



Second Session – Forty-Third Legislature

of the

Legislative Assembly of Manitoba

Standing Committee

on

Legislative Affairs

*Chairperson
MLA Carla Compton
Constituency of Tuxedo*



Vol. LXXIX No. 1 - 6 p.m., Monday, December 2, 2024

ISSN 1708-668X

MANITOBA LEGISLATIVE ASSEMBLY
Forty-Third Legislature

Member	Constituency	Political Affiliation
ALTOMARE, Nello, Hon.	Transcona	NDP
ASAGWARA, Uzoma, Hon.	Union Station	NDP
BALCAEN, Wayne	Brandon West	PC
BEREZA, Jeff	Portage la Prairie	PC
BLASHKO, Tyler	Lagimodière	NDP
BRAR, Diljeet	Burrows	NDP
BUSHIE, Ian, Hon.	Keewatinook	NDP
BYRAM, Jodie	Agassiz	PC
CABLE, Renée, Hon.	Southdale	NDP
CHEN, Jennifer	Fort Richmond	NDP
COMPTON, Carla	Tuxedo	NDP
COOK, Kathleen	Roblin	PC
CROSS, Billie	Seine River	NDP
DELA CRUZ, Jelynn	Radisson	NDP
DEVGAN, JD	McPhillips	NDP
EWASKO, Wayne	Lac du Bonnet	PC
FONTAINE, Nahanni, Hon.	St. Johns	NDP
GOERTZEN, Kelvin	Steinbach	PC
GUENTER, Josh	Borderland	PC
HIEBERT, Carrie	Morden-Winkler	PC
JACKSON, Grant	Spruce Woods	PC
JOHNSON, Derek	Interlake-Gimli	PC
KENNEDY, Nellie, Hon.	Assiniboia	NDP
KHAN, Obby	Fort Whyte	PC
KINEW, Wab, Hon.	Fort Rouge	NDP
KING, Trevor	Lakeside	PC
KOSTYSHYN, Ron, Hon.	Dauphin	NDP
LAGASSÉ, Bob	Dawson Trail	PC
LAMOUREUX, Cindy	Tyndall Park	Lib.
LATHLIN, Amanda	The Pas-Kameesak	NDP
LINDSEY, Tom, Hon.	Flin Flon	NDP
LOISELLE, Robert	St. Boniface	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Malaya, Hon.	Notre Dame	NDP
MOROZ, Mike, Hon.	River Heights	NDP
MOSES, Jamie, Hon.	St. Vital	NDP
MOYES, Mike	Riel	NDP
NARTH, Konrad	La Vérendrye	PC
NAYLOR, Lisa, Hon.	Wolseley	NDP
NESBITT, Greg	Riding Mountain	PC
OXENHAM, Logan	Kirkfield Park	NDP
PANKRATZ, David	Waverley	NDP
PERCHOTTE, Richard	Selkirk	PC
PIWNIUK, Doyle	Turtle Mountain	PC
REDHEAD, Eric	Thompson	NDP
SALA, Adrien, Hon.	St. James	NDP
SANDHU, Mintu, Hon.	The Maples	NDP
SCHMIDT, Tracy, Hon.	Rossmere	NDP
SCHOTT, Rachelle	Kildonan-River East	NDP
SCHULER, Ron	Springfield-Ritchot	PC
SIMARD, Glen, Hon.	Brandon East	NDP
SMITH, Bernadette, Hon.	Point Douglas	NDP
STONE, Lauren	Midland	PC
WASYLIW, Mark	Fort Garry	Ind.
WHARTON, Jeff	Red River North	PC
WIEBE, Matt, Hon.	Concordia	NDP
WOWCHUK, Rick	Swan River	PC

**LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON LEGISLATIVE AFFAIRS**

Monday, December 2, 2024

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – MLA Carla Compton (Tuxedo)

**VICE-CHAIRPERSON – MLA Billie Cross
(Seine River)**

ATTENDANCE – 6 QUORUM – 4

Members of the committee present:

Hon. Min. Fontaine, Hon. Min. Wiebe

Mr. Balcaen, MLAs Compton, Cross,

Mr. Perchotte

APPEARING:

Grant Jackson, MLA for Spruce Woods

*Shipra Verma, Chief Electoral Officer, Elections
Manitoba*

MATTERS UNDER CONSIDERATION:

*Annual Report of Elections Manitoba for the year
ending December 31, 2022*

*Annual Report of Elections Manitoba for the year
ending December 31, 2023*

*Elections Manitoba Proposal: Vote Anywhere in
Manitoba on Election Day at any Returning
Office, dated October 2024*

* * *

Clerk Assistant (Ms. Melanie Ching): Good evening. 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 chairperson.

Are there any nominations?

MLA Billie Cross (Seine River): I nominate MLA Compton.

Clerk Assistant: MLA Compton has been nominated.

Are there any other nominations?

Hearing no other nominations, MLA Compton, will you please take the Chair.

The Chairperson: Our next item of business is the election of a Vice-Chairperson.

Are there any nominations?

Hon. Nahanni Fontaine (Minister of Families): I'd like to nominate MLA Cross.

The Chairperson: MLA Cross has been nominated.

Are there any other nominations?

Hearing no other nominations, MLA Cross is elected Vice-Chairperson.

This meeting has been called to consider the following: Annual Report of Elections Manitoba for the year ending December 31, 2022; Annual Report of Elections Manitoba for the year ending December 31, 2023; and Elections Manitoba Proposal: Vote Anywhere in Manitoba on Election Day at any Returning Office, dated October 2024.

Are there any suggestions from the committee as to how long we should sit this evening?

Mr. Wayne Balcaen (Brandon West): I would suggest no later than 8 p.m.

The Chairperson: It has been suggested that we meet no—that this committee meets no later than 8 p.m. this evening.

Is that agreed? [*Agreed*]

Does the honourable minister wish to make an opening statement, and would he please introduce the officials in attendance?

Hon. Matt Wiebe (Minister of Justice and Attorney General): Perfect. Well thank you, honourable Chair. I appreciate the opportunity to welcome everybody here this evening.

Of course we're joined by our Chief Electoral Officer Shipra Verma, and I wanted to thank her individually for the work that she does. You know, it's a big organization; it's a big undertaking, and our electoral integrity is such an important issue that I think is—crosses all party lines and really is something that, as elected officials, we certainly appreciate and respect.

So I wanted to thank her for being here, making herself available to the members of the committee tonight. I'll allow her to introduce her team, but I just wanted to, at the outset, say just a quick word, again, of thanks to the work that she does, that the team does, Elections Manitoba in general.

But that also includes all of the many folks throughout many of our communities that come together to help run an election, whether that be a general election, a by-election. We ask citizens to participate and to get involved and to come out and support democracy, and I always feel like that is probably one of the most important parts of the way that we run our elections, in that it really brings in the community.

It involves the community, and, you know, if there's ever any questions about election integrity, there certainly—again, the work that's done at Elections Manitoba is so vital, but all you need to do is talk to the person down the street who worked on the local campaign, who sat at the ballot box, who ensured that the local polling station was secure and was—and everything was done correctly.

I think that just instills a real sense of integrity in the system and the—and shows the importance that we place on democracy here in our province. There are certainly no shortage of challenges when it comes to the future of elections and how we conduct them. I know that there has been a number of initiatives that were new in the last couple of elections, and I hope that we're going to learn some lessons. I know that the Elections Manitoba has done that work and reported back to us. I hope that we'll have some good discussion around those initiatives and some of the successes and some of the challenges that we saw.

And just in general, again, we know throughout the world that there's so many challenges around elections in many other places, and for us to have such a well-run and professional organization like Elections Manitoba I think should give all Manitobans confidence.

So I appreciate the work that Elections Manitoba does, our Chief Electoral Officer, and I look forward to the discussion here tonight.

The Chairperson: We thank the honourable minister.

Does the critic for the official opposition have an opening statement?

Mr. Balcaen: Again, it gives me great pleasure to speak to this committee and welcome our Chief Electoral Officer for the province of Manitoba, and

thank you for the significant work that has been done during this election.

For myself, this was my first foray into politics, and I learned on the fly and I learned a lot from the websites and from the different areas that I could glean the information from. So I think that's very important, not only for our citizens in a very democratic society, but for those of us that were running for office and looking for the processes and following the rules. I've always been a rule person. I like to make sure that the rules are followed and enforced, and, well, you certainly gave us the guidance for that.

Again, welcome to your staff that are here as well and people on your committee that are going to help with some of the questions that we'll have throughout the night. It's very important, obviously, for all of us to have a very integral and transparent system when we're talking about elections and when we're talking about the democratic process that all of us were elected under, and certainly appreciate that and what Elections Manitoba and yourself bring to the table here.

Like the minister mentioned, I'd like to thank all of the community people that get engaged in this, whether it's in a volunteer capacity or whether it's as an employee—a term or a temporary employee—under Elections Manitoba, making sure that the systems that are in place are adhered to and are fair for each and every one of us that seek office.

* (18:10)

I know that there is significant challenges when you run an election. I know I faced some myself with some of the results at the end and timing so, you know, I'm interested in learning some more of the processes tonight as we go through this.

And so with those statements, again, appreciate you being here and I look forward to what's to come in the next few hours.

The Chairperson: We thank the member.

And I'd just like to take a moment to remind folks, when addressing the Chair, please use the term honourable Chair. Thank you.

Does the representative from Elections Manitoba wish to make an opening statement? All right, Ms.—is it Ms.? Ms. Verma.

Ms. Shipra Verma (Chief Electoral Officer, Elections Manitoba): Good evening, Chairperson—Madam Chairperson and members of the committee, and thank you for this opportunity to discuss our

tabled annual reports for 2023, 2022 and the proposal to modify the voting process for the next provincial general election. I'm joined today by director of elections financing, Tracy Nysten, and director of elections operations, Jeanne Zwiep.

Today, I'll give you a brief overview of our annual report of 2023, which covers the conduct of the recent provincial general election, the recommendations contained in the report and the proposal for Vote Anywhere on Election Day at any Returning Office in the Province.

A common element you will notice as we discuss each of these is the importance and the work that goes into maintaining the integrity of the election. When we look at election integrity, there are certain elements that must be maintained: the independent administration of free, fair and accessible election delivered securely and reliably, a secret ballot where one voter gets one vote, a verifiable process that uses paper ballots, an observable process, regular disclosure all contribute to maintain and protect the integrity of the electoral process.

The election modernization efforts we have undertaken have supported all these aspects of election integrity. They have enhanced service delivery by providing a consistent voting experience for advance and election-day voting across Manitoba, making the process more convenient for Manitobans and the political participants.

To give you an overview of the last election, we saw the participation of 188 candidates from six registered political parties. The total number of votes cast increased by 10,000 from the last general election and voter turnout remained consistent at 55 per cent.

Voting took place at 300 advance voting places, 866 regular election-day voting places and 310 institutions. The total operational expenditure was \$14.4 million, which was within the budgeted amount. Election expenditures were audited by an independent audit firm. The audit report found that our office demonstrated sound practices in financial administration.

Candidates' and parties' election report deadline was February 5 of this year; returns are published on our website and we will report on the reimbursement and financial activity in our next annual report. Of the official candidates, 161 were eligible for reimbursement and four registered parties were eligible. The approximate amount of reimbursement was \$1.4 million.

This election was one of transformational change. Service to voters and political participants was elevated using technology across Manitoba. Over 600 vote-counting machines were used throughout the province during the election; 97 per cent of advance voters and 82 per cent of election-day voters cast their ballot using a vote-counting machine. Electronic strike-off was used to serve over 90 per cent of voters.

This change was implemented in full accordance with legislation and elements of election integrity while offering greater service to voters at the poll. The political information portal provided parties and candidates real-time voting information using data from real-time strike-off at the polls.

The last election was one of the most ambitious elections my organization delivered in terms of technology and legislative changes. Much of what we did went well and as planned. We delivered a free, fair and accessible election, and majority of the results were reported on election night within two hours.

There were a few things that did not go as intended, and we have reviewed and learned from these situations. Our recent public survey showed 94 per cent of Manitobans believed we ran a fair election. Also of note, three out of four Manitobans felt the technology was trustworthy or very trustworthy; nine out of 10 people remember getting their voter information card, and 97 per cent said the name and address information was correct; 86 per cent of the voters knew that any eligible voter could vote at any advance voting place.

After each election we engage in finding ways to better serve Manitobans at the polls and to enhance and sustain the critical systems which protect our democratic rights. We have learned much through internal and external review and are applying that knowledge and experience while planning our next election cycle.

This report also includes a report on modification of the voting processes that were approved to be used by this committee on October 13, 2021. This modification allowed for voters to cast a ballot at any polling place in their electoral division on election day. Approximately 7 per cent of election day voters chose to vote at a polling place that wasn't their recommended election day polling place.

We note in our report that this modification was well received, did meet the objectives set out in the legislation: we're enhancing efficiency, improving service for voters and maintaining the integrity of the

voting process. We are therefore recommending that this modification be incorporated into legislation.

Building on this, we have submitted a proposal to modify the next general election voting process to vote anywhere in Manitoba on election day, at any returning office, which adds an additional three days of voting, including election day. Under this model, voters can cast their ballot at any returning office or satellite returning office in Manitoba for a total of 11 days.

We believe this proposal meets the criteria of section 28.1 of The Elections Act. It improves the voting process for voters by adding convenience of voting anywhere. It achieves administrative efficiencies by making use of the existing voting infrastructure in place for advance voting, and this model of voting will preserve the integrity of the vote; voters will still go through the usual process of confirming identity, casting a paper ballot by hand and maintaining the secrecy of the vote.

This brings us to the other recommendations in the annual report. We are making one new recommendation under The Elections Act to counter the threat of disinformation that can undermine the integrity of the electoral process.

This recommendation would place restrictions on deliberately transmitting false election information designed to mislead voters. This recommendation would develop legislation to prevent individuals or organizations from deliberately transmitting specific types of disinformation that are objectively false, including transmitting a false statement about election officials and voting administration tools, transmitting false election information, transmitting unauthorized material or information.

In addition, we are carrying forward recommendations to have a consistent calendar for general elections, fixed-date elections and byelections; to use the Manitoba voter register as a source for eligible voters when registering a party rather than the voters list from the previous general election; to change the date for a constituency association to file their financial statements to align with the party return and consequently changing the recovery time for the late filing fee. Additionally, we continue to recommend the establishment of a single address authority for Manitoba.

To conclude, I would like to recap a previous election cycle from 2019 to 2023. We all navigated a global pandemic. We presented two modifications to

the voting process, both which were accepted by the committee. We saw these modifications, some of them adopted into legislation through bill 11, enabling election modernization to improve service and access to Manitoba voters.

We conducted three by-elections in 2022, one during the pandemic, all while preparing for the delivery of the general election, which required significant updates to training material, processes and procedures. Through this period, we have seen a multiple shift, not just in legislation that guides the conduct of elections and the tools and processes used, but in how my office delivers electoral services.

This shift creates new opportunities to further engage with Manitobans. We are committed to sharing election knowledge and best practices with communities and municipalities across Manitoba and continue to explore new avenues to engage with people, organizations and communities across the province.

* (18:20)

I appreciate the opportunity to meet today. I thank this committee and all members of the Legislative Assembly as well as the political parties, their volunteers, for your support of election modernization. The work we have done on modernization would not be possible without your engagement, your time, careful consideration, your questions, suggestions and the legislative amendments that have led to increased efficiency and better service to Manitobans and reaffirm our shared commitment to election integrity and democracy.

This concludes my opening statements, and I'll be happy to answer any questions that you may have.

The Chairperson: Thank you.

The floor is now open for questions.

Mr. Balcaen: Certainly. Thank you very much for the information provided in your opening remarks. It is greatly appreciated.

And again, as somebody who just went through this for the first time, I'm wondering if you could please walk us through the system, through the processes, and highlight what went well and what needs to be, you know, rectified or changed.

Ms. Verma: May I just clarify the question: Are you looking at the processes, the new processes which were implemented for this election, or generally the overall election process?

Mr. Balcaen: I would say a bit of both but mainly focusing on the new processes and what happened.

Ms. Verma: So in an—for Manitoba, we—for a fixed-date election, we have a 28-day election calendar. Prior to that, we also have government advertising restrictions, which are for 60 days. We have third-party legislation and candidates in political party pre-election advertising limit, which is for 90 days prior to the issue of the writ.

The nomination process for the candidates—the election cycle begins from a political—for a political participant's perspective when the parties nominate their candidates, and it could be through a party affiliation or as independent candidates.

When a candidate gets nominated under The Election Financing Act, we are required to appoint an official agent. That gives us the trigger to provide information to assist in filing and doing the required paperwork. Also, the election filing return timeline begins from the time that the candidates are nominated.

We provide information sessions, that's one area of engagement, but we also have—working on maps and voting places, which we share with the advisory committee. The advisory committee is under The Elections Act and under The Elections Financing Act. Both committees have representatives of political parties who are registered, so we are in constant consultation with them. We provide them with all the changes which are coming in, with the highlights, with also the tools that they will need to—for their own election purposes, such as maps, voting areas, street keys, indexes.

From an election perspective, the—even though the calendar is of 28 days, the offices—we have 57 electoral divisions, 57 offices are established, and not—we also establish satellite offices considering how large the electoral divisions are and to ensure there is proper representation and access to information.

The calendar is a set-date calendar, but we also have offices opened in August, and we started with target registration. Target registration is for those areas where we have vacant properties, and we also conduct door-to-door enumeration in areas of high mobility or where we know that the voters list is not as complete as we would like it to be. That was started in August for two weeks, and then the preliminary voters list is issued to all candidates who are nominated under The Elections Financing Act and to all registered political parties.

With the issue of the writ, this time the changes which we had were quite significant. We had, for the first time, a full modernization of the election process.

So earlier, if you would—like, how the process used to be, it was all manual. And this was done in a phased manner; 2019 was the first election where we started with the real-time strike-off of the voters list but only during advance voting. For this election, we had the real-time strike-off for voters list, both advance and election day. Manitoba is the—was the first province to have vote anywhere in the province, and we have advance voting for eight days.

There's significant public education and communication which happens. We conducted around 60 community events across the province for voter registration. We also had vote pop-up, which was a way to engage with new Canadians or for people who may not be that familiar with the voting process.

When the nomination process—180 candidates, 188 candidates—were nominated through the formal nomination process. We had more e-signatures were not—like, we would—we were accepting electronic nomination papers. That was also first time new. Earlier the papers had to be submitted in person, so that was one step for providing better service.

We had the political party portals, where all the information was available to the registered parties and to candidates through an online portal for maps, voters list, and that provided, again, another aspect of modernization.

For advance voting, vote-counting machines were used in 300 polling places across the province. We also have advance voting in high-traffic areas, which are the malls, the airport, colleges, universities and we also had it in a couple of hospitals.

Considering the scope and breadth of the changes that we were having, we were expecting a high learning curve because of the amount of technology. At the poll, what was different was there was a laptop, there was a scanner to scan your voter information card. There was printers—ballot-on-demand printers, so that voters who are from outside the electoral division will also get the same ballot as the resident voters. We also had an integrated voting book. We had laptops.

So all across the province, there were three models that we were using for voting, both for election day and advance voting.

One was complete modernization where you had the whole kit here. You had the full technology, and those—the deployment of these machines and technology was based on connectivity, on our previous experience on which are the more high-target areas, but also, we were making all efforts to ensure that urban, rural and north have a consistent voting experience.

The second type of voting place was hybrid, where we did have the laptops and the scanners for a real-time strike-off of the voters list and ensuring that the parties and the candidates also get real-time strike-off information on voting. However, there was no vote-counting machine and there was a paper ballot box.

The third was completely manual where there was no laptop, a regular book and no vote-counting machine, but a regular ballot box. We had a new style of ballots which could be accepted in the vote-counting machine. We also had a ballot transfer box, so that every day, when the advance voting ballots were done, they were secured and moved to a secure location.

The other—for all the vote-counting machines, from the date the nominations closed and we had one week to do a logic and accuracy testing on each and every card which went on—in the vote-counting machine. All 600 machines, some of them had—were being used for election day in advance, so around 750 uniquely programmed cards were generated, and each card was tested for full logic and accuracy testing based on the guidelines which were published on the website.

Advance voting also changed that the vote was being counted where the advance vote was being done. Earlier, the non-resident advance voting would all be through a certificate envelope. Those certificate envelopes would come to the head office, we would sort them out and then send them back to all the returning officers, which were done in a period of two days. Because of the increased volume of advance voting, use of the vote-counting machine, we were able to—we had made the recommendation that the vote be counted where the advance vote was cast.

Moving on to election day, we had the same process. We had three types of voting scenarios: full technology, hybrid and full manual.

The institution polls are 310. They cover personal-care homes, seniors' residences, institutions like corrections facilities, homeless shelters and they're also mobile. So that means one team would—could go to multiple places, so—because, considering the volume of the votes, you don't need the voting place to be open from 8 to 8.

* (18:30)

Everything—most of the things were going as planned in the election cycle up 'til the election day. On election day morning, our website started having issues. One of the firewalls was not functioning, and we worked to get the firewall reconstructed. By 6 p.m. the firewall was up, but still it was giving issues to the connectivity to the website.

Because of that reason, there was a change which was made to reroute the traffic. The rerouting of the traffic caused load-balancing issues when the election night results were happening. That caused the website to close down for 30 day—30 minutes.

In addition to that, we had a storm which wasn't expected on election day morning. That caused us to have the vote-counting machine set up; there were some challenges with that. But the goal was, we had—the clear instruction was that voting should proceed on the time, and for that purpose there was a contingency plan of using auxiliary ballot boxes.

Auxiliary ballot boxes are the regular ballot boxes. So the machinery was set up. There was a time that the vote-counting machine would need to set it up; the ballots would go in the auxiliary ballot box. The contingency which was expected was 5 per cent, but due to the storm, 45 per cent voting places had to use an auxiliary ballot box. The main reason was that because of the storm, they could not stand at the door with all the material for the doors to open, so they had to secure that the office—the polling place doors would be open, because it was all electronic machine and it was pouring.

The storm also caused telecommunication challenges in the North, and those challenges led to—we knew how many results have to be reported wherever there was an electronic strike-off. So 97 per cent of the results were reported within two hours. The area that we were not sure about, what is the count which has to be reported, is in the manual count. And when the telecommunication went down in the North, and the phone lines were also hampered, we had to wait to make sure that all the results are reported.

So, hence, on the election night, when we said 97 per cent of the results are there, the other thing which we did was to enhance a transparency of advance voting results. We said we gave how many counts were there for how many non-resident votes are being reported by the electoral division. That means every electoral division had 56 electoral—

The Chairperson: Excuse me, Ms. Verma. Sorry, your time is up. Thank you.

An Honourable Member: Can we just give her some time to finish or wrap up?

The Chairperson: That's okay?

Okay, yes, you can finish, Ms. Verma.

Ms. Verma: So every electoral division had 57 results to be reported for advance voting. One was resident; 56 were out of the ED. We knew how many results were reported, but for the 56 EDs which had to be reported, zero result also had to come in. And that zero result we could not confirm in every place. That was 0.001 per cent. So hence the zeros were not showing, and it showed 50 out of 57 from the North, or 51 out of 57.

Those were the challenges that we faced. To address those challenges, we have changed our reporting system. We have also changed the—we are looking at if we can set up the voting place the night before of the election day, so there are some changes that we are looking at for the next election cycle.

But I will answer the—more questions as they come from this response.

The Chairperson: Thank you.

Further questions from the opposition side?

Mr. Balcaen: Getting some feedback here, sorry.

So when we're looking at mitigating these in the future, is there a way to look at the connectivity or to look at other areas? Through the Chair, asking this question.

Ms. Verma: Absolutely. We have done extensive review of our processes and debriefed with our staff, which would be the returning officers, assistant returning officers with our casual term staff that we hired as election officials.

We have done a review with our vendors, with our suppliers, with our support. We have also done internal review of all these processes.

So there were a couple of things that we do know. There is—can I continue?

The Chairperson: Please continue.

Ms. Verma: So we are looking at the way election night result reporting would happen. We have already made some changes to our system. We are also looking at setting up the offices, the polling places, a night before wherever it would be feasible, so that the challenges

to have the opening and the setting up of the office can be addressed.

We are looking at changing our—modifying our—the combinations that we have for voting. So we have this full electronic, hybrid and manual. We are looking at consolidating some of these options so that we can streamline our processes.

The Chairperson: Thank you.

An Honourable Member: Can you recognize me first?

The Chairperson: Can I—Mr. Balcaen.

Mr. Balcaen: Right. Just through discussions, I think it would be best if we alternate back and forth between questions here.

Mr. Wiebe: I think the critic will appreciate that these are very much in the same vein of some of the questions that he's already been asking, so I think we're probably on the same page with some of this.

I—so I wanted to say at the outset, first of all, that the advances and the use of technology was certainly appreciated from, I think, all political parties in terms of organization and understanding how we can better facilitate voting and encourage voting. Certainly, the vote anywhere initiative was appreciated and certainly I also understand there are challenges that come with that.

The questions that I have specifically with regards to that electronic voting—the electronic counting—you had mentioned 97 per cent reported, you know, within the two-hour—I think two-hour window is what you told the committee. Certainly on the night of—election night—and I know there were challenges with the website as well, everybody was checking in—but there were a number of constituencies where there was a significant delay, and I think, in fact, there were a few that we didn't know the results until the next day.

So, I just wanted to understand the relationship between the electronic voting—the equipment that was being used—the relationship between the challenges with the electronic voting and the hybrid model, which was employed in different places. If you can help unpack that for us and help us understand where—what the issue specifically was.

And then, I guess, the other question that I have—just because I have the floor—is, with regards to advance voting, I can appreciate that there were more locations. However, because of the—you know, the real need—or, the real interest in building on that advance

vote as—you know, as sort of the way that people want to vote these days—what are the limitations that the technology is presenting to rolling that out more widely?

For instance, in a individual electoral district, instead of two locations, multiple locations that would be available for advance voting, in addition to the vote anywhere initiative.

Ms. Verma: I'll take the second question, then move my way to the first question.

The second question, advance voting, 300 voting places across the province. We have at least two advance voting places in every electoral division. In rural and north, there is also a requirement, no more than 50 voters will travel more than 30 kilometres to—for advance voting. So in some places, we have around—some electoral divisions—we have around 18 to 20 advance voting locations. We're always open to any suggestions that you may have for—on this.

The use of technology is quite—we try to streamline it based on where the maximum traffic is coming based on our survey or analysis of advance voting from 2007. So we identify areas where we know there are really high foot traffic and we can have more ballot-on-demand printers and more technology there.

In smaller communities, it—because of the connectivity issues, it doesn't seem technically feasible to have a full solution in those areas. But in the North, we had quite a few electoral divisions and areas where we did have return—all returning offices had full technology use.

So, at this point, technology is not the restriction; it is finding locations which are accessible, which meet the foot traffic to deploy advance voting. But if there are suggestions where the members—we always consult with the parties and the candidates and provide the list of the locations—if you have more locations that you can suggest, we'll always take that into consideration and see what—how best to serve Manitobans.

* (18:40)

With regard to the result reporting: Okay, let's start with that there's advance reporting and there's election day reporting. Advance reporting was, where there was a vote-counting machine which was used, advance was reporting 57 electoral divisions. None of these machines were connected to the Internet. So in some places, we reused the vote-counting machines.

So they had two shifts, which one was advance voting shift and one was election day voting shift.

Advance shift was uploaded—the result was uploaded through a secure system which was—and an interface between the company, which was Smartmatic, whose vote-counting machine we were using. So the results would be uploaded into the result management system of Smartmatic. Through a secure interface, that result would be sent to Elections Manitoba.

Our result would then move on to the website. The count for these advance voting—if we were to do a manual count, we would be up to around 3 to 4 a.m. looking at the volume of advance voting because 40 per cent of people—Manitobans—voted advance. So that was a significant increase in advance voting.

The concern which was happening was wherever there was an auxiliary box which was used, the result had to be uploaded. We had to unlock the result for the returning office to upload—manually enter the auxiliary box result. Even where there was full technology, because of the use of the contingency, that had to be unlocked, and when we were unlocking the result, you entered information into one; it had to be entered into all 56.

That is a process that we can take back and say, we don't need to do it. If they're unlocking, we only unlock for the area they tell us, and the rest of the results remain zero. So that's where the issue was happening, that the zero result was not being reported, and they were showing incomplete results, but it wasn't the case.

In the case of election day, the result was of that electoral division—a tape was printed from the vote-counting machine. The printed—the result on the printed tape was manually entered into the system. Again, where an auxiliary box had to be used, they had to print the tape, count the auxiliary box results, add the results together and then enter the information. In some places, the addition was missed or they had to unlock the result again to show the auxiliary box usage.

There were three electoral divisions in the city where the results reporting started coming after 9 p.m. The three electoral divisions had a concern because the—there was a confusion and a miscommunication which happened that the results—some brought in the results to the returning office to be entered rather than to report at the location or there was a confusion around—in place first and then reporting the results. The instruction was report the result and then do the

reconciliation and the balancing. We are looking at that from a training perspective and to see how to streamline the process.

So I would say there were some challenges. There was a huge learning curve. This election was transformational, and there were multiple combinations in the way we were delivering the voting process, depending on custom solutions in the electoral division itself. They could be a complete manual, a hybrid and an electronic. What we have to look back at—look at right now is how do we streamline this process better without decreasing the service options.

So, in apartment blocks, there were some apartment blocks post-COVID which were very restrictive on the use of the space that we were being provided, so we can't put the whole technology there, or restricting it just for the residents of the apartment block. That—those things cause even changes in how where-do-I-vote information appears on the website because we have to hide that information from a general inquiry because we can vote anywhere in the electoral division or anywhere in the province. We had to make too many custom solutions for too many options for voting.

And that's the big takeaway that we have to take, as you know. We have to streamline the processes and use the technology in a way which can assist us in streamlining the process rather than creating confusion for staff.

The Chairperson: Thank you.

Mr. Balcaen? Mr. Jackson.

Mr. Grant Jackson (Spruce Woods): Thanks, honourable Chair; you're doing a great job. I don't get to vote, but I do get to ask questions.

Thank you for being here very much today, and I appreciate the work that Elections Manitoba is doing in an attempt at working towards modernization.

And I think, you know, the recommendations that have come forward from yourself and the organization, with respect to modernizing where folks can vote are very helpful. I have a large rural constituency, larger than Prince Edward Island in geography, and I also have—I go all the way around the city of Brandon, so a lot of my constituents live rurally and work in the city. It would be the equivalent of me representing all the municipalities of the Winnipeg capital region, so, obviously, on a much smaller population scale. So just appreciate these folks being able

to vote, and I hope that continues to proceed and modernize.

Couple of the issues that I heard, and I'd like clarification, were that power outages caused some problems during the election. So can you just talk a little bit about the impact of that, and then what Elections Manitoba is proposing as a solution so that if power outages happen during the next ballot counting process, how some of those hiccups could be avoided going forward.

Thanks.

Ms. Verma: The power outages caused the delay in the set-up. The delay in the set-up caused the contingency that we had for these paper ballot boxes to be used. And I believe that having a paper ballot box available ensures that the voting continues uninterrupted, because the legislation doesn't allow me to modify the hours for election.

So for us it was very important and critical that the voting must begin at 8 a.m. so that the voting hours are not impacted. Hence the use of these paper ballot boxes was emphasized that in case for any reason that the set-up will take time, there is a manual backup process which is available.

And I think going forward, keeping a contingency plan is always good, because we cannot prevent a power outage, but one of the recommendations or solutions we are looking internally is the ability to set up the voting place the night before election. That is done in other provinces, like British Columbia and Ontario. They do set up the voting place a night before. We'll have to consider the security arrangements and availability that would come with this kind of an arrangement.

The second one was the power outages caused even the telecommunication lines to go down in the North. So phone—cell services, phone services, were also impacted. We are still looking for options as to what. We have used Starlink in some of the electoral divisions for connectivity. So this election we had Starlink, we had Bell, we had Rogers, we had all different providers looking at wherever the connectivity was the best one.

We have made changes into the election night result reporting system, both from the vendor perspective and from our own perspective, to streamline. The backup is to have telephone lines available in order that if the system is not working, we can report the results through telephone.

The Chairperson: Thank you.

MLA Fontaine: First, let me start by saying I always appreciate these standing committees, where we get to hear from you directly, and as I always do, for the last eight and a half years, I want to just acknowledge you for your incredible leadership, and I don't think that there's anybody in Manitoba that knows this—knows elections like you do. You know this like the back of your hand.

So I want to just acknowledge your leadership, your profound leadership, and then also your team. I think that you have a pretty extraordinary team to be able to do this. So I just want to acknowledge that.

I've got two questions. My first question is on—I believe it's on page 56. No.

I want to kind of just explore. We recently learned that the PCs—there was a candidate that submitted an invoice from an intimacy coach. And now it's saying that it was for a car rental. So, of course, I know that everybody—I know that your office would know that. I think that there's been a complaint lodged about that particular expense, if I can say that.

I am curious how that process works.

* (18:50)

Like, how does it work for parties? And I guess we'll go for parties, or maybe it's both individuals as well. When they're—how does Elections Manitoba do a review of all of the party expenses for an election? Because—so that's the question. And in respect of this invoice that was submitted from an intimacy coach—well, actually it was from a company advertising sex and intimacy coaching but, again, was for a car rental. How does that—how can one do that, and how—is there consequences to that? When will we know about that?

So I'm kind of curious overall about the accounting in respect of elections for parties.

Ms. Verma: Election returns and—so—a registered political party has to file two returns with our office. One is an annual return which talks—which gives us their annual activities information—their income and expenses including contributions, and that is filed three months—the filing deadline is three months after the end of the calendar year.

The other return they file is an election return, which is filed four months after election day. The election return has an account of all election income and expenses. Unlike a candidate return where all supporting documentation is filed with the return, parties

are not required to provide all supporting documentation for all their expenses.

At the time of the review, we assess where we would request more—additional information for us to have the—for us to complete a compliance review. All returns: party returns, annual, election and for candidate election returns; they all are audited by an independent auditor, and we receive the return with an audit report which talks about if they have found any material misstatements or if there are any non-compliance issues which have come through the review—through the audit of the independent auditor.

Our process for reviewing the returns: we see—we look at the return, assess, compare it to the previous election returns or the previous annual returns, because returns for the parties are also a bit cyclical. As per the election cycle, you will see a higher amount of contribution close to the election year, and then the contribution amounts also go down as post-election.

So there is a cycle to the expenses too: our polling expenses, which will be more in the year leading up to the election, or there'll be more advertising expenses.

So we review the returns based on the cycle in which they are filed, assess, and the audit report provides us with the assurance that the return is complete, subject to—it's always—it comes with a qualification because of potential of cash transactions. Every audit report is qualified for that purpose.

We can request information as to if there are any specific line items which we find are high in number or sometimes even too low in number. We do a variance analysis. We do a comparison across the parties to see the reasonableness of these expenses, and we can ask for additional information based on this review.

The additional information may include copies of the invoices, may include a copy of their ledger, may include bank receipts or copies of the cheques too. That depends on what the review process—how detailed it is and how much information is being asked. Mostly, parties and candidates provide us with the information in a timely manner.

I can't talk about the specifics of the—of any particular party review, because that is confidential, and as you stated, the matter has been referred to the commissioner, so it is being—it's under the commissioner's review, currently.

But as a general process, when the invoices are delivered or provided to us, we see the invoices match—

the total matches to the amount reported. If there is any major variances, further questions may be asked.

The Chairperson: Thank you.

Mr. Balcaen: Just going on staffing and the challenges that came about as a result of this election, and I'm just wondering how the staffing challenges compared to the previous election and what we can look at or what can be looked at to improve this, particularly acquiring training for staff.

I did have a few constituents, I guess, reach out to me with concerns when the advance polling was happening, getting a blank sheet with no name or anything on it and they had to put the proper spelling of the candidate on there; so it wasn't provided for them. They weren't sure of that sort of stuff.

So just some of those areas, if you could speak to how that can be improved.

Ms. Verma: I'll—for this election, we had—so training happens in for—training happens in a couple of ways. First we start an election cycle by hiring a returning officer and assistant returning officer. Usually, that—the retention rate is between 30 to 50 per cent, and that's been the average that we have seen over the past elections.

The training, the hiring of all the returning officers and assistant returning officers was completed a year ago, but there are always turnovers which happen, change in circumstances. We provide in-person training. There are three in-person trainings which are provided over a period of seven days, and we also have a learning management system now, an online learning management system, which they can take the courses. There are some prerequisites and then they can take their courses. They can take refresher courses as the time progresses.

We used—we delivered quite a few webinars this time on smaller topics, just because we understand learning—people learn in different ways and there are different options that we provided for learning.

Because of the scale of changes and the modernization which we were going through, we also had training sessions with the technology, with the tools, so that they can become familiar with how the processes will be working. And the same concept was used for training and hiring of voting officials.

So election is very decentralized. So we have a centralized office. We identify all the processes, we provide all the material, we provide all the equipment for each and every office, right from a pencil to a

photocopier machine and all the technology. So there are around 15 pallets which goes out to each returning office. Everything is done; the centralized pallet.

But all the training, all of the processes are all centralized because we want to be sure that the consistent election experience is done for all voters across the province. And as you have said, you know, Manitoba has a huge geographical size and the population, 75 per cent population is Winnipeg, but 25 per cent of the population is all across Manitoba, and different learning styles and learning options are provided.

We made use of technology, especially post-COVID. We've also seen a high number of spares that they've needed to recruit. So earlier, the spare requirement was 10 persons. The selection of spares which we hired and trained were around 20 per cent on an average across the province.

We also had to close offices, a couple of them, because of COVID outbreaks and re-shift the training to adjoining electoral divisions, using technology but also using in-person. With the 6,000 staff that we hire to deliver elections across the province, we had, again, using learning management system prerequisites and we had online and in-person sessions with the technology too.

There were some areas that we feel, you know, that at times, because of the turnover and COVID outbreaks and a continuous changing, that we had to adapt the training session. An ideal training class was about 10 to 12 people, but we were going for training classes, as close to the election day, with around 20 people. So of course, the timeline that they had with the technology, the in-person was also reducing.

We increased the training hours from two hours to three hours for in-person. We also had training supervisor positions that we hired across the province, so every electoral division had a training supervisor position. We added the in-support for technical support people for advance voting and for election day across the province for each electoral division, in addition to vote counting machine technical support.

Out of the 700 vote counting machines, 600 and plus the ones that we used, we had three vote counting machines that had to be replaced. If we look at the whole number across the province, three vote counting machines to be changed on voting day with the spares was not a poor statistic.

* (19:00)

There were some challenges with regard to the ballot-on-demand printer, the connection, but we were rolling out a huge—a province-wide technology. So, if you look at the actual instances, it was within the contingency that we had planned for. And we had spare and—enough spare machines and vote-counting machines to replace the downtime which was happening, and the contingency plan that the voting never got interrupted with the auxiliary ballot boxes and the paper voting machines which were available.

Mr. Wiebe: Perfect, thank you, honourable Chair.

I wanted to thank you, Ms. Verma, for your recommendation on false and misleading information and I just wanted to ask a couple of questions with regards to that.

That's certainly been an idea that has been—certainly been a focus of our government. Manitobans know that in our Throne Speech, we committed to introducing legislation to protect our elections democracy from third-party and foreign interference. And as I said at the outset, this is really an issue that we're seeing in many places around the world and so it's important that we take steps here to address those. And so, I appreciate the information that you've laid out.

And, I guess, maybe I should also just, you know, also add—in terms of my concerns around this and why I appreciate your recommendations so much—as I said at the outset, we are asking citizens, volunteers or folks who have agreed to work for Elections Manitoba for a short period of time, we put a lot of pressure on them to do this important work. And so, we want to make sure that we're protecting them and protecting the work that they do, and protecting them from this kind of misinformation that might lead to concerns around their safety or any kind of questioning of their integrity when it comes to the work that they're doing.

So, with that being said, what I wanted to understand a little bit better from you, if you could, is with regards to that interplay between what's sometimes called dark money or third-party actors—maybe foreign, maybe not—understanding how that influence in our elections is playing itself out.

I know you mention here about AI, about these deep-fakes and sort of the ease of—at which this technology can facilitate some of this disinformation. But I wanted to understand how you see the pressures going forward on Elections Manitoba manifesting themselves at the direction or the behest of these third parties, or foreign interference or foreign influence, or third parties.

Do you see that as being the main concern going forward? Or do you see that as being only one of many concerns when it comes to the implementation or the use of this kind of technology and how it might impact our elections?

The Chairperson: Just before, I just want to remind everyone to please direct your questions through the Chair.

Thank you.

Ms. Verma: False or misleading information; the recommendation which we have put together—put forward in our annual report was after careful consideration and reviewing what's happening nationally and internationally.

They're also based on discussions which we have with my counterparts, other election management bodies across Canada, and we are seeing that this topic is also of—has heightened interest given the national inquiry which is under way on foreign interference and the potential impact it may have had on the—in the previous federal election.

So, there are—and we are also seeing in elections across the world, even in the United States—the use of misinformation, disinformation, the use of artificial intelligence and how deep-fakes and fake videos and information can be circulated so easily that we need—we consider that we need more to make our legislation stronger to protect Manitobans against this so that the election integrity is not compromised by—through the use of disinformation, misinformation.

So from a terminology perspective, just to have the record here, disinformation is information which is deliberately placed which is incorrect and circulated. Misinformation would be information which a person believes that is true, but is not true; they haven't done their fact check, and they spread that information. Our recommendation is more for disinformation, which is that there's an intent to circulate and spread information.

And then there are third parties. Third parties in the legislation are defined as individuals or organizations who are not candidates and parties or constituency associations, who are other than the political entities, who are wanting to share information or have election communication which directly or indirectly opposes or supports a particular candidate, a party or a position, which means it is express advocacy and it's also issue advocacy.

The principles of campaign finance have been on creating a level playing field. And I'm kind of coming to your question, but having the background information and it will all connect together. The principles of campaign finance is to have that level playing field so that the use of money or use of any tools does not create a bias for the voters, but does not create restrictions for the voters. And hence that level playing field creates contribution limits and spending limits and has disclosure. So it is telling you where the money is coming from or where the information is being generated, how the information is being circulated.

That takes us to the authorizations and the disclosures, which you have in your ads or the parties have in the ad. It's to tell the voter or tell the public this information is coming from this source, and this is a valid information. Our recommendation is coming—like, that authorization and the transparency in the information should be there. So be it a third party or be it a political party or be it any person, they should have that—they should validate it, they should fact check it that this is—this information is correct and that's—we are providing, and the public can know where to verify this information. Hence, the authorization requirement.

When it comes to dark money or illegal money, there are lots of variances or—with that. First of all, cash can still be used in campaigns. So unless we want to completely get this—because all the audit reports are qualified because of the ability to use cash in your transactions, right. If the cash function can be completely eliminated and all transactions must go through a financial institution, then that dark money may have some more closures there.

We have contribution limits. Contribution limits are only there for candidates and parties and constituency associations and leadership contestants. Third parties don't have a contribution limit; they have a spending limit. Third parties don't tell us—they can use their own funds. So out of the 14 third parties that have registered with us, only two third parties had two contributions to disclose. The rest of them had their own money or they said—one third party said that they had staff donation in kind. So we don't know where the money's coming from.

The final piece is, you know, is having that ability to do a fact check. And that comes through the broadcasters or the media platforms. They should also be many recommendations which are coming in either through Elections Canada, Elections Ontario and Elections BC are placing an onus of responsibility on

the media platforms also to ensure that there is proper disclosure as to who is providing this ad. And in case they are aware of the information is incorrect, they have a requirement to pull that information down.

So this is not a—this is—this will need a more collaborative and collective approach to handle misinformation and disinformation. And we need to—it is a serious issue because the ease at which—and artificial intelligence is a tool through which this information and disinformation campaigns can be at—very easily available to public and to media.

* (19:10)

So we have to—we can't control the technology, but we can have safeguards in using technology and safeguards in our legislation so that the integrity and the correct information is protected.

The other piece is that we try to provide accurate information as an election-management body. And that's our rule: that we want to be sure that we have the right information to the right stakeholders. Hence, so much of work is done in ensuring the voter information cards reach the right voter. We are able to provide them with the right information as to when they can vote, how do they vote, where to vote.

We encourage the political participants to send their information to our website, and our website usually works, 99 per cent of the time, to use our website as the credible source of information.

Mr. Richard Perchotte (Selkirk): Ms. Verma, I like to say for—to Ms. Verma that I certainly appreciate Elections Manitoba and everything they've done. This was my first time as a candidate. In 2016, I was a campaign manager, and every time we contacted Elections Manitoba, we got a prompt, concise answer every single time, in a timely fashion. And that says a lot about your leadership and what is happening at Elections Manitoba. So I'd like to personally thank you from Selkirk.

My second question—other than my statement—is the night of the election in 2023, the results of—in Selkirk in particular—were not official. You know, it seemed like for days it didn't become official, and I've been asked by several people as to what the delay was, and I don't have an answer I can pass along.

I would like if this committee could provide me some answer that I can bring that would reassure people that the election process is working and everything happens for a reason. Thank you.

Ms. Verma: Thank you, honourable member, for your positive feedback on the response—that quick response that you would receive from my office.

With regard to the election night result reporting: so, result reporting happens in two stages. One is the unofficial result on election night. They remain unofficial until the time the final results are done.

The final result date is established by Elections Manitoba. For a general election it's usually seven days after the unofficial result. This time it was 10 days, given that there was a Thanksgiving weekend in between, and we did want to give that time to staff, to take the time off for Thanksgiving.

This calendar is reviewed and discussed with the advisory committee months ahead of the election. It was done with the advisory committee, reviewed and they didn't raise any issue or concerns about it. The calendar was finalized and circulated.

Ninety-seven per cent the result across the province did come on election night. As I mentioned earlier, advance voting, you can vote anywhere in the province. We had to make sure that all the 300 advance voting locations get a clear confirmation that all the results has been reported. As you can see, 90 per cent of the voters used—were struck off of the voters list through the real-time strike-off. The remaining 10 per cent was a manual count. Because of the storm situation and the fall and the telecommunication breakdown which happened in many places, we had to make sure that all the results are in.

We were able to confirm the real-time strike-off results are there. The ones which were manual strike-off, we needed more time to do the confirmation, but the results would remain unofficial until the time the final tally is completed, which was on the 10th day after the election night. Hence, they're unofficial until the final tally is completed.

But the results were all in, 97 per cent on election night within two hours. And within 24 hours, we were having all the results which can be counted. Institution votes are not counted—for the correctional facilities and hospitals—on election night. Not all institution votes were used—were delivered or—where voting was conducted through a vote counting machine.

That's the same process as was used in the previous election. You write in a certificate—write-in ballot—those certificate envelopes come to us and then we are able to circulate, distribute them back to the electoral division. That takes 48 hours to do so.

MLA Fontaine: I have two questions, just in case I don't get my questions in.

One is I'm interested in the post-secondary outreach and what you found from that. So, you know, was there lots of folks voting? Did lots of folks come out and vote? So I'm interested in what that looked like and if there was anything that we can—or, that you're planning on doing to kind of do it maybe better or—whatever. Maybe it was really good. I don't know. So I am really curious about that.

The second piece that I'm interested in is the complaints process. So I know that in your report, it says you received 274 election-related complaints between August 19 and October 10. Many of us received complaints from constituents and from citizens in respect of the campaign that was waged by the PCs in which we saw—you know, I don't think that we've ever seen, potentially, in Manitoba in respect of the level of divisiveness and hate and, you know, anti-LGBTQ2I+ sentiment, anti-trans sentiment and not the least of a campaign that was centred on the murder of Indigenous women by a serial killer and the question posed to Manitobans, whether or not Indigenous women's lives were—or, not lives, but their lives, their bodies, their experiences—warranted to be searched in the landfill.

Now, I know—I'm not asking you to comment on that. I'm certainly not asking you to comment on that. But I think that we could all agree that we haven't seen a campaign like that before, and even some of the advertising that was used—I know there was a particular advertisement in the Free Press that had, like, cards of some sort and—

An Honourable Member: Playing cards.

MLA Fontaine: —playing cards and, you know, the language that was used there.

Particularly, you know, I—you know, the way that it was constructed was to, you know, have fear and to construct, you know, someone who is now a member of our caucus as a threat to children, which is, you know, just so grotesque.

We've heard it. You know, our colleagues have heard it at the time during the election and certainly heard it afterwards in—from citizens on how distraught, actually, many citizens were to see the campaign that was being lodged and rolling out every single day.

And for the purposes of Hansard, I will share one particular interaction. I knocked at a door, and nobody answered, and so I went to the next door, and I was

knocking, and I was talking to somebody at the door. And the first house that I had gone out—the house right next door—they had come out, and they said: Can you come back? And I said: Yes, absolutely. I said: When I'm finished speaking, I'll come back.

And so I went back to that original door, and it was a husband and a wife—a mom and a dad—and almost immediately, the mom started crying, right away. And she was saying—you know, she says: I'm so scared. She says: I'm so scared if they get in again—if the PCs get in again. She says: I have a trans child. And she says: My child hasn't gone to school because my child is so scared about the rhetoric that's out there.

And while, you know, I think people think that there really truly wasn't any harm. And there was harm in the lives of Manitobans—the same Manitobans that folks—the PC caucus were trying to say: Hey, vote for us so that we can become government again and, you know, have the administration of this Province.

There was real harm. And I remember just crying with that mother and making a promise to that mother that we will continue to stand, and we will continue to fight for trans rights but in particular for children.

* (19:20)

And you know, the flip side of it is the harm that that narrative, like standing firm and, you know, all of this stuff that Heather Stefanson and all of her ilk—her ilk had done in respect to the landfill, and what that did to the Indigenous community and in particular, as Indigenous women.

So, we had complaints—like, there were folks that came to us with complaints. And so I'm curious, you know, the—was there an impact on the—and you may not be able to—you maybe don't have that information or you're not able to share it—but was there complaints in respect of, you know, this election—this last election that we saw, and the tactics that were used in this last election to really sow division and really have harm in the lives of Manitobans?

Ms. Verma: For the post-secondary outreach, we were at the five post-secondary institutions. We were involved in the orientation, but we also had advance and election-day voting wherever we could. We do—we had a campaign this time which was directed for youth, which had a tagline of fit check, which had quite a positive reception and generated good publicity around voting and discussion.

Of this post-secondary outreach, I would also like to say the members passed the legislation of having an

in-service day for a fixed-date election, and that allowed us to hire high-school students to work for election so that was also—thank you for that legislation which was passed, because that helped us engage with youth and create that habit of participation for them. Because once they're involved in the process, they see the election and they are a future voter, so that was quite well-received.

But what we want to do, go forward, not just with post-secondary outreach. It's something—it's what we are looking at, a pattern, is ways to have ongoing relationship with the different community members across Manitoba.

So if you see, as an example, for vote registration, we do target registration and we did target registration—we hired around—approximately 20, 25 target registration staff in every electoral division, but that two weeks gave us 8,000 votes—new—not votes; new voters.

However, outreach campaigns and events that we did, starting from April until July, gave us much better results. So we are seeing, you know, being in the community, being visible in the community, having those outreach events, vote pop-up events where we can have a conversation and have an ongoing relationship, gives us better success than just being present on election day. So that is an initiative that we want to explore further in this next election cycle.

With regard to complaints, the complaints were more—there were fewer complaints received in this—for this election as compared to 2019. The complaints were more around voting day, having wait times of—most of them were on wait times for advance voting and voting day. There were some places which were very popular and we will be taking that into consideration as we plan for the next election cycle.

From a candidates' perspective, it's the text messaging, it's the call—the robo-calls or the callings for getting the vote out. There are sometimes—they—the complaint comes as where do they get the telephone number. We should not be sharing the telephone number; that's part of the legislation. We have that information; we are required to share that information.

On campaigning, I don't have a—specific campaigns for which they were for; this is more like a general overview of the complaints. Some around technology and we see around a dozen on that, a dozen on target registration. It's quite challenging having people knock at the door. There are safety concerns for our staff. There are safety concerns that Manitobans feel they don't want to open the door to the stranger, hence our

approach to having more community events which are more visible.

If people can come to us—and we are very happy to go to the door if they want us to be there—but it is a challenge having people, like, go door to door and having that access available.

The Chairperson: First, I just want to remind all the members present to continue to address questions to the Chair. I know Ms. Verma is providing majority of the answers here, but please remember: address the Chair.

Mr. Jackson: Through you, to the CEO of Elections Manitoba, I'm referring specifically to the recommendation that starts on page 105 and moves to page 106.

I understand the argument for harmonization of the timelines with regard to nominations so that it's the same for both scheduled elections and non-scheduled elections or by-elections. That makes a lot of sense. Confusion is ripe, especially when you're a first-time candidate. However, I'm just questioning the decision to recommend six days be universal across the board.

By-elections and non-scheduled elections are entirely in control of the government and, in particular, the premier. Lots of elections—you know, there's lots of competing interests as to when governments call by-elections or non-scheduled elections, and regardless of which party is in government, if they snap a by-election, opposition parties can certainly be caught off guard. And so, you know, they're certainly at a disadvantage with that.

And I understand wanting to have candidates nominated well in advance of when advance voting starts. I'm just wondering how you came up with the decision to recommend six days, why there isn't maybe more of a middle ground—

The Chairperson: Sorry. Mr. Jackson, I'm—

An Honourable Member: Oh, I'm sorry, I'm not going through you.

The Chairperson: Thank—

An Honourable Member: Through—sorry, honourable Chair.

Honourable Chair, to the—Ms. Verma, why Elections Manitoba is recommending six days in—you know, why didn't they come up with a recommendation somewhere in between the six days and the 14 days, which is currently the difference right now, which would certainly allow political parties, in

particular opposition political parties, to have a little bit more of a fair—

The Chairperson: Apologies. I'm re-recognizing you, Mr. Jackson.

Mr. Jackson: Oh, thank you—I'll try to make this brief.

Just—so in recognition through you, honourable Chair, where did the recommendation come from to recommend six days universally, rather than finding somewhere towards the middle between six and 14? I think that would certainly make it more fair for opposition parties in the situation where a government calls either a snap election or a snap by-election.

So just where did the recommendation come from for the six days? Would they consider, you know, somewhere more in the middle ground between six and 14?

Thank you, Chair.

Ms. Verma: We took the recommendation from the fixed-date election calendar, and the reason was a couple of things.

So by-election: There is now a deadline within six months that the by-election must be called, so given that, there is a—that's an assumption at our end, that there is some level of understanding or timeline for a call for a by-election.

The number of signatures which are required on the nomination paper have been reduced from 100 to 50. There's also—there's no time—like, a candidate can collect signatures prior to the issue of the writ and have the nomination paper ready when the writ is issued. They should not be too stale, like, they're not, say, suggesting have the names a year ahead of time, but there's a six-month timeline for a by-election, so hence, we thought it would be feasible to have this recommendation.

With regard to other election, having again the consistent calendar, we are recognizing that a vote-counting machine, if they are used, programming 700 to 800 memory cards for each electoral division, vote anywhere, and the logic and accuracy testing which is required for each of these cards, we would need more than a week's time to do the programming and the logistic requirement of having all the machines across the province, because there is a lead time which is needed to deliver the machines in remote locations, too; hence, this recommendation.

* (19:30)

But the current legislation restricts receiving a nomination paper before the issue of the writ. It doesn't restrict the candidates for completing a nomination before the writ is issued.

Mr. Wiebe: So I'm very interested in the answer that you gave with regards to third parties, and again, what I characterize as dark money, you know, and I—

The Chairperson: Excuse me, Honourable Mr. Wiebe, address through the Chair, please.

An Honourable Member: Appreciate that to you, honourable Chair. Thank you very much for the reminder.

The Chairperson: And I am re-recognizing Honourable Mr. Wiebe.

Mr. Wiebe: Perfect. Thank you very much, honourable Chair.

So I—through the—through you, Chair, I do want to just thank the—to thank Ms. Verma for her answer on third parties. And certainly, that's been the focus in terms of trying to understand this idea of foreign influence or outside influence on our elections.

What caught my ear, and what I think I'd like a little bit more information on, is with regards to actions that Elections Manitoba is proposing to take with regards to identification of those third parties, requirements about information that they need to share. You know, I think I heard the—I heard Ms. Verma say that holding social media companies or other distributors of this information to account.

So I just wanted to give you an opportunity to just, if you could, expand a little bit more on that, because I guess, a lot of the questions we had during the most recent election campaign was sort of the source of this information. And as you said, for every candidate, you know, every piece of material, every sign that we put up says authorized by the official agent. It certainly is—you're able to track it right back to the registered political party.

And I understand that there is, you know, some role for third—what we call third parties. But of course, that maybe wasn't—when it was originally contemplated it didn't think about, you know, other outside influences from outside of the province or outside of the country.

And so I just wanted to just give you an opportunity, if there's anything more that you wanted to add in terms of opportunities for us as a government moving forward to enhance some of the protections that are out there, because what you're talking about

with regards to disinformation is, again, very real. We're seeing this, not only in other places but even in our own province.

And so, you know, it's important. It's important for us to be held to account for the information that we put out as a political party. It certainly should be for third parties as well.

So if you could—if, through the Chair, the—Ms. Verma could spend some time just expanding a little bit on that specific piece.

Ms. Verma: When third-party legislation was first drafted, it was, I believe, in early 2000. And since the time then and now, there have been new means of communication and technology which we have seen.

So this—if the members are interested, it—this might be a good time to review the definitions of what constitutes an election communication. Currently, the definition says: advertisement and anything which is sent over the Internet, but text messages and these sorts of communication are currently not captured under the third-party election communication.

Other areas which may be of interest would be to—it's been done at a federal level, to create registry for foreign players who are interested, similar to a lobbyist registry; having—when the—if they're interested in amending, of having a role for the media platforms and media companies to ensure that the source of information is properly documented and they have that in their record.

And also, ability for Elections Manitoba to approach the media platforms in case we receive information on it—on publications which are of misinformation or disinformation, for the media platforms to co-operate with the election management body to promptly remove those—that misinformation.

Ontario and Elections Canada has made recommendations for some penalties. Elections BC, elections legislation there has penalties for non-compliance, and they're quite steep financial penalties for media platforms in case there is a violation.

But the other piece would be having more education campaigns around, and fact checks and tools. We know Meta and other digital platforms are looking into tools to do a fact check with regard to ads and identify deepfake videos.

So having, again, a more collective, collaborative approach with different stakeholders to work together on this initiative would be our recommendation.

The Chairperson: Are there—just going to check—are there any further questions?

Mr. Wiebe: Well, and just very quickly then, honourable Chair, we do hope to bring a motion forward to the committee that we hope will have support from both sides with regards to the vote anywhere in your electoral district on election day adoption modification to the voting process proposal and the recommendation.

I think there's certainly a lot of interest in expanding access and enhancing access. I certainly appreciate the answers that were given with regards to technology and the role that it can play and how we can continue to roll it out and develop it.

So I do hope that we have support for that, and I just wanted to give Ms. Verma the opportunity if there were any further comments or information that she feels that the committee might need in order to move forward with that particular motion.

The Chairperson: Ms. Verma, anything to add?

Ms. Verma: Sure. I just want to assure the committee the technology worked, the technology of vote-counting machines and the technology with all the related tools that we used to conduct voting. It was a free, fair, accessible election. All the aspects of election integrity were maintained and upheld.

We did have an issue with our website on election night, but that is not connected to the technology which was used at the polls. Hence, we are making this recommendation of expanding the use of technology to have vote anywhere in your province on election day at the returning office.

And we are being very deliberate about it. We are not making a recommendation to have vote anywhere across the province in all locations. We are doing it in a phased manner, which is a responsible manner, to have vote anywhere in the province at your returning offices on election day. It adds voting opportunities.

But just to assure the committee, the technology didn't fail us. Our website did fail us.

The Chairperson: Thank you.

So—oh. Another question?

Mr. Balcaen: Sorry about that. I want to make sure that I have this mic because I get lots of feedback on this with the hearing piece.

So I'm just wondering again if, through the Chair, honourable Chair, if we could look at talking about

some of the funds that were put forward by maybe some of the union parties, and what sort of percentages that represents in the funding throughout this campaign.

Ms. Verma: I missed one part of the question. May I ask the member to repeat the question, please?

Mr. Balcaen: Sorry, so the question, honourable Chair, was: I wonder if we could expand a little bit on unions and their donations through the campaign, and what percentage that represented in this 2023 election campaign.

Ms. Verma: In Manitoba there are limits on contributions. Only individuals, residents of Manitoba, can contribute. So to the candidates, parties, constituency association or a leadership contestant, there are no union contributions as per our records.

* (19:40)

Third parties, there were 14 third parties which were registered with us. And none of them—only two third parties reported contributions. One reported contribution of donation in kind of their staff, and one reported two contributions. The rest used their own funding for third party.

The Chairperson: Thank you.

Are there any further questions?

Mr. Perchotte: Is there any record of the funds spent on a campaign by the unions indirectly by advertising or promoting a certain party?

Ms. Verma: Other than the third parties, none to my knowledge.

The Chairperson: I'll also offer another reminder to address through the Chair.

Any other questions?

Mr. Balcaen: Sorry. So registered through the honourable Chair, I'm wondering, registered third parties spent almost \$500,000 last election.

So I'm wondering if the committee could learn what triggers a third-party registry?

Ms. Verma: A third party is an individual or organization which is other than a political entity, a candidate, constituency association or a registered party. The registration requirements are triggered if they spend \$2,500 or more in election communication expense.

Election communication would be any expense incurred to promote or oppose a candidate or a party or a position on an issue which the candidate or party may be aligned with.

Mr. Perchotte: Of the \$500,000 that was reported by the third parties, what is the dollar value of that represented by the unions that was spent on the campaign?

Ms. Verma: I'll have to take a look at the listing of the third parties, who they were, and that's the percentage of the spending which they would have been assigned to a union.

So there were 14 third parties, if I can just see if my colleagues have the listing of the third parties. I have the list of 14 third parties, and read it out: Canadian Centre for Policy Alternatives, Manitoba; Canadian Federation of Nurses Unions; Canada Growth Council; Canada Strong and Proud; CUPE Local 500; CUPE Manitoba; Make Poverty History Manitoba; Manitoba Association of Health Care Professionals; Manitoba Government and General Employees' Union; Manitoba Nurses Union; Manitoba Teachers' Society; Merit Contractors Association of Manitoba; Manitoba Federation of Labour; and Unifor.

They all—in aggregate 500, average 40,000 election communications. I'm not sure which one is a union or which one is not a union in this list, hence I'll be unable to answer the percentage calculation out of the whole spending.

The Chairperson: Are there any further questions?

So seeing no further questions, I will now put the—oh. Okay. Okay.

First, we will recognize Honourable Mr. Wiebe.

Mr. Wiebe: Perfect. Thank you very much, honourable Chair. I wish to move a motion. So I move,

THAT pursuant to subsections 28.1(4.2) and 21.1(5) of The Elections Act, the Standing Committee on Legislative Affairs approve the proposal to modify the voting process tabled in the House on October 28, 2024, and recommend that the Chief Electoral Officer direct that the voting process be modified for upcoming by-elections and the next general election.

Motion presented.

The Chairperson: The motion is in order.

The floor is open for questions.

Are there any questions?

Is the committee ready for the question?

An Honourable Member: Question.

The Chairperson: The question before the committee is as follows:

THAT pursuant to subsections 28.1(4.2) and 28.1(5) of The Elections Act, the Standing Committee on Legislative Affairs approves the proposal to modify the voting process tabled in the House on October 28, 2024 and recommends the Chief Electoral Officer direct that the voting process be modified for upcoming by-elections and the next general election.

Shall the motion pass?

Some Honourable Members: Pass.

An Honourable Member: No.

The Chairperson: I hear a no.

Voice Vote

The Chairperson: All those in favour of the motion, please say aye.

Some Honourable Members: Aye.

The Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

The Chairperson: In my opinion, the Ayes have it.

The motion is accordingly passed.

* * *

* (19:50)

The Chairperson: Okay. Moving on to the next part.

Annual Report of Elections Manitoba for the year ending December 31, 2022—pass; Annual Report of Elections Manitoba for the year ending December 31, 2023—pass.

The hour being 7:50, what is the will of the committee?

Some Honourable Members: Committee rise.

The Chairperson: Committee will rise.

COMMITTEE ROSE AT: 7:50 p.m.

The Legislative Assembly of Manitoba Debates and Proceedings
are also available on the Internet at the following address:

<http://www.manitoba.ca/legislature/hansard/hansard.html>