rinaldi: Yes. I'm speaking more in general, of the additional ridings and forming a commission to be able to address that.

Chief Ted Roque: Okay. I think that would probably be great, to be able to have something like that. I can't speak for NAN or Treaty 3 because those are totally different treaty areas than we belong to. We belong to the Robinson Huron Treaty. We're signatory to the Robinson Huron Treaty, which is another point that I could make. That is why we still should still be in Nickel Belt. I guess we've always belonged in Nickel Belt, but a couple of terms ago that got changed. But this committee that you're talking about for the Far North: I think it's a great opportunity for those First Nations to be able to have some representation, to be able to speak and bring forth their issues. I hope they get that opportunity, but I know I've got a thing here. I'm here for Wahnapiatae, so—

Mr. Lou Rinaldi: I understand. Well, thank you so much.

The Chair (Mr. Grant Crack): Mr. McDonell.

Mr. Jim McDonell: Thank you for coming out. I see the proposed map here that has you in Nickel Belt. Is the actual riding today the only change that—you're actually in Timiskaming-Cochrane and the other boundaries are essentially right? Maybe you haven't seen this map.

Chief Ted Roque: Yes. Yes, correct.

Mr. Jim McDonell: The French River: I suppose it's the same issue. They're much closer to Sudbury or even North Bay but much further away from Timmins and Timiskaming-Cochrane. It's a large riding—spread out, somewhat similar to rural Ontario. We have the same thing. We get shipped off, depending on where we meet the numbers. Any response yet from the government on this? I know they're looking at a panel to look at this. We heard that there's a bit of an issue with the timing of it, being quite late.

Chief Ted Roque: To be honest, I'm not sure. I totally didn't get the question, but—

Mr. Jim McDonell: I guess there will be a commission hearing from this bill that will look at this next year. It has the power to change these boundaries, so we're hoping it'll make changes at that time. This report will probably go a long way to making some of those changes.

Chief Ted Roque: Okay.

Mr. Jim McDonell: I'm not sure, but they'll be meeting probably over the summertime. Is that the plan based on this? I would recommend that you ensure that you get before that committee and make your case. I know we had some success in one of ours back about two boundary changes ago, where we had requested a change and we were able to get that change. I know that North Glengarry wasn't as successful as the southwest, but there are good reasons for them changing boundaries, and strictly the numbers aren't always the answer. I wish you luck on that.

Chief Ted Roque: Okay. Thanks.

The Chair (Mr. Grant Crack): Thank you very much. Ms. Gélinas.

M^{me} France Gélinas: I just wanted you to put a few things on the record. The first one is that, when you realized that Wahnapiatae was not in Nickel Belt anymore but had been moved to Timiskaming-Cochrane, you reached out to the Chief Electoral Officer. He told us that there was only one way to bring you back. It was through an act of government through a bill. As far as you know, is there another way to bring Wahnapiatae back into Nickel Belt, except for passing a bill in government?

Chief Ted Roque: I sent a letter a couple of times to the electoral place asking for, number one, the reasoning why we were moved. That was quite a few years ago. Then, just recently, within the last year or a bit, there was this opportunity that there were possibly going to be some changes. Knowing that the elections were coming, I felt that it might have been an opportunity when I did send that letter that this would maybe—instead of being,

at the 24th hour, sending in a letter asking, I felt that this would give enough time to be able to come and lobby on our behalf to put us back where we should belong anyway: in Nickel Belt.

M^{me} France Gélinas: I agree. So the Chief Electoral Officer made it clear that the only way for Wahnapiatae to be put back into Nickel Belt is to put it in a bill that changes the boundaries. We've had one bill before that changed the boundaries. When I tried to do this, the government seemed to be supportive, but when it came to the vote they said no because it would open the floodgate of First Nations wanting to move ridings. Are you aware of any other First Nations who want to move ridings?

Chief Ted Roque: No, I'm not aware of any other First Nation. As far as I knew, I was the only one. When I go to our assemblies, I haven't heard about any of those discussions coming up about any other First Nations in regards to the moving boundaries or anything. As far as I know, it's just ourselves that were involved at that time.

M^{me} France Gélinas: I agree. I wrote to all 133 First Nations communities in Ontario and asked them if any of them needed to move, and none of them do. You are the only one, so there won't be any floodgates of any kind if we move you back into Nickel Belt. It will just be bringing you back to where you belong.

Chief Ted Roque: Yes. And just to let you know: Federally, we are in Nickel Belt. When we vote federally, we vote in the Nickel Belt area. We actually go to the same place, Capreol Arena, to vote. We still do that. We still go to Capreol to vote. I don't think there's an expense here on behalf of the government for this by moving us. I honestly don't know what the expense would be, but we'd do the same as what we've done before when we voted in Nickel Belt. So I don't really see a huge expense here to the government.

M^{me} France Gélinas: I agree, which makes this thing even weirder. The polling station is in Nickel Belt but they vote for somebody in Timiskaming-Cochrane. That makes no sense whatsoever. It needs to be fixed. To say that a community of 500 doesn't matter—it does matter. Those are 500 people who should have been put in the riding of Nickel Belt and got put in a riding way too far away.

We want everybody to be involved in politics. When something like this happens, it makes it really hard. I know that the chief came down from Wahnapiatae to testify here today because it is important to his community. It is not easy to come from Wahnapiatae to Toronto, but he made the trip because he wants all of us to realize how important this is to his community.

It was an error that was made. Everybody agrees that it's an error. We're not there to punish the person who made that mistake; we're here to move forward. We have an opportunity, yet again, with a bill that will change boundaries to electoral districts. I see no reason why we could not take this opportunity, while this bill opens up boundaries in the north, to make sure that Wahnapiatae will be in the riding of Nickel Belt, where it belongs.

Did you have any closing comments?

Chief Ted Roque: No. Again, I just want to say meegwetch for the opportunity to be able to come and present. It's pretty straightforward. That's how I look at it, but I guess the powers that be will be able to make that decision, hopefully soon.

M^{me} France Gélinas: I have a bill drafted called Bill 73 that actually shows the language that needs to be put into Bill 45 in order for that to happen. It is pretty simple. I hope it will be supported by all of my colleagues.

The Chair (Mr. Grant Crack): Thank you very much. We're over time. Mr. McDonell.

Mr. Jim McDonell: Just a clarification: This bill actually allows the commission to make these changes. That's through the commission, so we're hoping they will. It doesn't need any more legislation. We have to trust the government to do it. This is a positive thing, because although it hasn't happened for a number of years, it will be redone.

Chief Ted Roque: Thanks for that.

Mr. Jim McDonell: I encourage you to go to these meetings, because it does make a difference.

Chief Ted Roque: Yes. I will, for sure, and I appreciate that. Just if I could make one more comment, and that's just in regard to the Chief Electoral Officer and his support for us to be put back. That's very promising as well. I appreciated his comments earlier, just to be on the record.

The Chair (Mr. Grant Crack): Thank you very much, Chief Roque, for coming before our committee this afternoon. Much appreciated.

Chief Ted Roque: Thank you.

The Chair (Mr. Grant Crack): So that ends the public hearing portion of the Standing Committee on General Government. I just want to remind all members that the deadline for filing amendments is Wednesday at 5 p.m. So Wednesday, November 30, at 5 p.m. is the deadline for filing amendments to this bill.

Having said that, there's no further business. I want to thank everyone for their hard work today. This meeting is adjourned.

The committee adjourned at 1520.

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