



Third Session - Thirty-Seventh Legislature

of the

Legislative Assembly of Manitoba

Standing Committee

on

Privileges and Elections

Chairperson

Mr. Conrad Santos

Constituency of Wellington



MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Seventh Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA

THE STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS

Thursday, July 4, 2002

TIME – 10 a.m.

The 1999 Annual Report of the Chief Electoral Officer Including the September 1999 Provincial General Election

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mr. Conrad Santos (Wellington)

The 2000 Annual Report of the Chief Electoral Officer Including the November 2000 Kirkfield Park and Tuxedo By-Elections.

VICE-CHAIRPERSON – Mr. Doug Martindale (Burrows)

ATTENDANCE - 11 – QUORUM - 6

Members of the Committee present:

Hon. Messrs. Doer, Smith

Messrs. Aglugub, Dewar, Loewen, Martindale, Murray, Nevakshonoff, Penner (Emerson), Santos, Tweed

APPEARING:

Mr. Marcel Laurendeau, MLA for St. Norbert

WITNESSES:

Mr. Richard D. Balasko, Chief Electoral Officer

MATTERS UNDER DISCUSSION:

The Statutory Report on the April 1995 Provincial General Election

The 1995, 1996 and 1997 Annual Reports on The Elections Finances Act

The Statutory Report on the September 1997 Portage la Prairie By-Election

The Statutory Report on the April 1998 Charleswood By-Election

The 1998 Annual Report of the Chief Electoral Officer

Mr. Chairperson: Good morning. Will the Standing Committee on Privileges and Elections please come to order. This meeting has been called to consider the following reports: the Statutory Report on the April 1995 Provincial General Election; the 1995, 1996 and 1997 Annual Reports on The Elections Finances Act; the Statutory Report on the September 1997 Portage la Prairie By-Election; the Statutory Report on the April 1998 Charleswood By-Election; the 1998 Annual Report of the Chief Electoral Officer; the 1999 Annual Report of the Chief Electoral Officer Including the September 1999 Provincial General Election; the 2000 Annual Report of the Chief Electoral Officer Including the November 2000 Kirkfield Park and Tuxedo By-Elections.

Are there any suggestions from the committee as to how long we shall sit this morning?

Hon. Scott Smith (Minister of Consumer and Corporate Affairs): Mr. Chair, I would suggest we sit till noon today.

Mr. Chairperson: Is that agreed? [*Agreed*]

Are there any suggestions from the committee regarding the order in which we should consider this report?

Mr. Smith: Mr. Chair, I would suggest we consider the report in chronological order as listed below, with suggestions from the members opposite of possibly passing a number of them to start with.

Mr. Chairperson: Is that agreed?

Mr. Marcel Laurendeau (St. Norbert): I think we can agree with that, Mr. Chair. I think it would be appropriate to pass some of the old reports that we have had sitting around for a long time.

Mr. Chairperson: We will now proceed with the consideration of the reports. Did the honourable First Minister wish to make an opening statement? Would he please introduce the officials in attendance?

Hon. Gary Doer (Premier): Mr. Richard Balasko is the Chief Electoral Officer. He is joined by Mr. Lorne Gibson, Deputy Chief Electoral Officer; Mr. Scott Gordon, Manager of Elections Finances; and Mr. Dave Wilkie, Manager of Elections Operations and Communications.

I will make a brief statement, and I believe the Chief Electoral Officer has a statement as well.

First of all, I would like to thank the committee members. We are dealing formally, pursuant to the laws, with the May 6 tabling of the 2000 report, along with the other outstanding reports that are here. I want to thank the staff for, not only preparing these extensive reports for our attention, but preparing legislation that we have now before the House.

We have two acts before the House that deal with partial issues that have been raised by the former reports. One is dealing with the voting rights of military families, which so far there has been strong consensus and support on, and certainly strong support from military command here in Manitoba and nationally. Secondly, we have the disclosure and rules for leadership candidates, which was identified in the 1995 report. That matter is before the Legislature. It looks like it might have a little more controversy than the military voting right issue. This follows some of the reforms we brought in, in the year 2000. We, of course, followed the recommendations on removing the partisan appointments of returning officers in constituencies and allowing that function to be maintained in a non-partisan way.

We still have some other items that are outstanding that I think need all-party support. One is, I think, very important for the public and for the political parties, is to take this act, which is amended extensively after the Monnin report and amended again in 2000, and write it in plain language so the public can understand it. I would undertake that as a longer-term or a medium-term task for us. I do not want to overburden the Chief Electoral office in a potential fourth year from the last mandate. I think we are all politicians, and we know the timing of the last election, but certainly it would be our medium-term goal to have the writing of the act in plain language so that it is more user friendly to the public. It is a pretty complicated act now, and it gets complicated with each set of amendments.

That can also scope in some other recommendations that have been made that we have not yet dealt with. For example, the voting rights of students away at universities, that is still a matter that we still have to deal with, but we feel we are making some progress on the accumulated recommendations of reports.

The issue of the third-party proclamation, we have not proclaimed some of the limitation sections of third-party because we recognize the court case would proceed in Alberta. There is no sense our taxpayers' associations and our citizens' coalitions in Manitoba having to fight two court cases. This eventually I think will go to the Supreme Court, but we have not proclaimed those sections of the act. I think the Alberta Court of Appeal has got the issue before it now, the case of Mr. Harper and the Citizens' Coalition against the federal act, but it has some spillover here in principle to the act that was drafted but not proclaimed here in Manitoba.

Again, I would like to thank the staff and the Chief Electoral Officer for aiding the Legislature in establishing rules that provide for the public a level playing field for the democratic decisions to be made properly by the voting public of Manitoba. Thank you very much.

Mr. Chairperson: Before I call on the Chief Electoral Officer, procedure, we have to follow this. Does the Leader of the Official Opposition have any opening statement?

Mr. Stuart Murray (Leader of the Official Opposition): Yes, I think that the Premier has made some comments, there are some comments there that we certainly would agree with and would like to move forward. There are some obviously that we are going to have some further discussion on and we know that. I think that what we should be doing at this committee is moving through these reports with thoughtfulness but with some expeditiousness so that we can deal with more current matters at hand and move forward.

I welcome the Chief Electoral Officer and thank him and his staff for the hard work that they do as well. We on this side look forward to a good discussion.

Mr. Chairperson: The Chair now calls on the Chief Electoral Officer to make an opening statement for the committee.

Mr. Richard D. Balasko (Chief Electoral Officer): Good morning and thank you to all present for the opportunity to be with you this morning and to present to you or discuss with you some of the recommendations that we have outstanding for amendment to The Elections Act and The Elections Finances Act.

The last time the committee met to consider the recommendations was on January 30, 2001. At that time the committee passed a number of reports. I think we are up to 1995, if my understanding is correct, in terms of where we stand at the present time.

As I mentioned at that point, over the past several years the great majority of the over 90 recommendations that have been made for legislative amendment have been adopted in the laws. There were really three waves of legislative amendment. In 1998 a number of legislative amendments were made to both The Elections Act and the finance act, a comprehensive package. In 1999, following the Monnin Commission of Inquiry, there were important amendments made, and again in 2000.

We are very pleased that a great number of the recommendations have been implemented and many of them tested in the 1999 general election. It is with the benefit of that 1999

general election that we can look at the recommendations again. We have now consolidated in the 2000 report, with the benefit of that experience, our recommendations.

I will not take your time reviewing the amendments that have already been made but to pick up on a point or two raised by the Premier. I would like to return briefly at a later moment to the unproclaimed section of the third-party. I understand very clearly the context of what is happening elsewhere in the country.

* (10:10)

It is very clear that election law in Manitoba is not static. I have just gone over some of the history that we have had in terms of amendments. In terms of the third-party proclamation, however, if I can make this request, the request is that if there is any intention at any point that these may apply in the next election, of course we do not know when that is, but we have a plan that we launched the day after the last one to be ready three years later, and we will be. If there is any intention to proclaim those for the next election, certainly from our point of view this requires a considerable period of time to implement those provisions. They are comprehensive. A six-month period is what we require. There are statutory consultations that need to take place. If it is to proceed, then it impacts on many others as well. I am sure that they would also want the opportunity to be ready for that. There are resource issues as well. We are not preparing based on the unproclaimed legislation at the present time. We had similar unproclaimed legislation in I think 1986 that was not proclaimed, so I do not know the fate of the current legislation, but I understand the context completely. I would just ask for that consideration in terms of preparation for all concerned.

The 2000 annual report contains a complete set of the outstanding recommendations that have been made in the past. We recently met this last June, just a couple of weeks ago, with our two advisory committees. We have an advisory committee of persons appointed by the leaders of the registered parties in the province, all the registered parties who wish to make appointments, a committee to consider The Elections Act and a committee to consider The

Elections Finances Act. We have refreshed their memory on the outstanding recommendations that we have and have given them an opportunity to bring to us, of course, any further issues for the 2001 report.

You will also note in the 2000 report that while my responsibilities, specifically, are on The Elections Act and The Election Finances Act, that I have taken the opportunity to just put before the committee for your consideration certain recommendations that have also arisen from the Boundaries Commission, 1998, its report, and previous boundaries commissions as well. There is a matter under The Controverted Elections Act, as well, that I bring to your attention.

The last time that I was before the committee, I was asked to highlight what I consider to be among the most important amendments. I would ask the Chair, perhaps, or the committee if it is your desire that I do so again. I certainly would be pleased to do that.

Mr. Chairperson: Questions will be asked appropriately, I suppose, if it is desired.

Mr. Balasko: On the elections side, there are a number of issues, but there have been many amendments to The Elections Act. The peace-keeper voting enfranchisement bill that is presently before the House now, Bill 9, deals directly with one of the recommendations that was earlier raised.

The matter of students has been raised by the Premier (Mr. Doer) this morning, and I understand that that will be given due consideration in the medium term.

There are a couple of other matters under The Elections Act, and although these matters may affect small numbers of voters, because we are dealing with the franchise, everyone is very important, and that is why I raise it before you today.

We have home-bound voting for persons who cannot leave their house to get to the poll, and that is a very good system and it is a long-practised system in Manitoba. But we have received at every election a handful of situations, several in every division, where people who are

caregivers of home-bound people similarly are unable to get to the poll because their respite might not coincide with the week of advanced polling, for example. So it is a small number of voters, but the opportunity for caregivers of house-bound voters to vote is important.

I have also recommended that the tariff of fees which sets the payments for the election officials, the local election officials, be reviewed prior to the next election. This is something that has been done in the last two elections, is done in anticipation of our needs. Certainly we have many officials to recruit, upwards of perhaps 10 000 people. Our ability to recruit these people in part relies on our ability to pay them what is considered to be a reasonable wage.

At the present time, the tariff in Manitoba is the lowest in most cases across western Canada. That is not too much of a surprise because often tariffs have leapfrogged each other. Manitoba has an election and brings it up to speed, and then Alberta has an election and brings theirs up to speed, so ours falls further behind. But I just wanted to mention that the tariff, which is a Lieutenant-Governor-in-Council regulation, is something we will be making a submission on in the near future, so we can tell people whom we are now beginning to line up for an eventual election what we will be paying them in the next election. It is that simple. *[interjection]* I hope not, although in some cases the fee is below the minimum wage, so we may have other problems.

There are a whole number of other recommendations under The Elections Act, but I am very encouraged this morning to hear the Premier's comment that there is a commitment in the medium term to review the plain language wording of The Elections Act, and this is, again, an outstanding recommendation that we have had in the past. We believe it is important that this cornerstone legislation is accessible not just to the voters but to the political volunteers, the election officials and others. So there is a whole raft of things that I think can be caught up in the plain language review and do not need to be gotten into at this point. So those are the few comments I would like to put before you on The Elections Act.

On the Elections Finances side, I would like to similarly highlight a couple of points. First is

with regard to auditor services. The auditors perform a very essential function to ensuring transparency and proper disclosure, in accordance with the Elections Finances laws, and they are provided a subsidy for doing that work.

One of the issues is that the language now in the act is they get paid the subsidy for the work they have done, only once the review is complete and the campaign has answered all the questions. So our recommendation on that is, once the auditors have performed their services, they have made their audit report, that they ought to be paid at that point. It seems to us to be reasonable.

Another recommendation we have on the audit services is that the fee paid to auditors, which is now a \$600 subsidy, up to \$600, we think can be made more appropriate to the nature of the audit. We think the federal model, which has a sliding scale where less money is paid for less complex returns, of which there are many, and more money is paid for the audit service for more complex returns, is more in line. So you would have a minimum and a maximum amount. Federally, the maximum amount is 3 percent of the spending. In Manitoba, if you take a large campaign, say, \$30,000 of spending, that would equate to about \$900. So we think that the top end of the auditor service reimbursement, or subsidy, should be moved up and a sliding scale incorporated. There will be some balancing. We will pay less for some audits and more for some others, but it seems reasonable.

Just as an aside, I will mention to you that, in a future report, but since audit subsidy questions are now before the committee, I will also be recommending that there be a similar subsidy for the audit costs of political parties. There are no audit subsidies now for political parties for their annual return. There are subsidies for political parties for their election returns. But what we have seen over the last couple of years is that there has been increasing responsibility on an annual basis for political parties. There are contribution limitations as to source and amount, which bring in another regime that the parties need to follow. There are annual spending limits for political parties outside of elections. So we have certainly heard from the advisory committees and all the parties

that these place certain obligations on their auditors, and they will be supporting this recommendation.

I have also recommended that the act deal with the proceeds from commercial activity or merchandise sales. This is not something that is all dealt with in The Elections Finances Act at the current time, but it is something that is becoming increasingly important. As the limitations are placed on source and amount, so then people search elsewhere for ways to raise funds. It is important that there are guidelines in the legislation as to how to deal with the proceeds from commercial activities. Since we have a provision now in the act dealing with limits on amount and source, then we should be sure that the guidelines for raising money from commercial proceeds should be complementary to those existing limits and not be a way to move around those limits.

I have recommended for some time that the child care expenses, the unique reasonable child care expenses of candidates, should not count against the spending limit of those candidates. It puts them at a certain disadvantage and creates a barrier, but yet it should be reimbursed. This is also a recommendation supported for some time by the all-party committee.

With regard to the most recent amendments on annual spending limits, there is no requirement in the act that the spending that takes place by constituency associations and candidates before an election, which applies against the party limit, there is no requirement that those ads be authorized. I think, in keeping with the requirements on political parties and in keeping with the requirements that election advertising be authorized, just the public's right to know, transparency, whose ad is it? And, from our perspective, whose expense is it? For the limit, I would think, from the party's perspective, as well, who is out there incurring expenses that are ultimately going to apply against our limit, that it is just, once again, a good idea to ensure that, if a constituency engages in advertising—and remember we are talking about media advertising. That is really the scope of the annual limit. It is not lawn signs and brochures. It is TV, radio, billboards, that the constituency association or the official agent of a candidate place a stamp of

authorization on the advertising materials. Again, it is very consistent with what is in the act.

* (10:20)

Finally, on The Elections Finances Act, it seemed rather straightforward to us, but it is not always the case. As you know, there is a reimbursement paid to election expenses. The scheme of the act is that the reimbursement that is received by the candidate's campaign would be used to pay the outstanding debts of the candidate's campaign. That has not always been the case. In some cases, those funds have gone elsewhere. Sometimes, they go to court and they have to be resolved through the court system.

It would certainly be preferable for, I think, everyone involved to avoid the situation in the first place and to provide a more direct means to resolve it if it comes up. It could be a provision in the act that specifically states that the reimbursement of funds paid to candidates' campaigns be used only to eliminate or reduce the deficit of election campaigns.

I mentioned briefly a couple of other statutes that are affected by the activities of our office. The first is the balanced budget legislation and the Hydro act that require referendums to take place in certain cases. When those became law, the provisions of how an election or how a referendum would be conducted were really just dealt with by saying: Lieutenant-Governor-in-Council may make regulations and, otherwise, you conduct it like elections.

The fact is elections of candidates, referendums, do not have candidates. They are different. They are two different things. Elsewhere across the country, they have legislation that deals with referendums. I think it is, again, more transparent than equitable, if we, rather than dealing in regulation, perhaps in the short-term that is necessary, but in the longer-term rather than relying on the Lieutenant-Governor-in-Council at any particular point to pass the regulation, that there is a statute, and people know the rules fairly going into the referendum.

There are no similar provisions that say the Elections Finances Act applies to referendum. It

just says regulations may be made by the Lieutenant-Governor-in-Council. Again, I believe that the basic campaign finance disclosure provisions should apply in referendums and that should be in the statute.

The Controverted Elections Act refers to processes that have not, apparently, been seen in the courts for some time, and so it needs to be brought up to date.

The Electoral Divisions Act, as I mentioned briefly, one of the very important recommendations, I believe, last time from the Boundaries Commission was that the timing of the implementation of the report be made certain. The federal model has it. It is one year from proclamation of the report that it becomes law. So, whatever the time line is in Manitoba, we think it would be consistent with the principles of fairness in that statute that the boundaries come into effect at a certain point.

Similarly, past commissions have raised the issues related to the composition of the commission. It leaves a great strength that it deals, not in individuals, but in office holders, but we also recognize the fact that rural representation of the commission is not at all necessarily ensured, given the positions that are presently on the commission now. So I refer those matters to you so that, hopefully, well in advance of the next redistribution, consideration can be given to them.

The boundaries act is something that appears on the horizon. It goes into sort of a deep sleep for a long time and then comes out again. Sometimes, it comes up too late for people to want to consider amendments.

There are, of course, resource implications to all the new amendments that have been introduced in the past. I would like to request the committee keep this also in their minds as they consider amendments into the future.

We have made requests to the LAMC and have been dealt with by our MC, given consideration to this. We requested an additional five staff, as we have since 1998 when the amendments came into force. We continue to do that. Most recently, LAMC asked for an

independent review of our request. That was done by the Department of Finance, Internal Audit. They came back and said: If anything, we have underestimated the needs. Just to inform the committee, the current response to that has been that two term staff have been provided to our office. So I just want the committee to be aware of that.

A final comment, and I very much appreciate your patience in this. Our final comment relates to the shared code of ethical conduct. In my 2000 annual report, you will see that I reported on the status of the adoption of the *Shared Code Of Ethical Conduct*. The first thing I would like to do, again, is reaffirm the fact that this code was developed by consensus of the registered political parties in the province. I think that is a tremendous accomplishment. I think it speaks tremendously to the good will of all the political parties that they would put their minds to this and come up with a shared code that can be, you know, put forward, that is in the public domain against which people can look at the performance of the parties, and parties can look at each other's performance and their own performance. Several parties also have their own codes of ethical conduct, and that has to be said as well. So this does not replace that; it is just something in addition.

I have noted that since June 2000 when the code was finalized, that the Green Party in Manitoba and the Liberal Party and the Manitoba Party have adopted the shared code. I would like to report to you now that since the time that that report was written, I am informed that the executive bodies of the Communist Party in Manitoba, the New Democratic Party and the Conservative Party have similarly approved the code of ethical—[interjection] Well, I thought we must be on to something here, because everyone—I should not say everyone—there are six or seven parties that seem to be on side with the code. The Libertarian Party is not, and I am not sure that that will happen.

Once again I want to thank you for the opportunity. I am very pleased to reply to any questions you may have on the recommendations. Thank you, Mr. Chairperson, for your patience.

Mr. Chairperson: Thank you, Mr. Balasko. Given the agreement as to the order of the

consideration of the various reports, the Chair will ask the report. Then if there is any question, you can interrupt.

The Statutory Report on the April 1995 Provincial General Election—pass; the 1995 Annual Report on The Elections Finances Act—pass; the 1996 Annual Report on The Elections Finances Act—pass; the 1997 Annual Report on The Elections Finances Act—pass; the Statutory Report on the September 1997 Portage la Prairie By-election—pass; the Statutory Report on the April 1998 Charleswood By-election—pass; the 1998 Annual Report of the Chief Electoral Officer—pass; the 1999 Annual Report of the Chief Electoral Officer Including the September 1999 Provincial General Election—pass.

The 2000 Annual Report of the Chief Electoral Officer Including the November 2000 Kirkfield Park and Tuxedo By-elections.

Mr. Mervin Tweed (Turtle Mountain): If I could, I just have a couple of questions, and probably Mr. Balasko could explain it to me. Two concerns that arose in the '99 election and also in the 2002 by-election—personal care homes. It seemed to be that there was a mixed message in some of the communities I represented and concerns raised where people were not getting the moving poll brought into the personal care homes, and, yet, in other communities there was. Now, was that a decision of Elections or the returning officer, or how was that determined?

Mr. Balasko: I will reply to the first one. Thank you for raising that concern. The decision as to the creation of moving polls to the service, for example, in this case, of personal care homes, is a local decision taken by a returning officer, but certainly always within our guidance.

The first comment I would make is that we want to make sure that particularly, you know, the people who may have difficulty getting out to the polls are well served by polling places.

I can tell you that with that in mind, a couple of things are happening. Well, really one major activity is happening. The polls that were used in 1999 were essentially the polls that were used in 1995. The reason for that is because in preparing

for the 1999 elections it was not certain which set of electoral division boundaries would be used.

So, from our perspective and from the perspective of the returning officers organizing for that election, we were most concerned with which provincial constituency boundaries would be in play. So these individual polls were not reviewed prior to 1999, which may be the explanation of those local communities.

The second thing I can tell you now is we have the returning officers in place. The returning officers now are reviewing the polling locations, including moving polls of all the communities in our electoral division. So that is under way now. We have given them specific lists of the personal care homes to review and to make sure that they are properly cared for. Their recommendations are reviewed and approved in our office.

If you have any particular polls in mind or any members or parties, of course, have particular polls in mind, then certainly we would welcome you bringing them to our office, to myself or through your staff to Mr. Wilkie or myself so that we can make sure that those people are well-served.

So they have not been reviewed for a long time. It is well overdue. That is the reason why they were not reviewed, but they are under review now.

* (10:30)

Mr. Tweed: Will we be made aware of those recommendations prior to or when you receive them? Is there a time line when this will be completed?

Mr. Balasko: There is a time line by when it will be completed. The review of the electoral division by the returning officers in terms of poll locations and including moving polls and otherwise will be complete by August. We have been dealing with the political party advisory committee on The Elections Act, making sure they are aware of this process on an organizational level from the parties' point of view. What we will be doing is, once the polling

subdivision boundaries and moving poll boundaries are established and reviewed by our office, we will be providing them on an electoral-division-by-electoral-division basis to the parties for provision onwards, but, of course, if you would wish copies directly, that is fine, as well. So we will be moving them on, and we have opened the doors to the parties. If they have concerns, certainly bring them to our attention.

Mr. Tweed: One of the other issues that came up in '99 was the moving poll that went into hospitals. I am not exactly firm on the details, but I am led to believe that people that were in the hospital on the day that the moving poll came through, I think, if there was any discussion with the patient about him being out of the hospital prior to the election, that they were not given the choice to vote on the moving poll that came through the hospital. I am thinking that it was on the advance polling part of it. Is there a rule or a regulation that applies to hospitals?

Mr. Balasko: Thanks for the question. In terms of the specifics of that case, they are not ringing a bell with me right now, but I can reply to your question in the general sense in terms of hospitals. Hospitals have had two components. There are people in various hospitals who that is their residence. They are long-term care. They are not going anywhere else. Those people will be enumerated. There will be a poll come through on election day, and they will vote. Then there are the many people who are in active treatment hospitals, or in active treatment status, let us say, who will be coming in and out of the hospital. Advance polls, these are not the case in hospitals because, if people are going to be out by polling day, we expect them to get to a hospital or apply for a homebound ballot. But, on polling day, when the officials go through, they will take the vote of everyone who is in that hospital on polling day because they are just going through on the Tuesday; the election is underway. They ought not to be making any judgments about someone being out at four o'clock and can go to their regular polling place. That is not the procedure.

Mr. Chairperson: Before I call on Mr. Tweed, may the members of the committee be reminded the questions he is asking are related to the

report of the 37th provincial general election, which we already passed. So he will require leave if he wants to ask questions. Is leave given?

Mr. Doer: Mr. Chair, I would suggest that we have broad latitude to ask questions. I think this is an issue that hopefully, part of what was a perceived problem, it may not have been an actual problem, was the partisan appointment of returning officers. That is all now with the Chief Electoral Officer. I say perception because sometimes we had different standards, and it had nothing to do with who appointed them, but the different interpretations of the rules. So now we have more hiring and direct authority, hopefully, with the Chief Electoral Officer.

I would recommend we have, because this is an issue identified as a challenge for us, as well, in the 2000 report the whole issue of homebound people and people that are the caregivers for those, so I think they are related to Mr. Tweed's questions. I think we should have a broad interpretation of making sure the rules are understood and applied in an equitable way for all voters. So I would suggest that they are germane to the 2000 report, and we should be fairly open as a style of this committee.

Mr. Chairperson: The 2000 report has not yet been passed. That is the point in the time that he interrupted.

Mr. Doer: Okay.

Mr. Tweed: Just one last question, again, I think it was brought to my attention in '99 but also in the last by-election in Lac du Bonnet. I think you addressed it a little bit, but the location of offices and actually the cost of rental and things like that, it seemed like it was predetermined by Elections Manitoba as to how much they could spend. I am just wondering if you ran into any problems. I mean, we know real estate values are different in different communities. Is that being addressed by Elections Manitoba at this point.

Mr. Balasko: It is a very good question, because the tariff of fees that is in serious need of review, I think, is in serious need of review not just for the amounts but also for what it covers. I think that, if the tariff were to confine itself to the

great majority of costs, which are the officials, and set those fees and leave other things, like location of office space, which is sort of in our domain to review every election, and some other clerical staff or rental of photocopiers and things like that, it just would strip away those lesser costs. But there is the cost of change all the time and then we are much better able to respond. With specific regard to the rental cost, we are reviewing that and we will be providing from Elections Manitoba directly to the returning officers a range of fees for lease.

Mr. Doer: This is advice that goes beyond the next provincial election dealing with the boundaries report, and you mention it in the answer to your question with Mr. Tweed's question about the timing of the boundaries. I know in the last election we had the boundary report. We had the report and we did not know what boundaries we were and I know we felt a lot of anxiety about where we had to run. We actually virtually set up two tracks, but that is one track and another track, and that even had problems because we had four seats of incumbents going into three. That became its own unique set of challenges for us to manage.

The one-year delay is an interesting recommendation. But will it solve this problem because only one individual may be the one that determines the election, subject to the votes in the Legislature which are always supreme? If you had a one-year delay bumping into Stats Canada '06 report and then its subsequent results moving into an '07-08 year, you could have a situation where an individual could still get the report for the electoral commission and choose to call the election. An individual could be different individuals at this table or others that we know not of. But you could still have a situation, and I have read your recommendation and I understand it is necessary for preparing, but that would not give you or other parties the guarantee that the individual making the decisions subject to the supremacy of the Legislature, could not call it at 11 months, 360 days and therefore have an advantage of everybody getting ready for the new boundaries, and, all of a sudden, you are back on old boundaries with the huge organizational advantage for an incumbent government. We felt it was a huge organizational advantage for the incumbent

government in '99. I mean the incumbent government may not have felt that, but we did not know. Finally, the Legislature dealt with it properly. We all took a deep breath and made sure that everybody knew what the rules were. I am interested in your advice on this issue, because I think we would want a system that all parties agreed to or talked about before the next election. So, after the next election when the next Boundaries Commission report came in, there was a certain non-partisan assumption on this because you should organize on the basis of what the goal posts are going to be before you line up to try to kick the field goal.

Mr. Balasko: Yes, I understand the question very well and, to be clear in terms of our recommendation, or the Boundaries Commission recommendation of which I was one of the members so I think that I can speak to this, the recommendation was that the Legislature consider how this timing issue be addressed. The core of the recommendation is that as much certainty for all concerned should be brought to it. The example of one year is used, which is a federal case. But you are right. It is one year from proclamation federally, so the Government still has a year in which to call an election, and so that does not take us the entire way at all.

So this is exactly the kind of discussion that the Boundaries Commission—I know and I am trying to continue to promote before the committee. It seems to me that the more you can move toward a certain date a report being submitted or a public hearing as an independent commission—commission reports have been accepted since 1955 when Manitoba was the first independent commission in the country. So we sort of have blazed a trail and so we may be blazing another one if you look at the implementation date to say that, when it is passed in the Legislature, and, of course, there, there are certain issues as well in terms of the timing of that. But we can only go so far back, but once a Legislature adopts it, perhaps that is the implementation date for the report.

*(10:40)

Keeping that in mind, of course, once the report is public, it is also a very important factor. The commission has recommended, and I would

echo that recommendation. Now the report goes directly to the President of Council and the Lieutenant-Governor. Mr. Chair, my recommendation would be that the report may continue to go there but should also go directly to the Speaker and to the members of the Legislature. Thereby, it becomes public at the time the commission has made its report. With this dynamic in place, I think that there would be an interest in bringing the report forward to the Legislature. When the Legislature debates it and whatever their decision is, it is supreme. But, once they make the decision, that would be the boundaries. I cannot say that the other two Boundaries Commission members would necessarily agree with the outline as I have put it, but I believe you have asked for some of my thoughts on it and those are them.

Mr. Doer: I think we have, by far, the best system with all its human frailties, but, by far, the best system in Canada. It certainly stood the test of the Supreme Court on variations for rural and northern seats, although the words "may" and "shall" are interesting points, because you could get an individualist or a person chairing, two members of the committee could go right to one-member, one-vote and that would, with the word "may", be 10% variation in rural ridings, which would be a problem. I identify that because there are parties here that have seats in all geographic locations.

The second issue that I always heard about in the hearing process was the fact that, by its very nature, the Electoral Boundaries Commission was made up of individuals from Winnipeg: the judge, the University of Manitoba president and the Chief Electoral Officer. I would not want to see any one of those individuals dropped from the committee and I do not like adding members, because the Chief Electoral Officer, I think, is crucial to the information and data that the committee considers. I know that is very important for judges and others that might be busy with other things, I would imagine. I have never been inside the room.

But has there ever been any consideration on—this is a point that former member Downey and I have raised in the House—adding a rural or northern member to the committee? I think you would want an odd number and not an even

number. But has there been any advice from the committee to us—the people that feel most vulnerable are northern and rural residents on their voting rights and I think the committee has done a fairly balanced job on it—in an independent way on how we could deal with that perception of an "inside the beltway committee"?

Mr. Balasko: The commissions over time have also heard those comments and, again, I do not speak for the other two commissioners. I just speak for myself, but I also was involved in a support capacity to the commissions in 1988 and 1978 and so have some history there as well, and I can tell you that previous commissions have specifically raised that issue. I am trying to recall—was it '78 or '88?—and we can look at that, but previous commissions have specifically suggested that there be additional representation from a position in rural Manitoba on the Boundaries Commission, with, not a caveat, but the very strong suggestion that that position be identified based on a position, like the Chief Electoral Officer. So it would be necessary to find a non-elected, non-political position outside the city of Winnipeg. It maybe president of another university; it maybe president of a community college or something of that nature or some other sort of non-political appointment, who could bring to the commission a very valuable perspective. I do think that an odd number is also helpful, although it has not been the history in Manitoba. It has been the history elsewhere. In Alberta, I think, in a recent commission, they had several reports. I think they had more than three reports coming back from the commission and eventually straightened itself out. But I think an odd number is important, if it ever comes to that, which it has not.

Mr. Jack Penner (Emerson): Could you, Mr. Balasko, give us an overview of what the criteria are for the qualifications of a returning officer to be established in an electoral division?

Mr. Balasko: I will be happy to do that, and I can also provide to you the information that has been publicly available for some period of time now, many months, since we started on the Web site from our office and otherwise. This may be also helpful and I can provide it to you.

There is general information. There is information on how to apply and the eligibility. The basic criteria are that people are qualified voters; they are Canadian citizens; they are 18 years of age; they have been a resident of the province for at least six months; and they have not been guilty of an election offence. In addition to that, we are looking with people with good knowledge of the electoral division, who reside in the electoral division, who are available for full-time work, who are capable of providing, and committed to providing and bring with them no contrary perceptions of providing non-partisan service, and people who, as we say, enjoy a challenge. Specifically if they look at the tariff, the light is starting to go on. People are doing some calculations now on the hours, and so we keep coming back to the challenge part of it and—

An Honourable Member: Be all that you can be.

Mr. Balasko: Well, thank you. If there is no copyright, we would like to use that.

They are, certainly, people who are good organizers, communicators and managers. If you wish, I can also provide to you an outline of the process that has been followed and the involvement of other agencies, and, by the way, we have done all this with the advisory committee on The Elections Act with all-party representation.

Mr. Jack Penner: I will be more specific because, first of all, I think there was an application by a person that brought this to my attention in the Emerson constituency that applied for the Chief Electoral Office, and who, I thought, was probably one of the best qualified persons I have ever seen, and I think you, Mr. Balasko, know the name.

He was a municipal administrator for many years. He is now a consultant and does a tremendous amount of work for the department of municipal affairs and is probably one of the best knowledgeable administrators and also a good organizer and had a lot of free time. His only deterring factor, I believe, was that the candidate in the last election asked him to be his

chief financial officer. The candidate had always had an accounting firm be the chief financial officer, and this time around asked the previous administrator of the municipality, the CAO of the Town of Altona, to be the financial officer because of his qualifications, not having ever asked what his political affiliations were. He agreed to do the job. When he found out that that disqualified him from being in the Chief Electoral Office, he was extremely disappointed. He made it very clear to me that, had he ever known that, he would have never consented to ensure that our books were properly kept and reported. That is why I asked for the criteria.

I think it needs to be spelled out very clearly and indicated to every person that gets involved in election campaigns that, if you do get involved in this kind of a campaign, you do not qualify for those kinds of—and I think it is unfortunate that we deem that as political affiliation for a person. I go back to my previous people that we had doing the financial work, the accounting firm. Any employee, I understand now, that would have been affiliated with that accounting firm that was my chief financial officer, would not have qualified for being a returning officer. I asked whether that, in fact, would be so because the same thing could apply here.

Mr. Balasko: Thank you for the question. I am familiar, having spoken with you before in terms of your concern. Let me just provide to all the members the background in terms of how the process for non-partisanship was developed and what the guideline is.

Firstly, we are not, by nature, an agency that does mass hirings. We do not have a personnel department. We could not staff a personnel department, of course, so we went to the Civil Service Commission. We have reviewed, with the Civil Service Commission representatives, our entire process, our guidelines, how we will be applying those guidelines, and my understanding is that we have the complete support of the Civil Service Commission in our approach to this. We have similarly gone, then, as our main agent to help us through this recruitment and to clarify policies, and otherwise dealt with, and you may be familiar with them, the Personnel Services of the Legislative Assembly. So

Personnel Services for the Legislative Assembly has then helped to draft the guidelines and policies.

* (10:50)

We then have boards that do interviews. The boards always have one individual on the board who is a trained human resource specialist, who is certified by the Civil Service Commission, as well as some other individuals, one who has been a returning officer in the past and someone from my office. Specifically, with regard to non-partisan criteria, when the original recommendation was made by our office that returning officers ought to be appointed non-political, we addressed both the fact of being non-political and perception. This morning alone, I have heard the word "perception" in politics come up at least twice, if not more frequently than that, and emphasis being placed on the perception.

So we have addressed this in a policy. We have also discussed and received the advice of the all-party advisory committee, which were present representatives of the parties in the room today, and discussed with them specifically to understand what might be their perception of partisanship. The policy now is that political partisanship is determined based upon the nature of the role a person performed, and the visibility of the role, and the recency of the role. Specifically, with regard to the nature of the role that was played, and this is something that was discussed with the political party committee, perception of candidates and official agents and campaign managers from one election being the returning officer in the next election is something that would now not follow through our guidelines. Those positions, for example, would not be hired into the position of returning officer, people who had been in that capacity in the last election.

I am curious about your comment about an accountant in a firm who is an official agent for the candidate, that the whole firm is disqualified from that. I would be curious and, although personnel matters, I do not think, or specific personnel matters, are best before a committee, although the Chairman decides this, that is something that we can review with Human Resources, because we are dealing with the

individuals who have applied, and that is different. In my mind, that is different.

So, essentially, we are saying to people, now that we have a non-partisan returning officer position, how comfortable are people, how does it reflect on the system to have someone who was previously the candidate, official agent or the campaign manager for the contrary campaign, or their own campaign, be fulfilling that position?

This is the position that we have taken. We have had this for some time, and I think, or hope, that that replies directly to your question. Thank you.

Mr. Jack Penner: Just one further comment. I think that, if that would have been clarified prior to the last election, the results and the outcomes in Emerson as a constituency would have been different than they are today. I think it is unfortunate that these kinds of criteria are developed after the fact, and then candidate selections made based on those decisions after the fact.

Mr. Doer: In all fairness to the Chief Electoral Officer, the recommendation, I believe, was made in 1995, or maybe earlier, to have the Legislature remove the right of a government to establish the returning officers. So I think you are right because this is a new administrative decision. It is outside of the Cabinet office. Establishing the rules in conjunction with all the political parties, I think, is useful. I think there are probably going to be good people that are prohibited by rules to be applied consistently. Certainly, from what you have said about the individual, he is probably a very good person. I think now everybody will know the rules as we go forward.

Mr. Chairperson: The next on the list is Mr. Nevakshonoff.

Mr. Tom Nevakshonoff (Interlake): Mr. Chairperson, I would like to return to the topic of moving polls for a minute here. Mr. Tweed was asking about hospitals, and, as Member for the Interlake, I am in a rather unique position in that I have all of Lake Winnipeg and all of Lake Manitoba as well in my constituency, and, quite

often, elections coincide with the fishing season. A number of fishermen do not return to their residences. In fact, a lot of them set up camps on the lake, far away from any roads or any polling stations. I can think, in particular, of the community of Fisher River. They have a fish station set up at McBeth Point, which is some 25 miles to the north of Matheson Island. Year after year these people are disenfranchised. They do not vote, because they are too far away from the polls. I wonder if the Chief Electoral Officer would consider that and maybe make a recommendation to the returning officer in the Interlake to consider these people the next time we go to the polls. Thank you.

Mr. Balasko: Thank you very much for bringing that specific example to my attention. We will make sure that the returning officer has that before them, because there are several ways that those people can be certain that they will be able to cast their ballot. There are mail provisions; there are remote-absentee provisions; there are moving provisions. So there are different ways to ensure that they are enfranchised.

I do not know the circumstances in the past. Specifically on this case we will certainly look at that in the past, see how it was served. But I know they are going forward. There is no question that we can deal with and make sure the people are well served in that community, and we will do that, specifically do that.

Mr. John Loewen (Fort Whyte): Mr. Chair, I just have a couple of quick questions more relating to the opening statements made by the Premier (Mr. Doer) and the Chief Electoral Officer, but in particular appreciate the commitments that the Premier has made in his opening statements.

I would ask him, though, that he did make a commitment in August of 2000 to form a working group around bringing some clarification to the rules regarding third-party advertising. I think the Chief Electoral Officer mentioned that as well. I am just wondering if the Premier intends to get that working group together prior to a decision being rendered by the Supreme Court or the Alberta Court of Appeal or just exactly what the delay is.

Mr. Doer: Well, as I understand it, the case is before the Alberta Court of Appeal now, and we should know shortly on the disposition of the case and the timing of when it will probably go to the Supreme Court. I would be prepared to consult with the party leaders on that recommendation to consult on how this would work with the Chief Electoral Officer and the whole issue of the proclamation.

I thought it would be wasteful of taxpayers' money and advocates' money to have the Citizens' Coalition and us fighting if it is going to be eventually going to the Supreme Court. It will eventually go from the Court of Appeal, I think, to the Supreme Court of Canada. It is now two years later, and it has gone through the one level at Alberta's court. There was an injunction at the Supreme Court on it during the last federal election in the fall of 2000. The federal court has ruled, and it is now at the Alberta Court of Appeal, I think. So we are tracking it, and I will consult probably in September of this year of where that is at.

Is the decision shortly, will it get leave to be heard in the Supreme Court, because then we are starting to bump up. We are starting to move into what is called the fourth year, early September, September 21, in fact, or October 5, depending on what definition you use, so in 2002 from 1999. So time flies quickly.

But it is a dilemma. The Chief Electoral Officer identified this. I just did not want us to be wasting taxpayers' money on a court case that is ultimately going to be decided at the Supreme Court level, and I actually think the Taxpayers' Association did not want to waste their money, too, as one of the groups opposed to it. So it was just a way for the public to save money and our advocates that were going to take us to court could save money. But I do know that we need some certainty. Even if we proclaimed it, it could be thrown out by the Supreme Court. So there is going to be uncertainty to begin with because the matter is going to be decided in the court. The Supreme Court has made a ruling on the injunction that allowed for certain things to be covered under third parties and disallowed, but that was only on the injunction during the federal election. Both parties claimed victory, and I think it was a bit of a draw myself, but I do

know that saving money and being predictable is—and having the committee consult.

* (11:00)

I do take the recommendation from Mr. Balasko about the six-month period as a legitimate recommendation to us on the timing of this recommendation and the proclamation. Therefore, we do have both the ability to consult on how it will work and the ability to have some lead time for the political parties and for the public more affected by it.

Mr. Loewen: I appreciate the Premier's (Mr. Doer) indication that he does not want to waste taxpayers' money and let the process flow through the courts, but, specifically, I guess I was asking the question because I ran into an individual who appeared at committee representing the broadcasters association and, to date, has not heard anything about the formation of the committee that the Premier committed to.

I guess my question, specifically, is: Do you plan to form the committee and ask them to do the work in the near future, or is what you are saying is you are not going to ask that committee to look at anything until after you have received an indication from the Alberta court?

Mr. Doer: Well, I am monitoring it. As I say, the Chief Electoral Officer may have more current information than I do, but the committee, if we do not proclaim the sections of the act on third party disclosure because of the uncertainty of the courts, we would not need to consult about how we were going to operate those laws. So that is the basis under which we have been working.

The timing—in this case, the Supreme Court might hear it by leave and might hear it quickly, because I am assuming no matter what happens in Alberta, it is going to the Supreme Court. I think we know we have a case in B.C.; we have a case in Québec. We know we have a case at a lower level in Alberta. I think this whole issue of third party rules is going to end up in the Supreme Court. At that point, if it is heard quickly, then we can see how the principles of our law, whether they are in place adequately—if it is not heard quickly, then we are going to have

to consult with all parties about what rules will apply. Do we go ahead unilaterally? At that point, the committee will be consulting with the representatives, including the broadcasting association, which are most directly affected by how this applies in terms of their responsibilities under the act.

I remember the presentation and I met with the representative from the broadcasters' association at a subsequent event where I spoke and he questioned, and we talked after that. So I recognize the dilemma they are in.

Right now, the existing laws of Manitoba are that there are no provisions for the third party because of the uncertainty of the courts. If we had no uncertainty in the courts, we would have proceeded to proclaim the law, but we do have uncertainty.

Mr. Loewen: Just to clarify the statement made by the Chief Electoral Officer, my interpretation was that your recommendation to the Premier (Mr. Doer) would be that no election be called until six months after either the courts have clarified the situation or the committee has filed a report, so that you have six months to do your work. Would that be your recommendation in an optimistic situation?

An Honourable Member: Well, it was the third option.

Mr. Chairperson: Order, please.

Mr. Doer: Well, the other option is that if we do not proclaim the act, we are under the existing rules, and then the election can proceed, but I will let the Chief Electoral Officer answer, notwithstanding our different constitutional responsibilities.

Mr. Balasko: Thank you for saying that would suffice. Our thoughts are they would have time to prepare if that is to be the law. It does raise the interesting notion that is in the report somewhere of fixed election dates as now is the case in British Columbia, but it is not something that we have examined very deeply.

I can, if you wish, and as the Premier (Mr. Doer) indicated, follow up a little bit on the

media advertising group in this whole consultation process. I think I know what you are referring to. In fact, it is required in the bill that has been passed. It is, of course, not proclaimed, but a committee is set up under that bill to consult with my office. The committee that is set up to consult is basically sort of an election communication committee, which is a committee comprised of media associations in Manitoba.

What we have done to this point is: firstly, dealing with this term "media associations in Manitoba" and trying to define that a little bit because that is not readily evident, but we are working on that. We have had some discussions with the advisory committee about the political parties, but, essentially, to say to them that the law is unproclaimed—we had previously unproclaimed laws. We do not know whether the law will be proclaimed before the next election. We do not have the resources to deal with this in any event, and so our hope is to make the point and have the point accepted, that there is a period of time, six months at least, which will be necessary to get this group together. It impacts broadcasters, anyone out there who wishes to spend money to debate in the election with the hope of influencing the election.

So that is what we are looking at the six-month period for. If there is an indication this is being proclaimed, then we would move ahead, but without that indication then we just cannot at this point. We have shared that with political parties. So I hope that helps.

Mr. Loewen: Well, just in closing then, I guess my recommendation to the Premier would be that at the very least the committee get together, that he call the committee as soon as possible to try and bring some clarification to this. It will not cost anything. I think everyone has agreed to sit on a volunteer basis, but I think the worst thing we could do is kind of sit idly by and find ourselves in a situation where we are not fully prepared, and the public is not fully prepared, for what rules they will operate under during the next election. So I hope that we treat this with some urgency, the Premier treat this with some urgency, and at least try and bring some clarification, at least from people who are willing to give of their time freely on a volunteer

basis and the political parties involved so that we can have a clear understanding proceeding into the next election, which is speculated maybe as early as this fall to—

An Honourable Member: Who knows?

An Honourable Member: I never knew with the other guy.

An Honourable Member: So I thought you would tell us.

An Honourable Member: That would take the fun out of it.

Mr. Doer: Well, I will take that recommendation. The intent is to have rules that are understood. The implementation of those rules is not meant to be, in any way, shape or form, putting anybody at a disadvantage, including the industry that has to deal with the rules and the individuals that are interested in third-party advertising.

Third-party advocacy and advertising can absolutely exist up until the point of an election. It is an unfettered set of rules in third parties right now, and so there are a couple of parts of third party. One is the disclosure provision. Two is the limitations, and then three is the interpretation of those limitations. So there are three components of it.

I would undertake, early September, to meet with the Leader of the Opposition and the Liberal Leader and the Chief Electoral Officer, maybe by the end of September, to analyze where the court case is going to go. This should be something that is fairly transparent. I know the party committee is dealing with it, but I would recommend that the Leader of the Opposition, myself, the Leader of the Liberal Party and the Chief Electoral Officer review the status of the court case and go from there.

The other issue of the committee is there is no question that, if we have a six-month provision, the committee can be enacted in such a way that they understand. They are consulted and can work on the application of the law, which is not a law because it has not been proclaimed.

Mr. Doug Martindale (Burrows): I am interested in the effect of human nature on voting behaviour, not partisan voting behaviour, but things like voter turnout. I can discuss this without talking about the doctrine of original sin. My example is an experience that I had with a City of Winnipeg election, where, as you know, the wards are much larger and there are also fewer polling places.

My experience in trying to poll the vote on election day was that people would not go to polls that were further away than they were accustomed to voting at in provincial and federal elections, usually the local school or local community centre.

When they had to go a distance, and I know this sounds ridiculous to rural people, but, one case, 1.5 kilometres to go and vote, but going past local schools and community centres, they said they were not going to go out and vote. We also know there is a very low voter turnout in City of Winnipeg elections. People, you know, being creatures of habit, do not want to make the extra effort, but I think it also affects democracy. If there is a lower voter turnout, that is not desirable.

Now, in the provincial situation, the Province could do the same thing that the City does. I mean, in my particular example of the City, they were voting at a city building. So, presumably, they did not have to pay rent to the school board or community centre, which, the City could argue, was saving them money. Sure, there were fewer polling places, but they could say that it was less expensive, although I would say it is less democratic.

Now, I know that, provincially, you have to make changes from time to time. For example, in my constituency, Florence Nightingale School closed, so, obviously, it is not available as a polling place any more because the school building closed, effective the end of June. I guess my concern is that the Province not go in the direction of the City of Winnipeg, and not have fewer polling places, even though there might be some cost savings.

But, in order to be democratic, that you try and keep the same number of polling places so

that people can vote close to home, either in their local school or local community centre, which is usually close to where people live. I think that affects voter turnout. I am wondering if Mr. Balasko has any comments on that.

* (11:10)

Mr. Balasko: Thank you for the question. Right now, as a part of the review the returning officers are doing, they are identifying polling place locations for the next election. I am not that familiar with the city of Winnipeg, and so I cannot comment on that.

With regard, though, to the selection of polling locations and the creation of polls, one of the things that has happened since 1995 is the law has been amended so that the average number of voters in a poll is now 350, where it used to be 250. So, one of the prima facie results of that is that there would be fewer polls because there are more voters.

The returning officers are reviewing the present location of polls, but we have said to them that this is not a science, this is not a mathematical calculation that you take the population, divide it by 350 and come up with 17 polls and that is all you are allowed. It is not that. It is a balance. But it is a balance that always tips in favour of the voter and the voter's access to the polls.

We think, pretty much, by and large, in the past, that the polling locations have been appropriate.

We think that there may be fewer poll locations, or fewer polling subdivisions, because of the average number increasing. But that might not mean so many fewer polling places because, you know, you could have three polls all coming to the same school to vote.

Well, now we may just take those three polls and have two polls. But they are both coming to the same school to vote.

So, part of this review does not necessarily go on the side of the convenience of the voter to result in fewer polling locations. We will always

vote. We are interested in any case and where, even once the parties receive the maps, if the parties want to come back and register those concerns, they are not drafts that we are providing, but, we much prefer to hear now, as matter of fact. We have said this to the advisory committee.

The advisory committee is a great way for us to get information about specific areas and bring them to our attention and let us know, let us consider them at the outset. That would be helpful. I share your concern and we will always err on the side of the voter and serving the voter.

Mr. Chairperson: If there are no other questions, Mr. Penner?

Mr. Jack Penner: Mr. Chairman, just one question to the honourable member. What would you say to those people that have to travel 20 or 30 miles to get to a polling station in rural Manitoba?

An Honourable Member: It was just a rhetorical question.

Floor Comment: I used to walk that far to school. We were lucky then.

Mr. Chairperson: It is a rhetorical question. Are there any other questions?

There being no questions, shall the 2000 Annual Report of the Chief Electoral Officer including the November 2000 Kirkfield Park and Tuxedo By-Elections pass?

Some Honourable Members: Pass.

Mr. Chairperson: The report is accordingly passed. That concludes the work of this committee.

The hour being 11:15, shall the committee rise? Committee rise.

COMMITTEE ROSE AT: 11:15 p.m.