

**Second Session – Forty-First Legislature**  
**of the**  
**Legislative Assembly of Manitoba**  
**Standing Committee**  
**on**  
**Legislative Affairs**

*Chairperson*  
*Mrs. Sarah Guillemard*  
*Constituency of Fort Richmond*

**Vol. LXX No. 1 - 3 p.m., Friday, November 25, 2016**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Forty-First Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
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ALTEMEYER, Rob	Wolseley	NDP
BINDLE, Kelly	Thompson	PC
CHIEF, Kevin	Point Douglas	NDP
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**LEGISLATIVE ASSEMBLY OF MANITOBA**  
**THE STANDING COMMITTEE ON LEGISLATIVE AFFAIRS**

**Friday, November 25, 2016**

**TIME – 3 p.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – Mrs. Sarah Guillemard  
(Fort Richmond)**

**VICE-CHAIRPERSON – Mr. James Teitsma  
(Radisson)**

**ATTENDANCE – 11 QUORUM – 6**

*Members of the Committee present:*

*Hon. Mmes. Cox, Stefanson*

*Mr. Allum, Mrs. Guillemard, Messrs. Johnston,  
Kinew, Mses. Lamoureux, Morley-Lecomte,  
Messrs. Swan, Teitsma, Yakimoski*

**APPEARING:**

*Ms. Shipra Verma, Chief Electoral Officer,  
Elections Manitoba*

**MATTERS UNDER CONSIDERATION:**

*Annual Report of Elections Manitoba for the  
year ending December 31, 2014, including the  
conduct of the 2014 Arthur-Virden and Morris  
by-elections*

*Annual Report of Elections Manitoba for the  
year ending December 31, 2015, including the  
conduct of The Pas by-election*

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**Madam Chairperson:** Good afternoon. Will the Standing Committee on Legislative Affairs please come to order.

Before the committee can proceed with the business before it, it must elect a new Vice-Chairperson.

Are there any nominations?

**Hon. Cathy Cox (Minister of Sustainable Development):** Madam Chair, I would like to nominate MLA James Teitsma from Radisson.

**Madam Chairperson:** Mr. Teitsma has been nominated.

Are there any other nominations?

Hearing no other nominations, Mr. Teitsma is elected Vice-Chairperson.

This meeting has been called to consider the following reports: Annual Report of Elections Manitoba for the year ending December 31st, 2014, including the conduct of the 2014 Arthur-Virden and Morris by-elections; Annual Report of Elections Manitoba for the year ending December 31st, 2015, including the conduct of The Pas by-election.

Before we get started, are there any suggestions from the committee as to how long we should sit this afternoon?

**Mr. James Teitsma (Radisson):** For two hours and—or until the committee's work is done, and we can review at 5 p.m.

**Madam Chairperson:** Is that the will of the committee? *[Agreed]*

Are there any suggestions as to the order in which we should consider the reports?

**Mr. Andrew Swan (Minto):** I'd suggest we simply proceed globally.

**Madam Chairperson:** Is this agreed by the committee? *[Agreed]*

Does the honourable Deputy Premier wish to make an opening statement? And would she please introduce the officials in attendance.

**Hon. Heather Stefanson (Minister of Justice and Attorney General):** I'd like to first of all introduce our officials in attendance. I'd like to introduce our Chief Electoral Officer, Ms. Shipra Verma, and thank her for being here today.

And I'll also ask her, if she could, introduce the other officials that are with her in attendance today, and then I'll proceed with other introductions.

**Ms. Shipra Verma (Chief Electoral Officer, Elections Manitoba):** We have Debbie MacKenzie, deputy chief electoral officer, and Tracy Nysten, manager of election finances.

**Madam Chairperson:** Thank you.

**Mrs. Stefanson:** Also in attendance is—with us today is the Commissioner of Elections, Mr. Bill Bowles.

And I'm wondering if there would be leave of the committee to have the Commissioner of Elections be with us at the table today and to provide an opening statement if he has one for us today.

**Madam Chairperson:** Is it the will of the committee to invite Mr. Bowles to the table?

**Mr. Swan:** Before we vote on that, I have a question for the Deputy Premier. Is it the minister's view that the commissioner for elections would simply provide a statement of some type and would not participate or what exactly is she proposing this afternoon?

**Mrs. Stefanson:** I think at this stage we are proposing that we—if the—if Mr. Bowles has an opening statement, that he provide one. If there are questions from the committee, I guess that would come at the time and ask leave of the committee. I don't know if there are questions from members of the committee or not, but if there are, I would leave that up to that time to—and to the Chair to decide.

**Madam Chairperson:** Is it the will of the committee to invite Mr. Bowles to the table for the opening statement?

**Some Honourable Members:** Agreed.

**An Honourable Member:** No.

**Madam Chairperson:** I heard a no. So it's been denied.

Minister Stefanson, continue with your statement, please.

**Mrs. Stefanson:** Well, I want to thank you very much, Madam Chairperson. I just want to thank Commissioner Bowles for being with us and taking the time out of his schedule today. It's unfortunate, I guess, the committee has not given him leave to present an opening statement here today. But I do want to thank him for taking time to be here, and I'll proceed now with my opening statement.

It's a pleasure to speak to the committee as we consider the annual report of Elections Manitoba for the year ending December 31st, 2014, as well as the year ending December 31st, 2015. And I'd like to thank the Chief Electoral Officer and the Commissioner of Elections for their attendance today. We look forward to hearing from you as the Chief Electoral Officer, and we look forward to today's discussion on how to strengthen the electoral process in Manitoba.

This year we are celebrating the 100th anniversary of some women earning the right to vote.

In this celebration, we are reminded of the importance of voting, having rightful representation in the Legislature, and that fair elections are a cornerstone of any healthy democracy. Protecting and enhancing the electoral process requires the dedicated focus of all political parties and a team of officials represented here today. That is why the work of this committee is particularly important.

The opportunity today to hear from the Chief Electoral Officer—unfortunately, not the Commissioner of Elections—but it does enable us all to benefit from the years of experience for service to—on front lines of democracy.

Our new government moved quickly to strengthen democracy and our democratic institutions. Our legislation in the First Session of the 41st Legislature restored voting rights to workers.

Our legislation requires that by-elections be conducted within 180 days after a vacancy occurs. This change was made necessary in part by the events leading up to the by-election in Morris and The Pas, both of which are included in the annual reports we are discussing today. The people of Morris were denied fair representation in the Legislature for 350 days. Media reported this as the longest period of time a premier has waited to call a by-election for a vacant seat in Manitoba history. The people of The Pas were denied fair representation for 341 days. We felt that these time periods are far too long to leave Manitobans without representation in the Legislature, and that is why we made these changes.

\* (15:10)

Our government established a standard 28-day election period for a set-date general election. This implements a long-standing recommendation that appeared in not only the Elections Manitoba annual report we are considering today but many of the reports that preceded them.

There is, of course, much more that we need to do. Our Throne Speech, delivered earlier this week, included a commitment to introduce a stand-alone referendum law that will be a key part of our plan to restore Manitobans' right to vote on increases to major taxes. Again, this acts as a long-standing recommendation of Elections Manitoba included in the annual reports under consideration today. In fact, the recommendation for a stand-alone referendum law was first introduced in 2000 more than a decade and a half ago. The input of the Chief Electoral

Officer has been invaluable as we move forward with our legislative agenda.

To the Chief Electoral Officer, I would like to thank you and your team personally for your input and recommendations. We look forward to additional opportunities to collaborate, including the continued work related to the permanent voters list. I look forward to the discussions of the committee here today, and I want to thank the committee for the opportunity to put—to make an opening statement.

**Madam Chairperson:** We thank the honourable Deputy Premier.

Does the official opposition wish to make an opening statement?

**Mr. Swan:** Yes. I do want to start today by thanking the minister, as well as the Chief Electoral Officer, Ms. Verma, and the other Elections Manitoba officials who are with us this afternoon.

This committee meeting does provide MLAs with an opportunity to learn more about how elections operate in Manitoba, and also to share ideas on Elections Manitoba's operations and discuss how we can strengthen the electoral process and thereby strengthen our democracy.

We know that free and fair elections are the cornerstone of a strong democracy. Manitobans are engaged in their democratic processes, and we do wish to sustain and encourage that vital commitment. In that vein we're here to hear many of the varied and important activities of Elections Manitoba to try and increase voter turnout, to ease the accessibility of voting, and to ensure by the fairness of the electoral process, including making sure as many Manitobans as possible are on the list so that voting is as easy as possible, as we examine the annual reports for Elections Manitoba for 2014 and 2015.

It is fair to be said that political parties do disagree from time to time. I do hope we can all affirm our commitment to ensuring that the electoral process is best when all voters are able and encouraged to vote and participate in our democratic life on an equal footing. And, Ms. Verma, we do appreciate your efforts in facilitating this important endeavour and your commitment to realizing that our highest democratic goals are in practice.

Just to briefly comment on the request that the minister had made, I just want to make it clear for the record that we have great respect both for the Office of the Commissioner of Elections as well as

Mr. Bowles himself, his office's presence at this committee would be without precedent—without precedent, neither required nor provided for by statute. Mr. Bowles, in his position, is an officer of the Legislative Assembly. He was not here today as a result of prior dialogue or discussion among the caucuses, and we're not sure exactly how this suddenly came up.

The Commissioner of Elections does have the job of receiving complaints against candidates and, of course, potentially MLAs in the result of the course of elections, and we do have concerns which, perhaps through discussion, through some thought, we can maybe allay that the nature of the questions could undermine the integrity and the independence of his office. It is certainly a different matter to have this commissioner be questioned by the legislators; he's statutorily required to monitor a committee.

So we have asked that the Rules Committee of the Legislature meet to discuss this issue. I think it is more productive for us to move in that direction when there are different ideas being posed that we deal with that straight up at a Rules Committee meeting rather than to try to make the rules up on the fly.

So that's all I'm going to say on that. I think Mr. Bowles will have certainly something to add, and I know that if he does have concerns about the resources he has or recommendations for other changes, I'm quite satisfied that the Chief Electoral Officer is able to bring those things forward.

So, with those comments, again thanks to everyone for their attendance and your commitment to electoral process, and we look forward to presentations and answers this afternoon.

**Madam Chairperson:** We thank the member.

Does the Chief Electoral Officer, Ms. Verma, wish to make an opening statement? Ms. Verma?

**Ms. Verma:** I'd like to start by thanking the members for their words of appreciation. It means a lot for the 10,000 staff members who worked towards administering this next—the previous election. And I want to thank you—or to—inviting us to discuss our tabled annual reports.

Today I'll provide an overview of the recent general election. I'll also outline several new recommendations for amendments to The Elections Act which have been discussed with the advisory

committee earlier this year and recommendations in the 2015 annual report.

I'll start by providing an overview of the 41st general election held on April 19th. This was the second election to be held on a set date. Enumeration began 75 days before election day, on February 4th, followed by revision. The writ was issued on March 16th and nominations closed on Tuesday, March 29. A total of 221 candidates ran for election.

The final voters list included 773,000 eligible voters, of whom 444,000 voters cast a ballot. Advance voting was held in 293 locations across the province, with voters being able to vote anywhere in advance.

On election day, 2,766 regular voting stations were opened across the province. An additional 117 institution voting stations were established in health care and correctional facilities.

In order to promote accessibility and support our mandate to provide election information to the public, our office took on a wide range of engagement and outreach activities. These activities brought us in contact with many different groups of Manitobans.

The total cost to administer this election would be approximately \$13.6 million, which is within the budgeted amount. The projected cost of reimbursement and auditor subsidy is \$3.4 million.

In comparison, the cost to administer the previous general election was \$11.9 million and \$3 million for reimbursements.

For more information on the conduct, please refer to the Statement of Votes which was released in October. This publication provides statistics on the registration of voters by method, votes cast by method and voter turnout. Copies were distributed to MLAs and the publication is also available on the website.

To support candidates and parties in the compliance with campaign finance requirements, our office provided ongoing assistance. Staff presented 28 information sessions to official agents, campaign managers and others.

Now, moving on to our post-election activities, beginning with applications filed for both Elmwood and The Maples for recount. The recount request for The Maples was later withdrawn. A judicial recount was held for Elmwood on May 9th, which confirmed

the results of the election and increased the plurality from 101 to 107.

During the first few months following the election, we held debriefing sessions with returning officers and other election staff. We conducted a series of post-election surveys with various stakeholders. The surveys helped us review a performance, understand voting behaviour, gauge public awareness and attitudes about Manitoba's electoral process.

Moving to campaign finance review, 239 candidates and six registered parties were required to file statements. Of these, 155 candidates and three parties were eligible for reimbursement. All election financial statements, including original, amended and final, as well as reimbursements, are posted on our website.

I would like to extend my thanks to all the agencies that worked with our office before and during the election, including the Disabilities Issues Office, Communication Services, Dakota Ojibwa Tribal Council, Canadian Red Cross, Indigenous and Northern Affairs Canada, Department of Education, administration and student faculty of various universities and colleges, the Nellie McClung Foundation and many others.

I would also like to acknowledge the service of more than 10,000 staff who helped administer this election.

Now, moving to recommendations, the following two recommendations of—under The Elections Act are being carried forward from the previous annual report.

One is to expand the timeline for the delivery and return of ballot kits for absentee voters to allow voters a longer period to return their ballots, and second is a requirement to remove the requirement to post a notice of election in each rural voting area.

\* (15:20)

There are also two recommendations which have been carried forward under The Election Financing Act. The first will clarify and strengthen the provision on government advertising under section 92 by including a clear reference to use of government finances or resources, and the second is to allow for a 30-day deadline for payment of a late filing fee. We've also recommended development of a referendum act, which has been referenced in the recent Throne Speech.

In addition to meeting—to these recommendations carried forward, we have been working on a series of recommendations that would update the electoral process in Manitoba. The handout, which you have all received, outlines those recommendations and also a proposed election calendar.

The two key objectives which have been central in developing these recommendations are improving the voting experience and achieving administrative efficiencies. Together, they will modernize the electoral system while maintaining the integrity of the voting process.

The first series falls under the establishment of Manitoba voter register. A register would replace the enumeration as the method of voter registration for provincial elections. Adoption of this system will bring our province up to date with all other jurisdictions in Canada. Creation of this register will require significant changes to The Elections Act, which includes provision for the office to establish the register, ability to access reliable sources of voter information.

Due to the replacement of enumeration with a register, the election calendar would also change. With enumeration being replaced, there will no need to start this calendar 75 days before the election date. Target registration could begin before the writ, with dates variable as required. Voter information cards and a preliminary voters list will be distributed on the day the writ is issued.

The proposed calendar has three columns. The first reflects the current 75-day calendar and the next two columns reflect two 28-day calendars, one with election day on the Tuesday and one with an election day on a Saturday. Nominations will close 22 days before election day. Advance will begin 12 days before election day and continue for eight days. The recommendation for the election day to be moved to a Saturday, or if it has to remain on a Tuesday, to become a mandatory province-wide in-service day for schools. The main reason for this is student safety. A secondary reason is that Saturday voting can make the schools more accessible for use as voting places.

Moving away from the calendar, we are also recommending that information be collected about 16- and 17-year-olds and other Manitobans who may become eligible to vote. The voters list will be distributed annually to registered parties and MLAs. A provision to—will be required for voters to opt out,

and finally, we'll make the organization of the voters list alphabetically, province-wide.

The second category of recommendation is around innovation. In order to improve the voting process and achieve efficiencies while still maintaining the integrity, we are recommending that we be allowed to make modifications to the electoral process, such as introducing the use of technology. Any modification will be discussed with the advisory committee and reported in our next annual report.

The next two recommendations are intended to enhance legislative clarity. The first will expressly state that elections officials cannot be nominated as candidates in the same election. The second is a provision against impersonation of a candidate or election official. This will strengthen the integrity of the electoral process.

The next set of recommendations reflects the changes in voting patterns. As the trend towards advance voting has increased, we are finding that election-day voting places are not working to full capacity. For that reason, we are recommending an increase in the voting area size: rural, from 250 to 350; urban, from 350 to 500.

Under the current legislation, Manitobans can vote at any advance location. However, in many isolated and remote locations, as well in personal-care homes, only resident voters have been voting. For this reason, we are recommending making non-resident advance voting optional in these locations.

To introduce further efficiency that will allow us to adapt advance voting patterns, we are recommending that advance hours at places like shopping malls be adjusted so that they correlate with the mall hours. Having these locations open after mall hours requires additional security where there is almost no voter traffic.

Also, because of the increase in non-resident advance voting, more time is needed for the count. To speed up the counting process, we are proposing that returning officers be allowed to open the non-resident advance-certificate envelope at 6 p.m. instead of waiting until 8 p.m. The ballot envelopes themselves will be opened at 8 p.m. This will allow for earlier reporting of advance results.

Our next recommendation is to adjust election-day voting hours so the start time is moved from 7 a.m. to 8 a.m., which will make it consistent with advance voting and other elections.

Our final recommendation will enhance inclusiveness. It is to increase the pool of election officials. We are recommending that 16- and 17-year-olds and non-Canadian citizens be eligible to work as election officials. Currently, these positions have been available only to some individuals.

That concludes my slate of recommendations and opening statement. I'll be happy to answer any questions which you may have.

Thank you.

**Madam Chairperson:** Thank you.

The floor is now open for questions.

**Mr. Swan:** I would like to start with some questions, and probably more information from you, Ms. Verma, about the permanent voters list.

So, in a general way, I'd ask the Chief Electoral Officer to outline the potential benefits and the potential drawbacks of moving to a permanent voters list.

**Ms. Verma:** Thank you for this question.

The benefits: Let's start with enumeration. Enumeration allows for a more current list. If we compare the federal voters list to our Manitoba voters list, we do exceed in currency. However, the issue is accessibility for the enumerators.

In a recent survey of our Elections workers, we found 42 per cent of enumerators had issues in accessing the doors—condominiums and apartments. So there were—there was an increase of more than 50 per cent in refusals as compared to 2011; 33,000 homes refused to be enumerated. That impacts the completeness of the voters list.

*Mr. Vice-Chairperson in the Chair*

The other issue with enumeration is winter conditions, if it happens during that time. Manitoba has severe weather conditions. We had more than 100 claims for workers compensation. The cost for workers compensation benefits itself has exceeded more than \$100,000.

Although enumeration door to door is a personal call to the voters, it allows for an effective communication. It's a call to them to say that election is happening. It's the best advertising you can have, a knock at your doorstep. But we do have challenges in relation to safety of the enumerators. We have a challenge in relation of recruitment because we have

to hire 3,000 staff, and there's a challenge in accessibility.

Going to the permanent voters list, statistics show a permanent voters list is more complete in the information. As we can see from the federal list, the provincial voters list is 10 points down. Provincial voters list was 85 per cent at the completeness stage while the federal list was at 95 per cent.

The other benefit would be that—and a list will be available to the members and to the parties on an annual basis. So, in case a by-election needs to be conducted, we will be ready at a faster pace.

From a cost perspective, there is not much significant difference between a permanent register and enumeration. There may be some cost efficiencies which may occur in the long term, but, based on our research from other jurisdictions, it's quite minimal.

**Mr. Swan:** The CEO has discussed the experience of Elections Canada.

Has the experience of other provincial jurisdictions also informed the position of Elections Manitoba?

**Ms. Verma:** Manitoba is currently the only jurisdiction which is conducting door-to-door province-wide enumeration. All the other jurisdictions have moved towards establishing a permanent register.

**Mr. Swan:** The CEO spoke about reliable sources of voter information.

Can we get some information, then, on what sources of data would Elections Manitoba expect would be used in the compilation and the maintenance of a permanent voters list?

**Ms. Verma:** The data sources that we are looking at is, of course, Elections Canada, the federal voters list.

We will also be looking at receiving information from the municipal sources like City of Winnipeg, City of Brandon, if they have a permanent register.

*Madam Chairperson in the Chair*

From our provincial bodies, the few sources that we have identified are Vital Statistics, because the deceased information or change in name, change in gender information can come from them; Manitoba Health, because usually people do want to keep their addresses current when it comes to Manitoba Health.



The third source we are looking at is driver's licence. Again, that's one of the sources, places where people update their information on a regular basis. Also that will be a source for potential future voters, 16- and 17-year-olds.

\* (15:30)

**Mr. Swan:** One of the challenges—there's several challenges in a riding like Minto, which is the West End of Winnipeg. The riding goes all the way out to Valour Road, but all the way in to very close to what we consider downtown—Langside Street, so you have a great cross-section of the West End of Winnipeg.

Within that area is a large number of people who right now are not citizens, but if everything goes the way we hope, they will be citizens eligible to vote.

Is there any notification that you're aware of that's given by the federal government when somebody becomes a Canadian citizen?

**Ms. Verma:** Our understanding is that Elections Canada receives information from Citizenship and Immigration on new citizens, and since Elections Canada will be one of our potential sources of information, we will be able to receive that information too.

Alongside, in case there is a permanent register, there will be venues open throughout the year for voters to register themselves to this registry. We are planning for having it on the website. They can do it in person or by mail too.

A replacement towards a permanent register still will have the option of target registration. A target registration is not a full province-wide enumeration; however, the areas which have transient populations or areas of new growth will be addressed to add them on to the voters list.

**Mr. Swan:** I wonder if the CEO could provide to this committee any information that she has from Elections Canada as to how that citizenship information will be shared. I think it would be helpful for me and, I expect, for a number of other members of the committee.

**Ms. Verma:** The process usually for receiving information from Elections Canada is that we enter into an information-sharing agreement. We currently also have an information-sharing agreement, but we don't receive regular data as—we don't maintain a permanent register. In case we go for a permanent register, then we'll be receiving information periodically from Elections Canada where the

agreement clearly states that they will be providing information on citizenship to us.

There was a federal bill which has been introduced yesterday which also enhances the ability for Elections Canada to have more information from Citizenship because one of the areas which was lacking is the confirmation of existing citizens, and that bill may address that issue.

**Mr. Swan:** I thank the Chief Electoral Officer for that.

One of the additional challenges is that many of the people who live towards the inner part of Minto constituency, they are more transient than the general population. They are less likely to have a driver's licence. They may be less likely to have a clear path when it comes to identification.

Has Elections Manitoba done any analysis of how moving to a permanent voters list would impact certain areas of Manitoba, those where people generally have a lower socio-economic standing, or things like that? Has there been any analysis done by Elections Manitoba to try to see whether moving to a permanent voters list could actually have unintended consequences of shutting out more people in poorer areas of the province?

**Ms. Verma:** So, in case a permanent register gets established, then the last enumeration, which was held in February and March, will become the base of our permanent register, so all that information will be captured. We are also relying on the other data sources and the voters themselves to update their information. Unfortunately, we haven't made any formal study, but we are also relying on the statistics provided by Elections Canada on the completeness of the information, which is 10 per cent higher than what we have under our enumeration system.

**Mr. Swan:** I'd also like to ask specifically about indigenous people who may have a treaty card, who may receive their health care through the federal government, who may, though, move into Winnipeg temporarily or indefinitely. Will there be any ability of Elections Manitoba to receive that information as well?

**Ms. Verma:** What we are proposing is that we have the ability to receive information from any provincial agency that we consider necessary, so, in case there are other sources identified, we will be approaching them for the request for updating information.

**Mr. Swan:** Yes, but some of these people, if they are indigenous, they belong to a First Nation; they consider that to be their usual home. Although they may be residing in the West End of Winnipeg or the North End of Winnipeg or elsewhere, indefinitely, that information might only be with the federal government. And I'm just wondering, would the agreement with Elections Canada, in your view, include those folks, and how would that take place?

**Ms. Verma:** Their understanding is correct. The agreement from Elections Canada will capture that information. Elections Canada does have information from First Nation communities currently. But we have not had an opportunity to analyze that information completely.

**Mr. Swan:** That's fair and, well, we'll certainly look forward to more discussions on that as we go and as Elections Manitoba does more work on that.

One of the statements the Chief Electoral Officer has made would be that there would be some online tools to allow people to get on the voters list. What provisions would you anticipate being made for people who do not have access to a computer or, like my mother, have never turned on a computer in their entire life?

**Ms. Verma:** So what we are, again, basing the register will be on the last enumeration which has been conducted. So anyone who has been—who was on the voters list on the 41st general election will be moved to the permanent register. Subsequently, data sources from different sources will be used to update and maintain the register.

**Mr. Swan:** I'm wondering if Elections Manitoba keep open the idea, even if there is a move to a permanent voters list, of maintaining door-to-door enumeration in particular areas if it appears that there is a very, very low penetration rate and a low number of people we expect live in that area being put on the voters list.

**Ms. Verma:** Absolutely, that will be a consideration that we'll be keeping while planning the target registration. We also plan to use the federal data from where target registration has been conducted because they also have a mechanism of identifying places where the—their voters list is not satisfactory. So compiling information from Elections Canada, experience of our returning officers doing analysis of the change in the voters list from 2011 to 2016 would help us make some determination on

identifying areas where target enumeration needs to be conducted.

**Mr. Swan:** I thank the Chief Electoral Officer for that.

At what stage, then, is Elections Manitoba at in terms of developing and implementing a permanent voters list?

**Ms. Verma:** We have been gathering information at this time on the permanent register. We have few options in how this register can be established. Recently, Elections Saskatchewan implemented a permanent register for their 2016 general election. We're also keeping current with technology which is being introduced in other jurisdictions. So we are at a planning stage for the permanent register. Depending upon the legislation which comes through, the requirements which are there in the legislation, the provisions which the legislation has on the ability for us to receive information, which information we can collect, we'll move into the design of the permanent register.

We are expecting for—the timeline for this to be a year to two, and we—what would—we would like to test it before the general election comes. Traditionally, between an election cycle, there are a couple of by-elections, and if that happens, then we'll be able to test the permanent register.

**Mr. Swan:** I thank the Chief Electoral Officer for that answer.

So I think you've answered what was going to be my next question, which was whether Elections Manitoba anticipates there would have to be legislative and regulatory changes for this to occur, and, presumably, the answer is, yes, there will need to be new legislation brought forward and passed by the Legislature.

**Ms. Verma:** There will be significant amendments which will be required to The Elections Act. Our Elections Act is very prescriptive, and enumeration is referred to at different parts of the legislation.

**Mr. Swan:** Yes, I thank the Chief Electoral Officer for that.

\* (15:40)

And in your comments, you had said that overall, there was an anticipation the costs might be similar or perhaps even a bit less. Is there an initial, larger expense, though? I know that every year, of course, LAMC will have to go through the Estimates

of Elections Manitoba. We know that with a set election date, it becomes easier to spread those costs and budget for those costs over an election cycle. But are there some up-front costs that are anticipated that would be above and beyond the normal pace of a four-year election cycle?

**Ms. Verma:** So enumeration costed us \$3.4 million, and that expense was incurred in 2016. The next enumeration, if we were to do on a province-wide scale with the same time period and considering the CPI increase, would cost us around \$3.8 million.

In the case of a permanent register, there is ongoing maintenance. So, for the set-up of the cost, which we are expecting that it will take two years, there will be hardware cost, software cost. We'll also have to invest in security because we'll be safeguarding personal information of all Manitobans, along with establishing—we'll be requiring more FTEs to be hired for this project. So, what we are expecting is, over the two years—first two years, it will be \$1.2 million and then an annual maintenance cost of \$450,000.

During an election period, we'll also need to budget for target registration and also other incidental costs like voter information cards, which could also—which could amount to around \$1.4 million. So, in the first cycle, if you're looking at it, it might cost us \$3.5 million. These are preliminary estimates based on certain assumptions. Our plan is if we get the legislation, then for the technology solution, we'll probably like to have an RFP out because there are many solutions available, make an assessment of which will be the best fit for Manitoba and proceed accordingly.

**Mr. Swan:** Yes, I thank the Chief Electoral Officer.

We know in the past there have been some problems with the protection of the privacy of data. The federal government has, from time to time, made mistakes. What privacy protections will Elections Manitoba put in place with the introduction of a permanent voters list?

**Ms. Verma:** We take privacy very seriously. Even with the existing voters list, only authorized personnel in the office and the head office and at the returning office have access to voters lists. We also make arrangements for the safe delivery of the paper copy of the voters list back to the returning office and back, then, to the head office.

Similarly, in case there is a permanent register, only authorized personnel will have access to the

register. We'll be consulting with the specialists on what kind of security measures we need to protect our servers and from unauthorized access.

There is also a responsibility which will go to the political parties and to the candidates, similarly, which is currently there, for safeguarding of this information.

**Mr. Swan:** I just want to quickly deal with a couple of comments that were made by the minister in her opening statement. She talked about Bill 7 regarding employee votes in certification applications. Those will not be conducted in any way by Elections Manitoba, will they?

**Ms. Verma:** I'm not familiar with that legislation, so if you could please let me know what it is about and I can comment on it.

**Mr. Swan:** Sure. I was just—I was a little surprised that the minister sort of opened her comments by talking about a move, which did pass just a couple of weeks ago, to require a vote of employees any time there is a union certification application where there's an organizing drive within a workplace. And I just want to confirm that that's not going to be handled by Elections Manitoba; that's being handled by the Manitoba Labour Board.

**Ms. Verma:** Yes, my jurisdiction is under The Elections Act and The Election Financing Act, and union vote does not fall under either of these legislations.

**Mr. Swan:** And as well, the minister talked about Bill 2, which actually was the first substantive bill that was introduced into the Legislature. I was a little surprised when we came to committee the minister actually introduced amendments that kind of changed the wording of the entire bill, as it were, and she reported that those were based on recommendations that have been made by Elections Manitoba. Had Elections Manitoba been consulted by the minister or by the new government before this bill was introduced into the Legislature?

**Ms. Verma:** Communication between our office is usually confidential, but what I can comment is on the process.

The Bill 2 refers to The Legislative Assembly Act; it doesn't refer to The Elections Act or The Election Financing Act. However, it has an impact on how—when the election has to be conducted. So what I can tell you is that we did approach the Legislative Counsel to advise them that the current

legislation had a similar issue about this vacancy to be filled in a year's time, and there is some interpretation required when we say vacancy has to be filled. The vacancy has to be filled as often—election gets held or the vacancy needs to be filled by the time the result becomes official.

After an election is held, there are 14 days for a recount application, and then the recount application they—after the recount is held, a judicial appeal can also occur. So the timeline cannot be determined when that one year gets completed. So we made a suggestion to the Legislative Counsel that if it's possible to amend the bill or bring this matter to the attention so that there's a clear timeline on when the vacancy has to be filled or change the reference to an election has to be held.

**Mr. Swan:** And one other bill that did pass in the last session was Bill 4, which deals with shortening the length of the election campaign. And I think there's—there were some decent arguments as to why this was a good idea, and it certainly matches other provinces. It works perfectly as long as we have a traditional election cycle now, where the writ is dropped and the election happens on the date which is set. We know the next election is supposed to happen on October 6th, 2020, not that we've marked that on our calendar or anything.

What has been experienced in other jurisdictions that have set election dates when there has been an early election because there has been either a minority government which has fallen or a government which may have a majority has effectively provoked an earlier election by managing to lose a budget vote or a Throne Speech vote or some other vote of confidence? Have you talked to other jurisdictions about what impact that would have on what I think are very solid plans and plans that are measured to make sure that Elections Manitoba is getting ready? What happens, to be blunt, if the plug gets pulled a year or eight months or six months before Elections Manitoba expects the election to happen?

**Ms. Verma:** Our mandate of our office is to be election ready at all times. Even though we do have a set-date election, we still are required to be election ready. However, in practical sense, that's not possible at all the time, but by being aware of the political environment, we do try to keep our plans flexible and adjust accordingly.

**Mr. Swan:** That's fair, and even if we were to move then to a permanent voters list, we know that that would reduce or perhaps eliminate door-to-door enumeration but, of course, you'll still need the returning officers in each constituency, the deputy returning officers, all the other workers. Of the 10,000 people that were hired by Elections Manitoba last time for conducting the election, even with a permanent voters list, how many employees will Elections Manitoba be hiring for the next election?

**Ms. Verma:** So, during an election, an employee may be working in different capacity. So an enumerator may work as a revising agent, may also work as an advance voting official and may also work as an election official. It will depend upon the ability of that individual, their performance and their availability too. So, if we have to move away from enumeration, there are 3,000 people who were hired for enumeration purposes and around 7,000 people on election day, and in between we also had additional staff during advance voting and as revising agent. So there could be a drop of around 15 to 20 per cent in the employees level, but when you're doing target registration we'll still need staff at that level too.

\* (15:50)

**Mr. Swan:** Sure. And, of course, 1988's not really a year that I like to think about very much, but in that year there was a government that fell well before, at that point, four to five years, which had been the norm in Manitoba. Although you would hope to have the major positions, the returning officers, maybe some of the deputy returning officers, in place, it would still be a scramble for Elections Manitoba if there was to be an early election because of the number of other short-term employees that are hired to help conduct the election across the province.

**Ms. Verma:** So, before there was a set date election, before 2011, we all voted in the same environment of uncertainty, and as being prudent planners, we would start hiring people two years ahead of time in the position of returning officers and assistant returning officers.

We also have a listing of previous election workers which we provide to the returning officers, so in case of any such situation, the first measure which the returning officer and assistant returning officers do is they start contacting the previous election workers. Subsequently, our advertising campaign also begins. We do get our ad campaigns

ready almost a year ahead of time just in case for meeting any such contingency.

We also get a list of election workers from federal Elections Canada, and we also work with the City of Winnipeg and City of Brandon and other municipalities to get their list of workers, too. So we do get a pool of election workers to begin with our conduct of election.

**Mr. Swan:** I thank the Chief Electoral Officer for that.

As we've heard, I mean this election has brought in a record number of new MLAs to the Legislature from all three parties, and I see a number of them sitting around the table.

I wonder if the Chief Electoral Officer could just, without going into a major history lesson, talk about how, over the past two decades, there's been increased financial reporting requirements on political parties and how those have placed additional financial administrative burdens on the parties, both the large ones represented in the Legislature and some of the smaller ones who aren't represented in the Legislature.

**Ms. Verma:** Okay. So, over the past two decades, campaign finance provisions have enhanced. We had contribution limits which came into effect in 2001. There's also leadership contest financial requirements which were introduced subsequently.

There are two forms which are required to be filed by the parties. One is called Form 920, which reports on the annual financial activities, and there is a Form 921, which reports on the election activities.

Those forms have been changed to reflect any amendments which have occurred, but other than the contribution rules which have been introduced which would require a system within the parties to analyze and identify contributions in aggregate more than \$3,000, because I believe some parties have a fundraising mechanism which may have cumulative contributions coming up so their systems might need some design change for that, but I'm just making these comments based on assumptions which may be required for proper accounting purposes.

There are also some child care and disability expense provisions which have been introduced, but those will impact the candidates and not the party.

Fundraising rules have changed. The earlier limit used to be \$15 for fundraising—fundraisers. Above that they used to be contributions and below that they

would be fundraising income. That limit has been increased from \$15 to \$25.

Those are the historical changes which I can recollect on campaign finance provisions, though some modernization might be required from the parties, but it also depends on the parties' resources and infrastructure.

**Mr. Swan:** Thank you. On page 12 of the annual report for 2015 there's a list of the registered party financial statements or, more properly, I suppose, the information taken from each party's financial statements.

So, building on your last answer, is it fair to say the type and the quantity of financial information that the political parties are required to produce is becoming more complex as these processes become more transparent?

**Ms. Verma:** Well, it will depend on what kind of accounting system the parties currently had—or had at the time these legislation were introduced. So it would be more appropriate for the parties to comment upon what accounting changes have been—had to be made to properly account for the legislative changes.

**Mr. Swan:** I thank the Chief Electoral Officer for that.

Also, in the same report from 2015, on page 16 of that report, there's a table regarding the dollar value of the credits claimed for political contributions by Manitobans for the past 10 years. And, of course, it varies from year to year.

Is it fair to say the dollar value changes over the course of the election cycle and generally leading up to and in an election year the amount of those contributions from Manitobans will be greater?

**Ms. Verma:** That will be correct.

What we have observed is the year leading to the election or the election year shows a real spike in contribution amounts which are received by the parties and candidates as compared to the other years in an election cycle.

**Mr. Swan:** And I see in the report there are some areas that are broken down by political parties and some that aren't. The particular chart—it's the top of page 16, and it's—I'll just read out—it's the following table, shows the dollar value of credits claimed for political contributions for the last 10 years. And it has the tax year and the amounts.

Would it be possible for Elections Manitoba to provide us with a breakdown of the chart from 2006 to 2015 broken out by the credits claimed for each political party?

**Ms. Verma:** The tax credit information is provided to us by Department of Finance. So we do not control this information. We'll have to inquire from the department if they have such a breakdown. If they do, we'll be happy to share that information with you.

**Mr. Swan:** I thank the Chief Electoral Officer for that.

Just moving on to a couple of other things, I do want to talk a little bit about the advertising and other efforts being made by Elections Manitoba. We appreciate what I think has been a steady effort by Elections Manitoba to encourage more Manitobans to come out and vote. We know that federally there was a definite lack of enthusiasm by the government of the day in having Elections Canada encourage people to vote. I'm hopeful that Elections Manitoba will continue its interest in getting Manitobans out.

We had by-elections both recorded in the 2014 report and the 2015 report.

Is Elections Manitoba satisfied with the rate of voter participation in the three by-elections that are covered by the reports?

**Ms. Verma:** The voter turnout has declined in the recent by-elections. And the last one, which was held in The Pas, the voter turnout, I believe, was 24 per cent, which was quite low. So, when we are—that is certainly discouraging to see the low voter turnout.

But, as I've said in the past, voter turnout is a complex issue. It—the reasons for low voter turnout relates to several factors which might be there. There are some political factors; there are socio-economic factors; and yes, there could be a communication factor too.

Socio-economic surveys indicate that usually people who are coming from—the non-voters tend to be from lower income households or from families who have traditionally not voted.

Political factors could be the closeness of the competition, the appetite for change among the voters, the political activity which is occurring in that electoral division or in the province.

And communication, too, our survey indicates that voters and non-voters both support the effort of Elections Manitoba to provide information, and they would like to see a role of the agency to encourage voting.

Based on that response from the previous surveys too, our messages have been both informational and motivational in our ad campaign.

**Mr. Swan:** And, just to take a step sideways right now, you mention a survey. And is that a survey referred to in the reports or a separate survey that Elections Manitoba has published?

\* (16:00)

**Ms. Verma:** We do a survey post-election. So that will be included in the 2016 annual report. A survey was conducted for Manitoba population. A survey was also conducted on election workers. We also conducted a survey for voters and non-voters, and tried to identify the reasons for non-voting. The response was quite similar to the previous surveys that we have done. A news release was issued on the survey information earlier this year, and those—there are two survey reports which are available on our website.

**Mr. Swan:** I thank the Chief Electoral Officer for that, and I'm sure we'll be discussing that at a future meeting.

Can you just sort of walk us through what promotional advertising efforts were undertaken to prepare for the two by-elections in 2014, Arthur-Virden and Morris?

**Ms. Verma:** So, when a—unlike a set election date, we are not aware of when a by-election has to be conducted. So, when a writ has—when an order is issued for a writ to be produced for a certain by-election, our promotion activities begin at that time—most of the promotional activities. There might be some other communication and outreach work which we do in anticipation of an upcoming by-election.

So, in the case of Morris and Arthur-Virden, considering the time period, we started approaching, contacting the seniors residences and also places for where travellers would usually go prior to making their travel plans, like snowbird associations or municipal offices, to provide information on absentee voters.

We also started our advertisement for hiring election workers in anticipation of an election. When

an election occurs, there are certain statutory requirements which we have to do, which is posting the notice of election; it goes into the local newspapers. There's also a requirement to provide information on—after the close of nomination, on who are the official candidates, and also there is promotion around advance voting and election-day voting.

**Mr. Swan:** Yes, and I thank the Chief Electoral Officer for that.

There was also the by-election that was held in The Pas in 2015, again, another large riding with some different factors. Were there any differences in the advertising and promotional efforts in that by-election from the two southern ones?

**Ms. Verma:** Yes, there is a difference which is based on the electoral division. In The Pas, it is a large riding. It has several First Nation communities. So, we hired a returning officer and assistant returning officer soon after the vacancy occurred, and we start networking with the different First Nation communities to understand what the requirement will be, how can we hire enumerators in those communities which will be the areas where we can establish a voting place.

Also, given sometimes the remoteness of the communities and not knowing at which time the by-election will be held, we start making plans on alternatives of—in case for delivery of material, because some communities have restricted access. So, if the road access gets blocked, then we have to make alternate arrangements for fly-in access to provide the material, to provide the training, to hire the staff and to obtain the information back to our office.

**Mr. Swan:** How effective does Elections Manitoba believe that its advertising, its promotional efforts, are in affecting voter turnout?

**Ms. Verma:** That is a difficult question to answer, again, because voter turnout is such a complex factor that it's hard to associate one reason to directly correlate that to the result. But what our surveys indicate are that there was recollection of our campaign advertisements; there was a support for our advertisements, and there was a recall skill was quite high for our promotions.

**Mr. Swan:** Very good. And of course as we go along, there's always new ways that—whether it's a political party or it's a corporation or an electoral agency—tries to attract people to recognize the

message. And, I mean, I think every member on the table knows that often it's more senior Manitobans that are quite prepared to vote. I know in some of the blocks where there is a voting station, not only do people vote, they're down there voting by 10 a.m. in many cases.

The challenge, in my view, is attracting younger people, first-time voters who are eligible to step up and vote. What areas of improvement or new activities does Elections Manitoba foresee over the next couple of years to try to really attract and speak to first-time, younger voters?

**Ms. Verma:** So I would like to start with some initiatives which we took for the recent general election. We introduced our mobile app called Manitoba Votes 2016, which allowed users to find advance voting information, election day information, who are the candidates, the frequently asked questions, the important dates and some campaign finance information. There were around 2,000 downloads of that application.

We also developed and worked on our social media. There was an increase in our Twitter and Facebook followers. We regularly provided updates on both Twitter and Facebook on the election activities. It was also a medium to receive questions and provide responses. We had a staff person who was regularly monitoring both these mediums.

Looking forward, we are also—we work a lot with post-secondary institutions and schools. In this recent election we connected with students at 14 campuses across the province in post-secondary. They included Assiniboia college, Booth college, Brandon University, Canadian Mennonite University, Providence college, Red River, Manitoba Institute of Trades and Technology, Steinbach Bible College, university St. Boniface, University College of the North, University of Manitoba, University of Winnipeg and Yellowquill College.

We met with the administration staff. We hosted a number of student—we hosted a meeting with student council representatives. We met with the Canadian Federation of Students, worked with student services, career services, residence in—residence staff, graduate student organizations, Aboriginal student organizations. And these consultations helped us to set up distribution channels for materials such as posters, brochures, electronic and social media. We also participated in career fairs in six campuses, set up student information booths on voting, recruited and trained

university students to staff the vote and advance voting was held on six campuses.

We also have a program called Citizen Next, which we introduced in 2011. That is—that we encourage parents to bring their children to vote. It makes the voting place more welcoming and removes the common barrier which has been identified for child care.

So information is provided from kindergarten to grade 6 to all schools in Manitoba. Apart from that, we have an ongoing program called student information officer program, which is—we hire high school students to work as information officers. This got started in the by-election prior to the 2011 general election. This year we had 350 high school students take part as information officers in 54 electoral divisions.

Our ongoing education program, Your Power to Choose, has been in effect since 2006. This election year, we had 296 workshops covering 6,500 students in 52 electoral divisions. We also held a northern tour, which provided 37 workshops, 871 students and communities in Churchill, The Pas, Thompson, Flin Flon and Norway House were targeted.

**Mr. Swan:** I thank the Chief Electoral Officer for a very complete answer, and I do appreciate the effort that is being made. I did download the app on my phone and, as a candidate, it's very helpful because the last thing you want to do is send someone who's going to vote for you to the wrong place to vote; that's definitely not appreciated.

So I do want to talk a little bit more about that. I am glad that Elections Manitoba takes that very seriously.

One of the recommendations that your office has made is allowing 16- and 17-year-olds to work on campaigns, which—for Elections Manitoba, which can be, first of all, very helpful at trying to find people who are prepared to fill a short-term position but, secondly, I presume one of the reasons for that is to perhaps have more advocates or role models among 16- and 17-year-olds, who then may be seen as leaders and encourage other young people to vote once they reach the legal age. Is that fair?

**Ms. Verma:** I think that's a fair assessment. When we had student information officers, we do a survey, post their employment to get an understanding. Was that a position they felt comfortable doing the job? How was their experience? And, overall, we heard positive comments from all the student information

officers. They were engaged; they were glad of the opportunity; and it's the first exposure to democracy for them.

\* (16:10)

And what we also find, people who start voting at an earlier age become habitual voters. So our aim is also, other than expanding the pool of election workers, is to engage high school students in democracy. They become voters. They become interested in democracy and participants going forward.

**Mr. Swan:** I thank the Chief Electoral Officer for that.

And, like certain other members in this Legislature, I have a 16-year-old who is very engaged and would actually like very much the chance to vote.

We'll talk more about referendums, but I know in the Scottish referendum, 16- and 17-year-olds were actually given the right to vote. They don't have that right in general elections, but a determination was made in that—I won't call it a country—in that part of Great Britain to give 16- and 17-year-olds a position and a chance to vote on the future of their part of the world.

Is extending the vote to 16- and 17-year-olds something that has been discussed by the various electoral commissioners across Canada? And is this something that Elections Manitoba is interested in researching and reviewing?

**Ms. Verma:** There was recently a plebiscite which was held in Prince Edward Island, and it provided the 16- and 17-year-olds opportunity to vote. So that was an interesting initiative to see. And they also had Internet voting as one of the options of voting in a plebiscite. But what they did find, that the uptake from 16- and 17-year-olds was not that high. So it was just an observation.

But at this time we have not—we don't have any plans for reviewing the possibility of lowering the voting age, and it hasn't come across in any other jurisdiction that we have had discussions with.

**Mr. Swan:** I thank the Chief Electoral Officer for that.

And just to finish off the last point on that one recommendation, not only is the recommendation that 16- and 17-year-olds be able to work for Elections Manitoba, but also non-Canadian citizens.



Do we believe that would require a legislative change? Or is that something that Elections Manitoba can proceed with if there was to be a by-election before the law can be changed?

**Ms. Verma:** Currently, The Elections Act clearly states that positions like voting officers, assistant voting officers, registration officers, they all have to be eligible voters of that electoral division, which basically means that you have to be 18 years and older, Canadian citizen and a resident of that electoral division.

There is a power for the Chief Electoral Officer to adapt the provisions, which is under section 28. However, that provision is more to adapt the election in case of serious exceptions. We do not want to use that power to adapt to change the employment requirement for so many categories of election officials. So I believe the legislative amendment would be beneficial to make that change.

**Mr. Swan:** I thank the Chief Electoral Officer for that.

One of the recommendations is to increase the size of the urban voting areas and the rural voting areas: for urban areas, from 350 to 500 eligible voters; and for rural areas, from 250 to 350 eligible voters.

Does that come out of the success of advance voting? Or what has driven that recommendation?

**Ms. Verma:** So advance voting has increased from 11 per cent when it was introduced in 2007 that you can vote anywhere to 25 per cent in 2016. What we are anticipating is that it may, with this base of increase, it may come up to around 40 per cent by the time the next general election happens.

At the current level of 350, and with a voter turnout of 57 per cent, which we had in the province, even the electoral division with the highest turnout, urban, was River Heights, factor in the advance voting, which comes out, the voting stations are only operating at around 40 per cent of their capacity. Having said so, if they are working at 40 per cent of their capacity, that's the 40 per cent increase that we are recommending for a voting area, from 350 to 500.

Rurally and urban, the intent is not to reduce the number of voting locations. The voting locations would probably remain the same. The intent is to reduce the number of stations in a voting area, because that will lead to more optimum utilization of

the resources that we have. And it might reduce cost too, because for each working station there is a cost for material, there is a cost for training staff, and then there is a cost for the tariff for that staff.

**Mr. Swan:** Well, I thank the officer for that, and I'm actually quite relieved to hear that explanation because certainly there have been moves in the past decade to provide smaller numbers of eligible voters for each poll to try and encourage people and make sure that they can—they have a reasonable chance of getting to the polling place. And I believe in rural Manitoba the goal is to make sure that no one is more than 30 kilometres away from a polling place, although, given Manitoba's geography, we know that's not a hundred per cent possible, but it's a goal.

So, just to confirm what you're saying, if, for example, in the constituency of Minto the idea would be to increase the number of people on each of the voting lists in each of the polls, the intention you would still have the same number of polling places. So the various schools generally that are used in the West End, there would still be those same number of places; there would simply be perhaps three individual polls instead of four, for example, in Daniel McIntyre Collegiate or Sargent Park School.

**Ms. Verma:** Yes, your understanding is correct.

So, in a rural location, if there is only one table, let's take a table for a voting area, that will not change because we do not want to inconvenience the voters in travelling to a more distant location. However, in an urban location where there are, say, six stations in a place, that may get reduced to four stations. We do not anticipate that it will inconvenience the voters because also looking at the peak time, which is a couple of hours during the close or around noontime, that the lineup will not be that significant.

**Mr. Swan:** Has Elections Manitoba done any analysis of whether people are more likely to vote based on the distance from the polling place?

**Ms. Verma:** Because of advance voting, which is you can vote anywhere, 25 per cent of Manitobans vote at advance anywhere, so it's a little difficult to analyze. But what we can say is that we didn't receive complaints about driving too far other than in probably Transcona electoral division because there was limited schools that we were able to find to place the voting stations.

**Mr. Swan:** Well, I—this has all been a very good conversation. I was concerned when I saw this

particular item, but from our discussion I'm quite satisfied that Elections Manitoba has thought this through, and I understand now what's being requested.

I can say that, even within a very dense geographic constituency like Minto, the odds of someone going to vote do depend on how close they are to a polling place, especially from Maryland and Sherbrook Street to Langside, I know it does make a big difference in the voter turnout whether somebody has to go a block or two or even six or seven blocks if you don't have a vehicle. I expect that's equally the case for members who represent rural constituencies. We know that even 30 kilometres we would like to be shorter, but I know Elections Manitoba is interested in continuing to provide as many choices as possible.

Does the Chief Electoral Officer see any other potential expansions of how advance voting is conducted? We know it's very helpful to have universities and colleges as polling places; shopping malls have become a very, very popular place for people of all ages to go and cast their votes, I believe the airport had a polling place. Are there any other ideas—are there ideas that have come from other jurisdictions as to how advance voting could even be expanded again for the next election?

**Ms. Verma:** So we had 293 advance voting locations in Manitoba, which is, as compared to the federal, the number of advance voting locations was significantly higher. We met the criteria of no voter has to travel more than 30 kilometres anywhere in the province—across the province.

\* (16:20)

This election we introduced high traffic voting area in Health Science Centre, which was quite successful, so that is one area that we are looking at expanding to other major hospitals. Out of 28,000 non-resident advance voter—voting, 18,000 came from these 13 high-traffic locations. So, yes, you're right that these malls, universities, airport and Health Sciences Centre were all popular locations.

**Mr. Swan:** Yes, well, I thank the Chief Electoral Officer, and I certainly look forward to working together and having more ideas on how we can provide—what we can do to make it most likely that Manitobans will take the time to cast their vote.

I'd like to talk a little bit about absentee ballots and to talk a little bit about what's being sought and how it works at the present time. Right now, if

everything proceeds as expected with a call for an election in September of 2020 for an October 6th election, what is the earliest date that a voter would be able to receive an absentee ballot for that election?

**Ms. Verma:** So, in the current legislation, it works that before the writ is issued, all absentee applications have to come to the Chief Electoral Officer, so, basically the head office of Elections Manitoba. When the writ is issued, we send all the applications to the returning office. They can process the applications, but they don't mail out the application kits 'til the time nominations close.

If a person comes in person to the returning office, they may be able to receive an absentee kit without a list of candidates. So, technically, no ballot can be received unless the nominations close, which leaves us to—a period of three weeks or less to mail the ballots and to receive the ballots back.

The other concern which we have is, if they are travelling internationally to a place in Asia, Africa or Europe, we will be able to spend the money to send them by priority post so that they can receive the ballot as soon as possible. However, the voters do express concerns that for them to send the mail back as priority post is very expensive. On an average, we spend, in postage, around \$150 to \$200 for such absentee kits.

What we are proposing is that as soon as a writ is issued, an absentee kit and the ballot be mailed and be accepted. A consequential result of that would be that on an absentee ballot the name of the candidate or the name of the registered party or independent be indicated. So you do not have to wait until the close of nomination to get the list of candidates. Currently, you can only write the name of the candidate or the name of the candidate along with the party. The party name cannot be accepted as a valid ballot.

**Mr. Swan:** Now, we know, and I won't mention the party, but one party had trouble keeping their other candidates last time, so what if somebody wrote in for that party and there was no candidate for that party? Would that be considered a spoiled ballot or a rejected ballot, or what would happen?

**Ms. Verma:** In that case, it will be considered to be a rejected ballot.

**Mr. Swan:** And are there any other changes, then, to the absentee balloting process that Elections Manitoba is recommending?

**Ms. Verma:** No. These will be the changes to change the timeline of the delivery and acceptance of the absentee ballots, and the second would be, as soon as the returning office is open, then the applications can be received directly by the returning office. So, in case we are having target registration, even at that time, the returning officer can receive these applications and process them but not mail out the application ballot. They can verify, check if any additional information is needed.

**Mr. Swan:** I thank the Chief Electoral Officer for that.

One of the recommendations is to reduce the voting hours on general election day. We know that Manitoba's polls are open from 7 a.m. until 8 p.m., which, as you've pointed out, is the longest voting day of any jurisdiction. And we know it's a long day for staff who are involved. Do we have statistics or a number of how many Manitobans actually chose to vote from 7 a.m. until 8 a.m.?

If you don't have that handy, we could always receive that information after the fact.

**Ms. Verma:** We did not capture that information. So there are no statistics about it; however, anecdotally, that we were advised by the returning officers and Elections workers that the traffic was very low.

There's also, even though we advertise that election day opens at 7 a.m., there is confusion with the voters because advance voting is 8 a.m. to 8 p.m.; municipally, it's 8 a.m. to 8 p.m.; federally, it's 8:30 to 8:30. So having election day at 7:00 doesn't register that well with many voters.

The other issue is, apart from being a long day, we also have some logistic issues of opening the voting stations at 7 a.m. Schools are usually—or the janitors are usually not available that early, so we have to make significant arrangements to ensure that we have access to these locations. There have been many cases where the voting officials have been there at 6:30, but they had to wait for the location to be opened, which delays the opening of the voting place.

**Mr. Swan:** And just remind me, what is the provision now employers must give employees a certain amount of time to vote? Can the Chief Electoral Officer just remind me how much time is that? And what efforts are made in the course of an election to remind employees—employers of their obligation?

**Ms. Verma:** Currently, there are three hours which the employers must provide. We do not promote or advertise on the three hours' requirement. But we did have a voters' rights posters which were placed in different voting stations during advance and election day which mentions that employers have to provide three hours.

**Mr. Swan:** I do thank the Chief Electoral Officer for that.

Now, Elections Manitoba has recommended that a referendum act with some general rules that would govern any referendums in Manitoba to be developed. And, on page 43 of the 2015 report, there are a number of questions that Elections Manitoba hope such an act would clarify, including—well, I won't read through them, we can all see them on page 43 of the report.

Does Elections Manitoba believe the same bans on contributions by both unions and corporations to political parties ought to be part of any referendum law that could be introduced?

**Ms. Verma:** The purpose of our recommendation is to bring to the attention of the legislators that there—these are some of the questions which need to be addressed in legislation. We do not have a position on what the legislation needs to be. We leave that to the legislators.

**Mr. Swan:** That's fair enough.

I know that in other jurisdictions, notably our friends in Quebec, there's often been issues about the wording of a referendum.

Is there any sort of best practice or common way from jurisdictions that have had referendums to determine the actual nature of the question that goes on the ballot?

**Ms. Verma:** The referendum, most of the jurisdictions have a referendum legislation, and it varies. And it will depend upon, have they—the legislation includes a committee which needs to be formed, or which other authority will be determining that question and what the process will be. So there are certain options which are available.

If you would like, I can provide you with a more detailed response subsequently.

**Mr. Swan:** I think that would be helpful, because I think this will be a conversation that we'll be having again.

I mean, some cases, there are general referendums which are set out in legislation. Sometimes a referendum may come up by design. It may be a particular question that arises, as we saw recently in Prince Edward Island.

In your view, how do considerations of fairness and accuracy impact the way in which those referendum questions are posed?

**Ms. Verma:** Could I ask the member to expand on the question, please?

**Mr. Swan:** Sure. I sort of took it from your answer that there is no set way that the various electoral commissions determine how the wording of the question will be.

Can you comment, though, on what considerations should be taken into account when framing the question that people will be voting on?

**Ms. Verma:** So it's usually not the electoral agency which determines the question. It's usually a committee which is established by the Legislative Assembly who establishes the question.

\* (16:30)

While establishing the question, one needs to be mindful of the fact that it should be clear, it should be concise and sometimes not too complicated. It also should be such that a yes and no response can be provided on that question because, usually, for a referendum, the two options are yes and no.

**Mr. Swan:** I take it, every year is there a conference of chief electoral officers and staff at which you're able to share these ideas and tell, I suppose, war stories from your own jurisdiction about what's been working well and what hasn't?

**Ms. Verma:** Yes, our office participates in an annual conference of Canadian election officials. Similar to other independent offices, this conference is hosted by different jurisdictions on a rotational basis. We do discuss best practices, new initiatives, recommendations, technology which has been introduced or any other theme which might be of interest across the country.

We also meet once a year at a conference of just the chief electoral officers, which is hosted by Elections Canada, on matters such as the register or any other items which may come from the Canadian election officials conference.

**Mr. Swan:** I thank the Chief Electoral Officer.

I'm just coming to the end of my questions, and I believe that Ms. Lamoureux has some questions and some of my colleagues have a few questions as well.

We talked a little bit about the Arthur-Virden, Morris and The Pas by-elections that are contained in these two reports. Were there any recorded cases of voter fraud or any other infractions in these by-elections?

**Ms. Verma:** To my knowledge, there were no complaints which we received on any voter fraud or irregularity in these by-elections. The commissioner may have received some, but I'm not aware of those.

**Mr. Swan:** Fair enough.

There has been some talk and some moves in Manitoba to move towards what could be described as a Manitoba ID, which would possibly combine a Manitoba driver's licence and a health card. In your opinion, would that be something that would be helpful to the ongoing work that Elections Manitoba will do to maintain a permanent voters list?

**Ms. Verma:** I believe a central repository of information which has reliable and credible information will certainly assist in updating and maintaining of register. I'm not aware of what the requirements would be for that Manitoba ID card, so I can't comment on it. But any resource of information that we can have for reliable information, current and accurate, would be an assistance to establishing the registry.

**Mr. Swan:** Does the Chief Electoral Officer believe that it would be useful to have Elections Manitoba's input in creating a Manitoba ID for the purposes, first of all, of assisting Elections Manitoba, in maintaining that list, and, secondly, in cases where people do attend without being on the list, as ID for voting? Would those—would that be something that Elections Manitoba would like to be involved in?

**Ms. Verma:** I think we welcome the opportunity to collaborate on such an initiative.

**Mr. Swan:** All right. I believe Ms. Lamoureux has a few questions as well.

**Ms. Cindy Lamoureux (Burrows):** Thank you, I appreciate that, and thank you, Ms. Verma, for joining us here today.

Correct me if I'm wrong, but I'm under the impression that the electoral boundaries will be changing between now and the next provincial election.

**Ms. Verma:** An electoral boundary commission is scheduled for 2018. The boundaries commission is held once every 10 years. The last commission was held in 2008. So the next commission will be in 2018.

The boundaries commission consists of five members. That would be the Chief Justice of Manitoba, university president of Manitoba, university president of Brandon and University College of the North president and myself.

**Ms. Lamoureux:** If the boundaries are changed, then, will that affect any of the recommendations, or would the recommendations affect the boundary changes?

**Ms. Verma:** So I believe you're referring to the recommendations relating to the permanent register. So, in a permanent register, usually there are two separate components that we'd be dealing with: one is voter information, and one is address information. And the boundaries form a layer over these two information. So, if you have to assume there are two databases that we are working on, we match the information that you as a voter, where you'll be residing to the address and then overlaying it with the boundary information. So that information of your individual voter or the residence doesn't change. What impacts, what gets changed, is where—which electoral division you reside in, which voting area will you be residing in and which location you'll be voting in.

So, after the boundaries commission, there will be substantial work which our office will need to do in order to reassign the voters and the addresses to the new boundaries, redraw all the maps, which are around 3,000 maps for the province, and also, the hiring of the returning officers and assistant returning officers will need to be delayed 'til the time the new boundaries have been established.

**Ms. Lamoureux:** I guess I don't want to be duplicating work. Is it best to have these recommendations to voters lists implemented now, or would it be better to wait until after the provincial ridings' electoral boundaries have been changed?

**Ms. Verma:** So it will be helpful to have the Manitoba voter register amendments come in as soon as possible, because we will need a year to two to establish this register and to test it. Having said that, the work of boundaries commission and the register are independent of each other, but because we are a limited-staff office and it's the same resources that

will be working on a register as well as the boundaries commission, timing is of extreme importance. Ideally, if we can complete the work on the register prior to the start of the commission, that would help make a strong foundation for the register.

Once the boundary commission work is completed, then we can start our work on for election preparation for the 2020 general election.

**Ms. Lamoureux:** Thank you for your answer.

My colleague from Minto touched on this too, briefly. With the one-hour change, opening the polls starting at 8 a.m. rather than 7 a.m., I know there's no statistics showing the voter turnout between that hour, but if we want to improve voter turnout, I have a hard time understanding why that could be a good thing.

I see your point in the consistency. People are confused as it is referring to hours and when the polls are open, but is there room to maybe look and be able to work with both municipal and federal government to plan a set time for all polls, for all elections, to eliminate confusion?

**Ms. Verma:** So the federal election, municipal election and the provincial election, we all work from different legislation. And the timing of election-day hours are set by the respective legislation. Currently, municipal is 8:00 to 8:00, and if we change hours to 8:00 to 8:00, we will be consistent with them.

Federally, it depends on the time zones. So Elections Canada has different election hours based on the different time zones, and the Central Time zone falls as 8:30 to 8:30. If we have to make any changes to the federal legislation, that will be beyond our scope. It will be a federal matter to be dealt with at that level.

**Ms. Lamoureux:** I can appreciate that.

So the idea of collecting data from 16- and 17-year-olds, is it practised in other provinces?

**Ms. Verma:** The bill which was tabled yesterday by the federal government is going to allow Elections Canada to obtain information for the age of 14 to 17, so it will be a practice which will be there. And there are other jurisdictions who are also recommending a similar approach to receive information on future voters or eligible voters, and the reason is that the current data is poor for that section of age category for voters who've become from 18 to 24, and it's also

going to have—give us an opportunity to connect with the voters when they become eligible voters.

**Ms. Lamoureux:** Are there any further plans to have young people engaged? I really liked the list that you were able to rattle off earlier, and I made notes of all of them, but new ideas, new initiatives that will be taking effect for the upcoming election.

**Ms. Verma:** We are in the process of debriefing, and we will be having a strategic planning session next year. So, based on the survey responses, the debriefing that we have from our head office and the returning officers, we'll be reviewing our current strategies and working on the new ones. We also strive to remain current with practices which are happening in other jurisdictions. The mobile app was something new among provincial jurisdictions. It was introduced by City of Winnipeg and that—when we saw that, we thought that might be a good fit for our elections too. So we are in the process of receiving more information and will be open to any ideas or suggestions which you all may have.

\*(16:40)

**Ms. Lamoureux:** Last question, and I really enjoyed that mobile app as well. I remember I can recall pulling it out during the election and showing it to people at the doors while door knocking, super convenient.

Last question. Could you explain the difference in the ballot between advance voting and election day? I remember hearing different things about the election: you have to spell the candidate's name out; you have to spell it correctly; you just have to spell it so it sounds correct? Could you explain that a little bit?

**Ms. Verma:** Sure. Advance voting happens in two ways. Because we have the ability to vote anywhere, there is a provision called a regular advance voting, which is also known as resident advance voting, and then there is non-resident advance voting. So, if I'm a resident of Minto and I go to an advance voting station in Minto, I will vote as resident using a regular ballot, which has the names of the candidates preprinted on it, and then you can mark a cross on your choice of a candidate and it goes in a ballot box.

However, if I'm a resident of Transcona going to Minto to vote, I will be voting as a non-resident voter. I'll be given a write-in ballot, which is a blank ballot along with the list of candidates of Transcona candidates. Then, based on the list of the candidates, I have to select which candidate I would like to vote

for and write down the name of that candidate in the write-in ballot. That write-in ballot goes in a white envelope, which is called the secrecy envelope, and that white envelope is then placed into a yellow envelope, which has my name, my electoral division, where I voted and for which electoral division I voted. This is marked so that my ballot can go to the right electoral division to be counted in Transcona, and then the recommendation which we have that we allow the first envelope to be opened at 6 p.m., the ballot is still secure in the white envelope. So, at the time of the count, if the intent of the voter is clear, then the ballot is counted.

However, if there were two Cindy's and they just write the first name Cindy, then the intent of the voter will not be clear. Then the ballot will need to be rejected.

**Mr. Wab Kinew (Fort Rouge):** I'd like to thank the Chief Electoral Officer. You're certainly very poised and your command of the facts seems to verge on mastery, so it's very, very impressive.

I wanted to return to some of the comments you made about the plebiscite in Prince Edward Island that included online voting. I was curious. Why don't we use online voting in Manitoba?

**Ms. Verma:** Online voting requires certain principles to be maintained. Usually, when you vote during a regular election process, you ensure that there is secrecy of the ballot is maintained, so the voter goes behind the screen to mark the ballot. The voter is identified when a ballot has been issued. You can only vote once because your name is struck off the voters list. There is a way to verify the process in case there is a recount. That we can—we have the paper ballots. We can count the ballots. We can show how you have voted. And then there is accessibility, which is achieved through different ways, options of how you can cast your ballot. You can do it homebound; you can do absentee. There are ways for people with disabilities. You can vote regular on election day or advance.

When we look at Internet voting, these fundamental principles need to be maintained, and still now the technology or the voter confidence is not there to address all these principles. So take, for example, the secrecy of the ballot. How do we know the person who is marking the ballot is the voter or if somebody has taken your password and your security question and marked the ballot?

Then it comes also to the question of verifiability. In a recount, you have the paper ballots which are present in front of you which shows how you've marked. Can a system be hacked? Yes, a system can be hacked. So how much assurance can you have through Internet voting to ensure that the way you have marked the ballot, the system has recorded in the same way without compromising the secrecy of your ballot process? So these are some of the concerns which are there across all jurisdictions and federally too.

Many studies have been conducted. There was an extensive study which was conducted in British Columbia. There was another report which was produced by Nova Scotia outlining the same concerns.

Yes, people ask the question: When banking can happen online, why can't voting happen online?

In banking, the error rate is recognizable. But the banker or the person who is banking is accepting that risk also.

Is—are the voters and the officials comfortable assuming that risk that the vote can be rigged? Will it impact the integrity of the voting process? Will it undermine the public confidence in the voting process if that risk is not assumed, if the risk is not expected and the risk is not addressed properly? These are some of the questions which administrators face.

Then there is also the technology issue. Do we have a foolproof technology available to address this issue? The plebiscite, if you take for the Prince Edward Island, that—the result was not going to be binding. So the error rate, even if it was there, the risk was less because the result was not binding.

The other issue which people talk about Internet voting is accessibility. But the voter turnout in PEI was only 36 per cent. So having Internet voting available still didn't increase the voter turnout. Actually, it—the voter turnout was significantly less, because PEI leads the voter turnout in Canada. The voter turnout in PEI is usually around 80 per cent. So for the plebiscite it was 36 per cent.

But as I've said earlier, voter turnout is a complex issue. It's not just about accessibility. Maybe there was no interest in the plebiscite. There could be other reasons associated with it too.

**Mr. Kinew:** Thank you for that answer.

I think, you know, as the availability of biometric, either algorithms which recognize biometric input through smart phones and computers are more widely distributed, or actually the sensors in those devices is more able to receive biometric input, some of those concerns might be addressed.

So I'm curious. I take it from your answer there's already an—you know, I've got a good idea of how you're going to respond to this question, but I just would like to know: How will Elections Manitoba monitor developments in this field going forward and take the research in the field into account when deciding how future elections should be held?

**Ms. Verma:** So we stay current with the best practices which are happening in other jurisdictions. Even for the recent PEI plebiscite, I and another office member was present in PEI to observe the election. We were there at the voting places on the—where the regular voting was happening, and we were talking to the election people about what's their take-up on the Internet voting. So there was some concerns which was raised there.

We are also keeping current on the technology which is available around Internet voting. We've had a discussion with the vendor who was supplying the Internet software voting mechanism in PEI. There is a cost factor also which is associated.

There is some rationale which can be explored going forward using Internet voting for absentee voters or for people in the Armed Forces as an option for the absentee ballots. But there's still a lot of research which needs to be held—to be done to explore that option.

**Mr. Kinew:** So I take it that you're on top of the field and will continue monitoring developments. And you're obviously very knowledgeable in the area.

So there was another, I guess, not under the jurisdiction of Elections Manitoba, but during the last federal election, turnout on some First Nations increased dramatically to the point where many First Nations polling stations reported running out of ballots. This happened in my home community of Onigaming in Ontario; Shoal Lake; a few communities in Manitoba, Saskatchewan, Alberta as well.

I met with officials from Elections Canada after the federal election, and, you know, they explained some of their—the process by which they estimate what turnout is going to be and then thereby make

decisions on how many ballots to distribute to a given polling location and, you know, talked about some of the processes that they're going to put into place to accommodate record turnout, you know, if it shows up unexpectedly.

So I was just wondering if you could talk a bit about, you know, what Elections Manitoba might have learned from some of the failings of elections—that Elections Canada has acknowledged and what steps would be taken to ensure that if there are dramatic increases in areas with traditionally low turnout, whether we can ensure that everyone's, you know, democratic franchise is enabled.

\* (16:50)

**Ms. Verma:** Actually, we supply the ballots not based on the turnout because we don't want to be in the business of predicting the turnout. It is a—it's voters right to vote and each voter should be having the right to vote at the—with the choice of how they want to vote, when they want to vote and where they want to vote. So the material that we provide for each voting station is based on the voters list of that voting area, plus a 20 per cent contingency.

**Mr. Kinew:** So just to be clear, if that 20 per cent—you have a ballot for every person in that poll plus 20 per cent in case there is a bunch of people from outside of that polling location showing up to vote.

**Ms. Verma:** So on election day you can only vote in the voting area that you have been assigned to. So, if the voting area has a list of 300 voters and we know that 20 people have voted ahead of time, so the number of ballots which will be going will be 280 plus a contingency of 20 per cent, to allow for swear-ons to also have the right to vote without having any shortage of ballots.

**Mr. Kinew:** I believe some of the challenge came from the fact that voting lists on First Nations were incomplete and there were a dramatic increase in the number of people who either were sworn—had a swear-in process or presented, you know, non-traditional forms of identification, like prescription pill bottles and things like that.

So I was just wondering in cases where the voting list may have challenges due to, you know, shifting demographics or, you know, census, you know, and income tax data being incomplete, what sort of measures would be taken by Elections Manitoba in those situations?

**Ms. Verma:** When we compiled the voters list through door-to-door enumeration, and then the boundaries are the same, we compare the information to the previous voters list. That helps us plan our revision activities. Even after the revision, if our voters list is still short from the previous voters list, we plan for registration officers to be available on election day and during advance, if required. And then we plan for the ballots based on the higher number, rather than the lower number. So we do take into account the current activity of registration and compare it to the previous election.

In this—for this 41st general election, we also received information from Elections Canada. We had heard of this issue, so we wanted to plan for any contingency. We compared our list with what Elections Canada had to identify the areas of gap and made adequate provisions.

**Mr. Kinew:** Yes, the next question was just going to be whether you would, you know, communicate with Elections Canada on the matter. So you've already done so. So I'd just like to thank you for your time.

**Madam Chairperson:** Okay, and now I'd like to recognize Ms. Morley-Lecomte.

**Ms. Janice Morley-Lecomte (Seine River):** Thank you. I just have a couple of questions.

Photo identification, are there any requirements for this when you're voting?

**Ms. Verma:** So under our legislation, if you vote during advance voting, either as a resident or as a non-resident voter, you're required to show ID. ID requirements are listed under section 2 of The Elections Act. It basically states that if you can bring one government-issued photo ID or any other two pieces of ID. If none of your IDs have an address, then you can sign a declaration. On election day, if you're on the voters list, then you don't need to provide ID. If you're not on the election—on the voters list, then you can be sworn on with the same ID requirements, either one government-issued photo ID or any other two pieces of ID. And if you're—any ID doesn't have an address, you can have a declaration.

**Ms. Morley-Lecomte:** Is this similar or different from other jurisdictions?

**Ms. Verma:** There are seven jurisdictions in Canada who require ID on election day and there are seven jurisdictions who do not require ID on election day. So that probably addresses one part of your question.



What are the ID requirements across Canada? They vary. Our Manitoba legislation is one of the most inclusive legislations because we do not prescribe which ID is required. And it also gives the option to the voter; in case the ID card doesn't have an address, they can do a declaration of their address.

**Ms. Morley-Lecomte:** Okay, so would there be challenges around making sure the person voting is the person with or without the ID?

**Ms. Verma:** So, during advance voting, of course, there's an ID requirement. Before, there was the requirement that you could vote anywhere; advance didn't require ID. And I think the ID requirement was introduced because you can vote anywhere. And, because you can vote anywhere, the full provincial voters list is not available, so if at the 293 locations you only have the voters list of your resident electoral division, and that was a means to ensure that voters can vote anywhere.

Our list is created through enumeration. It's a door-to-door enumeration. You go to the door; you receive the information from the voter. There is a level of confidence that the voter will not be lying to you and giving you false information. But, having said that, we haven't had any complaints or any prosecutions on voter fraud in the history of Manitoba. So probably that provides a level of confidence that the voter fraud or voting irregularities are low or nil.

**Ms. Morley-Lecomte:** Different kind of question: Over the years you've had a number of opportunities to look into different matters regarding section 91—or sorry—92(1) and (2), section (2), of The Election Financing Act. Can you share with the committee some of your insights into this section, given your experience in this interpretation?

**Ms. Verma:** So section 92 deals with government advertising. That's the section you are referring to. And government advertising section restricts advertising or publication in a by-election and in a general election. The time period for a by-election is during the election period. In a set-date election, it is 90 days before election day.

So my last committee appearance, we—I provided a statement on section 92 on what—how we understand this provision is meant to be interpreted and what is the intent behind it. Our understanding is that the intent behind section 92 is that public resources should not be used for partisan purposes. And government who is the authority of using public

resources should have certain restrictions so that they are not used for partisan purposes. It is not meant to stop government business. It is meant to stop partisan activities during the time period where communication can be used as a medium to influence the voters.

**Madam Chairperson:** So the time is nearing 5 o'clock, and earlier the committee had decided to sit until 5 and revisit.

What is the will of the committee?

**Mr. Teitsma:** I believe Ms. Lecomte is nearing the end of her questions. *[interjection]* She is done.

I have just a few questions to ask. So, if it's the will of the committee, then we can—perhaps give me, you know, 10 minutes or so to get through a couple of questions and then.

**Madam Chairperson:** Is it the will of the committee to allow the questioning to continue for 10 minutes? *[Agreed]*

**Mr. Teitsma:** Just a question around delegate fees for political conventions and conferences. My understanding is that fees that are paid are considered a contribution to the extent that they exceed reasonable expenses. How do you go about determining reasonable expenses?

**Ms. Verma:** So this is an exception which is stated in the contribution definition of what is not a contribution: any fee which covers the reasonable expenses of a convention is not considered to be a contribution.

The legislation is silent around the definition of what is reasonable, and the legislation is also silent on what a party can spend on during a non-election year or outside the election period. There are—the spending limits are basically during an election period, and there are advertising spending limits outside the election period in the year of a fixed-date election.

\* (17:00)

So the intent of the legislation is to ensure there is a level playing field which monitors the contributions which are being received by parties or candidates. What we review from a compliance perspective: Is the delegation fee reasonable or not? We take into account the cost which the party reports against the income which it has received from the delegate fees. If the income is around the same as the expenses—because sometimes when you're budgeting

it's hard to predict and get to an accurate balanced number. If it's around the same range, it's considered to be reasonable. If there is significant profit which is being made from the fees, then the delegate fee has exceeded the expenses and there is contribution.

**Mr. Teitsma:** Okay, and for the sake of not offending anybody, I'll use big business as an example maybe of how this could be abused, and this is my concern, if there's lack of clarity around reasonability. So, for example, if a large corporation decided that they would like to fund a Progressive Conservative political convention in entirety—now, corporate donations are not allowed; union donations are not allowed to political entities, and that's something that I certainly think is good—good for our electoral process.

So, in this context, because they're not considered contributions, they would be allowed to do that as long as the amount that they contributed wouldn't exceed the total cost of the convention. So we can charge each delegate five bucks. We could charge this one delegate who happens to be a corporation the entirety of the cost of the convention, and you would have no way of knowing that that was inappropriate or judging it because you're just looking at the total contributions versus the total expenses, which would match in that example.

**Ms. Verma:** The definition of contribution is goods or services or money received without benefit. And that term, without benefit, is critical, while reviewing the definition of contribution. So if the corporation didn't—or the party or the—the party didn't receive any benefit from the delegate fee, then as for the legislation, there is no contribution. However, the delegate fee is usually the same across for all delegates. If it comes to our attention that one delegate has been charged significantly higher as compared to the other, then the matter will be further reviewed. What the outcome would be, I can't talk about that because that will be speculation. But it will depend from case—on case-to-case basis.

**Mr. Teitsma:** So is that something you would proactively check or is that something that would have to be reported to you or to the commissioner in order to investigate?

**Ms. Verma:** The convention fees for an annual convention of a leadership contest a party reports on their annual return. It could be depending upon the amount of the revenue; it could be a matter which we review in more detail if we have—it's a matter of concern, there have been some allegations or some other information that we have received. So it will depend on how the compliance review gets conducted.

However, if there is a complaint, then the matter can go directly to the commissioner. We do work with the commissioner in providing the information which we receive. So any annual return that we receive, any supporting documentation that we receive, if the commissioner requires it for his or her investigation purposes, it's provided to the commissioner.

**Madam Chairperson:** Hearing no further questions, I will now put the questions on each report.

Annual Report of Elections Manitoba for the year ending December 31st, 2014, Including conduct of the 2014 Arthur-Virden and Morris by-elections—pass.

Shall the Annual Report of Elections Manitoba for the year ending December 31st, 2015, including the conduct of The Pas by-election, pass?

**Some Honourable Members:** Pass.

**Some Honourable Members:** No.

**Madam Chairperson:** I hear a no. The report is not passed.

Before we rise, it would be appreciated if members would leave behind any unused copies of the 2015 report so that it may be collected and reused at the next meeting.

The hour being 5:05, what is the will of the committee?

**An Honourable Member:** Committee rise.

**Madam Chairperson:** Agreed? [*Agreed*]

Committee rise.

**COMMITTEE ROSE AT:** 5:05 p.m.

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