

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

Chairperson
Ms. Janice Morley-Lecomte
Constituency of Seine River

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-Second Legislature

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ADAMS, Danielle	Thompson	NDP
ALTOMARE, Nello	Transcona	NDP
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**LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON LEGISLATIVE AFFAIRS**

Monday, December 7, 2020

TIME – 3 p.m.

LOCATION – Winnipeg, Manitoba

**CHAIRPERSON – Ms. Janice Morley-Lecomte
(Seine River)**

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

ATTENDANCE – 6 QUORUM – 4

Members of the Committee present:

Hon. Messrs. Cullen, Goertzen

*Mr. Altomare, Mses. Fontaine, Morley-Lecomte,
Mr. Teitsma*

APPEARING:

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

MATTERS UNDER CONSIDERATION:

*Annual Report of Elections Manitoba for the year
ending December 31, 2019*

*Proposal to modify the voting process titled Vote
Anywhere in your Electoral Division on Election
Day, dated November 2020*

* * *

Clerk Assistant (Mr. Tim Abbott): Good afternoon, everyone. Will the Standing Committee on Legislative Affairs please come to order.

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

Are there any nominations for this position?

Hon. Cliff Cullen (Minister of Justice and Attorney General): I nominate Ms. Morley-Lecomte.

Clerk Assistant: Ms. Morley-Lecomte having been nominated, any other nominations? No?

Ms. Morley-Lecomte, will you come please take the Chair.

Madam Chairperson: Good afternoon. We will be—will the standing committee on legislative 'affairs'—oh, sorry. Scratch that.

Before the committee can proceed with the business before it, it must elect a new Vice-Chair. *[interjection]* Oh, sorry.

Are there any nominations?

Mr. Cullen: I nominate Mr. Teitsma.

Madam Chairperson: Mr. Teitsma has been nominated.

Are there any other nominations?

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

For the attention of all members, we will be filming during the proceedings of this committee. Thank you for your understanding.

This meeting has been called to consider the following: Annual Report of Elections Manitoba for the year ending December 31st, 2019, and Proposal to modify the voting process titled Vote Anywhere in your Electoral Division on Election Day, dated November 2020.

For the information of the committee, subsection 28.1(4) of The Elections Act states that before directing a modification to the voting process, the Chief Electoral Officer must submit a written proposal to the Standing Committee on Legislative Affairs describing the proposed modification. Members can find the request to modify voting process at page 41 of the 2017—*[interjection]* Okay. Sorry.

Pursuant to subsection 28.1(5), if the standing committee approves the proposal with or without changes, the Chief Electoral Officer may direct that the voting process be modified in accordance with the approval. Alternatively, the standing committee may reject the proposal or continue consideration at a future meeting.

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

Mr. Cullen: I would suggest we sit 'til 4 o'clock and then review at that time.

Madam Chairperson: Okay. Any other recommendations? *[interjection]* Sorry.

It has been suggested that we sit 'til 4—the clock, is—and then revisit. Is this the will of the committee? *[Agreed]*

Okay, so then we shall sit 'til 4 o'clock.

Does the honourable minister wish to make an opening statement, and it—would they please introduce the officials in attendance.

Mr. Cullen: No, I do not have an opening statement.

Madam Chairperson: Okay. We thank you, Minister.

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

Ms. Nahanni Fontaine (St. Johns): Miigwech for everybody that is here today.

Miigwech to Ms. Verma and all of your officials who are either with us here today or virtually or at the office.

As you know, every opportunity that I have, when we have the opportunity to sit with you and hear your reports, I do really appreciate all of the work that you do, and all of your staff, particularly last election, when we know it was an early election and it just went off without any problems at all. And that's a testament to your leadership and to the work and dedication of all of your staff. And so, from myself and from our NDP caucus, we say miigwech to each and every one of you.

Also, we know that a strong democracy needs free and fair elections. We know that Manitobans are engaged in their democratic processes and we do wish to sustain and encourage that vital commitment to our democracy.

I look forward to hearing many of the varied and important activities of Elections Manitoba; also, in respect of specifically hearing about Elections Manitoba trying to increase voter turnout, to ease the accessibility of voting and to ensure by—the fairness of electoral processes, including making sure that as many Manitobans as possible are on the list so that voting is as easy as possible.

We do have some concerns with legislation currently before the House, and so that will be part of our discussion here today. We're committed to ensuring that the electoral process is strong and that

all voters are able, encouraged to vote and participate in our democratic life on equal footing.

And so, with those comments, again, miigwech to everyone for their attendance and our commitment to the electoral process. And we look forward to today's presentation.

Miigwech.

Madam Chairperson: Thank you.

I understand the Chief Electoral Officer, Ms. Shipra Verma, wishes to include a PowerPoint presentation as part of their statement to the committee. Ms. Verma has made us aware that the presentation may be slightly longer than the 10 minutes allowed for opening statements.

Is there leave from the committee to allow the PowerPoint presentation? *[Agreed]*

Is there also leave to allow Ms. Verma's opening statement to be longer than 10 minutes? *[Agreed]*

I will now recognize Ms. Verma to make her presentation, and would she please introduce any staff that she has in attendance.

Ms. Shipra Verma (Chief Electoral Officer, Elections Manitoba): Good afternoon, Madam Chairperson and members of the committee. Thank you for inviting me and my staff to discuss our 2019 annual report and the modification proposal. And I would also like to thank the Legislative Assembly staff for making the arrangements for this virtual presentation.

I'm joined today by Debbie MacKenzie, deputy CEO, and Tracy Nysten, director of election finances.

* (15:10)

I'm pleased to be addressing you in this, the 40th anniversary year of Elections Manitoba. As we celebrate this anniversary, we salute the many legislators who over the decades have had the foresight to introduce legislation that supports free and fair elections. It is thanks to members of all parties that political activity in Manitoba continues to take place in an environment of integrity and transparency. My office was created in 1980, and to celebrate this milestone, we have created a video timeline of the province's election history from 1870 to present. This video can be seen on Elections Manitoba's website.

My presentation today will focus on the 2019 annual report, which covers the conduct of the general election, the recommendations we are

bringing forward and the proposal of Vote Anywhere in your Electoral Division on Election Day.

In the last election there were 235 official candidates from seven registered political parties. The total number of votes cast increased from 444,000 to 479,000. The voter turnout was 55 per cent, with 870,000 voters on the final voters list.

The total expenditure for this election was \$10.4 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 our financial administration. This audit is optional, but it is one we undertake ourselves to ensure accountability.

Candidates and parties were required to report on their expenses by January 10th unless an extension was granted. Returns are published on our website, and we will report on reimbursement expenses in our 2020 annual report.

Of the 235 official candidates, 201 were eligible for reimbursement, and four of the seven registered parties were eligible too. With the vote threshold for reimbursement reduced from 10 to 5 per cent, and the amount reduced from 50 to 25 per cent of eligible election expenses, the total amount reimbursed was approximately \$1.4 million.

At the last meeting, we had discussed modifications to the voting process, which were approved by the committee on January 28th, 2019. Our annual report includes our official report back on the modifications. We note in our report that the processes were well received and achieved the objectives set out in the legislation, namely, enhancing efficiency, improving services for voters and maintaining the integrity of the voting process.

For these reasons, we are recommending that the new processes of real-time strike-off voters during advance voting, modified voting book for advance voting, combined voters list and voting book for election day be incorporated into the legislation.

This brings us to the new proposal, which was tabled on December 1st in the House, to introduce a new model that we are calling Vote Anywhere in your Electoral Division on Election Day. If approved, this would be a modification to the voting process, which can be proposed under section 28.1 of The Elections Act, and we are thankful to the committee for allowing us to make this presentation today.

Before we delve into the process, let me give you the background for it. The implementation of Manitoba Voter Register has given us an opportunity to use technology in our voting processes. Hence, a vision for the province is to provide a vote-anywhere service to all eligible voters on election day, similar to advance voting.

To get to that, there are a few steps involved. Step 1 was to introduce modifications during advance voting, which was successfully implemented during the 2019 general election. Step 2 is what we are proposing today: to vote at any polling place in your electoral division and at any poll. This will improve service for voters and increase efficiency while allowing us to introduce an online portal for political participants for the 43rd general election. If this is successful, then we will propose vote anywhere in the province on election day for the 44th general election.

That's the vision for this. And here are the steps as we see it through this illustration. A voter is greeted by a voting official. With the use of technology, we can adopt a first-come, first-served model for serving voters, and the voter will be directed to any open poll. The election official will verify the ID, strike the voter off the electronic list and provide a ballot. The voter will mark the ballot behind the security screen and then proceed to the tabulator where the ballot will be fed. This will complete the voting process.

Not only does the system provide greater convenience for voters, it reduces the waiting time, and it also requires less staff than that existing model.

A key benefit of this model for parties would be access to a secure party information portal. Parties would access regularly updated lists of who has voted from their desktop without the need for bingo sheets. Updates would be available hourly during advance and on election day.

We have included some mock-ups of the portal, what it would look like. The first is a dashboard. This shows a snapshot of voting activity around the province, including activity broken out by time intervals.

On the next screen you will see an elector search. Elector searches can be done by the voter's first name, last name, address or even by street.

The last screenshot shows you the download page that provides access to a current list of voters who have cast their ballot. Parties would be able access this information for any electoral division in which they have a candidate running.

The use of tabulators is critical to this process. It will increase efficiency through automated counting of ballots, but most importantly, it will allow us reporting results by polls.

We will continue to use paper ballots. The ballots would be retained and available if a recount is necessary. Tabulators would be independent units and not connected to the Internet, and we will have multiple security measures in place to protect the privacy of voters and to ensure integrity of the process.

Tabulators used on election day can also be used during advance voting, particularly at high-traffic polls. At advance polls, we would use certified printers to print ballots on demand for non-resident voters. Those are voters who vote outside their home electoral division.

In our current model, these voters receive write-in ballots and a list of candidates for an electoral division. Printing ballots on demand will enhance efficiency and reduce the physical movement of ballots.

After a detailed analysis of voting places and voter turnout in the past two general elections, we are projecting that on election day technology will enable us to use this at approximately 77 per cent of polling places with a coverage of 95 per cent of voters being served this way.

For advance voting, we estimate approximately 98 per cent of resident and 94 per cent of non-resident voters would be served using electronic strike-off and tabulators.

We believe that this proposal meets the criteria of section 28.1 as follows. First, it improves the voting process for voters through increased convenience and shorter wait times. Second, it achieves administrative efficiency as processes at the polls are streamlined. Parties will receive regularly, hourly voting information, count is completed more quickly, and finally, this model preserves the integrity of the vote as voters are still required to show ID, ballots are still cast by hand, secrecy is preserved and paper ballots are preserved in the case of a recount.

If this proposal is approved, we will need a year to 18 months for full testing and implementation. Hence, timing is critical. This will include frequent contacts with political participants to ensure this works well in the next election.

We will be happy to return to the committee next year to update our progress and demonstrate the process. Hence, we are recommending that Elections Manitoba proceeds with vote-anywhere-within-your-electoral-division model for the next general election or in any upcoming by-election. This will include consequential amendments to adapt advance voting to allow for the use of tabulators and certify printers for ballots on demand for non-resident voters. The cost for this, we are projecting it to be in the range of 1 to 1.3 million.

When we had started the Manitoba Voter Register project, we had estimated \$3.8 million for the four-year cycle. The actual cost is coming to \$2.5 million, so the saving of \$1.3 million can be used for this proposal.

Moving on to the other recommendations in that annual report, the first one is telephone voting.

* (15:20)

This would provide an alternative to the mail-in ballot process used for absentee voting, which could be especially valuable for members of the Armed Forces and oversees travellers for whom it can be difficult to return the mail-in ballot by election day.

We did consult with the Canadian Armed Forces, who were supportive of telephone voting as a way to ensure the members could participate in elections, even when posted in some very remote parts of the world. They appreciated the legislative process that would unfold, but definitely saw the benefit of telephone voting. The ability to vote by phone would allow absentee voters and people with disabilities to quickly and easily cast their ballot with appropriate security measures.

For reference, the number of absentee voters in the last election was 668 and homebound were 649. So this is a very small population that we are looking at for the telephone voting option.

There are three other recommendations on voters lists. The first is to standardize the content of the voters list each time it is provided to political participants at all phases of election and on an annual basis. The second is candidates receive the preliminary and revised voters list only upon request. The third recommendation would allow returning officers to include updates and corrections on the final voters list.

We are also recommending that the leave provision be extended to returning office staff and

interpreters so that they can support registration activity.

Finally, we are recommending that electronic signatures be accepted for filing of forms under The Elections Act and under The Election Financing Act.

We have two other recommendations, new ones, under The Election Financing Act. They relate to constituency associations. The first would change the deadline for filing by constituency associations from January 31st to March 31st. This would make the timing for the deadline consistent with that of registered parties, allowing financial officers to file more accurate information.

A consequential amendment from this change would be to change the date that the late filing fee would come into effect to align with the later filing deadline.

There are two carried-forward recommendations. The first is to reimburse 100 per cent of all reasonable disability and child-care expenses to all candidates who are not—not only those who get the 5 per cent of valid votes, to enhance accessibility; and the second is to include a time period for recovery of late filing fees, also under The Election Financing Act.

Another recommendation is to establish a single address authority for Manitoba. Consistency in addressing, including street name and address format, allow for validation and matching necessary to assign a voter to an electoral division and polling place. It also impacts the accuracy of voter information provided to candidates and parties. A single address authority would improve efficiency, not just for electoral purposes, but also for public safety, such as fire, ambulance and police services could use standardized addresses.

That concludes my remarks, and I would be happy to answer any questions which you may have.

Madam Chairperson: Thank you, Ms. Verma.

Are there any questions—oh, sorry. The floor is now open for questions.

Ms. Fontaine: Election 2019 used a permanent voters list. Can you comment on the operation of the permanent voters list and how it can—if it can and how it can be improved?

Ms. Verma: So 2019 used the voters list from the Manitoba Voter Register. It was used in the by-election in—St. Boniface by-election before that. The Manitoba Voter Register was created using the

2016 general election final voters list and also regular updates from data sources primarily from Elections Canada, MPI, Vital Statistics and Manitoba Health.

In a set-date election, the plan was to include a registration drive 30 days before the election period would commence. In the unplanned election, the 30-day dedicated registration drive was impossible, but we did do mail-outs in April, which boosted the registration activity and also we had target registration as part of the election calendar.

The—post-election, we did a survey on the voter list quality. The voter list quality indicated 95 per cent for accuracy. There was a significant increase from a completeness perspective. It increased from 85 per cent to 91 per cent. However, the currency of the list did show a decline to 85 per cent, which is not unexpected, because the register, in case of an enumeration when you're going door to door, it is very current, when—but when you are relying on third-party data sources, there could be a time gap when the information is updated and when it is included in our database.

In a typical year, we have three to four data cycle updates which happen. So this annual list, which is going to be provided to the parties in February, will have the last update from December.

In our register, there are two sets of updates which happen. One is for voter information, which comes from these four data sources. And one is from addresses, which comes from municipalities, which is City of Winnipeg, Brandon, Selkirk, Thompson and municipal affairs department. Both these lists have—or, both these data sources have to be aligned in order to update the Manitoba Voter Register. Hence, our recommendation for a single addressing authority would provide better accuracy and currency information for the register.

Ms. Fontaine: Can you go on to elaborate that piece that you're talking about, a single address voter registry? Can you explain exactly what that would mean, how that would manifest itself and what it would look like?

Ms. Verma: So, when we say single addressing in Manitoba, there are different address types which are used in Manitoba. There is a civic-style address, which is in Winnipeg, like, 500 Main Street. But as we go into rural areas, there could be different styles of addresses which are used.

There is a lot-block-plan; there is section-township-range; there is a free-range address, which

would be the house next to the big rock, or the house with the red roof; and there are 911 addressing, too. Even though association of municipalities has recommended standardization of addresses, each municipality can adopt their own addressing standards. That's one aspect to it.

The other is, as a consumer, if I—or, as a citizen, if I go to MPI, I can give my address as section, township, range. In Manitoba Health, I can provide the same address as a 911 address or a civic-style address. So when information comes to me, comes to Elections Manitoba, I can have Joe Doe having two different styles of addresses.

For us to ensure that they are the same voter, we either have their date of birth, which would be the unique identifier, and the gender, which helps us in data matching. But if these—this information is not there, then there could be a possibility of having two separate records for the same person.

It also impacts the geocoding, because a section-township-range can be geocoded, but not to the precise point, because in a section-township-range there could be four points. It's a quarter. So there could be four points to it, while a civic-style address allows for better geocoding. A lot-block-plan, as 911, again, there are certain assumptions when it comes. So, when we are doing mapping—providing maps to our election workers or providing maps to the parties, we are making assumptions as to the address points as to where they are.

That's a bit of a background to why a single address authority would be recommended. That means the vision would be something similar to, say, Nova Scotia, where they have one department. If a new lot is identified, then one department provides the address, and that's the address which can be used—or, which can be used by other government departments and any other agency which is using. So if I go to Manitoba Health, I can only use that particular style of address.

This also helps when we are saying, for geocoding purposes, for emergency service personnel to know exactly where to go. That's the reason why they're also developing the 911-address types, so they know where the house is and the service can be provided in a timely manner.

Ms. Fontaine: Miigwech for that explanation. That is a little bit clearer for me.

So, on page 69, the report mentions that outreach was done to 13 homeless shelters to share and educate about ID requirements and vouching.

* (15:30)

Can the CEO speak to the efforts and how these might be improved?

Ms. Verma: Our engagement and outreach activities were to different stakeholder groups.

We had outreach for new Canadians. There was a brochure which was developed for new citizens, and that was distributed with the support of ethnocultural council and 66 other organizations to new Canadians.

We also had a new initiative called Vote PopUp, which was implemented in collaboration with the United Way Winnipeg, City of Winnipeg and Ryerson University, to pilot a democratic engagement project for non-profit community groups in Winnipeg. The idea was to provide a voting experience and to simulate the voting experience for groups of people who may not have experience in voting or are new to the voting process.

We also reached to disability organizations. We consulted with Manitoba's disability community in 2017 as part of our accessibility planning. During this consultation, all organizations offered to partner with us to provide information for people with disabilities, and in this election we distributed 1,500 copies of our accessible voting brochure, as well as electronic copies to 17 organizations in Manitoba.

We also have our education program, Your Power to Choose. And in this—in the 2018-19 school year, we did 300 workshops to 6,300 students, we had post-secondary outreach, we connected with student councils on outreach for post-secondary students, we worked with 12 different Manitoba campuses to provide brochures and delivered information via their social and internal digital network.

Also, to Manitobans with no fixed address, we worked with shelters across the province to inform staff of the many types of acceptable ID as well as vouching options. We provided a template letter for the shelters to use in order to provide their clients with the confirmation of address which would work as one piece of ID, and we reached out to 13 shelters in the province. We also held events and registration drives at Resource Assistance for Youth and one in Brandon.

For the Canadian Armed Forces, we worked with the Canadian Forces bases in Shilo and Winnipeg, and information about absentee voting and applications

were included with the letter. We also worked with the flood evacuees of the Canadian Red Cross to communicate with approximately 1,100 flood evacuees from Lake St. Martin, Little Saskatchewan, Ebb and Flow, Dauphin River and Peguis First Nation. Red Cross sent letters on our behalf encouraging members of these communities to register to vote and provide voting information.

Ms. Fontaine: Miigwech for that.

Elections Manitoba does unaided advertising to test Manitobans' awareness of Elections Manitoba around voter participation. For decades, it's been around 50 per cent, give or take, yet it fell to about 35 per cent. And, on page 61, it suggested that it was due to a shorter campaign, though there have been shorter campaigns in the past.

Could you think of other 'explanation' as to why Elections Manitoba advertising was less effective than in this—or, less effective this past election?

Ms. Verma: So we do quite a few surveys post-election to understand how much of the advertising was effective, and what was the recall which was done by the consumers—or, by the voters.

The advertising was reduced because the election calendar was reduced. Previous, in 2016, we had a 75-day election calendar. This election calendar was a 28-day. So with the number of days, the advertising did go down.

I don't have a specific reason as to why the recall was lower, but we are looking at, going forward, doing an annual registration drive starting in October or September, to coincide with the Democracy Week, which is celebrated in Canada. So we are hoping, with that, we can have a more dedicated presence in the community and that may show some results during the election too.

Ms. Fontaine: Can you go on to explain a little bit about what you might be doing during that week or how long the time period would be and what would the activities be?

Ms. Verma: So the details for that are still being developed.

What we are looking at is a registration drive; in particular, a social media outreach and the mailers, which were sent out leading to the general election, encouraging voters to check on the website if they are registered on the voters list or if they can update their information.

So that is one aspect directly relating to the Manitoba Voter Register. We're also looking at school programs. We do do an active promotion of Your Power to Choose right now too, leading—starting in August, when the school year is starting, for teachers to become aware of the program that we offer and also plan their activity around it.

Ms. Fontaine: The number of advanced votes increased this past election, but its proportion to the overall vote decreased.

Why do you think the advanced voting declined as a percentage of the overall vote, and how might that be improved upon?

Ms. Verma: Advance votes are of two kinds: one, of the resident votes, meaning people who vote in their electoral division; and then there are the non-resident votes, who are people who vote outside their electoral division. So we did see an increase in the resident voters, but there was a decline in the non-resident voters. And for that, I think we need to do a bit more awareness and advertising around promoting non-resident voters.

The other issue could be some part of voter confusion because Manitoba is unique that it allows to vote anywhere during advance voting, while federally, you can only vote in your electoral division.

Ms. Fontaine: Page 53 makes reference to confusion over acceptable ID as well as confusion over whether voters needed to bring their voter information card.

Of course, as you know, we are in favour of legislation as it stood before these voter ID requirements, but can you speak to some of the confusion over these voter ID rules and how you might deal with them going forward?

Ms. Verma: This was the first general election that in—a provincial election ID was required.

We—again, there's inconsistency which is—which we see. Federally, voter ID is required. Municipally, City of Winnipeg does require voter ID. Provincially, it was the first time that it was being introduced. So—and the voting ID requirements are—our list is quite exhaustive. We have—like, a prescription could also be an allowable voter ID.

So, I think it's a matter of more awareness and, again, promotion of what is—what needs to be brought to the voting station. And anytime, when a new procedure is introduced, it does take time for the system to mature. So I would think that was one of the reasons why there was some confusion.

With regard to—there was also the availability of vouching—and 972 people in Manitoba used the vouching option. We don't have any record of anyone who was denied the opportunity to vote because of lack of ID.

Ms. Fontaine: Do you think that a universal ID would help to facilitate these discrepancies and allow for greater voter participation?

Ms. Verma: With this—the list of acceptable IDs that we have in Manitoba is quite extensive.

Again, I didn't—as an organization, we didn't hear that feedback through our surveys, to have a universal ID, but in any society, having a universal ID does enhance efficiency, in different departments, too.

* (15:40)

Ms. Fontaine: How many acceptable IDs are on the list?

Ms. Verma: I'd have to count here, but I would think that around 30 to 40 acceptable pieces of ID which are there. It could be—a library card is there, a liquor identity card, personal cheque, label on a prescription container, blood donor card, even a temporary pleasure craft operator's licence is acceptable.

So the ID requirements are that you need one piece of photo ID with your current address and/or two pieces of ID, and even if it doesn't have an address, a declaration of address would be acceptable.

Ms. Fontaine: On pages 55 and 56, you reported that some electoral divisions did not promptly report their results to headquarters through the election management application which caused delay but, as it turned out, media with staff in returning offices were able to get updates faster than Elections Manitoba headquarters.

Can you speak to this in detail and how this might be improved?

Ms. Verma: So, on an election night, the process is that an—when the ballot is counted at every voting station, they phone in the result to the returning office. At the returning office, this information has to be fed into our election management system, but we also have media representatives and a wall chart. And the wall chart is for the returning office staff to update the wall chart so that the media representatives can report that information.

So it works in two ways. When the information is reported through our election management system, we do a quick check just to ensure there is no

transposition errors. Our check, you know, if the voter turnout is 120 per cent, then there is an issue. There is a reporting error, which could be there before the result is reported on the website.

So there was some confusion in very few areas where they were updating the wall chart but they were not updating the system. So, to address this issue, what we are looking at is having a monitor, like you have it here, connected to our election management system, which will replace the wall chart. So the data only has to be entered into one place. There is no wall chart to enter the information and what they'll be entering will be reported through a monitor on the screen for the media representatives to see.

Ms. Fontaine: And, a few years ago, there was an election in Nova Scotia with a long delay in calling the election because of a breakdown in election notification system.

Can you speak to this from a Manitoba perspective and what makes our system better?

Ms. Verma: I cannot comment on the other jurisdiction system, but our system is—when we—know on an average 120 to 150 votes have to be counted. So, when the polls close, it would take around 15, 20 minutes for the voting official to organize the start of the counting of the ballots.

If, within 30 minutes, we don't start seeing the results from the electoral divisions, we know there could be an issue. So we would start—we have a support team which is a field team and a head office support team, and they all are available on election night. So, when the results are slow, we contact our support team to understand who are on the—in the field to go to the returning office to understand exactly what is happening.

In 45 minutes we should have around 30 to 40 per cent of the election results counted. There is delay when advance voting count because advance voting numbers can be large. Also, for non-resident voters, when you have the secrecy envelope has to be opened and then the count has to happen. So the recommendation which we have currently of using tabulators would address one of these concerns of long delay in counting.

And also, advance voting constitutes 25 per cent of the vote. So, in some of those electoral divisions, the result of the advance voting actually tells the outcome of that result of that electoral division.

Ms. Fontaine: So we know that Bill 32 has been introduced again by the Pallister government. It makes a number of changes to the election finance rules and so I'd like to ask you—the report that preceded it by Mr. Michael Green recommended policy and guidelines approach and not to proceed with the proposed act. So the Pallister government didn't take that advice, as we have legislation under consideration.

Were you consulted on Bill 32 prior to it being introduced?

Ms. Verma: Usually the correspondence and interaction we have with any particular party is confidential unless it's through the advisory committee, but most of the governments have a process of consulting with our office, but it depends from government to government.

Ms. Fontaine: So then you can't tell us the extent of your discussions with the government on Bill 32.

Am I understanding that correctly?

Ms. Verma: That would be correct.

Ms. Fontaine: Bill 32 contains a number of provisions that we're kind of concerned about. Obviously, Bill 32 gives significant latitude to government ministers to speak to media and potentially make announcements, provided no government resources are used.

Can you give me your—or give us your impressions on these provisions?

Mr. Verma: So we used to have a recommendation on government advertising that we found the section could be challenging to implement the way it currently stands, and our recommendation was to include the phrase of government resources are not to be used to specify what the intent of government advertising is.

So our understanding of government advertising is that the government resources and staff is not used for partisan purposes. If that clarity is included in the amendments, that would address our recommendation.

Ms. Fontaine: Bill 32 also proposes that advertising around any matter that is before the Assembly be allowed, including the budget and throne speech. This would mean that the government, then, could do a large advertising blitz as a part of its budget and its throne speeches, not just before the writ, but in the writ period itself. Bill 32 means that could be a

disturbing situation where advertising paid for by the government might play on TV until election day.

And so do you have any comments or concerns with such a change to our election law?

Mr. Verma: Our concern is that the government resources are not used for partisan purposes. The current legislation allows for House business to be continued in case of by-election, and in the past experience we haven't seen by any government misusing that provision.

So if there's something similar which is coming in for the general election, the intent would be that no government resources are used for partisan purposes. If there are concerns, then the matter can be referred to the commissioner for investigation.

Madam Chairperson: I just would like to remind the committee that we are here today to discuss the annual report of the Elections Manitoba for the year ending December 31st, 2019, and anything related to specific bills will be for a different—provisions for bills will be for a different forum.

Ms. Fontaine: So you do have—and you did put it in your PowerPoint presentation, so you—I would like to hear a little bit more about the telephone voting, how that would work, and then I'll ask a couple more.

Ms. Verma: What we are proposing for telephone voting is that it would be available to absentee voters and to people with disabilities and their caregivers. The scope of this—these absentee and homebound voters has, on an average, not been more than 2,000 voters in the province across all electoral divisions.

* (15:50)

The way it would work is that this will be administered through the head office and not the returning office. It will go through a two-step process. There'll be—the first step will be when the caller will—we can call the caller, identify—the caller has to confirm their identity by providing their date of birth, their complete address. Once the identification has been confirmed, the call will be transferred to another personnel who will record their vote.

Once the vote has been recorded, it will be transferred back to the first personnel to ensure that the vote has been completed, because if the call gets dropped or the vote hasn't been completed, then we don't want the person to lose their opportunity to vote. Once the first staff person will confirm the vote has

been administered, then the person will be struck off the voters list.

So it will address the secrecy, because the caller—the second person will not have any idea about the identity of the voter; they will only know the electoral division in which the voter is marking their ballot because they have to tell them the list of the candidates and record the vote. It will be an accessible feature. The voter's name will be struck off the voters list so there is no option for double voting, and it will be done in a confidential manner. This vote will be counted at the head office, or we can distribute the vote like institutional votes are done, which is post election, to the respective electoral divisions.

Ms. Fontaine: Are there other jurisdictions or countries that do telephone voting?

Ms. Verma: In Canada, there are three jurisdictions who do telephone voting. It's Yukon, Northwest Territories and PEI.

Ms. Fontaine: So you've recommended that all candidates be reimbursed for all reasonable child-care and disability expenses, and not just those with the 5 per cent of votes.

Could you explain the success of reimbursement so far and why you are recommending that it be expanded to all candidates?

Ms. Verma: This past election, 2019, we did not have any candidate claiming disability expenses. We had seven candidates claiming child-care expenses, and they all received the 5 per cent of votes. The total reimbursement amount was \$3,600. This is 100 per cent, which they are currently reimbursed. In 2016, one candidate was not eligible for reimbursement out of eight so seven were reimbursed.

Our recommendation is purely to promote accessibility. If this is—if child-care expenses or disability expenses is an obstacle for running as a candidate, then providing 100 per cent reimbursement without the threshold of the minimum vote would enhance accessibility for people to run as candidates.

Ms. Fontaine: I am curious, your thoughts on the general election in BC and then, obviously, Saskatchewan and Nova Scotia.

Did you—do you—how do you think it went, and is there anything that Manitoba can learn from having a provincial election in the midst of a global pandemic?

Ms. Verma: So we were closely observing the elections which happened in New Brunswick,

Saskatchewan and British Columbia. In all the three elections, what was observed was they were successfully administered.

They used a lot of PPE to ensure safety for both the election workers and the voters. There was a significant increase in mail-in ballots in British Columbia as compared to Saskatchewan and New Brunswick. They both also had an increase, but not to the same extent as British Columbia did, and it could be partly because British Columbians are—have used mail-in ballots for other electoral purposes. Their referendum was done through a mail-in ballot two years ago, so that could be a reason why the mail-in ballot increased so much.

The other piece was advance voting did increase, and it was well received in all the three jurisdictions.

What we have learned through our observation is to be well prepared and have backups. And also, a lot of investment went into communication with electors to give them the assurance about how safe it is to vote and what are the alternative methods to voting. So, communication played a major role in success of this election.

Ms. Fontaine: I won't ask you to give you—your opinion on the US election and all the craziness that's going there; we'll save that for another day.

But I am curious what you—what are your thoughts on the reduction from 50 per cent to 25 per cent in covering election expenses, and do you—did you see or do you feel that it impacted on candidates coming forward to run?

Ms. Verma: I will not have any direct information as to how did it impact the candidates' ability to run.

From a financial perspective, that, I can tell you. The reduction in the reimbursement amount in aggregate between candidates and parties was \$2 million.

Ms. Fontaine: So, can you take us through any of your remaining recommendations that we haven't discussed yet that you think are important to put on the record here this afternoon?

Ms. Verma: I think we've adequately covered—the one which we have been bringing forward is to have a deadline for the recoverability of the late filing fee, and the standardization of addresses is something that would like to bring the attention because the recovery of late filing fees—it is impactful once there is a deadline; and otherwise there are—there could be

delays in recovery of it, and it kind defeats the purpose of the late filing fee.

And single addressing authority, again, I would think it is not just for Elections Manitoba but for the province. We see it as a benefit from—for other departments and, overall, it could lead to more efficiencies among other departments, too.

The proposal which we are bringing forward for vote anywhere in your electoral division on election day, we would request the committee's review and decision because it is an extensive change in the process and also requires significant procurement for tabulators and customization for those tabulators for Manitoba, which needs—like, the suppliers would need time and we would like to go through a competitive process to get the best service in the most efficient manner for Manitobans. *[interjection]*

Madam Chairperson: Ms. Fontaine.

Ms. Fontaine: Sorry, Chairperson.

Just my final question. So the report speaks to recruitment and retention issues, especially due to uncertain elections. Can you speak to some of these challenges?

Ms. Verma: Well, actually, in Manitoba, I don't think there's any perfect time for conducting an election. Although we are election ready to—or, to be—to have an election at any point of time, having a summer election, because summer is too short, could—we were seeing retention issues where staff were leaving as they had alternative plans.

Also for—election workers community is a small, dedicated community we see. There's a similar—same workers who are working in municipal elections, at federal level and the provincial level. So when a federal election is coming, we did lose some of our returning office staff to the federal election.

So those were some of the challenges that we faced during this election.

Madam Chairperson: Are there any further questions?

Mr. Cullen: Thank you, Ms. Verma, for your presentation and taking time to answer questions, obviously very important.

I think—I wonder if you could provide the electronic version of your presentation to the members of the committee.

Ms. Verma: Yes, the electronic version can be provided.

* (16:00)

Mr. Cullen: I recognize it's almost 4 o'clock. I just want to maybe have a closing comment, so if we could extend for just a couple minutes before we close?

Madam Chairperson: Is it the will of the committee to extend for five minutes? *[Agreed]*

Okay, Minister Cullen.

Mr. Cullen: Maybe just a quick question in terms of the annual report—and we talked a little bit about the telephone voting. In your recommendations, you talk about appropriate security and process measures.

Could you elaborate on that?

Ms. Verma: The appropriate security measure leads to—one is for the personnel, that we'll have two separate people who'll be handling the telephone voting. Second is access to voter information. So, in our office, we have proper protocols as to who has access to the voter information, the voter database. We have two-factor authentication before they can access the information of the voters and, like, even I don't have access to the voters list if it's not needed.

So those are some of the security protocols that we are referring to.

Mr. Cullen: Yes, and I guess, further to that, we want to make sure we've got the right person on the phone. I don't know how we guarantee that happens, but I assume you've probably taken that under consideration as well.

Ms. Verma: It would be similar to when we do a mail-in ballot. When we get a mail-in ballot, we do send the information to the voter at the voter's address. So there is a certain level of trust that we have that who is marking the ballot is the actual voter.

Similarly, when it's on the telephone, we would be asking them security questions as to verify their identity. It has a similar requirement as to, say, if you need two pieces of ID and if it's—one is the Manitoba driver's licence, we can verify the driver's licence number with the database that we have information, or if that Manitoba driver's licence is not there, then we have the date of birth and address information which can be verified.

But at the time of application for telephone voting, which will be a written application, they will need to provide supporting documentation as to their

identity. So when it comes to the phone, it's verifying that information which we already have a paper copy of it from the voter.

Mr. Cullen: Thanks.

And then in regard to your submission we just received in the last week, so the vote anywhere in your electoral division on election day, clearly going to be a new way, potentially, of doing business. And I think, just from the first blush, we're going to have quite a few questions in regard to that.

So I'm not sure if we would be reconvening this committee or directing questions just to you, but I think we, before we get into that, we want to make sure we fully understand what we're getting into. So, just—I wanted to flag that for future discussion.

Ms. Verma: I completely understand. There is a lot of information in this proposal and it is a significant change because we'll be bringing technology at a different level. There will be tabulators coming.

But from a security perspective, those tabulators are stand-alone machines. They're not connected to any system. The vote cannot be seen or counted before close of elections polls. So we would be happy to show you demonstrations for it, but for that, we would need a little bit time to procure the necessary equipment and get it programmed and answer any questions.

Also, as a background, we have discussed this with the advisory committee, which has a representative from all political parties, and they also had lots of questions which we were able to address. So I'll be happy to address any more questions which you may have at a date which the committee can establish.

Madam Chairperson: Any further questions? No? Okay.

Hearing no further questions, I will now put the question on the report.

I now invite all virtual committee members to unmute themselves so that their response to the question can be heard. As a reminder to all, the members of this committee are myself, Mr. Altomare, Honourable Mr. Cullen, Ms. Fontaine, Honourable Mr. Goertzen and Mr. Teitsma.

Annual Report of Elections Manitoba for the year ending December 31st, 2019—pass.

This concludes the business before us.

The hour being 4:04, what is the will of the committee?

An Honourable Member: Committee rise.

Madam Chairperson: Rise. Committee rise.

COMMITTEE ROSE AT: 4:04 p.m.

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