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December 31, 2001

The Honourable George Hickes
Speaker of the Legislative Assembly
Room 244 Legislative Building
Winnipeg, Manitoba
R3C 0V8

Dear Mr. Speaker:

I have the honour of submitting my Annual Report on the administration of *The Elections Act* and *The Elections Finances Act* for the period covering January 1, 2000 to December 31, 2000 including the conduct of the November 21, 2000 by-elections in Kirkfield Park and Tuxedo. This report is submitted pursuant to subsection 10(2) of *The Elections Act* and subsection 99(1) of *The Elections Finances Act*. Pursuant to subsection 10(3.1) of *The Elections Act* and subsection 99(2.1) of *The Elections Finances Act*, annual reporting under these statutes has been combined for the 2000 calendar year.

The Elections Act states that the Speaker shall lay the report before the Legislative Assembly within five sitting days after the Speaker receives it if the Assembly is in session or, if not, within 15 days after the beginning of the next session. *The Elections Finances Act* states that the Speaker shall cause the report to be laid before the Assembly forthwith if the Assembly is in session and if the Assembly is not in session, within 15 days of the beginning of the next ensuing session.

Pursuant to subsection 10(3) of *The Elections Act* and subsection 99(3) of *The Elections Finances Act*, an annual report that contains recommendations about amendments to these Acts stands referred to the Standing Committee of the Assembly on Privileges and Elections for consideration of those matters. These subsections further state that the Committee shall begin its consideration of the report within 60 days after the report is laid before the Assembly.

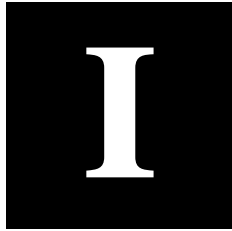
Respectfully yours,

Richard D. Balasko
Chief Electoral Officer

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INTRODUCTION AND HIGHLIGHTS

Section 10(2) of *The Elections Act* requires an annual report to be made on the work done under the direction of the Chief Electoral Officer and that after each election or by-election a report regarding the conduct of an election be made. Section 99(1) of *The Elections Finance Act* requires an annual report to be made on the administration of that legislation.

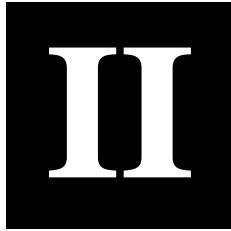
This publication fulfills these annual requirements under both statutes and also reports on the conduct of the two by-elections held on November 21, 2000. As provided for under the two acts Elections Manitoba administers, there are also recommendations for amendments to the legislation in this report.

Section 142(2) of *The Elections Act* requires a book containing poll by poll results of an election or by-election be published. In May, 2001 that publication was completed for the by-elections held on November 21, 2000 in the electoral divisions of Kirkfield Park and Tuxedo. Copies are available through Elections Manitoba or on the web site at www.elections.mb.ca.

During 2000, Elections Manitoba was engaged in numerous administrative and reporting activities to conclude the 37th General Election held September 21, 1999. Debriefing sessions were continuing with Returning Officers and election staff, reviews and evaluations of processes were continuing, candidate and party election financial returns were reviewed, and preparations were underway for anticipated by-elections.

New amendments to both *The Elections Act* and *The Elections Finances Act* were passed in 2000. *The Elections Act* amendments included appointment of Returning Officers by the Chief Electoral Officer, a shortened election calendar, leave provisions for candidates, volunteers and election workers and provisions regarding the right of access for campaigning. *The Elections Finances Act* amendments included source and amount limits on contributions, advertising spending limits both outside and during an election period and limits to allocating expenses between political parties and candidates during an election. Preparations for implementing all of these changes began in 2000 and continues at the time of writing.

Part II of this report outlines the ongoing annual activities at Elections Manitoba. Part III details the financial statements and returns from the 37th General Election in 1999. Part IV provides insight into the conduct of the two by-elections held on November 21, 2000. Future Directions and Legislative Changes are discussed in Part V and VI. Part VII details recommendations for the Legislative Assembly to consider to amend the current legislation.



ANNUAL ACTIVITIES

Registration of Political Parties

Outside of an election, a political party may become registered by filing with Elections Manitoba an application for registration, a financial statement, and a petition signed by not fewer than 2,500 persons who were eligible voters during the most recent general election prior to the application. During a general election a political party may be registered by filing an application for registration, a financial statement, and by endorsing five or more candidates. A registered party must disclose information for the following officers: the leader, president, chief financial officer, and auditor. A registered political party may issue official tax receipts for contributions and have its name printed on the ballots with the names of the candidates endorsed by the party. Once registered, a political party's name and abbreviation are protected under *The Elections Finance Act* in that other registered political parties may not use the name or abbreviation.

During 2000, there were seven registered political parties in Manitoba and two inquiries were received related to registering a political party.

The names of the registered political parties and their Chief Financial Officers are listed in Table 1A. A comparison of the number of registered political parties from 1980–2000 is shown in Table 1B.

Table 1A

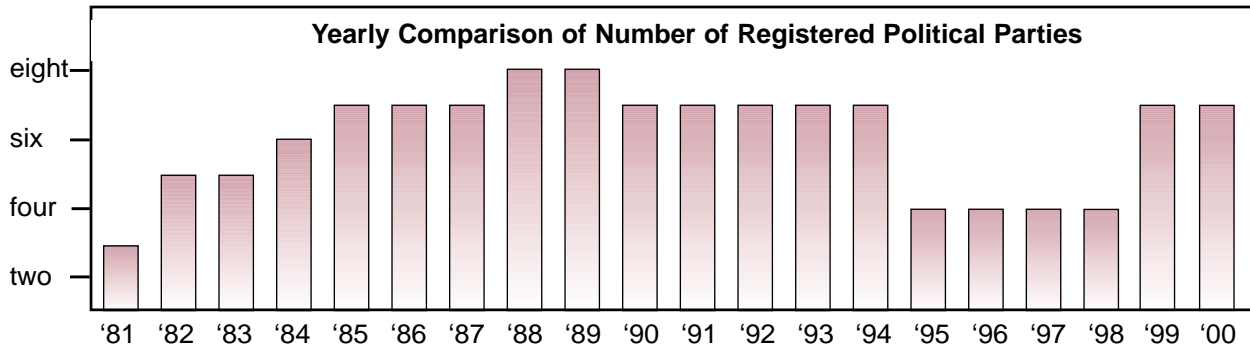
Registered Political Parties (2000)

Political Party	Date of Registration	Registration Number	Chief Financial Officer	Date of Appointment
CPC-M	Apr. 30, 1999	P-9905	Glen Wreggitt	April 30, 1999
GPM	Aug. 28, 1999	P-9907	Mikel Magnusson	July 17, 2000
Lib	Dec. 12, 1980	P-8003	Tim Ryan	August 18, 1993
LPM	Mar. 9, 1988	P-8808	Don Ives	December 30, 1993
MP	Aug. 28, 1999	P-9906	Denise Van Rooyen	October 10, 2000
NDP	Nov. 17, 1980	P-8001	Tom Milne	September 2, 1997
PC	Nov. 25, 1980	P-8002	Gordon A. Horne	August 12, 1999

Unofficial abbreviations used in this report for registered political parties:

- CPC-M Communist Party of Canada–Manitoba
- GPM The Green Party of Manitoba
- Lib. Liberal Party in Manitoba
- LPM Libertarian Party of Manitoba
- MP Manitoba Party
- NDP New Democratic Party of Manitoba
- PC The Progressive Conservative Party of Manitoba

Table 1B



Political Party Annual Statements and Returns for Contributions

The chief financial officer of a registered political party must file an audited financial statement with the Chief Electoral Officer each year. This statement must set out the income, expenses, assets and liabilities of the party. The statement excludes, however, income and election expenses for an election or by-election campaign period.

The statements for 1999 were required to be filed by May 1, 2000. Two parties filed after the deadline without an extension: The Liberal Party in Manitoba on May 5, 2000 and the Manitoba Party on June 7, 2000.

A detailed list of contributors is filed with the annual financial statement and discloses the name, address and amount of aggregate contributions of \$250.00 or more made to the political party by any person or organization in that year. The annual financial statement excludes as income any contributions received during the campaign period of an election or by-election, as these contributions are reported as income on the election period statement.

The 2000 registered political party annual financial statements are filed in the year 2001. As a result, the summary of the 2000 financial statements and the summary of contributions received by registered political parties will be published in the 2001 Annual Report.

The 1999 annual financial statements were filed in the year 2000. A summary of the 1999 annual financial statements of the registered political parties is contained in Table 2 and a summary of the contributions received by registered political parties in 1999 is found in Table 3.

According to section 70(1) of *The Elections Finances Act*, all statements and returns filed with the Chief Electoral Officer are public information and are open to inspection by anyone at any time during regular office hours.

Table 2**Registered Political Party Annual Financial Statements (1999)**

	CPC-M\$	GPM\$	Lib.\$	LPM\$	MP\$	NDP\$	PC\$
Income and Expenses							
Contributions ¹	3,922	190	287,739	730	170	863,395	1,377,257
Transfers	0	109	0	0	0	285,429	37,479
Other Income	0	0	35,961	377	10	677,533	776,565
Total Income	3,922	299	323,700	1,107	180	1,826,357	2,191,301
Expenses	5,108	1	345,521	1,501	90	1,687,677	2,917,008
Surplus (Deficit)	(1,186)	298	(21,821)	(394)	90	138,680	(725,707)
Assets and Liabilities							
Assets	1,074	1,026	190,882	990	206	766,042	970,526
Liabilities	3,248	0	289,373	0	0	816,361	780,026
Net Worth (Deficit)	(2,174)	1,026	(98,491)	990	206	(50,319)	190,500

Financial Statements filed May 01/00 May 01/00 May 05/00 May 01/00 Jun 07/00 May 01/00 Apr 28/00

¹ Excludes contributions received during the election period.

Table 3**Contributions Received by Registered Political Parties (1999)¹**

	CPC-M	GPM	Lib.	LPM	MP	NDP	PC	Total
\$250.00 or More								
Total value \$	4,544	0	368,006	0	0	1,462,070	2,280,585	4,085,113
No. of contributors	5	0	293	0	0	1,335	1,694	3,326
\$25.00 to \$250.00								
Total value \$	4,264	305	100,463	790	0	472,790	350,275	928,887
No. of contributors	50	8	1,120	8	0	5,057	3,898	10,141
Less Than \$25.00								
Total value \$	348	80	22,725	30	170	24,145	56,704	104,446
No. of contributors	24	8	1,734	3	7	1,925	6,099	9,793
Total of all Contributions \$								
	9,156	385	491,194	820	170	1,959,005	2,687,564	5,118,446

¹ Includes all contributions received during the year, including the election period.

Advisory and Ad Hoc Committees

The Advisory Committee established under subsection 4(1) of *The Elections Finances Act* is comprised of one appointed representative from each registered political party. It is also customary to include the chief financial officers of registered political parties.

The Chief Electoral Officer may meet with the Committee to seek its advice on the proper administration of the Act. Although a decision or recommendation of the Advisory Committee is not binding on the Chief Electoral Officer, the advice of the Committee members is of considerable benefit.

In 2000, the Advisory Committee met on two occasions, primarily to discuss legislative amendments due to come into effect in 2001 and possible future legislative amendments.

Table 4**Advisory Committee Members (2000)**

Party	Committee Member
Communist Party of Canada - Manitoba	Darrell Rankin
Liberal Party	Bill McDonald
Libertarian Party	None appointed
Manitoba Party	Roger Woloshyn
New Democratic Party	Tom Milne
The Green Party of Manitoba	Markus Buchart
The Progressive Conservative Party	Val Hueging

An Elections Act Ad Hoc Committee, although not required under The Elections Act, also meets to discuss matters related to the conduct of elections. These committee meetings have proven to be a beneficial exchange between the registered political parties and Elections Manitoba. For approximately 10 years, the Ad Hoc Committee has met to review and discuss new procedures and policies which Elections Manitoba planned to introduce in upcoming elections as well as operational issues raised by the political parties. The Committee meets to exchange information following elections to provide Elections Manitoba with feedback from a political party perspective as to which practices worked well and which could be improved for a future election. In the year 2000 the Ad Hoc Committee met several times to discuss possible legislative amendments and possible administrative changes for the next election as well as voters list issues.

The following is a list of the Ad Hoc Committee members for 2000:

Table 5**Ad Hoc Committee Members (2000)***

Party	Committee Member
Communist Party of Canada - Manitoba	Darrell Rankin
Liberal Party	Bill McDonald Tim Ryan
Libertarian Party	Clancy Smith
Manitoba Party	Roger Woloshyn
New Democratic Party	Becky Barrett Tom Milne
The Green Party of Manitoba	Chris Billows
The Progressive Conservative Party	Val Hueging Phil Houde John Loewen

* As of October 2000.

Constituency Associations

The person responsible for the finances of a constituency association must file a return with the Chief Electoral Officer each year disclosing the name and address of all contributors whose aggregate annual contributions totaled \$250 or more to the constituency association. A summary of annual contributions of \$250 or more to constituency associations for 2000 broken down by political

party is shown in Table 6A. The total amount of additional contributions of less than \$250 to constituency associations is not known because the Act in 2000 did not require that the information be disclosed. Constituency associations may not issue receipts for income tax purposes, however, since 1985 contributions of \$250 or more totaling \$143,607 have been reported as being made to constituency associations. A yearly comparison of total contributions of \$250 or more to all constituency associations is shown in Table 6B. Constituency Association returns are public information and are available for inspection.

Table 6A

Table 6B

Contributions of \$250 or More to Constituency Associations (2000)

	CPC-M ¹	GPM ¹	Lib.	LPM ¹	MP ¹	NDP	PC
Total Number of Constituency Associations	0	0	57	0	0	57	57
Number Reporting Contributions of \$250 or more	0	0	2	0	0	0	3
Contributions \$250 or more	\$0	\$0	\$1,354	\$0	\$0	\$0	\$5,969

¹ The Communist Party of Canada-Manitoba, The Green Party of Manitoba, Libertarian Party of Manitoba and the Manitoba Party do not have Constituency Associations.

Yearly Comparison of Constituency Associations Reporting Contributions of \$250 or More

Year	# of Constituency Associations	# Reporting Contributions of \$250 or more	Total Contributions of \$250 or more
1985	154	11	\$34,446
1986	163	12	\$27,635
1987	161	6	\$9,152
1988	181	8	\$23,633
1989	187	2	\$2,472
1990	176	6	\$6,807
1991	172	2	\$925
1992	171	0	\$0
1993	171	0	\$0
1994	171	3	\$1,312
1995	171	1	\$2,039
1996	171	0	\$0
1997	171	4	\$10,536
1998	171	4	\$5,690
1999	171	8	\$11,637
2000	171	5	\$7,323

Candidates' Campaign Deficits

Contributions of \$250 or more made after the end of a campaign period towards a candidate's campaign deficit must be reported to the Chief Electoral Officer. During the 1999 General Election, 52 candidates reported a campaign deficit. As of the end of 2000, 42 of the 52 deficits from 1999 had been eliminated.

During the 1995 General Election, 45 candidates reported a campaign deficit. In 2000 there were three contributions of \$250 or more towards 1995 campaign deficits. As of the end of 2000, 43 of the 45 deficits from 1995 had been eliminated.

During the 1990 General Election, 117 candidates reported a campaign deficit. In 1999 there were six contributions of \$250 or more towards 1990 campaign deficits. As of the end of 2000 all of the 117 deficits had been eliminated.

Candidates' deficits may be eliminated by ways other than by contributions of \$250 or more such as by transfers from a political party, contributions of less than \$250 and by reimbursement of election expenses. A candidate who pays from his or her own resources towards eliminating a deficit has made a contribution which must be reported if the aggregate of the amounts is \$250 or more in any year.

The Office of the Chief Electoral Officer monitors annually those candidates with outstanding deficits. This process continues until deficits are cleared. Candidates' Campaign Deficits Returns are public information and are available for inspection.

Table 7

Candidate Campaign Deficits of \$250 or More

Year	No. of Candidate Deficits	Total Deficits Eliminated at Dec. 31/99	Deficits Eliminated in 2000	Total Candidate Deficits at Dec. 31/00
1990	117	(111)	(6)	0
1995	45	(40)	(3)	2
1999	52	n/a	(42)	10

Manitoba Tax Credit Program

The *Income Tax Act* (Manitoba) implemented a tax credit system for political contributions. A percentage of contributions to registered political parties and registered candidates is eligible for a tax credit.

The amount that can be deducted from tax payable is:

- a) 75% of the amount contributed if the amount contributed does not exceed \$100;
- b) \$75 plus 50% of the amount by which the amount contributed exceeds \$100 if the amount contributed exceeds \$100 but does not exceed \$550; and
- c) if the amount contributed exceeds \$550, the lesser of
 - i) \$300 plus 33⅓ % of the amount by which the amount contributed exceeds \$550; or
 - ii) \$500;

if the payment is supported by a proper income tax receipt.

The total value of tax credits for 1999, the most current year for which total information is available, is \$1,346,248. From 1982 to 1999, the tax credits claimed on individual and corporate returns amounted to \$13,600,123.

Table 8

Manitoba Tax Credits Claimed For Political Contributions (1982 - 1999)*

Tax Year	Individual Returns \$	Corporate Returns \$	Total Credits \$
1982	293,500	54,200	347,700
1983	429,200	47,300	476,500
1984	520,400	69,000	589,400
1985	642,900	90,100	733,000
1986	863,356	119,598	982,954
1987	476,617	65,708	542,325
1988	1,115,750	136,091	1,251,841
1989	642,722	68,720	711,442
1990	1,019,617	93,542	1,113,159
1991	470,509	54,817	525,326
1992	512,373	38,387	550,760
1993	539,930	87,426	627,356
1994	634,297	91,109	725,406
1995	1,038,872	123,903	1,162,775
1996	558,774	87,700	646,474
1997	560,071	71,617	631,688
1998	553,526	82,243	635,769
1999	1,229,513	116,735	1,346,248
Total Tax Credits claimed since 1982	\$12,101,927	\$1,498,196	\$13,600,123

*Figures provided by Manitoba Finance

Compliance Assistance and Public Disclosure

The Elections Finances Act directs that the Chief Electoral Officer shall assist candidates and registered political parties, and their financial agents, in preparing statements and returns required under the Act and in otherwise complying with the Act. The Chief Electoral Officer may also prepare guidelines for candidates and registered political parties, their Chief Financial Officers and auditors. At present, election guidelines for the Chief Financial Officers of registered political parties, official agents of candidates and auditors have been published. The office also responds on an ongoing basis to many inquiries made in writing, by telephone, by e-mail and in person.

Another statutory responsibility of the Chief Electoral Officer concerns public information. The statements, returns, registers and records which are required to be kept must be available to the general public as are copies of *The Elections Finances Act*. This information is open to inspection by anyone during regular office hours at Elections Manitoba, Main Floor, 200 Vaughan Street, Winnipeg, Manitoba.

The Elections Finances Act directs that statements and returns filed with the Chief Electoral Officer are available for public inspection upon receipt. It should be noted that such statements and returns may not be complete or may contain errors since the review of the documents may not have been completed at the time of initial filing. Following a thorough review and verification all statements and returns are finalized and remain available for inspection. Members of the public and in particular political representatives, the media and academics frequently inspect documents and records.

For those not able to attend the office, information can be mailed upon request. Election results and financial information in summary form are available on Elections Manitoba's Web site. The election information can be reviewed several ways including by political party affiliation and by electoral division. Political Party Annual Financial Statements and the Annual Report are also available to be down loaded (www.elections.mb.ca). Additional information is added to the Web site as it becomes available.

Public Information

Twenty-eight presentations were given to school and community groups in Winnipeg and surrounding areas during the period from June to November 2000. At the end of 2000, plans were being put in place to expand the public information program. By using 10 current and former election officials to give presentations to schools and community groups (including Adult Literacy Groups and Friendship Centres), communities throughout the province will have the opportunity to receive a presentation. This will be the first time, other than during an election, that the election presentations will be offered extensively throughout the province rather than mainly in the Winnipeg region and on a year round basis rather than only in the late spring. The local knowledge of the presenters will be useful to further build on local contacts in the community. Materials for the public information program are also scheduled for review and replacement in the year 2001. At the time of writing, the number of presentations for 2001 has greatly increased.

Cooperation with Other Jurisdictions

Co-operative efforts between other jurisdictions including the sharing of information and materials, secondment of staff and cooperation during electoral events continues to increase.

In the summer of 2000, Elections Canada requested that Elections Manitoba recommend individuals to fill help-line positions in Ottawa during the federal election. Subsequently, during the November 2000 Federal General Election, Elections Manitoba was well-represented by six current and former Returning Officers and elections staff. They provided assistance to federal Returning Officers on general matters, special voting rules and technical issues.

With the Kirkfield Park/Tuxedo provincial by-elections and the federal general election occurring less than a week apart it was anticipated that the electorate

may confuse the two. To minimize any confusion, Elections Manitoba took steps to cooperate with Elections Canada. Elections Manitoba's Manager of Elections Operations and Communications kept in touch with one of his counterparts at Elections Canada, a direct link to Elections Canada's Web site was placed on Elections Manitoba's Web site and office staff at Elections Manitoba transferred callers to Elections Canada's toll-free information line.

Elections Manitoba also provided lists of poll officials and data entry operators to the Returning Officers in the federal ridings of Charleswood St. James-Assiniboia, Portage-Lisgar, Winnipeg North Centre, Winnipeg South and Winnipeg South Centre and canvassed the Returning Officers in the other nine federal ridings in Manitoba to see if they needed any additional staff referrals.

The provincial, territorial and federal electoral jurisdictions continue to share materials and ideas often on an informal basis and meet annually. For example, Elections Manitoba has received interest in its detailed address maps for the City of Winnipeg and Voter Enumeration System (VES) software from several jurisdictions. At the time of writing, Elections Saskatchewan is considering using both the maps and VES software as prototypes, Elections Nova Scotia is interested in the Scrutineer Record of Voters 'bingo sheet' forms, Elections Ontario is reviewing Manitoba's Absentee Voting Provisions and Elections Québec is interested in the Personal Security Protection Voting provisions.

At the time of writing, Elections Manitoba has received considerable background material and sample forms, manuals and advertising from Elections Québec regarding the recruitment, interviewing, selection and training of Returning Officers by the Chief Electoral Officer. Elections Manitoba is also receiving similar materials from Elections British Columbia. Quebec and British Columbia, Newfoundland, Northwest Territories and Nunavut are the other Canadian jurisdictions where the appointment of Returning Officers is done by the Chief Electoral Officer via independent public competitions.

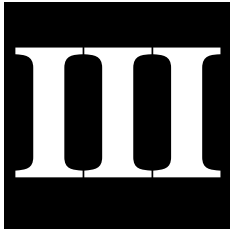
In the Province of Manitoba we have provided ballot boxes, screens and sample materials to the Frontier School Division and have provided voters lists to several municipalities and school boards across the province.

Canadian Election Officials Conference

On July 27 and 28, 2000, Manitoba hosted the annual Canadian Election Officials (CEO) Conference. Every year for the past 25 years the various electoral jurisdictions gather to discuss matters relevant to the election process, administration, and management. The various jurisdictions host this conference on a rotating basis. This was the second time Manitoba has been host, the first time being 1984.

All 14 electoral jurisdictions in Canada – the 10 provinces, three territories, and their federal counterpart, Elections Canada – were represented at the two-day meetings. This was the first CEO Conference in which the new territory of Nunavut had the opportunity to attend. Nunavut's first territorial general election was held in February, 1999.

The Honourable George Hickes, Speaker of the Legislative Assembly, opened the conference with greetings from the Province. The title of the conference was *"The Changing Face of Elections: Managing Change."* As always, this conference was a successful exchange of ideas on election management and an ideal opportunity for discussions with the other jurisdictions, as well as an ideal opportunity to showcase our city and province to the attendees.



THE 37th GENERAL ELECTION (1999)

Campaign Finances

There were 198 candidates in the September 21, 1999 General Election and seven registered political parties. The 1999 Annual Report covered the following areas:

- candidates and their official agents
- where applicable, the political party endorsements
- registration numbers for candidates issuing income tax receipts
- spending limits
- reimbursements
- the review of financial statements and returns

Some items not reported previously concerning the 37th General Election are on the following pages along with the financial summaries of each candidate.

Information sessions – Information sessions were delivered to provide candidate's official agents with information on their rights and responsibilities. There were 14 sessions for this election as compared to six in 1995 and, for the first time, sessions were offered prior to the call of the election. In previous elections, Winnipeg and Brandon were the locations used. Dauphin was added in 1999. Many participants indicated that the sessions were necessary and beneficial.

Information support – As reported in the 1999 Annual Report, following the Monnin Inquiry, amendments were made to *The Elections Finance Act*. These amendments strengthened the role of the auditor in the process of filing and reviewing financial returns. Auditors' guidelines were developed in cooperation with the three accounting bodies in Manitoba, the political parties, and with those who audited financial statements in previous elections. New official agent guidelines and information bulletins were also developed. These materials will all be revised based on experience and feedback from the 1999 Election. A major initiative was that knowledgeable staff were more accessible to respond to questions from campaigns and parties concerning *The Elections Finances Act*. Those who had questions were encouraged to call as often as needed. This offer was taken-up and significantly more telephone inquiries were received than in previous elections.

Review of financial returns – As reported in 1999 a thorough system was developed to review the financial statements of candidates and registered political parties largely as a result of changes in reporting requirements in *The Elections Finance Act*. The system was developed following the Monnin Inquiry and the need to conduct a more detailed review of financial returns. The

review used pre-determined risk criteria to select returns for more in depth analysis. The review system also had to accommodate an amendment requiring that advance reimbursement be paid.

Legislative provisions requiring advance reimbursement were designed to provide financial relief to campaigns and political parties qualifying for reimbursement of election expenses. Fifty per cent of the reimbursement otherwise payable must be paid as an advance within 15 days of filing a satisfactory financial statement. The balance is paid when the review of a financial statement is complete. The system worked very well. Three political parties and 118 candidates' campaigns were eligible for an advance payment. All three parties and 103 candidate's campaigns (87 per cent) received their payments within 15 days of filing a satisfactory statement. Fifteen candidates' campaigns did not receive an advance payment within 15 days of filing because the financial statements did not meet the requirements of the Act at the time of filing.

The expanded review allowed the inspection of financial statements in greater detail adding to our understanding of compliance issues. Generally, compliance needs to be improved. Over 50 per cent of the financial returns needed to be amended to a greater or lesser extent. When financial returns met predetermined criteria for a more detailed review, it was much more likely that amendments would be needed. Minor problems included clerical errors and instances where the Act and guidelines were not completely understood. Other concerns included failure to maintain an account in a financial institution and lack of an adequate record keeping and accounting system. There were also concerns with requested information not being provided. Non-compliance with the requirements of the Act caused delays in paying final reimbursements and in closing off the review of financial statements. Although the Act is complex there are, nevertheless, legislated requirements which must be met before the review of a financial statement can be completed.

Official agents need more support to be able to properly fulfill their roles especially considering the complexity of *The Elections Finances Act* and the effort needed to learn what is necessary in a short time. Essentially, all official agents must re-learn their duties since their services are only required once every few years. Political parties have a role to play in providing more support but so does Elections Manitoba. Considerably expanded information and assistance will be initiated as a major priority. Already under consideration and development are measures to assist with keeping proper records and to help in the completion of a financial statement. The innovations referred to in Part IV *Kirkfield Park and Tuxedo By-elections* of this report along with new guidelines, forms and training packages are important ways in which support will be provided. Consultations will be held with all registered political parties.

A summary of the candidates' financial statements for the 1999 General Election is contained in Table 9 and a summary of the registered political parties' election financial statements in 1999 is found in Table 10. The information is current as of the date of this report.

Table 9**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements by Electoral Division**

Arthur-Virden	Bob Brigden Lib	Perry Kalynuk NDP	Larry N. Maguire PC
Assets and Liabilities			
Assets	\$296	\$714	\$4,982
Liabilities	\$7,636	\$0	\$7,502
Surplus/Deficit	(\$7,340)	\$714	(\$2,520)
Income			
Contribution	\$2,835	\$102	\$20,837
Transfers	\$0	\$8,642	\$0
Other	\$0	\$0	\$0
Total	\$2,835	\$8,744	\$20,837
Expenses			
Election	\$9,722	\$6,262	\$21,632
Non-Election	\$453	\$1,768	\$1,725
Transfers	\$0	\$0	\$0
Total	\$10,175	\$8,030	\$23,357
Surplus (Deficit)	(\$7,340)	\$714	(\$2,520)
Spending Limits¹	\$31,100	\$31,100	\$31,100
Reimbursements			
Candidate	\$4,711	\$0	\$868
Party	\$0	\$3,080	\$9,638
Total Reimbursement	\$4,711	\$3,080	\$10,506

Assiniboia	Linda McIntosh PC	Jim Rondeau NDP	J. Deborah Shiloff Lib.
Assets and Liabilities			
Assets	\$5,801	\$1,598	\$780
Liabilities	\$15,223	\$7,838	\$476
Surplus/Deficit	(\$9,422)	(\$6,240)	\$304
Income			
Contribution	\$13,428	\$1,323	\$1,560
Transfers	\$4,247	\$5,907	\$4,500
Other	\$0	\$385	\$0
Total	\$17,675	\$7,615	\$6,060
Expenses			
Election	\$26,191	\$12,989	\$5,745
Non-Election	\$906	\$866	\$11
Transfers	\$0	\$0	\$0
Total	\$27,097	\$13,855	\$5,756
Surplus (Deficit)	(\$9,422)	(\$6,240)	\$304
Spending Limits¹	\$31,780	\$31,780	\$31,780
Reimbursements			
Candidate	\$8,693	\$5,454	\$2,196
Party	\$4,177	\$379	\$676
Total Reimbursement	\$12,870	\$5,833	\$2,872

1 Applicable to election expenses only

Brandon East	Drew Caldwell NDP	Don Jessiman Ind.	Peter Logan Lib.	Marty Snelling PC
Assets and Liabilities				
Assets	(\$8,593)	\$19	\$253	\$0
Liabilities	\$5,516	\$0	\$0	\$12,814
Surplus/Deficit	(\$14,109)	\$19	\$253	(\$12,814)
Income				
Contribution	\$162	\$1,060	\$2,110	\$12,890
Transfers	\$12,139	\$0	\$1,500	\$1,850
Other	\$0	\$0	\$660	\$0
Total	\$12,301	\$1,060	\$4,270	\$14,740
Expenses				
Election	\$18,137	\$1,041	\$4,017	\$25,283
Non-Election	\$273	\$0	\$0	\$2,271
Transfers	\$8,000	\$0	\$0	\$0
Total	\$26,410	\$1,041	\$4,017	\$27,554
Surplus (Deficit)	(\$14,109)	\$19	\$253	(\$12,814)
Spending Limits¹	\$28,778	\$28,778	\$28,778	\$28,778
Reimbursements				
Candidate	\$9,010	\$0	\$0	\$10,678
Party	\$0	\$0	\$0	\$1,729
Total Reimbursement	\$9,010	\$0	\$0	\$12,407

Brandon West	Lisa Gallagher CPC-M	Jim McCrae PC	Lisa Roy Lib.	Scott Smith NDP
Assets and Liabilities				
Assets	\$0	\$2,633	\$0	(\$933)
Liabilities	\$0	\$7,500	\$0	\$0
Surplus/Deficit	\$0	(\$4,867)	\$0	(\$933)
Income				
Contribution	\$0	\$27,602	\$250	\$775
Transfers	\$0	\$0	\$350	\$19,591
Other	\$0	\$0	\$0	\$0
Total	\$0	\$27,602	\$600	\$20,366
Expenses				
Election	\$0	\$29,994	\$600	\$17,671
Non-Election	\$0	\$2,475	\$0	\$628
Transfers	\$0	\$0	\$0	\$3,000
Total	\$0	\$32,469	\$600	\$21,299
Surplus (Deficit)	\$0	(\$4,867)	\$0	(\$933)
Spending Limits¹	\$31,877	\$31,877	\$31,877	\$31,877
Reimbursements				
Candidate	\$0	\$2,392	\$0	\$350
Party	\$0	\$12,265	\$0	\$8,098
Total Reimbursement	\$0	\$14,657	\$0	\$8,448

1 Applicable to election expenses only

Burrows	Mike Babinsky Lib.	Cheryl Clark PC	Doug Martindale NDP	Darrell Rankin CPC-M
Assets and Liabilities				
Assets	\$1,540	\$785	(\$1,052)	\$0
Liabilities	\$24,230	\$9,439	\$12,379	\$0
Surplus/Deficit	(\$22,690)	(\$8,654)	(\$13,431)	\$0
Income				
Contribution	\$1,885	\$125	\$1,225	\$0
Transfers	\$400	\$3,100	\$15,048	\$0
Other	\$0	\$0	\$1	\$0
Total	\$2,285	\$3,225	\$16,274	\$0
Expenses				
Election	\$24,554	\$11,879	\$21,195	\$0
Non-Election	\$421	\$0	\$510	\$0
Transfers	\$0	\$0	\$8,000	\$0
Total	\$24,975	\$11,879	\$29,705	\$0
Surplus (Deficit)	(\$22,690)	(\$8,654)	(\$13,431)	\$0
Spending Limits¹	\$27,730	\$27,730	\$27,730	\$27,730
Reimbursements				
Candidate	\$11,334	\$0	\$9,985	\$0
Party	\$0	\$0	\$0	\$0
Total Reimbursement	\$11,334	\$0	\$9,985	\$0

Carman	Diane Beresford NDP	Raymond Le Neal Lib.	Denis Rocan PC
Assets and Liabilities			
Assets	\$519	\$3,032	\$198
Liabilities	\$0	\$6,574	\$14,748
Surplus/Deficit	\$519	(\$3,542)	(\$14,550)
Income			
Contribution	\$0	\$5,181	\$15,158
Transfers	\$1,164	\$1,700	\$0
Other	\$0	\$0	\$378
Total	\$1,164	\$6,881	\$15,536
Expenses			
Election	\$641	\$10,321	\$28,794
Non-Election	\$4	\$102	\$1,292
Transfers	\$0	\$0	\$0
Total	\$645	\$10,423	\$30,086
Surplus (Deficit)	\$519	(\$3,542)	(\$14,550)
Spending Limits¹	\$29,155	\$29,155	\$29,155
Reimbursements			
Candidate	\$0	\$3,484	\$13,076
Party	\$321	\$1,676	\$1,090
Total Reimbursement	\$321	\$5,160	\$14,166

1 Applicable to election expenses only

Charleswood	Myrna Driedger PC	Darryl Livingstone NDP	Alana McKenzie Lib.
Assets and Liabilities			
Assets	\$3,228	\$81	\$38
Liabilities	\$10,582	\$0	\$7,831
Surplus/Deficit	(\$7,354)	\$81	(\$7,793)
Income			
Contribution	\$24,369	\$28	\$9,192
Transfers	\$899	\$805	\$0
Other	\$0	\$0	\$0
Total	\$25,268	\$833	\$9,192
Expenses			
Election	\$31,178	\$717	\$16,326
Non-Election	\$1,444	\$35	\$659
Transfers	\$0	\$0	\$0
Total	\$32,622	\$752	\$16,985
Surplus (Deficit)	(\$7,354)	\$81	(\$7,793)
Spending Limits¹	\$31,454	\$31,454	\$31,454
Reimbursements			
Candidate	\$5,969	\$0	\$7,239
Party	\$9,492	\$345	\$454
Total Reimbursement	\$15,461	\$345	\$7,693

Concordia	Gary Doer NDP	Chris Hlady Lib.	Paul Murphy PC	Dave Nickarz GPM
Assets and Liabilities				
Assets	\$3,493	\$0	\$96	\$0
Liabilities	\$10,127	\$0	\$8,101	\$0
Surplus/Deficit	(\$6,634)	\$0	(\$8,005)	\$0
Income				
Contribution	\$1,622	\$370	\$8,900	\$25
Transfers	\$13,906	\$0	\$5,000	\$0
Other	\$0	\$0	\$0	\$0
Total	\$15,528	\$370	\$13,900	\$25
Expenses				
Election	\$13,477	\$194	\$21,285	\$25
Non-Election	\$685	\$156	\$620	\$0
Transfers	\$8,000	\$20	\$0	\$0
Total	\$22,162	\$370	\$21,905	\$25
Surplus (Deficit)	(\$6,634)	\$0	(\$8,005)	\$0
Spending Limits¹	\$29,580	\$29,580	\$29,580	\$29,580
Reimbursements				
Candidate	\$5,928	\$0	\$7,385	\$0
Party	\$0	\$0	\$3,258	\$0
Total Reimbursement	\$5,928	\$0	\$10,643	\$0

1 Applicable to election expenses only

Dauphin-Roblin	Lorne Boguski PC	Doug McPhee MP	Stan Struthers NDP
Assets and Liabilities			
Assets	(\$5,530)	\$94	(\$4,818)
Liabilities	\$7,500	\$0	\$100
Surplus/Deficit	(\$13,030)	\$94	(\$4,918)
Income			
Contribution	\$28,328	\$2,526	\$320
Transfers	\$0	\$0	\$30,406
Other	\$0	\$5	\$2
Total	\$28,328	\$2,531	\$30,728
Expenses			
Election	\$31,178	\$2,427	\$27,418
Non-Election	\$10,180	\$10	\$228
Transfers	\$0	\$0	\$8,000
Total	\$41,358	\$2,437	\$35,646
Surplus (Deficit)	(\$13,030)	\$94	(\$4,918)
Spending Limits¹	\$32,385	\$32,385	\$32,385
Reimbursements			
Candidate	\$3,426	\$0	\$4,804
Party	\$11,919	\$0	\$8,745
Total Reimbursement	\$15,345	\$0	\$13,549

Elmwood	Elsie Bordynuik PC	James Hogaboam CPC-M	Jim Maloway NDP	Cameron Neumann LPM
Assets and Liabilities				
Assets	\$994	\$0	\$1,779	\$0
Liabilities	\$11,031	\$0	\$6,302	\$0
Surplus/Deficit	(\$10,037)	\$0	(\$4,523)	\$0
Income				
Contribution	\$5,483	\$0	\$4,245	\$0
Transfers	\$4,285	\$0	\$15,908	\$0
Other	\$0	\$0	\$0	\$0
Total	\$9,768	\$0	\$20,153	\$0
Expenses				
Election	\$18,448	\$0	\$14,719	\$0
Non-Election	\$1,357	\$0	\$1,957	\$0
Transfers	\$0	\$0	\$8,000	\$0
Total	\$19,805	\$0	\$24,676	\$0
Surplus (Deficit)	(\$10,037)	\$0	(\$4,523)	\$0
Spending Limits¹	\$30,155	\$30,155	\$30,155	\$30,155
Reimbursements				
Candidate	\$8,124	\$0	\$2,566	\$0
Party	\$0	\$0	\$2,671	\$0
Total Reimbursement	\$8,124	\$0	\$5,237	\$0

1 Applicable to election expenses only

Emerson	David Kiansky NDP	Ted Klassen Lib.	Jack Penner PC
Assets and Liabilities			
Assets	\$1,814	\$0	(\$6,096)
Liabilities	\$7,919	\$4,926	\$0
Surplus/Deficit	(\$6,105)	(\$4,926)	(\$6,096)
Income			
Contribution	\$0	\$10,640	\$17,550
Transfers	\$323	\$800	\$4,290
Other	\$0	\$0	\$0
Total	\$323	\$11,440	\$21,840
Expenses			
Election	\$4,971	\$15,533	\$27,307
Non-Election	\$457	\$833	\$629
Transfers	\$1,000	\$0	\$0
Total	\$6,428	\$16,366	\$27,936
Surplus (Deficit)	(\$6,105)	(\$4,926)	(\$6,096)
Spending Limits¹	\$27,754	\$27,754	\$27,754
Reimbursements			
Candidate	\$2,486	\$4,093	\$5,467
Party	\$0	\$3,673	\$8,187
Total Reimbursement	\$2,486	\$7,766	\$13,654

Flin Flon	Gerard Jennissen NDP	Philip Ng Ind.	Tom Therien PC
Assets and Liabilities			
Assets	(\$5,782)	\$0	\$0
Liabilities	\$6,916	\$0	\$10,575
Surplus/Deficit	(\$12,698)	\$0	(\$10,575)
Income			
Contribution	\$405	\$1,219	\$8,302
Transfers	\$13,805	\$0	\$4,000
Other	\$0	\$0	\$0
Total	\$14,210	\$1,219	\$12,302
Expenses			
Election	\$18,573	\$1,209	\$22,044
Non-Election	\$335	\$10	\$833
Transfers	\$8,000	\$0	\$0
Total	\$26,908	\$1,219	\$22,877
Surplus (Deficit)	(\$12,698)	\$0	(\$10,575)
Spending Limits¹	\$33,713	\$33,713	\$33,713
Reimbursements			
Candidate	\$9,084	\$0	\$9,822
Party	\$0	\$0	\$1,099
Total Reimbursement	\$9,084	\$0	\$10,921

1 Applicable to election expenses only

Fort Garry	Lawrie Cherniack NDP	Ted Gilson Lib.	Joy Smith PC	Denise Van Rooyen MP
Assets and Liabilities				
Assets	\$5,850	\$863	\$2,241	\$0
Liabilities	\$9,311	\$5,166	\$12,670	\$0
Surplus/Deficit	(\$3,461)	(\$4,303)	(\$10,429)	\$0
Income				
Contribution	\$203	\$4,808	\$15,413	\$1,033
Transfers	\$31,991	\$1,000	\$8,355	\$0
Other	\$1,160	\$157	\$1,177	\$0
Total	\$33,354	\$5,965	\$24,945	\$1,033
Expenses				
Election	\$29,325	\$9,809	\$28,544	\$1,033
Non-Election	\$3,490	\$459	\$6,830	\$0
Transfers	\$4,000	\$0	\$0	\$0
Total	\$36,815	\$10,268	\$35,374	\$1,033
Surplus (Deficit)	(\$3,461)	(\$4,303)	(\$10,429)	\$0
Spending Limits¹	\$31,421	\$31,421	\$31,421	\$31,421
Reimbursements				
Candidate	\$38	\$3,876	\$3,737	\$0
Party	\$14,523	\$634	\$10,384	\$0
Total Reimbursement	\$14,561	\$4,510	\$14,121	\$0

Fort Rouge	Ron Paley PC	Alex Reid GPM	Tim Sale NDP	John Shanski Lib.
Assets and Liabilities				
Assets	\$2,363	\$0	(\$29)	\$1,960
Liabilities	\$11,057	\$0	\$14,625	\$14,569
Surplus/Deficit	(\$8,694)	\$0	(\$14,654)	(\$12,609)
Income				
Contribution	\$12,661	\$160	\$593	\$9,893
Transfers	\$5,800	\$103	\$10,952	\$3,328
Other	\$0	\$0	\$1	\$0
Total	\$18,461	\$263	\$11,546	\$13,221
Expenses				
Election	\$26,323	\$257	\$25,152	\$24,462
Non-Election	\$832	\$0	\$1,048	\$1,368
Transfers	\$0	\$6	\$0	\$0
Total	\$27,155	\$263	\$26,200	\$25,830
Surplus (Deficit)	(\$8,694)	\$0	(\$14,654)	(\$12,609)
Spending Limits¹	\$32,403	\$32,403	\$32,403	\$32,403
Reimbursements				
Candidate	\$7,908	\$0	\$12,282	\$11,384
Party	\$5,253	\$0	\$0	\$847
Total Reimbursement	\$13,161	\$0	\$12,282	\$12,231

1 Applicable to election expenses only

Fort Whyte	Malli Aulakh Lib.	Bidhu Jha NDP	John Loewen PC
Assets and Liabilities			
Assets	\$8,365	(\$14,931)	\$10,721
Liabilities	\$20,045	\$3,028	\$8,785
Surplus/Deficit	(\$11,680)	(\$17,959)	\$1,936
Income			
Contribution	\$7,105	\$0	\$27,188
Transfers	\$600	\$11,419	\$400
Other	\$0	\$20	\$0
Total	\$7,705	\$11,439	\$27,588
Expenses			
Election	\$18,808	\$24,511	\$25,445
Non-Election	\$577	\$3,887	\$207
Transfers	\$0	\$1,000	\$0
Total	\$19,385	\$29,398	\$25,652
Surplus (Deficit)	(\$11,680)	(\$17,959)	\$1,936
Spending Limits¹	\$32,203	\$32,203	\$32,203
Reimbursements			
Candidate	\$9,359	\$12,256	\$0
Party	\$0	\$0	\$12,472
Total Reimbursement	\$9,359	\$12,256	\$12,472

Gimli	Pat Carroll Lib.	Fran Frederickson NDP	Ed Helwer PC
Assets and Liabilities			
Assets	(\$182)	\$7,279	\$335
Liabilities	\$5,780	\$13,387	\$12,247
Surplus/Deficit	(\$5,962)	(\$6,108)	(\$11,912)
Income			
Contribution	\$4,243	\$158	\$18,308
Transfers	\$800	\$29,132	\$250
Other	\$0	\$51	\$387
Total	\$5,043	\$29,341	\$18,945
Expenses			
Election	\$10,777	\$29,695	\$29,616
Non-Election	\$228	\$1,754	\$1,241
Transfers	\$0	\$4,000	\$0
Total	\$11,005	\$35,449	\$30,857
Surplus (Deficit)	(\$5,962)	(\$6,108)	(\$11,912)
Spending Limits¹	\$34,777	\$34,777	\$34,777
Reimbursements			
Candidate	\$0	\$4,447	\$10,686
Party	\$0	\$10,322	\$4,122
Total Reimbursement	\$0	\$14,769	\$14,808

1 Applicable to election expenses only

Inkster	Becky Barrett NDP	Kevin Lamoureux Lib.	George Sandhu PC
Assets and Liabilities			
Assets	(\$13,813)	\$80	\$1,027
Liabilities	\$0	\$10,108	\$14,551
Surplus/Deficit	(\$13,813)	(\$10,028)	(\$13,524)
Income			
Contribution	\$141	\$14,171	\$8,600
Transfers	\$17,465	\$0	\$3,000
Other	\$0	\$0	\$0
Total	\$17,606	\$14,171	\$11,600
Expenses			
Election	\$22,767	\$23,318	\$25,109
Non-Election	\$652	\$881	\$15
Transfers	\$8,000	\$0	\$0
Total	\$31,419	\$24,199	\$25,124
Surplus (Deficit)	(\$13,813)	(\$10,028)	(\$13,524)
Spending Limits¹	\$25,522	\$25,522	\$25,522
Reimbursements			
Candidate	\$11,351	\$9,267	\$12,555
Party	\$0	\$887	\$0
Total Reimbursement	\$11,351	\$10,154	\$12,555

Interlake	Betty Green PC	Tom Nevakshonoff NDP	Margaret Swan Lib.
Assets and Liabilities			
Assets	(\$13,813)	\$18,448	\$89
Liabilities	\$0	\$0	\$650
Surplus/Deficit	(\$13,813)	(\$18,448)	(\$561)
Income			
Contribution	\$141	\$0	\$6,450
Transfers	\$17,465	\$10,348	\$0
Other	\$0	\$2,471	\$0
Total	\$17,606	\$13,008	\$6,450
Expenses			
Election	\$22,767	\$22,797	\$7,011
Non-Election	\$652	\$659	\$0
Transfers	\$8,000	\$8,000	\$0
Total	\$31,419	\$31,456	\$7,011
Surplus (Deficit)	(\$13,813)	(\$18,448)	(\$561)
Spending Limits¹	\$25,522	\$25,522	\$25,522
Reimbursements			
Candidate	\$11,351	\$11,399	\$0
Party	\$0	\$0	\$0
Total Reimbursement	\$11,351	\$11,399	\$0

1 Applicable to election expenses only

Kildonan	Dave Chomiak NDP	Michael Lazar Lib.	Shannon Martin PC
Assets and Liabilities			
Assets	(\$3,843)	\$439	\$35
Liabilities	\$0	\$2,500	\$10,598
Surplus/Deficit	(\$3,843)	(\$2,061)	(\$10,563)
Income			
Contribution	\$3,973	\$6,175	\$1,240
Transfers	\$17,705	\$0	\$3,200
Other	\$0	\$0	\$0
Total	\$21,678	\$6,175	\$4,440
Expenses			
Election	\$16,574	\$7,836	\$14,834
Non-Election	\$947	\$400	\$169
Transfers	\$8,000	\$0	\$0
Total	\$25,521	\$8,236	\$15,003
Surplus (Deficit)	(\$3,843)	(\$2,061)	(\$10,563)
Spending Limits¹	\$32,175	\$32,175	\$32,175
Reimbursements			
Candidate	\$2,984	\$1,663	\$7,417
Party	\$3,317	\$2,254	\$0
Total Reimbursement	\$6,301	\$3,917	\$7,417

Kirkfield Park	Dennis Kshyk NDP	Eric Stefanson PC	Vic Wieler Lib.
Assets and Liabilities			
Assets	\$604	\$3,274	(\$2,477)
Liabilities	\$3,564	\$0	\$0
Surplus/Deficit	(\$2,960)	\$3,274	(\$2,477)
Income			
Contribution	\$200	\$38,735	\$5,514
Transfers	\$3,642	\$6,898	\$3,000
Other	\$0	\$2	\$0
Total	\$3,842	\$45,635	\$8,514
Expenses			
Election	\$6,620	\$31,323	\$10,537
Non-Election	\$182	\$38	\$454
Transfers	\$0	\$11,000	\$0
Total	\$6,802	\$42,361	\$10,991
Surplus (Deficit)	(\$2,960)	\$3,274	(\$2,477)
Spending Limits¹	\$35,096	\$35,096	\$35,096
Reimbursements			
Candidate	\$2,783	\$0	\$2,023
Party	\$427	\$14,500	\$2,699

1 Applicable to election expenses only

La Verendrye	Bonnie Fedak MP	Ron Lemieux NDP	Léon Morrissette Lib.	Ben Sveinson PC
Assets and Liabilities				
Assets	\$0	(\$12,497)	\$684	\$1,075
Liabilities	\$0	\$0	\$7,428	\$14,744
Surplus/Deficit	\$0	(\$12,497)	(\$6,744)	(\$13,669)
Income				
Contribution	\$1,471	\$167	\$8,874	\$14,525
Transfers	\$0	\$17,770	\$1,424	\$0
Other	\$410	\$0	\$20	\$0
Total	\$1,881	\$17,937	\$10,318	\$14,525
Expenses				
Election	\$1,881	\$25,839	\$16,544	\$27,578
Non-Election	\$0	\$1,595	\$518	\$616
Transfers	\$0	\$3,000	\$0	\$0
Total	\$1,881	\$30,434	\$17,062	\$28,194
Surplus (Deficit)	\$0	(\$12,497)	(\$6,744)	(\$13,669)
Spending Limits¹	\$29,280	\$29,280	\$29,280	\$29,280
Reimbursements				
Candidate	\$0	\$11,107	\$6,226	\$13,053
Party	\$0	\$1,729	\$1,839	\$736
Total Reimbursement	\$0	\$12,836	\$8,065	\$13,789

Lac du Bonnet	Michael Hameluck NDP	Darren Praznik PC
Assets and Liabilities		
Assets	(\$9,643)	\$9,144
Liabilities	\$4,003	\$11,329
Surplus/Deficit	(\$13,646)	(\$2,185)
Income		
Contribution	\$350	\$25,501
Transfers	\$21,612	\$77
Other	\$167	\$0
Total	\$22,129	\$25,578
Expenses		
Election	\$29,666	\$26,804
Non-Election	\$3,109	\$959
Transfers	\$3,000	\$0
Total	\$35,775	\$27,763
Surplus (Deficit)	(\$13,646)	(\$2,185)
Spending Limits¹	\$33,504	\$33,504
Reimbursements		
Candidate	\$10,698	\$1,227
Party	\$3,960	\$12,114
Total Reimbursement	\$14,658	\$13,341

1 Applicable to election expenses only

Lakeside	Harry J. Enns PC	Dave Harcus Lib.	Paul Pododworny NDP	Marcel Van De Kerckhove MP
Assets and Liabilities				
Assets	\$474	\$33	(\$3,346)	\$0
Liabilities	\$13,469	\$9,434	\$916	\$4
Surplus/Deficit	(\$12,995)	(\$9,401)	(\$4,262)	(\$4)
Income				
Contribution	\$20,757	\$6,922	\$25	\$200
Transfers	\$700	\$956	\$4,673	\$0
Other	\$135	\$0	\$0	\$0
Total	\$21,592	\$7,878	\$4,698	\$200
Expenses				
Election	\$29,096	\$16,777	\$8,817	\$200
Non-Election	\$5,491	\$502	\$143	\$4
Transfers	\$0	\$0	\$0	\$0
Total	\$34,587	\$17,279	\$8,960	\$204
Surplus (Deficit)	(\$12,995)	(\$9,401)	(\$4,262)	(\$4)
Spending Limits¹	\$31,207	\$31,207	\$31,207	\$31,207
Reimbursements				
Candidate	\$7,559	\$8,380	\$4,181	\$0
Party	\$6,990	\$0	\$215	\$0
Total Reimbursement	\$14,549	\$8,380	\$4,396	\$0

Lord Roberts	Lyle Ford GPM	Diane McGifford NDP	Allen Mills Lib.	Maggie Nishimura PC
Assets and Liabilities				
Assets	\$262	(\$12,913)	(\$1,549)	\$1,241
Liabilities	\$262	\$0	\$5,972	\$11,591
Surplus/Deficit	\$0	(\$12,913)	(\$7,521)	(\$10,350)
Income				
Contribution	\$350	\$0	\$7,761	\$1,715
Transfers	\$0	\$21,540	\$2,115	\$5,000
Other	\$0	\$22	\$0	\$0
Total	\$350	\$21,562	\$9,876	\$6,715
Expenses				
Election	\$128	\$25,700	\$13,561	\$17,065
Non-Election	\$1	\$775	\$3,836	\$0
Transfers	\$221	\$8,000	\$0	\$0
Total	\$350	\$34,475	\$17,397	\$17,065
Surplus (Deficit)	\$0	(\$12,913)	(\$7,521)	(\$10,350)
Spending Limits¹	\$33,213	\$33,213	\$33,213	\$33,213
Reimbursements				
Candidate	\$0	\$12,420	\$3,783	\$8,507
Party	\$0	\$430	\$2,932	\$0
Total Reimbursement	\$0	\$12,850	\$6,715	\$8,507

¹ Applicable to election expenses only

Minnedosa	Harold Gilleshammer PC	Harvey Paterson NDP	Brion Pollon MP	Gordon L. Powell Lib.
Assets and Liabilities				
Assets	\$2,229	\$262	\$26	\$105
Liabilities	\$0	\$238	\$0	\$51
Surplus/Deficit	\$2,229	\$24	\$26	\$54
Income				
Contribution	\$22,664	\$220	\$1,088	\$1,440
Transfers	\$1,040	\$2,963	\$0	\$3,500
Other	\$0	\$0	\$0	\$0
Total	\$23,704	\$3,183	\$1,088	\$4,940
Expenses				
Election	\$20,513	\$3,103	\$1,062	\$4,868
Non-Election	\$962	\$56	\$0	\$18
Transfers	\$0	\$0	\$0	\$0
Total	\$21,475	\$3,159	\$1,062	\$4,886
Surplus (Deficit)	\$2,229	\$24	\$26	\$54
Spending Limits¹	\$28,009	\$28,009	\$28,009	\$28,009
Reimbursements				
Candidate	\$0	\$0	\$0	\$0
Party	\$10,015	\$1,441	\$0	\$0
Total Reimbursement	\$10,015	\$1,441	\$0	\$0

Minto	Harold Dyck CPC-M	Harry Lehotsky PC	MaryAnn Mihychuk NDP	Duane Poettcker Lib.	Didz Zuzens LPM
Assets and Liabilities					
Assets	\$0	\$2,304	(\$16,889)	\$438	\$0
Liabilities	\$0	\$4,707	\$7,120	\$443	\$0
Surplus/Deficit	\$0	(\$2,403)	(\$24,009)	(\$5)	\$0
Income					
Contribution	\$0	\$2,590	\$1,406	\$663	\$271
Transfers	\$0	\$15,600	\$7,987	\$0	\$0
Other	\$0	\$2	\$0	\$1	\$0
Total	\$0	\$18,192	\$9,393	\$663	\$271
Expenses					
Election	\$0	\$18,963	\$23,618	\$630	\$271
Non-Election	\$0	\$1,632	\$1,784	\$39	\$0
Transfers	\$0	\$0	\$8,000	\$0	\$0
Total	\$0	\$20,595	\$33,402	\$668	\$271
Surplus (Deficit)	\$0	(\$2,403)	(\$24,009)	(\$5)	\$0
Spending Limits¹	\$25,990	\$25,990	\$25,990	\$25,990	\$25,990
Reimbursements					
Candidate	\$0	\$771	\$11,106	\$0	\$0
Party	\$0	\$8,636	\$0	\$0	\$0
Total Reimbursement	\$0	\$9,407	\$11,106	\$0	\$0

1 Applicable to election expenses only

Morris	Paul Hagen NDP	Herm Martens Lib.	Frank P. Pitura PC	Dennis Rice LPM
Assets and Liabilities				
Assets	\$718	\$934	\$20,909	\$0
Liabilities	\$841	\$3,759	\$0	\$0
Surplus/Deficit	(\$123)	(\$2,825)	\$20,909	\$0
Income				
Contribution	\$500	\$7,055	\$41,526	\$341
Transfers	\$2,337	\$0	\$250	\$0
Other	\$0	\$5	\$0	\$0
Total	\$2,837	\$7,060	\$41,776	\$341
Expenses				
Election	\$2,805	\$9,870	\$20,807	\$341
Non-Election	\$155	\$15	\$60	\$0
Transfers	\$0	\$0	\$0	\$0
Total	\$2,960	\$9,885	\$20,867	\$341
Surplus (Deficit)	(\$123)	(\$2,825)	\$20,909	\$0
Spending Limits¹	\$30,532	\$30,532	\$30,532	\$30,532
Reimbursements				
Candidate	\$0	\$2,825	\$0	\$0
Party	\$1,153	\$2,110	\$9,767	\$0
Total Reimbursement	\$1,153	\$4,935	\$9,767	\$0

Pembina	Celso Arévalo NDP	Peter George Dyck PC	Marilyn Skubovius Lib.
Assets and Liabilities			
Assets	\$168	\$274	\$2
Liabilities	\$0	\$2,454	\$0
Surplus/Deficit	\$168	(\$2,180)	\$2
Income			
Contribution	\$0	\$21,092	\$575
Transfers	\$450	\$200	\$400
Other	\$0	\$0	\$0
Total	\$450	\$21,292	\$975
Expenses			
Election	\$231	\$22,052	\$960
Non-Election	\$51	\$1,420	\$13
Transfers	\$0	\$0	\$0
Total	\$282	\$23,472	\$973
Surplus (Deficit)	\$168	(\$2,180)	\$2
Spending Limits¹	\$31,033	\$31,033	\$31,033
Reimbursements			
Candidate	\$0	\$823	\$0
Party	\$116	\$10,178	\$480
Total Reimbursement	\$116	\$11,001	\$480

1 Applicable to election expenses only

Point Douglas	Ajay Chopra Lib.	George Hickes NDP	Peter Juba Ind.	Mary Richard PC
Assets and Liabilities				
Assets	\$1,615	\$5,082	\$0	\$1,087
Liabilities	\$12,637	\$23,502	\$2,113	\$100
Surplus/Deficit	(\$11,022)	(\$18,420)	(\$2,113)	\$987
Income				
Contribution	\$5,450	\$118	\$0	\$9,853
Transfers	\$8,150	\$6,962	\$0	\$20,300
Other	\$4	\$0	\$0	\$1
Total	\$13,604	\$7,080	\$0	\$30,154
Expenses				
Election	\$21,013	\$21,952	\$2,113	\$20,221
Non-Election	\$3,613	\$548	\$0	\$8,946
Transfers	\$0	\$3,000	\$0	\$0
Total	\$24,626	\$25,500	\$2,113	\$29,167
Surplus (Deficit)	(\$11,022)	(\$18,420)	(\$2,113)	\$987
Spending Limits¹	\$24,889	\$24,889	\$24,889	\$24,889
Reimbursements				
Candidate	\$7,544	\$10,917	\$0	\$0
Party	\$2,963	\$0	\$0	\$10,036
Total Reimbursement	\$10,507	\$10,917	\$0	\$10,036

Portage la Prairie	Gary Bergen LPM	Dave Cook Lib.	David Fauschou PC	Connie Gretsinger NDP
Assets and Liabilities				
Assets	\$0	\$730	\$2,981	\$85
Liabilities	\$0	\$14,532	\$7,740	\$1,278
Surplus/Deficit	\$0	(\$13,802)	(\$4,759)	(\$1,193)
Income				
Contribution	\$348	\$7,820	\$19,729	\$275
Transfers	\$0	\$0	\$1,644	\$4,010
Other	\$0	\$0	\$0	\$0
Total	\$348	\$7,820	\$21,373	\$4,285
Expenses				
Election	\$348	\$21,482	\$24,894	\$5,468
Non-Election	\$0	\$140	\$1,238	\$10
Transfers	\$0	\$0	\$0	\$0
Total	\$348	\$21,622	\$26,132	\$5,478
Surplus (Deficit)	\$0	(\$13,802)	(\$4,759)	(\$1,193)
Spending Limits¹	\$29,250	\$29,250	\$29,250	\$29,250
Reimbursements				
Candidate	\$0	\$10,741	\$4,079	\$1,188
Party	\$0	\$0	\$7,611	\$1,409
Total Reimbursement	\$0	\$10,741	\$11,690	\$2,597

1 Applicable to election expenses only

Radisson	Marianne Cerilli NDP	Henry A. McDonald PC	Betty Ann Watts Lib.
Assets and Liabilities			
Assets	(\$6,134)	\$944	\$478
Liabilities	\$5,078	\$18,751	\$7,176
Surplus/Deficit	(\$11,212)	(\$17,807)	(\$6,698)
Income			
Contribution	\$1,700	\$1,031	\$9,491
Transfers	\$12,959	\$3,000	\$0
Other	\$0	\$0	\$9
Total	\$14,659	\$4,031	\$9,500
Expenses			
Election	\$17,431	\$21,838	\$15,220
Non-Election	\$440	\$0	\$978
Transfers	\$8,000	\$0	\$0
Total	\$25,871	\$21,838	\$16,198
Surplus (Deficit)	(\$11,212)	(\$17,807)	(\$6,698)
Spending Limits¹	\$30,749	\$30,749	\$30,749
Reimbursements			
Candidate	\$7,866	\$10,853	\$6,045
Party	\$0	\$0	\$512
Total Reimbursement	\$7,866	\$10,853	\$6,557

Riel	Linda Asper NDP	Mike Kubara MP	David Newman PC	Clayton Weselowski Lib.
Assets and Liabilities				
Assets	(\$494)	\$0	\$3,646	\$0
Liabilities	\$6,075	\$0	\$11,146	\$0
Surplus/Deficit	(\$6,569)	\$0	(\$7,500)	\$0
Income				
Contribution	\$207	\$623	\$21,864	\$1,116
Transfers	\$22,749	\$0	\$8,147	\$0
Other	\$0	\$0	\$0	\$0
Total	\$22,956	\$623	\$30,011	\$1,116
Expenses				
Election	\$20,612	\$623	\$26,477	\$1,116
Non-Election	\$913	\$0	\$7,389	\$0
Transfers	\$8,000	\$0	\$3,645	\$0
Total	\$29,525	\$623	\$37,511	\$1,116
Surplus (Deficit)	(\$6,569)	\$0	(\$7,500)	\$0
Spending Limits¹	\$31,673	\$31,673	\$31,673	\$31,673
Reimbursements				
Candidate	\$5,758	\$0	\$0	\$0
Party	\$4,445	\$0	\$12,934	\$0
Total Reimbursement	\$10,203	\$0	\$12,934	\$0

1 Applicable to election expenses only

River East	Ross Eadie NDP	Bonnie Mitchelson PC	Patrick Saydak Lib.
Assets and Liabilities			
Assets	(\$15,785)	\$6,163	\$9
Liabilities	\$6,020	\$7,500	\$0
Surplus/Deficit	(\$21,805)	(\$1,337)	\$9
Income			
Contribution	\$744	\$21,324	\$1,210
Transfers	\$5,994	\$8,602	\$0
Other	\$1,711	\$0	\$0
Total	\$8,449	\$29,926	\$1,210
Expenses			
Election	\$15,953	\$29,856	\$1,188
Non-Election	\$6,301	\$1,407	\$13
Transfers	\$8,000	\$0	\$0
Total	\$30,254	\$31,263	\$1,201
Surplus (Deficit)	(\$21,805)	(\$1,337)	\$9
Spending Limits¹	\$32,317	\$32,317	\$32,317
Reimbursements			
Candidate	\$7,605	\$0	\$0
Party	\$0	\$14,928	\$0
Total Reimbursement	\$7,605	\$14,928	\$0

River Heights	Chris Billows GPM	Jon Gerrard Lib.	Mike Radcliffe PC	Peter Reimer NDP	Clancy Smith LPM
Assets and Liabilities					
Assets	\$0	\$2,334	\$8,114	\$1,170	\$0
Liabilities	\$0	\$6,324	\$9,105	\$813	\$0
Surplus/Deficit	\$0	(\$3,990)	(\$991)	\$357	\$0
Income					
Contribution	\$130	\$28,891	\$49,386	\$15	\$444
Transfers	\$0	\$3,897	\$11,747	\$3,454	\$0
Other	\$0	\$0	\$854	\$0	\$0
Total	\$130	\$32,788	\$61,987	\$3,469	\$444
Expenses					
Election	\$55	\$30,878	\$28,010	\$3,101	\$444
Non-Election	\$1	\$5,899	\$9,968	\$11	\$0
Transfers	\$74	\$0	\$25,000	\$0	\$0
Total	\$130	\$36,777	\$62,978	\$3,112	\$444
Surplus (Deficit)	\$0	(\$3,990)	(\$991)	\$357	\$0
Spending Limits¹	\$32,087	\$32,087	\$32,087	\$32,087	\$32,087
Reimbursements					
Candidate	\$0	\$0	\$0	\$0	\$0
Party	\$0	\$15,284	\$13,530	\$1,543	\$0
Total Reimbursement	\$0	\$15,284	\$13,530	\$1,543	\$0

1 Applicable to election expenses only

Rossmere	Chris Buors LPM	Cecilia Connelly Lib.	Harry Schellenberg NDP	Vic Toews PC
Assets and Liabilities				
Assets	\$0	\$0	\$16,695	(\$1,734)
Liabilities	\$0	\$0	\$23,025	\$6,136
Surplus/Deficit	\$0	\$0	(\$6,330)	(\$7,870)
Income				
Contribution	\$353	\$767	\$2,669	\$24,412
Transfers	\$0	\$0	\$24,830	\$2,640
Other	\$0	\$0	\$0	\$3,150
Total	\$353	\$767	\$27,499	\$30,202
Expenses				
Election	\$353	\$767	\$25,409	\$30,766
Non-Election	\$0	\$0	\$420	\$7,306
Transfers	\$0	\$0	\$8,000	\$0
Total	\$353	\$767	\$33,829	\$38,072
Surplus (Deficit)	\$0	\$0	(\$6,330)	(\$7,870)
Spending Limits¹	\$30,490	\$30,490	\$30,490	\$30,490
Reimbursements				
Candidate	\$0	\$0	\$6,112	\$578
Party	\$0	\$0	\$5,258	\$14,805
Total Reimbursement	\$0	\$0	\$11,370	\$15,383

Rupertsland	Fred Harper PC	Eric Robinson NDP	Darcy Wood Lib.
Assets and Liabilities			
Assets	\$1,097	\$8,022	\$272
Liabilities	\$22,397	\$16,520	\$25,359
Surplus/Deficit	(\$21,300)	(\$8,498)	(\$25,087)
Income			
Contribution	\$3,100	\$1,795	\$3,950
Transfers	\$8,000	\$14,816	\$0
Other	\$0	\$327	\$0
Total	\$11,100	\$16,938	\$3,950
Expenses			
Election	\$31,774	\$25,058	\$28,387
Non-Election	\$626	\$378	\$650
Transfers	\$0	\$0	\$0
Total	\$32,400	\$25,436	\$29,037
Surplus (Deficit)	(\$21,300)	(\$8,498)	(\$25,087)
Spending Limits¹	\$32,554	\$32,554	\$32,554
Reimbursements			
Candidate	\$15,888	\$8,140	\$14,019
Party	\$0	\$3,492	\$0
Total Reimbursement	\$15,888	\$11,632	\$14,019

1 Applicable to election expenses only

Russell	Len Derkach PC	Vince Lelond NDP
Assets and Liabilities		
Assets	\$0	(\$3,142)
Liabilities	\$12,697	\$4,005
Surplus/Deficit	(\$12,697)	(\$7,147)
Income		
eContribution	\$16,104	\$200
Transfers	\$500	\$14,888
Other	\$0	\$0
Total	\$16,604	\$15,088
Expenses		
Election	\$28,844	\$21,686
Non-Election	\$457	\$549
Transfers	\$0	\$0
Total	\$29,301	\$22,235
Surplus (Deficit)	(\$12,697)	(\$7,147)
Spending Limits¹	\$29,732	\$29,732
Reimbursements		
Candidate	\$12,460	\$6,667
Party	\$1,962	\$4,076
Total Reimbursement	\$14,422	\$10,743

Seine River	Louise Dacquay PC	Leslie Fingler NDP	Warren Goodwin MP	Jake Pankratz Lib.
Assets and Liabilities				
Assets	\$3,866	(\$1)	\$0	(\$71)
Liabilities	\$13,600	\$1,645	\$0	\$9,667
Surplus/Deficit	(\$9,734)	(\$1,646)	\$0	(\$9,738)
Income				
Contribution	\$12,577	\$895	\$2,030	\$10,313
Transfers	\$5,000	\$4,740	\$0	\$0
Other	\$3	\$0	\$0	\$620
Total	\$17,580	\$5,635	\$2,030	\$10,933
Expenses				
Election	\$27,152	\$6,241	\$2,030	\$19,064
Non-Election	\$162	\$1,040	\$0	\$1,607
Transfers	\$0	\$0	\$0	\$0
Total	\$27,314	\$7,281	\$2,030	\$20,671
Surplus (Deficit)	(\$9,734)	(\$1,646)	\$0	(\$9,738)
Spending Limits¹	\$30,707	\$30,707	\$30,707	\$30,707
Reimbursements				
Candidate	\$9,641	\$636	\$0	\$8,200
Party	\$3,547	\$2,037	\$0	\$1,323
Total Reimbursement	\$13,188	\$2,673	\$0	\$9,523

1 Applicable to election expenses only

Selkirk	Greg Dewar NDP	Joe Smolinski Lib.	Barry Uskiw PC
Assets and Liabilities			
Assets	(\$11,749)	\$4,231	\$4,697
Liabilities	\$0	\$12,963	\$36,511
Surplus/Deficit	(\$11,749)	(\$8,732)	(\$31,814)
Income			
Contribution	\$2,222	\$7,488	\$8,032
Transfers	\$13,445	\$300	\$7,050
Other	\$0	\$540	\$0
Total	\$15,667	\$8,328	\$15,082
Expenses			
Election	\$21,796	\$16,273	\$30,527
Non-Election	\$695	\$787	\$16,369
Transfers	\$4,925	\$0	\$0
Total	\$27,416	\$17,060	\$46,896
Surplus (Deficit)	(\$11,749)	(\$8,732)	(\$31,814)
Spending Limits¹	\$31,626	\$31,626	\$31,626
Reimbursements			
Candidate	\$9,787	\$7,547	\$15,173
Party	\$0	\$0	\$0
Total Reimbursement	\$9,787	\$7,547	\$15,173

Southdale	Shirley Chaput Lib.	Paul Gibson MP	Jack Reimer PC	Iris Taylor NDP
Assets and Liabilities				
Assets	\$3,375	\$0	\$8,177	\$2,862
Liabilities	\$7,904	\$0	\$11,937	\$1,193
Surplus/Deficit	(\$4,529)	\$0	(\$3,760)	\$1,669
Income				
Contribution	\$5,552	\$1,038	\$22,187	\$0
Transfers	\$450	\$0	\$1,147	\$3,578
Other	\$0	\$30	\$0	\$0
Total	\$6,002	\$1,068	\$23,334	\$3,578
Expenses				
Election	\$10,350	\$1,068	\$25,319	\$1,907
Non-Election	\$181	\$0	\$1,775	\$2
Transfers	\$0	\$0	\$0	\$0
Total	\$10,531	\$1,068	\$27,094	\$1,909
Surplus (Deficit)	(\$4,529)	\$0	(\$3,760)	\$1,669
Spending Limits¹	\$33,281	\$33,281	\$33,281	\$33,281
Reimbursements				
Candidate	\$4,357	\$0	\$2,387	\$0
Party	\$818	\$0	\$9,790	\$954
Total Reimbursement	\$5,175	\$0	\$12,177	\$954

1 Applicable to election expenses only

Springfield	Patricia Aitken Lib.	Leonard Kimacovich NDP	Ron Schuler PC	Roger Woloshyn MP
Assets and Liabilities				
Assets	\$801	(\$6,036)	\$9,555	\$0
Liabilities	\$3,963	\$6,574	\$18,695	\$0
Surplus/Deficit	(\$3,162)	(\$12,610)	(\$9,140)	\$0
Income				
Contribution	\$10,300	\$0	\$20,331	\$2,703
Transfers	\$500	\$12,831	\$2,325	\$0
Other	\$0	\$4,281	\$0	\$0
Total	\$10,800	\$17,112	\$22,656	\$2,703
Expenses				
Election	\$13,962	\$26,227	\$25,719	\$2,703
Non-Election	\$0	\$3,495	\$6,077	\$0
Transfers	\$0	\$0	\$0	\$0
Total	\$13,962	\$29,722	\$31,796	\$2,703
Surplus (Deficit)	(\$3,162)	(\$12,610)	(\$9,140)	\$0
Spending Limits¹	\$29,836	\$29,836	\$29,836	\$29,836
Reimbursements				
Candidate	\$0	\$9,245	\$3,255	\$0
Party	\$0	\$3,869	\$8,996	\$0
Total Reimbursement	\$0	\$13,114	\$12,251	\$0

St. Boniface	Jean-Paul Boily Lib.	Robert Olson PC	Greg Selinger NDP
Assets and Liabilities			
Assets	\$196	\$117	\$3,638
Liabilities	\$5,078	\$7,500	\$9,072
Surplus/Deficit	(\$4,882)	(\$7,383)	(\$5,434)
Income			
Contribution	\$21,200	\$0	\$735
Transfers	\$1,987	\$3,000	\$18,945
Other	\$0	\$0	\$3,171
Total	\$23,187	\$3,000	\$22,851
Expenses			
Election	\$27,009	\$10,188	\$26,937
Non-Election	\$835	\$195	\$1,348
Transfers	\$225	\$0	\$0
Total	\$28,069	\$10,383	\$28,285
Surplus (Deficit)	(\$4,882)	(\$7,383)	(\$5,434)
Spending Limits¹	\$30,288	\$30,288	\$30,288
Reimbursements			
Candidate	\$4,189	\$5,094	\$4,346
Party	\$9,254	\$0	\$8,829
Total Reimbursement	\$13,443	\$5,094	\$13,175

1 Applicable to election expenses only

St. James	Wayne Helgason Lib.	Bonnie Korzeniowski NDP	Gerry McAlpine PC
Assets and Liabilities			
Assets	(\$5,900)	\$1,251	(\$7,096)
Liabilities	\$9,122	\$15,781	\$7,650
Surplus/Deficit	(\$15,022)	(\$14,530)	(\$14,746)
Income			
Contribution	\$13,203	\$473	\$12,963
Transfers	\$1,083	\$16,420	\$1,044
Other	\$1,620	\$1	\$8
Total	\$15,906	\$16,894	\$14,015
Expenses			
Election	\$29,766	\$27,649	\$28,653
Non-Election	\$1,161	\$2,630	\$108
Transfers	\$0	\$1,145	\$0
Total	\$30,928	\$31,424	\$28,761
Surplus (Deficit)	(\$15,022)	(\$14,530)	(\$14,746)
Spending Limits¹	\$32,366	\$32,366	\$32,366
Reimbursements			
Candidate	\$13,963	\$12,098	\$13,100
Party	\$920	\$1,490	\$0
Total Reimbursement	\$14,883	\$13,588	\$13,100

St. Johns	Patrick Fontaine Lib.	Ray Larkin PC	Gord Mackintosh NDP
Assets and Liabilities			
Assets	\$5,400	\$57	(\$17,272)
Liabilities	\$0	\$9,816	\$0
Surplus/Deficit	\$0	(\$9,759)	(\$17,272)
Income			
Contribution	\$2,900	\$1,365	\$0
Transfers	\$0	\$4,500	\$13,599
Other	\$2,500	\$0	\$0
Total	\$5,400	\$5,865	\$13,599
Expenses			
Election	\$5,400	\$14,847	\$22,442
Non-Election	\$0	\$777	\$429
Transfers	\$0	\$0	\$8,000
Total	\$5,400	\$15,624	\$30,871
Surplus (Deficit)	\$0	(\$9,759)	(\$17,272)
Spending Limits¹	\$28,796	\$28,796	\$28,796
Reimbursements			
Candidate	\$0	\$6,797	\$11,221
Party	\$0	\$0	\$0
Total Reimbursement	\$0	\$6,797	\$11,221

1 Applicable to election expenses only

St. Norbert	Marilyn Brick NDP	Mohinder Dhillon Lib.	Marcel Laurendeau PC
Assets and Liabilities			
Assets	\$2,111	\$782	\$931
Liabilities	\$8,035	\$9,073	\$7,593
Surplus/Deficit	(\$5,924)	(\$8,291)	(\$6,662)
Income			
Contribution	\$1,177	\$9,759	\$23,268
Transfers	\$5,776	\$0	\$0
Other	\$479	\$10	\$0
Total	\$7,432	\$9,769	\$23,268
Expenses			
Election	\$10,804	\$17,998	\$26,724
Non-Election	\$1,552	\$62	\$3,206
Transfers	\$1,000	\$0	\$0
Total	\$13,356	\$18,060	\$29,930
Surplus (Deficit)	(\$5,924)	(\$8,291)	(\$6,662)
Spending Limits¹	\$28,810	\$28,810	\$28,810
Reimbursements			
Candidate	\$4,456	\$8,291	\$3,456
Party	\$357	\$586	\$9,498
Total Reimbursement	\$4,813	\$8,877	\$12,954

St. Vital	Nancy Allan NDP	Lynn Clark Lib.	Brian Hanslip MP	Shirley Render PC
Assets and Liabilities				
Assets	(\$3,213)	\$30	\$0	\$1,062
Liabilities	\$7,434	\$3,868	\$0	\$21,303
Surplus/Deficit	(\$10,647)	(\$3,838)	\$0	(\$20,241)
Income				
Contribution	\$268	\$5,802	\$846	\$12,818
Transfers	\$18,645	\$150	\$0	\$7,800
Other	\$0	\$1,129	\$0	\$0
Total	\$18,913	\$7,081	\$846	\$20,618
Expenses				
Election	\$24,796	\$10,304	\$846	\$30,635
Non-Election	\$764	\$615	\$0	\$10,224
Transfers	\$4,000	\$0	\$0	\$0
Total	\$29,560	\$10,919	\$846	\$40,859
Surplus (Deficit)	(\$10,647)	(\$3,838)	\$0	(\$20,241)
Spending Limits¹	\$32,217	\$32,217	\$32,217	\$32,217
Reimbursements				
Candidate	\$10,078	\$3,231	\$0	\$10,138
Party	\$2,186	\$1,888	\$0	\$4,971
Total Reimbursement	\$12,264	\$5,119	\$0	\$15,109

1 Applicable to election expenses only

Ste. Rose	Glen Cummings PC	Fred Juskowiak Lib.	Louise Wilson NDP
Assets and Liabilities			
Assets	\$3,695	\$55	(\$9,301)
Liabilities	\$0	\$2,503	\$5,011
Surplus/Deficit	\$3,695	(\$2,448)	(\$14,312)
Income			
Contribution	\$28,908	\$3,652	\$185
Transfers	\$0	\$3,259	\$9,259
Other	\$576	\$165	\$0
Total	\$29,484	\$7,076	\$9,444
Expenses			
Election	\$25,226	\$9,389	\$20,154
Non-Election	\$563	\$135	\$602
Transfers	\$0	\$0	\$3,000
Total	\$25,789	\$9,524	\$23,756
Surplus (Deficit)	\$3,695	(\$2,448)	(\$14,312)
Spending Limits¹	\$29,262	\$29,262	\$29,262
Reimbursements			
Candidate	\$0	\$0	\$9,985
Party	\$12,410	\$0	\$0
Total Reimbursement	\$12,410	\$0	\$9,985

Steinbach	Rick Ginter Lib.	Peter Hiebert NDP	Jim Penner PC
Assets and Liabilities			
Assets	\$1,944	\$198	\$1,424
Liabilities	\$1,863	\$20	\$0
Surplus/Deficit	\$81	\$178	\$1,424
Income			
Contribution	\$1,712	\$0	\$38,237
Transfers	\$1,650	\$200	\$0
Other	\$0	\$0	\$0
Total	\$3,362	\$200	\$38,237
Expenses			
Election	\$3,180	\$21	\$27,413
Non-Election	\$101	\$1	\$4,900
Transfers	\$0	\$0	\$4,500
Total	\$3,281	\$22	\$36,813
Surplus (Deficit)	\$81	\$178	\$1,424
Spending Limits¹	\$29,776	\$29,776	\$29,776
Reimbursements			
Candidate	\$0	\$0	\$0
Party	\$0	\$11	\$13,403
Total Reimbursement	\$0	\$11	\$13,403

1 Applicable to election expenses only

Swan River	Wayne Klekta MP	Maxine Plesiuk PC	Rosann Wowchuk NDP
Assets and Liabilities			
Assets	\$201	\$0	(\$863)
Liabilities	\$201	\$17,168	\$11,520
Surplus/Deficit	\$0	(\$17,168)	(\$12,383)
Income			
Contribution	\$1,724	\$16,772	\$635
Transfers	\$0	\$508	\$21,978
Other	\$0	\$508	\$1
Total	\$1,724	\$17,788	\$22,614
Expenses			
Election	\$1,724	\$28,983	\$28,531
Non-Election	\$0	\$5,973	\$466
Transfers	\$0	\$0	\$6,000
Total	\$1,724	\$34,956	\$34,997
Surplus (Deficit)	\$0	(\$17,168)	(\$12,383)
Spending Limits¹	\$29,499	\$29,499	\$29,499
Reimbursements			
Candidate	\$0	\$11,347	\$12,048
Party	\$862	\$3,145	\$1,900
Total Reimbursement	\$862	\$14,492	\$13,948

The Maples	Cris Aglugub NDP	R. Menard Caneda Ind.	Ellen Kowalski PC	Sudhir Sandhu Lib.
Assets and Liabilities				
Assets	(\$5,517)	\$0	\$0	\$65
Liabilities	\$9,761	\$0	\$12,722	\$14,283
Surplus/Deficit	(\$15,278)	\$0	(\$12,722)	(\$14,218)
Income				
Contribution	\$1,315	\$0	\$6,700	\$16,487
Transfers	\$17,659	\$0	\$17,465	\$0
Other	\$0	\$0	\$0	\$0
Total	\$18,974	\$0	\$24,165	\$16,487
Expenses				
Election	\$24,893	\$0	\$26,202	\$24,843
Non-Election	\$2,359	\$0	\$10,685	\$5,862
Transfers	\$7,000	\$0	\$0	\$0
Total	\$34,252	\$0	\$36,887	\$30,705
Surplus (Deficit)	(\$15,278)	\$0	(\$12,722)	(\$14,218)
Spending Limits¹	\$26,758	\$26,758	\$26,758	\$26,758
Reimbursements				
Candidate	\$12,019	\$0	\$9,537	\$8,169
Party	\$0	\$0	\$3,539	\$4,037
Total Reimbursement	\$12,019	\$0	\$13,076	\$12,206

1 Applicable to election expenses only

The Pas	Ron Evans PC	Oscar Lathlin NDP	Don Sandberg Lib.
Assets and Liabilities			
Assets	\$13,335	\$9,536	\$0
Liabilities	\$147	\$7,127	\$929
Surplus/Deficit	\$13,188	\$2,409	(\$929)
Income			
Contribution	\$45,793	\$1,850	\$1,434
Transfers	\$19,000	\$23,390	\$0
Other	\$10	\$979	\$0
Total	\$64,803	\$26,219	\$1,434
Expenses			
Election	\$27,699	\$23,507	\$2,162
Non-Election	\$23,916	\$303	\$201
Transfers	\$0	\$0	\$0
Total	\$51,615	\$23,810	\$2,363
Surplus (Deficit)	\$13,188	\$2,409	(\$929)
Spending Limits¹	\$28,645	\$28,645	\$28,645
Reimbursements			
Candidate	\$0	\$0	\$0
Party	\$13,739	\$10,829	\$0
Total Reimbursement	\$13,739	\$10,829	\$0

Thompson	Steve Ashton NDP	Pascal Bighetty Lib.	Cecil Thorne PC
Assets and Liabilities			
Assets	\$2,214	\$97	(\$4,944)
Liabilities	\$5,000	\$289	\$7,675
Surplus/Deficit	(\$2,786)	(\$192)	(\$12,619)
Income			
Contribution	\$542	\$2,564	\$17,368
Transfers	\$12,667	\$0	\$0
Other	\$0	\$0	\$0
Total	\$13,209	\$2,564	\$17,368
Expenses			
Election	\$7,846	\$2,662	\$20,488
Non-Election	\$149	\$94	\$9,499
Transfers	\$8,000	\$0	\$0
Total	\$15,995	\$2,756	\$29,987
Surplus (Deficit)	(\$2,786)	(\$192)	(\$12,619)
Spending Limits¹	\$22,990	\$22,990	\$22,990
Reimbursements			
Candidate	\$2,701	\$0	\$9,783
Party	\$978	\$0	\$0
Total Reimbursement	\$3,679	\$0	\$9,783

1 Applicable to election expenses only

Transcona	Daryl Reid NDP	Paul Sidon CPC-M	Vibart C. Stewart Lib.	Dan Turner PC
Assets and Liabilities				
Assets	(\$4,147)	\$0	\$8	\$11
Liabilities	\$3,990	\$0	\$3,333	\$7,500
Surplus/Deficit	(\$8,137)	\$0	(\$3,325)	(\$7,489)
Income				
Contribution	\$2,232	\$0	\$107	\$9,195
Transfers	\$12,174	\$0	\$0	\$3,000
Other	\$0	\$0	\$0	\$330
Total	\$14,406	\$0	\$107	\$12,525
Expenses				
Election	\$13,949	\$0	\$2,988	\$19,315
Non-Election	\$594	\$0	\$444	\$698
Transfers	\$8,000	\$0	\$0	\$0
Total	\$22,543	\$0	\$3,432	\$20,014
Surplus (Deficit)	(\$8,137)	\$0	(\$3,325)	(\$7,489)
Spending Limits¹	\$30,279	\$30,279	\$30,279	\$30,279
Reimbursements				
Candidate	\$5,859	\$0	\$0	\$6,790
Party	\$0	\$0	\$0	\$873
Total Reimbursement	\$5,859	\$0	\$0	\$7,663

Turtle Mountain	Janet Brady NDP	Lorne Hanks Lib.	Mervin C. Tweed PC
Assets and Liabilities			
Assets	\$45	\$1,490	\$2,348
Liabilities	\$1,351	\$0	\$10,507
Surplus/Deficit	(\$1,306)	\$1,490	(\$8,159)
Income			
Contribution	\$0	\$5,479	\$14,955
Transfers	\$2,704	\$0	\$1,000
Other	\$0	\$0	\$0
Total	\$2,704	\$5,479	\$15,955
Expenses			
Election	\$3,995	\$3,989	\$22,667
Non-Election	\$15	\$0	\$1,447
Transfers	\$0	\$0	\$0
Total	\$4,010	\$3,989	\$24,114
Surplus (Deficit)	(\$1,306)	\$1,490	(\$8,159)
Spending Limits¹	\$28,636	\$28,636	\$28,636
Reimbursements			
Candidate	\$1,306	\$0	\$6,756
Party	\$692	\$1,920	\$4,322
Total Reimbursement	\$1,998	\$1,920	\$11,078

1 Applicable to election expenses only

Tuxedo	Markus Buchart GPM	Jack Dubois NDP	Gary Filmon PC	Rochelle Zimberg Lib.
Assets and Liabilities				
Assets	\$0	\$510	\$13,655	\$4,950
Liabilities	\$0	\$0	\$1,542	\$4,262
Surplus/Deficit	\$0	\$510	\$12,113	\$688
Income				
Contribution	\$500	\$0	\$69,833	\$2,040
Transfers	\$0	\$2,164	\$7,715	\$100
Other	\$0	\$0	\$0	\$6
Total	\$500	\$2,164	\$77,548	\$2,146
Expenses				
Election	\$49	\$1,636	\$24,905	\$1,407
Non-Election	\$0	\$18	\$530	\$51
Transfers	\$451	\$0	\$40,000	\$0
Total	\$500	\$1,654	\$65,435	\$1,458
Surplus (Deficit)	\$0	\$510	\$12,113	\$688
Spending Limits¹	\$32,012	\$32,012	\$32,012	\$32,012
Reimbursements				
Candidate	\$0	\$0	\$0	\$0
Party	\$0	\$818	\$12,453	\$512
Total Reimbursement	\$0	\$818	\$12,453	\$512

Wellington	Paul Baskerville MP	Bernie Doucette Lib.	Allison Frate PC	Conrad Santos NDP
Assets and Liabilities				
Assets	\$0	\$767	\$256	(\$10,410)
Liabilities	\$0	\$8,375	\$7,500	\$2,396
Surplus/Deficit	\$0	(\$7,608)	(\$7,244)	(\$12,806)
Income				
Contribution	\$1,110	\$7,725	\$1,140	\$1,400
Transfers	\$0	\$0	\$3,000	\$9,251
Other	\$0	\$0	\$0	\$0
Total	\$1,110	\$7,725	\$4,140	\$10,651
Expenses				
Election	\$1,099	\$10,443	\$11,346	\$14,922
Non-Election	\$0	\$4,890	\$38	\$535
Transfers	\$11	\$0	\$0	\$8,000
Total	\$1,110	\$15,333	\$11,384	\$23,457
Surplus (Deficit)	\$0	(\$7,608)	(\$7,244)	(\$12,806)
Spending Limits¹	\$23,816	\$23,816	\$23,816	\$23,816
Reimbursements				
Candidate	\$0	\$2,802	\$5,203	\$6,761
Party	\$0	\$2,420	\$0	\$0
Total Reimbursement	\$0	\$5,222	\$5,203	\$6,761

1 Applicable to election expenses only

Wolseley	Phyllis Abbé GPM	David Allison CPC-M	Jean Friesen NDP	Carol Roberts PC
Assets and Liabilities				
Assets	\$0	\$0	(\$7,248)	\$198
Liabilities	\$0	\$0	\$0	\$7,500
Surplus/Deficit	\$0	\$0	(\$7,248)	(\$7,302)
Income				
Contribution	\$440	\$0	\$880	\$2,087
Transfers	\$0	\$0	\$13,825	\$4,603
Other	\$0	\$0	\$0	\$0
Total	\$440	\$0	\$14,705	\$6,690
Expenses				
Election	\$440	\$0	\$16,153	\$13,845
Non-Election	\$0	\$0	\$800	\$147
Transfers	\$0	\$0	\$5,000	\$0
Total	\$440	\$0	\$21,953	\$13,992
Surplus (Deficit)	\$0	\$0	(\$7,248)	(\$7,302)
Spending Limits¹	\$26,679	\$26,679	\$26,679	\$26,679
Reimbursements				
Candidate	\$0	\$0	\$6,953	\$6,372
Party	\$0	\$0	\$880	\$0
Total Reimbursement	\$0	\$0	\$7,833	\$6,372

1 Applicable to election expenses only

Table 10

Political Parties Summary of Income, Election Expenses, Reimbursements and Spending Limits for the 1999 General Election

	CPC-M\$	GPM\$	Lib.\$	LPM\$	MP\$	NDP\$	PC\$
Income							
Contributions ¹	5,235	195	216,460	90	0	1,095,610	1,310,306
Transfers	0	667	0	0	71	238,995	80,500
Other	0	0	5,791	0	0	12,109	132,997
Total Income	5,235	862	222,251	90	71	1,346,714	1,523,803
Election Expenses							
Transfers	0	103	11,653	0	0	505,965	183,199
Surplus (Deficit)	(988)	727	(3,507)	90	71	(188,398)	307,942
Party Reimbursement							
Direct Reimbursement ²	0	0	107,053	0	0	510,106	511,888
Transferred Reimbursement ³	0	0	63,597	0	0	117,317	344,511
Spending Limits⁴	109,883	118,604	950,800	113,589	231,386	1,080,093	1,080,093

1 Contributions include money received and the value of donations-in-kind

2 Only three political parties qualified for reimbursement. The amount reimbursed was 50 per cent of actual election expenses (total election expenses less donations-in-kind).

3 Candidate reimbursement transferred to political parties as per section 76 of the EFA

4 The number of names on the revised voters lists for all electoral divisions in which the registered political party endorses candidates is multiplied by the amount permitted on a per voter basis (\$1.4809)

Update to the 36th General Election (1995) – Based on information not previously available, Elections Manitoba concluded an investigation in 2000 concerning the completeness and factual basis of certain information reported in the PC Party of Manitoba's 1995 election financial statement (Form 921). In 2000, an amended Form 921 was filed. Based on the amended statement the total advertising expenses of the PC Party were determined to be in excess of the 1995 advertising spending limit by \$13,691. A prosecution under the Act was barred because of the time limit provisions that were in effect at that time, however, an accurate adjusted statement is now a matter of public record.



KIRKFIELD PARK AND TUXEDO BY-ELECTIONS

On October 17, 2000 the Chief Electoral Officer issued writs of elections to the Returning Officers for the electoral divisions of Kirkfield Park and Tuxedo pursuant to Order in Council number 412/2000. The members of these two electoral divisions, Mr. Eric Stefanson and Mr. Gary Filmon, had resigned their seats on September 7, 2000 and September 18, 2000 respectively. Nominations were set to close on October 31 and the by-elections were directed to take place on November 21, 2000.

The Statement of Votes for the by-elections was published earlier this year. Statistics and other information concerning voter registration, nominations and voting are contained in that publication. Copies are available through Elections Manitoba or on our Web site (www.elections.mb.ca).

Operational Conduct of the By-elections

Staff and Training

Post 1999 general election debriefings with Returning Officers and their assistants were completed in January and February of 2000. Some of the suggestions which came out of the post-election debriefings were incorporated into the training program for Returning Officers and their assistants in the electoral divisions of Kirkfield Park and Tuxedo.

Training took place in three one-day sessions between July and September. These sessions included an explanation of the pilot projects being implemented during the by-elections. These pilot projects are explained in *Innovations from the By-elections* later in this section.

The orientation and training of Returning Officers and Assistant Returning Officers will be reviewed and revised in 2001/2002 in conjunction with the appointment of Returning Officers by the Chief Electoral Officer via public competition.

Voter Registration

As in 1999, the voters list was automated with an updated version of the Voter Enumeration System (VES) software developed for the general election. Data entry of the enumeration records was done solely in the returning office which gave the Returning Officers better control over the timely and secure production of the voters list.

In by-elections, Elections Manitoba staff are able to closely analyze processes, forms and documentation. During the 2000 by-elections, close scrutiny was given to the poll keys used by enumerators during their door-to-door visits. These poll keys are the same as those given to candidates to aid in their campaigning.

For electoral divisions located in Winnipeg the poll keys are generated by a Geographic Information System (GIS) computer database. The keys produced using this method are accurate and efficient but lack some detail. Consequently, the local knowledge of the Returning Officers was used to enhance the quality of the keys. After several adjustments, new poll keys were produced in a manner which satisfied Returning Officers and political parties. This new format for poll keys is easier to understand and work with during both enumeration and campaigning.

Nominations

New Candidate Kits were developed which combined the nomination kits and finance information, and were available from Elections Manitoba, the registered political parties and returning offices. The materials in the Candidate Kits included:

- Nomination Kit containing:
 - a) Nomination Paper
 - b) An Election Calendar for Candidates
 - c) *The Elections Act*
 - d) Guidelines and Checklist for becoming a candidate.
 - e) Various Elections Manitoba publications and information letters
- Information Sheet: Rights and Responsibilities of Candidates and their Official Agents
- Guidelines for Candidates' Official Agents
- Eleven issue guidelines
- Filing Policy Statements, Returns and Information Requests
- *The Elections Finances Act*
- Various Forms to be filed under *The Elections Finances Act*

Voting

The timing of the Federal Election-held six days following polling day for the by-elections-caused some concern for Elections Manitoba. To minimize any confusion the electorate might experience, Elections Manitoba staff in returning offices were trained to clearly identify their office as the provincial returning office to those voters who were phoning or visiting the office. Extra advertising was placed in the newspapers and new signage was developed and used to clearly identify polling places as provincial rather than federal polls.

Elections Manitoba's newspaper advertising for the Kirkfield Park and Tuxedo by-elections was revised to make it distinctive from Elections Canada's advertising for the federal election. Maps in Elections Manitoba's first advertisement included more detail than in past by-elections and the final advertisement in the local community newspaper included polling subdivision boundaries and polling places clearly identified. The words "provincial by-election" were added to existing place of revision and advance polling place signs and a new, larger polling place sign was produced using an outline of the Province of Manitoba to clearly indicate that a provincial by-election was taking place.

Voter turnout for the by-elections in Kirkfield Park and Tuxedo was 54.87 per cent and 46.03 per cent respectively. The following table shows voter turnout at the previous nine by-elections.

Table 11

Voter Turnout in Previous By-Elections

By-election	Voter Turnout
Charleswood 1998	41.82 %
Portage la Prairie 1997	55.27 %
Osborne 1993	53.77 %
Rossmere 1993	58.11 %
Rupert's Island 1993	35.26 %
St. Johns 1993	44.48 %
The Maples 1993	56.40 %
Crescentwood 1992	61.21 %
Portage la Prairie 1992	53.81 %

Average voter turnout for the above by-elections is 51.12 per cent.

Over the same period the average voter turnout in general elections is 68.78 per cent.

Financial Administration of the By-election

The 2000 by-elections provided an opportunity to expand the automation of the returning offices by implementing a new payroll input system for election workers. The pilot project that was established several months before the by-elections involved reviewing the entire payroll process to come up with a more efficient system of paying the returning office personnel without losing the accuracy and controls that had been developed for the 1999 General Election.

The system used during the General Election was completely manual at the field level, with a variety of timesheets and claim forms being filled out at the returning offices by each election worker. These forms were forwarded to Elections Manitoba where a time-consuming process of verifying, re-adding, and reconciling the data was performed. The claim forms were then forwarded to a payroll service company for manual input into their system.

For the by-elections, an Access-based data entry program was developed in-house that could be used in conjunction with the payroll service provider's system. Timesheets and claim forms were re-designed to provide the Returning Officers with an input format that resulted in both efficient and accurate data entry. On a bi-weekly basis the Returning Officers would input the election worker's claims and forward this information on a payroll disk along with the input forms to Elections Manitoba. The information received was processed through another relational data base review program. The input forms were verified against the program reports to ensure the data was accurate. Once the review and approval processes were completed by Elections Manitoba, the payroll data was converted to the payroll service company's format and sent to them for the production of the paycheques.

This pilot project was considered a success. The review processes by Elections Manitoba were reduced substantially from the manual system. As well there was a reduction in the number of payroll forms to be completed at the returning offices which addressed a major concern noted in discussions after the General Election. The automated payroll system has been adopted by Elections Manitoba and it will continue to be used in future elections.

The costs to administer the 2000 by-elections are divided into two categories: a) Electoral Divisions and b) Elections Manitoba Office. These costs are summarized in Table 12.

Table 12

Summary of Expenditures

Election Officials Fees and Travel

Fees:

Returning Officers and Assistant Returning Officers	\$18,620
Enumeration officials	31,149
Poll officials	28,269
Other election officials	7,896
Payroll benefits	5,626
Payroll service charges	4,490
Subtotal	\$96,050

Training:

Returning Officers and Assistant Returning Officers	\$475
Enumeration officials	1,860
Poll officials	4,030
Revision officials	60
Subtotal	\$6,425

Travel:

Returning Officers and Assistant Returning Officers	\$343
Enumeration officials	45
Revision officials	342
Subtotal	\$730

Total Election Officials Fees and Travel	\$103,205
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Office Expenditures:

Courier	\$11
Office rental	4,590
Office supplies	918
Polling place rental	2,920
Postage	55
Printing	1,753
Computer rental	5,346
Furniture and equipment rental	5,500
Repairs and maintenance	170
Signage and ramp renovations	97
Supplies — paper	102
Telephone	1,969
Total Returning Office Expenditures	\$23,431
Total Electoral Divisions Operations Expenditures	\$126,636

Table 12**Summary of Elections Manitoba Office Expenditures**

Advertising	\$30,494
Computer costs	2,572
Courier	2,483
Furniture and equipment rental	1,990
Office supplies	2,440
Printing	7,841
Postage	687
Salaries - casual	48,841
Allowances and benefits	29,504
Telephone	3,595
Travel	937
Other	590
Total Elections Manitoba Office Expenditures	\$131,974
Total By-elections Expenditures	\$258,610

Campaign Finances

Review of By-election Financial Statements and Returns

The filing deadline for candidate and political party election statements and returns for the by-elections was February 21, 2000. All political parties filed by approved deadlines. The Progressive Conservative Party of Manitoba and the Liberal Party in Manitoba were granted extensions and filed by their respective extended deadlines. All candidates' statements and returns were filed by the deadline except Vic Wieler's return which was filed on February 23, 2000. Summaries of the returns are provided in the following tables.

Registered political parties qualify for a 50 per cent reimbursement of actual election expenses in each electoral division if their endorsed candidate in that electoral division receives a minimum of 10 per cent of the valid votes cast. Candidates receiving a minimum of 10 per cent of the valid votes cast qualify to receive a 50 per cent reimbursement of their actual election expenses. The spending limits for candidates and their reimbursements paid are shown in Table 13. The spending limits for registered political parties and their reimbursements paid are shown in Table 14.

Total reimbursement paid for the by-election was \$54,238 which was comprised of \$10,861 for political parties and \$43,377 for candidates. In some instances, part or all of a candidate's reimbursement is paid to the candidate's endorsing political party depending upon the candidate's campaign deficit or surplus status. In addition, an auditor is paid a subsidy of up to \$600 for auditing the financial statement of a candidate or a registered political party. Subsidies paid to auditors totalled \$5,875.

The Elections Finances Act allows for one half of an election expense reimbursement otherwise payable to a candidate's campaign or to a registered political party to be paid as an advance within 15 days of filing a financial return. All advances were paid within 15 days as required.

Table 13
Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements 2000 for the By-Elections

Kirkfield Park	Stuart Murray PC	Dennis Rice LPM	Dawn Thompson NDP	Vic Wieler Liberal
Assets and Liabilities	\$	\$	\$	\$
Assets	1,280	0	(3,381)	172
Liabilities	9,000	0	3,289	4,257
Surplus (Deficit)	(7,720)	0	(6,670)	(4,085)
Income				
Contributions	13,677	0	0	8,905
Transfers	450	0	5,671	2,905
Other	0	0	0	0
Total Income	14,127	0	5,671	11,810
Expenses				
Election expenses	21,735	0	11,878	15,566
Non-Election expenses	112	0	463	329
Transfers	0	0	0	0
Total Expenses	21,847	0	12,341	15,895
Surplus (Deficit)	(7,720)	0	(6,670)	(4,085)
Spending Limits¹	35,479	35,479	35,479	35,479
Reimbursements				
Candidate	7,643	0	5,939	3,760
Party	2,306	0	0	3,861
Total Reimbursement	9,949	0	5,939	7,621

¹ Applicable to election expenses only

Tuxedo	Iona Starr NDP	Heather Stefanson PC	Rochelle Zimburg Liberal
Assets and Liabilities	\$	\$	\$
Assets	202	6,084	2,809
Liabilities	0	9,066	4,333
Surplus (Deficit)	202	(2,982)	(1,524)
Income			
Contributions	85	30,272	6,038
Transfers	2,412	1,550	10
Other	0	16	2
Total Income	2,497	31,838	6,050
Expenses			
Election expenses	2,288	30,575	7,418
Non-Election expenses	7	4,245	156
Transfers	0	0	0
Total Expenses	2,295	34,820	7,574
Surplus (Deficit)	202	(2,982)	(1,524)
Spending Limits¹	32,315	32,315	32,315
Reimbursements			
Candidate	0	0	1,641
Party	1,102	15,060	2,065
Total Reimbursement	1,102	15,060	3,706

1 Applicable to election expenses only

Table 14

**Political Parties Summary of Income, Election Expenses, Reimbursements
and Spending Limits for the 2000 By-Elections**

Kirkfield Park	Lib \$	LPM \$	NDP \$	PC \$
Income and Expenses				
Contributions ¹	400,433	421	225,919	350,181
Transfers	0	0	0	0
Other	37	690	5,519	39,501
Total Income	400,470	1,111	231,438	389,682
Election Expenses	4,355	0	4,291	9,841
Transfers	0	0	5,741	1,350
Surplus (Deficit)	396,115	1,111	221,406	378,491
Party Reimbursement				
Direct Reimbursement ²	2,178	0	2,146	1,868
Transferred Reimbursement ³	3,861	0	0	2,306
Spending Limits⁴	41,930	41,930	41,930	41,930

Tuxedo	Lib \$	NDP \$	PC \$
Income and Expenses			
Contributions ¹	400,433	223,748	350,181
Transfers	0	0	0
Other	37	5,519	39,501
Total Income	400,470	229,267	389,682
Election Expenses	4,331	2,291	8,819
Transfers	0	1,382	5,175
Surplus (Deficit)	396,139	225,594	375,688
Party Reimbursement			
Direct Reimbursement ²	2,166	1,146	1,357
Transferred Reimbursement ³	2,065	1,102	15,060
Spending Limits⁴	38,190	38,190	38,190

1 Contributions include money received and the value of donations-in-kind

2 Only three political parties qualified for reimbursement. The amount reimbursed was 50 per cent of actual election expenses (total election expenses less donations-in-kind)

3 Candidate reimbursement transferred to political parties as per section 76 of the EFA

4 The number of names on the revised voters lists for all electoral divisions in which the registered political party endorses candidates is multiplied by the amount permitted on a per voter basis (\$2.8314)

Innovations from the By-elections

Following a general election, forms and manuals are reviewed and improvements are made wherever there is a need. These new forms and manuals, as well as any new or changed processes and policies, often need to be assessed based on experience. The most opportune time to do this is during a by-election when Elections Manitoba staff can more closely supervise and assess these changes. The testing is then done with minimal expense and if any risk is involved it is minimal in comparison to testing during a general election. Any changed processes always have a detailed back up plan in place in case it is needed.

The by-elections held in 2000 were the ideal opportunity for Elections Manitoba to test some new and innovative approaches, methods and processes to improve the effectiveness of election practices.

Some operational innovations piloted during the 2000 by-elections were:

- **Data entry of the voters list was done in the returning office during enumeration.** During the 1999 General Election, data entry of the voters list in the field was performed by data entry operators in private homes. A concern some Returning Officers voiced during debriefing sessions was that they felt the process to be somewhat risky as enumeration records were changing hands several times before they found their way to the returning office. During the by-elections, four computers were placed in each returning office and data entry operators were hired to complete the work as it was brought into the office. Records were entered on a daily basis as the enumerators delivered them, and Returning Officers maintained tighter control over the process. This was found to be efficient and streamlined the process. The Returning Officers could see how the system was working at any given time and had better control over the timely completion of the lists. In urban electoral divisions in-office data

entry is accomplished easily, however, in some large, rural electoral divisions there may need to be a combination of in-office and field data entry.

- **Photo identification for each enumerator and revising agent was produced.** When enumerators came to their training classes, the Returning Officer and Assistant Returning Officer, with the aid of an instant-picture camera and pre-printed badges, were able to construct a name tag with the enumerator's photo on it. The badges were placed in a plastic holder and worn when the enumerator traveled door-to-door. The badges easily identified the election worker at the door and were well received by the public and enumerators.
- **Electronic connection between Elections Manitoba and each returning office was in place for the duration of the by-election.** This proved to be very beneficial for tracking the poll by poll progress of enumeration and revision and provided up to the minute totals. Elections Manitoba was able to view the enumeration and revision as it progressed. The reporting system enabled both the Returning Officers and Elections Manitoba to detect any problem polls instantly. The same connection was used on election night to report results poll by poll as they were phoned into the returning office from the polling places. The unofficial results were tabulated and viewed by Elections Manitoba as they were reported to the returning office.
- **A CD containing the voters list was made available to candidates as well as the political parties after enumeration and revision.** Prior to these by-elections, the disk had only been provided to political parties on a province-wide basis. A candidate would have to go through their party to receive electronic data. During these by-elections, the candidate was also given a database of the voters in the electoral division where they were nominated. This was supplied to both the political parties and candidates shortly after paper copies were available.
- **The nomination kit and financial packages were combined into one candidate kit.** These kits were available through Elections Manitoba or the returning office. Once a candidate's nomination paper was verified and accepted by the Returning Officer, the candidate or their agent was able to obtain official receipts directly from the Returning Officer for donations made to the campaign. In the past, candidates were obliged to come to Elections Manitoba to pick up official receipts. The convenience of having these receipts available through their returning office was well received by the candidates and their campaigns. The process allowed strict control of the official receipts distributed to each candidate to be maintained by Elections Manitoba.
- **New nomination paper checklists were developed for use by candidates, Returning Officers and Elections Manitoba.** These checklists were carefully put together to ensure all participants filing papers and those verifying them would be aware of the exact same requirements. Also a new ballot proofing checklist was designed for use by Returning Officers and Elections Manitoba. Both of these process initiatives provided a smoother, more efficient system for candidates and Returning Officers for the very important tasks of verifying nomination papers and having ballots printed.

- **Mapping improvements were made to the two electoral divisions where by-elections were held.** The enhanced maps provided even further detail than those used in the 1999 Provincial General Election. Further refinements have been identified and Elections Manitoba continues to improve both urban and rural maps to produce the best possible tool for election staff and candidates for the next general election.
- **Position of Polling Place Assistant was applied to lessen confusion at the poll.** Because the federal election was occurring at the same time as the by-elections, it was anticipated that voters may experience some confusion at the polls. Polling Place Assistants were assigned to each polling place to direct voters to the appropriate poll and ensure that the voters knew they were voting at a provincial by-election. In large polls, availability of a Polling Place Assistant freed up some of the Senior Deputy Returning Officers time allowing the SDRO to focus on supervising the Deputy Returning Officers and solving problems.
- **Position of Roving Senior Deputy Returning Officer was created to support DROs at various polls.** The position of a Roving Senior Deputy Returning Officer was piloted in Kirkfield Park where an SDRO was assigned to travel to and supervise the Deputy Returning Officers in a series of nearby apartment blocks which had single polls. The pilot was a great success with those polls having fewer problems than in past elections. The position of Roving Senior Deputy Returning Officer could be used for other nearby single or double polling place locations and could also be adapted to rural areas which would also benefit from a senior DRO's experience. It is often not possible for the Returning Officer or Assistant Returning Officer to get to all polling place locations on election day in a timely manner. Having SDROs with a checklist of topics to review with all polling officials would make for more uniform services at each poll. Any potential problems at the poll could also be resolved in a more timely manner.

At the post by-election debriefing, favourable responses were received to many of the innovations piloted during the by-elections.

The 2000 by-elections also permitted several new financial initiatives to be tested:

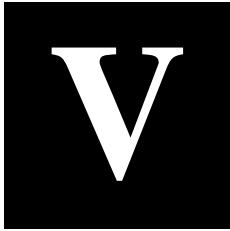
- **Record keeping assistance** – To assist official agents with their record keeping responsibilities, candidates' auditors were compensated for their time to consult with respective official agents during the election period. Auditors were requested to assess the official agent's record keeping and accounting systems and to make recommendations where necessary but not to provide bookkeeping or record keeping services.
- **Electronic filing disk** – Custom software was developed and provided on a disk to official agents. The software was similar to that used by taxpayers to file income tax returns. In addition to performing basic arithmetic functions, there were a number of diagnostics and checks built into the program to assist with the preparation of financial statements. The diagnostics and checks were based primarily on common errors observed in the review of financial statements from previous elections. The package did not provide a complete record keeping system but did allow for

expenses to be recorded in detail and to be summarized and also permitted income tax receipt information to be recorded in detail. There were a number of reports that could be printed out to assist in preparing financial statements. The software was also sent to auditors.

- **Accounting software templates** – Templates of the candidate's financial statement (Form 922) compatible with three popular accounting software packages were developed. This meant that an official agent could maintain accounting information on one of the packages (*Simply Accounting*, *Quick Books* or *MYOB*) and produce the required financial statement (Form 922) for filing.
- **Expanded scope of information sessions** – Traditionally information sessions have been for candidates and official agents and have dealt with financial responsibilities under *The Elections Finances Act*. An invitation was extended to campaign managers since they are often involved with the financial affairs of a candidate's campaign. In addition to inviting campaign managers, the sessions were expanded to cover important operational information for campaigns under *The Elections Act*.
- **Auditor information sessions** – Candidates' auditors were provided with an information session designed specifically for their information needs. The session focused on what auditors need to know about *The Elections Finances Act* to assist them in their audit duties.
- **Providing expense receipts upon filing** – It was requested that campaigns provide a copy of receipts and vouchers for all expenses (election and non-election) when Form 922 was filed. It is hoped that providing documentation for all expenses at the time of filing Form 922 rather than requesting the documentation during the review process would result in more efficient reviews of financial returns.

All of the above initiatives were positively received and showed promise. For example, in those cases where receipts for all expenses were filed at the time of filing a financial statement, the result was fewer questions asked and less time needed to close off the review of a financial statement.

Elections Manitoba will continue to explore new and innovative ways to improve the electoral process to the benefit of voters, officials and political parties. Through ongoing, discussions with the political parties in Manitoba and continuing liaisons with other jurisdictions, Elections Manitoba strives to improve the electoral process while still maintaining the integrity of the system.



Future Directions

Shared Code of Conduct

In the 1999 Annual Report it was noted that Manitoba's Commission of Inquiry into alleged infractions of *The Elections Act* and *The Elections Finances Act* recommended that all political parties voluntarily prepare and implement a code of ethics by December 31, 2001. The recommendation went on to say that if a code is not implemented by that date, a standard code should be made compulsory by legislation. This recommendation was discussed with political parties and it was agreed that, apart from parties own codes of ethics, a common code of ethical conduct could be developed that would foster confidence in the integrity and fairness of the electoral process. Such a code was developed through consensus with the political parties and has been with the parties for adoption since June 19, 2000. In 2000, the Green Party formally adopted the shared code. At the time of writing this report, the Liberal Party and the Manitoba Party have also formally adopted the shared code.

Automation Initiatives

In 2001, we will investigate the possible integration of the Election Management Information System (EMIS) and Voter Enumeration System (VES) as well as the computer program for employee payroll from the recent by-elections.

Other automation initiatives being considered include the use of the Internet to transfer information to and from returning offices. This was piloted during the recent by-elections as mentioned in Part IV *Kirkfield Park and Tuxedo By-elections*. Further research will be done on the use of secure virtual private networking (VPN) connections. The goal is to have similar connections in use at all 57 returning offices.

A temporary electronic inventory system that has been in use for several years will be reviewed. The goal will be to develop a more user-friendly web-based system that can be linked to storage facilities as well as the main office. This system would be more efficient and staff at Elections Manitoba's main office would have a "real-time" inventory.

Mapping Initiative Outside City of Winnipeg

Following up on the successful mapping initiative in the City of Winnipeg during the 1999 Provincial Election, similar improvements are being made to the election maps outside the City of Winnipeg. At the time of writing cooperation with the Rural Addressing Initiative (RAI) is being explored in

order to seek out all the addressing information that is currently available in a GIS format. The GIS database for Manitoba is in its infancy. As a result, interest was expressed by a number of provincial and federal departments and agencies as well as a city and a private utility. Cooperation between the various entities will result in major improvements to all the election maps outside the City of Winnipeg. The work on the base maps will continue in 2001 and early 2002. In the spring of 2002 the newly appointed Returning Officers will begin reviewing their polling subdivisions based on the numbers of registered voters in the 1999 Election, plus any actual or anticipated population shifts and new developments.

Campaign Finances Service and Support Initiative

Elections Manitoba has a legislative requirement to provide assistance to stakeholders in complying with *The Elections Finances Act*. In 2001 and 2002 a major initiative will be implemented, the primary purpose of which is to improve the electoral support and service provided to various stakeholders (i.e. parties, candidates, official agents, chief financial officers, auditors) in order to enhance compliance with the Act. Continuing cooperation with stakeholders and protecting the volunteer base of workers while ensuring compliance will be important considerations in the success of this initiative.

The first step will be to undertake a needs assessment involving extensive consultation with stakeholders. The next step will be to re-design the various ways service and support are provided. It is anticipated that guides, forms and information seminars will be re-designed. The candidate's filing disk that was used in the 2000 by-elections will be further developed and a straightforward record keeping system for use by official agents will be designed. A more detailed description of many of the individual initiative items can be found Part IV of this report under *Innovations from the By-elections*. It will also be important to have detailed campaign finance information on the Web site.



Legislative Changes

Summary of EA Changes in 2000

Amendments passed in 2000 to *The Elections Act* came into force on January 1, 2001. As per s. 178, the amendments do not apply to an election within 90 days after the amendments come into force. In other words, if a by-election writ had been issued prior to April 1, 2001 the amendments would not have applied. For a writ issued on April 2, 2001 or later, the new amendments would apply. The following is a summary of the amendments.

Returning Officers To Be Appointed By Chief Electoral Officer

Returning Officers will now be appointed by the Chief Electoral Officer via an open, merit-based, competitive selection process instead of by Cabinet. The amendment relating to the appointment of the Returning Officers by the Chief Electoral Officer has been a longstanding recommendation of the Chief Electoral Officer. Individuals must be a resident voter of their electoral division but the Chief Electoral Officer has the authority to appoint a non-resident voter as Returning Officer in the event of an emergency. Once appointed, a Returning Officer or Assistant Returning Officer must not be a member of or contribute to, a political party or engage in partisan political activities. The appointments end six months after the day a candidate is declared elected. A person may be re-appointed as Returning Officer. The staffing and training of Returning Officers and Assistant Returning Officers will be a major initiative in 2001 and 2002.

By-election In Case Of A Tie Vote After Recount

A by-election is now required in case of a tie vote after a recount and/or appeal rather than having a Returning Officer cast the deciding vote. A by-election Writ would be issued on the first Friday after the Chief Electoral Officer receives the judge's recount or appeal certificate from the Returning Officer. As a result of this amendment Returning Officers now have the right to vote in an election.

Minimum Election Period Shortened From 36 Days To 33 Days

The minimum election period will now be 33 days and will result in an election call on a Friday instead of a Tuesday and as a result the election calendar will also change. The enumeration period is lengthened from 10 days to 13 days and revision is shortened from 10 days to four days. Advance Polls are shortened

from seven days to six days, however, the hours are increased from 11 to 12 hours per day.

With the shorter revision period, provisions are now included in The Act for registration officers at polling places on polling day to assist those not yet on the Voters List.

Unpaid leave

Employers are now required, if certain conditions are met, to give unpaid leaves of absence to employees who are candidates, election officials, or volunteers working for political parties or candidates. Up to two volunteer per candidate and, in a general election, up to twenty volunteers per political party may apply. There is a clause for an exemption if an employer thinks that granting a leave would be seriously detrimental to his or her operations. When an application for exemption is received, the chairperson of the Manitoba Labour Board and Chief Electoral Officer together appoint a person to decide on applications on an urgent basis. If possible this person will be a retired judge. Failure to grant leave is now an election offence.

Access to Canvass or Campaign

This amendment clarifies a candidate's right to canvass and distribute election material in apartment buildings, condominium complexes and other multiple residences. This change applies to a candidate or a representative of a candidate who produces identification indicating that he or she is a candidate or a representative of a candidate. Canvassing in such facilities can take place between 9:00 a.m. and 9:00 p.m. The changes include health care and correctional facilities where the administrator and the candidate mutually agree on a time to campaign.

The Right Of A Candidate To Enter Communities

This amendment clarifies the right of candidates to enter communities. No person shall prevent a candidate or representative of a candidate who produces ID from a candidate from canvassing or distributing campaign material in any community in the province.

Election Signs and Posters

Tenants and owners of condominium units are now allowed to display election signs or posters on their own premises subject to reasonable conditions regarding size or type. The posting of these signs or posters excludes any common areas of the building or complex.

Summary of the EFA Changes in 2000

The Elections Finances Act was also amended in 2000. Most of the amendments came into effect on January 1, 2001 and concerned spending and contribution limitations. The following is a summary of the amendments:

Contribution Limits

Only individuals normally resident in Manitoba may contribute to a political party registered in Manitoba, to any provincial candidate, or to any constituency association of a political party registered in Manitoba. The combined total of all contributions made by an individual to all recipients may not exceed \$3,000 per calendar year. Other related amendments are as follows:

- No person may solicit or knowingly accept a prohibited contribution and such a contribution must be returned.
- Contributions to persons seeking to be the nominated candidate of a constituency association are deemed to be contributions to the constituency association.
- Registered political parties, candidates, constituency associations must disclose to Elections Manitoba the details of all contributions not just the contributions of \$250 or more.
- There are penalties for making or knowingly accepting prohibited contributions.

Advertising Spending Limits Re-instated

The advertising expenses of candidates and registered political parties during an election period will be subject to a spending limitation. Advertising spending limits were removed from the Act in 1998. Advertising expenses are essentially for media and commercial advertising including internet advertising. The advertising limit is a separate limit within the overall election expense limit. Overspending the advertising limit reduces any reimbursement of election expenses due to a candidate or a political party.

Candidate and Political Party Spending Limits

All polling costs incurred in an election period will now be included as election expenses. Previously polling costs were specifically excluded as election expenses.

Registered political parties and their candidates may not transfer, charge, or otherwise allocate election expenses to each other. Goods may be transferred and used but election expenses may not be transferred. A political party's election expenses, for example, may not be charged against a candidate's spending limit. It is not permitted to arrange transactions to avoid allocation provisions.

Annual Advertising Spending Limits

Registered political parties are limited to spending \$50,000 per calendar year (CPI adjusted) for annual advertising expenses. This limit is separate from, and may not be combined with, a registered political party's election period advertising limit. A party must include in its annual limit advertising expenses incurred outside of a writ period by candidates and constituency associations of parties. Specifically excluded from a party's limit are allowances paid under *The Legislative Assembly Act* to members of the Legislative Assembly. Advertisements must display an authorization.

Public Funding of Parties

The Elections Finances Amendment Act directs the Chief Electoral Officer to make a report to the Speaker by June 30, 2001 about how anticipated corporate tax revenue increases may be re-directed to registered political parties (in the event that the Legislative Assembly decides to further amend *The Elections Finances Act* to provide for such additional public funding). The report may include recommendations to amend *The Elections Finances Act*. As part of the process to consider how anticipated corporate tax revenue increases may be re-directed, the Chief Electoral Officer is required to call meetings of the Advisory Committee established under Section 4 of *The Elections Finances Act*. *The Elections Finances Amendment Act* specifies that anticipated increases in corporate tax revenues are to be estimated on the basis of the corporate political contribution tax credits allowed for the years 1995 to 1999. At the time of writing, the report was completed and has been submitted to the Speaker.

Third Party Limits (not yet proclaimed)

The Act was also amended in 2000 with respect to third party activities during an election period but these provisions have not yet been proclaimed.

VII

Recommendations

The Elections Act

Since the publishing of the 1999 Annual Report the Standing Committee of the Assembly on Privileges and Elections met once to consider the recommendations about amendments to *The Elections Act* as per subsection 10(3) of The Act.

For ease of review, recommendations have been arranged chronologically according to their *Elections Act* section numbers. Recommendations which have no specific reference in the Act follow. All recommendations are repeated from the 1999 Annual Report. Updates to these recommendations are included as applicable.

1. Senior Deputy Returning Officers [s. 21(2)]

Background: Currently a polling place has to have more than three polls in order for a Senior Deputy Returning Officer to be appointed. Some polling places may only have three polls in one building, but could greatly benefit by having a Senior Deputy Returning Officer where, for example, only one poll official at the polling place has experience.

Currently only one Senior Deputy Returning Officer can be appointed per polling place. Some polling places, in a school for example, have eight to twelve polls within one building. It would be advantageous in such locations to have the opportunity to appoint two Senior Deputy Returning Officers where warranted.

Recommendation: That section 21(2) be amended to make it possible for a Returning Officer to appoint a Senior Deputy Returning Officer for a polling place location where there are three or more polls and that the Returning Officer may also appoint more than one Senior Deputy Returning Officer in a polling place location where it is warranted.

2. Qualification for voters list (six-month residency rule) [s. 32(1) and s. 35(1)]

Background: In the recent by-elections there were a number of peacekeepers living in the Tuxedo electoral division that were stationed away from Manitoba for a period of more than six months and were therefore not eligible to vote. This remains an important concern.

In section 35(1) of *The Elections Act*, Rule 2 states that, "A person does not lose residence in the province by leaving the province for a definite purpose during a definite period of less than six months, if he intends to return to the province and reside within the province after that period."

Other provinces generally have a similar six-month residency requirement. However, several jurisdictions also have exceptions to extend the residency requirements for provincial and federal employees, including Canadian Armed Forces personnel.

Significant improvements to voter enfranchisement were made to *The Elections Act* in 1998 with the introduction of absentee voting. Absentee voting was very well received across the province during the 1999 Election. An eligible voter who is outside the province anywhere in the world can vote in a Manitoba provincial election by using a special blank ballot as long as the voter has not left the province for more than six months. An eligible voter within the province who is temporarily away from his or her home electoral division for less than six months and consequently unable to attend advance or regular polls in their home electoral division may also vote using an absentee ballot. However, I also recommended that the requirement under the Act for six-month residency be reviewed particularly as it relates to otherwise qualified voters who may be absent from the province for more than six months (e.g.

peacekeepers) but intending to return to Manitoba within a specified time.

This issue of residency requirement also affects students during an election. Elections Manitoba's interpretation of the six-month residency requirement as it pertains to students is based on a decision of the Provincial Judges Court in The Pas in 1981. Currently if a student is attending a program of studies outside the province for six months or more, he or she would not be qualified to vote. However, if the student returns home from outside the province within six months, the sixth month residency 'clock' starts over again when the student returns to their studies outside the province.

During the 1999 Election there were concerns expressed by students and their families that the six-month residency requirement should not apply to students studying outside the province. It was felt that if a student was not able to return home within a six-month period they should still be able to vote using an absentee ballot. The Ad Hoc Advisory Committee on *The Elections Act* recommended that a five-year exemption apply to employees of the Canadian Armed Forces, the Public Service, international agencies and students alike.

Recommendation: That the six-month residency requirement be extended to a period of several years for the following otherwise eligible voters:

- Employees of the Canadian Armed Forces, the Federal Public Service or Manitoba Civil Service or international organizations who have every intention of returning to live in Manitoba upon the conclusion of their employment;
- Workers and students, working or studying outside of the province, who have every intention of returning to Manitoba; and
- The immediate family of any such workers or students.

3. Residency of disadvantaged individuals [s. 35(1)]

Background: Prior to the 1999 Election, Elections Manitoba developed a policy to address the issue of residency for individuals who live in temporary residences such as hostels. The policy states, "*A temporary residence or establishment where the voter is provided with food or lodging or other social services (including soup kitchens, shelters, hostels or similar institutions) shall be considered not to be the place of residence of a voter unless the voter has no residential quarters in any other electoral division to which, on polling day, he or she may go, in which case the voter's temporary quarters are deemed to be the place where the voter is ordinarily resident.*"

The Canada Elections Act has a provision similar to our policy.

Recommendation: That the determination of temporary residential quarters be incorporated in the Act as outlined above.

4. Voters lists-authorized signatures and delivery to Returning Officers [s. 36 (1)& (2)]

Background: During the 1999 General Election, a new way of producing the voters lists was used. Data entry operators entered the voter's name and address on a computer template rather than each enumerator typing their own voters list. The voters list was then reproduced in the returning office rather than having it prepared by a commercial printer. In some rural areas the data entry operators were arranged on a regional basis within the electoral division. Currently the Act states that the enumerator shall sign the voters list. The signature of the enumerator is an important concept, however, it would be more efficient to make it possible for either the enumerator or the Returning Officer to sign the final printed voters list.

Recommendation: That the Act be amended so that, where required, the Returning Officer may sign the voters list for an enumerator.

5. Obstruction of election officers (Part 7 Voting)

Background: There are currently provisions making it an offence to obstruct an enumerator in the performance of his or her duties [s. 30.3(2)]. Many other jurisdictions have extended their legislation to make it an offence to obstruct any election officer. Yukon, Canada, Quebec and British Columbia all have similar provisions in their Acts.

Recommendation: That a person who impedes or obstructs an election officer in the performance of his or her duties is guilty of an election offence.

6. Ballots - how to mark a regular ballot [s. 92(3)]; ballots to be rejected/marks allowed on ballot [s. 116 (1) & (2)]

Background: From time-to-time, ballots with frivolous markings are debated at the count or recount as to whether or not they are valid. One such ballot with the name of a rock star written on it was debated through to the Court of Appeal after the last election. Another with a 'happy face' was also under scrutiny at the Court of Appeal. Both these ballots were rejected by the recount judge and the decisions were upheld in the Appeal Court. Quebec legislation clearly rejects a ballot, which bears fanciful or injurious entries.

Recommendation: That *The Elections Act* be amended to make it clear that frivolous markings, will result in the ballot being rejected.

7. Homebound ballot voting - delivery [s. 101 & 102]

Background: The role of a Returning Officer has evolved to include more managerial responsibilities than it did in the past. The Returning Officer now has less time to accomplish some of the tasks which were traditionally part of the job. One such task is administering the vote to homebound voters. *The Elections Act* states that, if the Returning Officer is satisfied an applicant meets the requirements to be a homebound voter, "*the Returning Officer shall deliver or mail*" a homebound voting kit to

the voter. Because of the assistance that is often required by homebound voters, it has been found that home delivery is the most viable way to administer the ballot in these cases. As this task can often be very time consuming due to the circumstances involved with many homebound voters, time does not always allow a Returning Officer to deliver and administer this vote. By allowing, when necessary, either the Assistant Returning Officer or a designated alternate to administer this voting opportunity, homebound voters will be better served. The Returning Officer would still retain the responsibility to approve applications for homebound ballots.

Recommendation: That section 102(1) of *The Elections Act* be amended to read "*the Returning Officer shall deliver or cause to be delivered*" a homebound voting kit to allow, when necessary, another person to deliver and administer the vote to those who have met the requirements to vote at home.

8. Caregiver of a homebound voter [s.101 & 102]

Background: There were a few instances during the recent by-elections where the caregiver of a disabled person would have been better served if there was a provision in *The Elections Act* allowing for the caregiver of a homebound voter to also use the homebound voting provisions.

During the 1999 Election, Returning Officers reported requests being made to vote at home by the caregivers of those who qualified as homebound voters. Many of these caregivers were spouses and other family members who were, in effect, confined to their homes to care for their disabled partner or family member, except for occasional relief by home care workers. This respite did not always coincide with a voting day especially if the relief was not on a weekly basis.

Recommendation: That *The Elections Act* be amended to enable the qualified caregivers of homebound voters who are otherwise unable to attend advance or regular polls to vote using the homebound voting method.

9. Special circumstances [s. 101 & 102]

Background: Every election, calls are received on the Sunday and Monday before polling day by qualified voters whose circumstances have changed and who will therefore not be able to attend their polling place on polling day. The most common situations heard by Returning Officers are:

1. The voter has been called out of town unexpectedly on either business or a family matter and the absentee application deadline was the previous Saturday, or
2. A voter is released earlier than expected from the hospital, where he or she had intended to cast a ballot. The voter is physically unable to go to his or her designated polling place and the homebound voter application deadline was the previous Saturday.

In the recent by-elections there were four persons who contacted the Returning Officers who were in the circumstances envisioned by this recommendation. These circumstances were also more widely reported in the 1999 General Election.

Even though the number of people in circumstances such as these is not exceptionally large (perhaps an average of one or two per division), there is no voting opportunity in place for them.

Personal Security Voters can apply and vote anytime up to and including election day either at the regular poll or by presenting themselves at the returning office and using the homebound voting poll. Similar options could accommodate voters who have exceptional circumstances. By using the homebound poll, the voter who leaves the hospital early, as described above, could have arrangements made for the delivery of the ballot by their Returning Officer. This may have to be done by someone designated by the Returning Officer if distance is a factor.

Recommendation: That sections 101 and 102 of *The Elections Act* be amended to extend the homebound voting provisions to voters with "*Special Circumstances*" when the Returning Officer is satisfied that a voter has missed the deadlines for other voting options due to unforeseen circumstances and would otherwise be unable to vote. This opportunity would only be available through the returning office on the Monday before polling day.

10. Political activities on polling day/campaigning within 50 metres of polling place [s. 111 and 112)]

Background: In the recent by-elections and in the past general elections there was some confusion about political activities on polling day. These occurrences underline the need for changes to be made to this section of *The Elections Act* in order to provide clarity.

Subsections 111(1) and (2) are intended to prohibit political campaigning within 50 meters of the entrance to polling places. The Act currently prohibits circulars etc. "*within or within 50 meters of the entrance of a building in which there is a polling place.*" The provisions also apply to advance poll voting whether in a separate location or in the returning office and to absentee voting taking place at the returning office. Presumably this section was written to prevent the last-minute influence of a voter by a political party or candidate while they were entering a polling place to cast their ballot.

The Returning Officer and candidates often locate their offices within 'strip malls'. If the term "*building*" is interpreted to mean the entire strip mall, then returning offices and candidate campaign offices would not be permitted within the same strip mall because they would, by definition, be in the same building.

If, as in Alberta, the individual leasehold units within a mall are considered to be "*the building*", the two offices would only need to be located at least 50 metres apart. The 50 metres from the entrance of the returning office (polling place) could be considered as the shortest distance a

person would be able to travel between the two locations within the mall.

Clarification of the term "*building*" would also be helpful to restrict campaigning within 50 metres of the entrance to the polling place for polling places located in residential complexes.

Recommendation: That sections 111 & 112 of *The Elections Act* be amended to provide for exceptions to the effect that:

When a polling place is located in a residential complex or building containing interlocking units, offices, stores or other premises, the prohibition of signs etc. should apply to the polling place itself and to a 50-metre distance from the entrance of the polling place.

11. Statement of account [s. 122]

Background: The duties of seeing that statements of account for all fees and expenses of poll officials and rent are properly filled out and certified and delivered or mailed to the Returning Officer are not the responsibility of the Deputy Returning Officer and are not completed at the polling place as stated in the Act. The statements of account and rents are the administrative duty of the Returning Officer and are completed in the returning office.

Recommendation: That section 122 be repealed.

12. Return of writ [s. 140(1)]

Background: Currently, s. 140(1)(b) states that the writ be returned, "*immediately after the 10th day after announcing the result of the count.*" This is to enable the deadline for applying for a judicial recount to pass as specified in s. 131(1.1) of the Act which states that the deadline for an application for recount is, "*not later than eight days after the Returning Officer of the electoral division announces the results.*" With rapid communication methods in place the writ could be returned immediately after the deadline for an application for recount. Such a change would enable elected Members of the Legislative

Assembly to take office and Ministers to be sworn in two days earlier.

Recommendation: That section 140(1) be amended to state that the writ be returned as soon as the period for the application for recount has ended.

13. Influencing votes [s. 145]

Background: This section of the Act deals with the inducement of voters and candidates.

The question often arises whether driving voters to the polls or inviting voters to a barbeque are benefits which are prohibited under s. 145.

To prevent an overly broad interpretation of this section, it would be clearer for candidates, registered political parties and the public if it was explicitly stated that "*benefits*" are not acceptable if there is a "*corrupt intent*". This is a similar concept to that which is expressed in s. 147 which deals with "treating" for the purpose of corruptly influencing another person.

Recommendation: That section 145 be amended to clarify the term "*benefit*" by making it an offence to offer, agree to, or receive a benefit "with a corrupt intent".

14. Safeguarding the voters list [s. 156(1), 156(2), 158, 163.1(1), 164]

Background: In the 1995 Statutory Report it was recommended that, "*the Act be amended so that the Chief Electoral Officer may take such steps as deemed necessary to safeguard proper use of the voters list and that subsections 156(1) and 156(2) specifically allow the Chief Electoral Officer and Returning Officers to make control entries on the list.*"

Privacy protection of personal information is an important public concern. Amendments are necessary to ensure that voters lists are being used properly and to ensure that the privacy of voters is respected.

Recommendation: That subsections 156(1) and 156(2) and section 158 specifically exempt the Chief Electoral Officer and Returning Officers in order to permit control entries to be made on the voters list and that the Chief Electoral Officer be permitted to take such steps as deemed necessary to safeguard proper use of and detect misuse of the voters list.

15. False entries or statements [s. 156(2)]

Background: Currently s.156 (2) makes it an election offence to knowingly make a false statement on a voters list. This provision should be expanded to make it an election offence to knowingly make a false entry or false statements on any election papers used under *The Elections Act*. The integrity of the electoral process is undermined if persons make false statement on any oaths or forms related to an election. Sections 81 and 82 of *The Elections Finances Act* prohibit the filing of false documents and false information. Similar provisions should be included in *The Elections Act*.

The election acts of Canada, British Columbia, Yukon and Newfoundland similarly address the issue of a false entry, oath or statement and misleading information.

Recommendation: That there be a specific election offence for persons who make false entries or false statements on any election papers used in *The Elections Act* which would include poll books used at the poll and nomination papers filed by candidates.

16. Use of the voters list [s. 163.1(1), 164]

Background: The voters list contains the names, addresses and phone numbers, where provided, of voters. Section 163.1(1) of the Act is worded in such a way as to make it an election offence to misuse the voters list without clearly stating what constitutes authorized use of the list. There should be additional provisions to guard against misuse and make it clear what the lists can and cannot be used for. The elections legislation of Canada, British Columbia and Quebec are specific regarding acceptable uses of voters lists

and now that the voters list is available in electronic form, it is recommended that this section of *The Elections Act* be more specific.

Recommendation: That s. 163.1(1) of the Act be revised to be more specific as to use of the voters lists to include the following:

- a. That there be a clause stating in a positive manner who may have access to and use of the voters list and that personal information in the voters list may only be used for purposes consistent with *The Elections Act*, *The Elections Finances Act*, a referendum conducted under *The Balanced Budget, Debt Repayment and Taxpayer Protection and Consequential Amendments Act*, or *The Manitoba Hydro Act*, *The Local Authorities Elections Act*, *The City of Winnipeg Act* and the *Canada Elections Act* and any related Regulations pertaining to these Acts.
- b. That the Chief Electoral Officer may enter into an agreement with any body governed by the above statutes to share Manitoba voters list information under conditions appropriate to the use of the list. For the purpose of ensuring the protection of personal information contained on the list, the Chief Electoral Officer may impose conditions and restrictions on the use that may be made of voters list information and safeguards which must be implemented.
- c. That an election officer may require an individual who wishes to inspect a copy of a voters list, or record pertaining to the voters list, to provide a signed statement that the individual, and any individual or organization on whose behalf the first individual is inspecting the voters list or record, will not use personal information included in the voters list or record except for a purpose permitted by or under this Act

17. Access to communities by election workers [s. 174]

Background: Two amendments to Bill 17, *The Elections Amendment Act*, were passed at the report stage. (see Part VI *Legislative Changes - Summary of The Elections Act Changes*). These amendments to s. 174.2 established the right of candidates and their representatives to enter communities for the purpose of canvassing or distributing election campaign material. The provisions in s. 174 should be extended in order to ensure access to all communities by enumerators and election officers including the Returning Officer.

Recommendation: That section 174 be amended to include access provisions to all communities by enumerators and election officers.

18. Tariff of fees regulation 168/88 [s. 175]

Background: The current tariff format has remained the same since the mid 1980's. While some of the rates were adjusted prior to the 1999 election the format and some of what is contained in the tariff is now obsolete. For example Voters Lists are now printed in the returning office instead of at a commercial printer thereby achieving a considerable cost saving. The stenographic or clerical help rate in the tariff is at \$6.00 which is less than minimum wage.

The bulk of the tariff payments are for work done during the election by the Returning Officer and Assistant Returning Officer, Enumerators, Deputy Returning Officers and Poll Clerks and polling place rentals. The tariff should be streamlined to include only these categories.

The fees for these categories are the lowest in western Canada and when calculated on the equivalent per hour basis the remuneration for Returning Officers is the lowest in the country.

As a result of amendments to *The Elections Act* in 2000, the Chief Electoral Officer appoints Returning Officers using a public merit-based selection process. Now that appointments are made well in advance of an election and are no longer political appointments, the expectations on

Returning Officers and Assistant Returning Officers by the public, candidates, political parties and Elections Manitoba will greatly increase. The increase in expectations, responsibilities, workload and the level of professionalism expected should also be met with a commensurate increase in remuneration. The current tariff for Returning Officers is based on a flat fee plus 10¢ name for each name on the Voters List in his or her electoral division. This becomes unfair to Returning Officers in some rural, northern and inner city electoral divisions which have less eligible voters and whom have to work as hard as or harder than the Returning Officers in some suburban electoral divisions. One flat fee would be fairer and more transparent when recruiting.

In the 1988 Statutory Report it was recommended that fees included in the tariff be automatically adjusted annually on the basis of changes to the Consumer Price Index so that any increases could be made in small increments rather than having to make significant adjustments on an irregular basis.

Recommendation: That the tariff of fees be streamlined to include only the positions of Returning Officer, Assistant Returning Officer, Enumerator, Deputy Returning Officer and Poll Clerk and the rental cost for polling places and that the fees be reviewed prior to the next election and thereafter be linked to the Consumer Price Index

19. Election signs on public property-date by which signs should be down [no reference in current Act]

Background: In the few weeks following polling day in 1999, several complaints were received from voters about campaign signs on boulevards that had not yet been removed by candidates. Quebec's Election Act states that all election posters and billboards must be removed not later than 15 days after polling day, failing which they may be removed by the local municipality or by the owner of the property, at the expense of the party or candidate concerned.

The current provisions for the removal and penalties for signs and posters within 50 metres of a polling place work reasonably well and provisions for the removal of election signs on public property after polling day should be based on s. 111 (2) & (3). As discussed with the Ad Hoc Advisory Committee, a deadline of seven days after polling day seems reasonable. This would not apply to signs on private property.

Recommendation: That elections signs and posters must be removed from public property by the candidate or registered political party responsible for posting the sign or poster within seven days after polling day. Every person or registered political party failing to do so would be guilty of an offence with penalties in line with the penalties found in s. 111(3) of the Act.

20. Plain language [no reference in *The Elections Act*]

Background: As sections have been amended in the Act, the principles of plain language are being used. There are many sections of the Act, however, that are still more complex and wordy than they need to be. *The Elections Act* is a very important statute. It is important that citizens, election officials and candidates can understand *The Elections Act*. Clear language will also benefit persons who have difficulty reading. The entire Act should be re-written in plain, gender neutral language.

Recommendation: That *The Elections Act* be rewritten in plain language.

The Elections Finances Act

1. Auditor's Services [s.1 "donation in kind"; s.71(3), s.72(3), s.74(2); s. 75]

Background: Financial statements of registered political parties and candidates that are required to be filed with the Chief Electoral Officer must be audited by a qualified auditor. Auditors perform an important role by helping to ensure that the financial statements are accurate and complete. Requiring audited financial statements provides a level of assurance that financial statements are in compliance with *The Elections Finances Act*. There are four issues that impact on the auditors of candidates and registered political parties that should be reviewed:

- The amount of compensation in relation to the work required for a thorough audit,
- The surplus funds of a candidate as a means to pay for audit services,
- The requirement that donated services by auditors are donation in kind contributions that must be reported against an auditor's individual contribution limit, and
- The requirement of the Act that auditors do not receive a subsidy payment until the review of financial statements is complete.

The Act provides for an audit subsidy of up to \$600 (s.71, 72, 74) for the audit of a candidate or political party election financial statement. This amount does not fully compensate most auditors, nor was this the intention. Nevertheless, the amount should be reviewed. The audit subsidy should more closely correspond to the complexity of the audit services required. A more complex audit should receive relatively more of a subsidy than those less complex audits. A sliding scale based on total expenses should be considered. The audit of a return is generally more complex if total expenses are greater. A sliding scale with a minimum and a maximum amount payable would mean that some subsidies paid may be greater than the current \$600 and some would be less. Federally, candidates' auditors receive the lesser of 3 per cent of election expenses or the amount

billed by the auditor (not less than \$250) to a maximum of \$1,500.

Campaigns may compensate their auditors for the remaining value of the services performed. Money paid for audit fees, however, is not an election expense as defined in section 1 of the Act. This has the advantage that audit fees are not applied against the candidate and political party spending limits. This is appropriate because the fee paid beyond the subsidy does not raise spending limit issues and, therefore, should encourage adequate compensation to be paid to auditors. At the same time, however, because audit fees are not "election expenses" the fees are not included in the candidate surplus or deficit calculation in s.75. For a candidate, any surplus of contributions and/or reimbursement payable over "election expenses" must be transferred to the candidate's endorsing political party. In the case of an independent candidate, a surplus is held in trust by the Chief Electoral Officer and a reimbursement is not paid. As such, surplus funds to pay necessary additional audit expenses would not be available to the candidate's campaign because any surplus over election expenses is transferred away. Some exceptions to surplus transfers exist, however, to permit candidates to retain funds to pay bank fees and loan interest that accrue after polling day (i.e. not "election expenses"). A similar exception for auditor fees would encourage appropriate compensation for auditors by permitting candidates with funds to pay those funds for those specific audit services rather than transfer those funds. The Advisory Committee expressed a reservation that this would impact on candidate campaign funds available to transfer to his or her endorsing political party. In those cases where there is not a surplus a candidate would still have the flexibility to decide which suppliers are paid. Nevertheless, in the interests of promoting compliance, consideration should be given to allowing a candidate's campaign to pay from excess funds the amount of an auditor's fee that is greater than the subsidy amount.

Contributions by an individual must be reported against the individual's \$3,000 contribution limit. An individual auditor makes a contribution in the form of donated services when there is not full

compensation paid for auditing services provided. 2. The donation in kind contribution is attributed against the individual's \$3,000 contribution limit.

A prohibited contribution has been made in the case of a partnership providing auditor services for which there is not full compensation paid for the auditing services provided. Only individuals normally resident in Manitoba may make contributions, partnerships are prohibited from contributing. Unless a partnership could be guaranteed of receiving full payment for services provided, the partnership would not undertake to provide the services because of the risk of making a prohibited contribution and being in contravention of the Act. Unpaid auditor services whether in relation to individual auditors or partnership auditors should not be considered as donation in kind contributions.

The Act does not permit an audit subsidy to be paid until the review of a financial statement is complete. In Sub-sections 72(2) & (3), for example, the Chief Electoral Officer must prepare a certificate that states that the information requested under the Act has been provided before an auditor subsidy may be paid. There is no apparent purpose served in delaying auditor subsidy payments while the return is reviewed to ensure compliance with the Act. Once their services have been provided the auditor should be paid.

Recommendation: The audit subsidy should be reviewed and adjusted so that the subsidy more closely corresponds to the complexity of the audit services required. The surplus/deficit calculation in s.75 for candidates should include in "expenditures" the reasonable amount of audit fees that exceed the amount of an auditor's subsidy. Where auditor services are provided without compensation the services should not be a contribution under the Act. The "definition of "donation in kind", clause "(b)" should be amended to exclude auditor services. An auditor's subsidy should be paid after an auditor completes an audit, the return is filed and after submitting an invoice to the Chief Electoral Officer for services rendered.

2. Proceeds from Commercial Activities [s.(1), definition of contribution; no other definitive references]

Issue: The Act does not specify how the proceeds from a commercial activity, such as the sale of merchandise, should be treated. Specifically, this issue relates to the extent to which a portion of a commercial sale may be considered a contribution. Any portion considered a contribution is relevant because it impacts the issuance of tax receipts and contribution limits by source (only individuals) and by amount (maximum of \$3,000).

A commercial activity, such as the sale of merchandise, involves two variables. One variable is the acquisition cost or value of the item being sold and the other is the proceeds received, or selling price, for the item being sold. The determination of the acquisition cost is dependent upon whether the merchandise is purchased directly by the seller or provided to the seller as a donation in kind and valued accordingly pursuant to existing provisions [ss. 40 (1) and 40 (2)]. The Act, however, does not specify how to treat any net profit that is the residual of the selling price less the cost to acquire the item.

Under the Act, contribution "...means money paid or a donation in kind provided, without compensation..." A commercial transaction involves money paid in exchange for an item of merchandise (assuming it is a merchandise sale). Because merchandise is received for money paid, at first glance the definition of contribution may not be met as this transaction results in compensation to the purchaser in the form of the merchandise. This seems reasonable where the proceeds from the sale equal the cost of the goods to the seller. For example, the sale of political party merchandise at a price of \$350 where the cost to the political party to acquire the merchandise is \$350 would not result in a contribution.

However, where proceeds from the sale exceed the cost to acquire the merchandise, a net profit arises. This makes sense from the seller's perspective and in fact may be what drives the

sale of merchandise in the first place. It could be argued that the net profit element of the transaction meets the definition of contribution as the purchaser has paid money, without compensation, for the net profit element of the transaction. For example, the sale of political party merchandise at a price of \$350 where the cost to the party to acquire the merchandise is \$250 would result in a net profit (and presumably a contribution) of \$100.

Equating profit from the sale of merchandise to a contribution is conceptually consistent with the way that "fund raising" is dealt with in the Act by recognizing both compensation and contribution portions. For example, the purchase of a fund raising dinner ticket involves compensation in terms of the dinner as well as an element of contribution. A fund raising function "means any social function held for the purpose of raising money..." The initial difficulty in adopting this treatment for commercial transactions is the determination of whether a commercial sale may be interpreted to be a "social function" under the Act.

A more significant difficulty with this approach, assuming the definition of fund raising function were amended to include commercial activity, is the resulting overstated value of the contribution portion as determined under subsection 38(2), being 75 per cent of the selling price, along with the overstated value of the tax receipt. For example, using the social fund raising formula the sale of party merchandise at a price of \$350 where the cost to the party to acquire the merchandise is \$250 would result in a contribution of 75 per cent of \$350, or \$262.50. Commercial sales are also distinct from social fund raising functions such as fund raising dinners because the net profit on a fund raising dinner ticket is not known in advance because of unknown variables including the number of tickets sold and the number attending the dinner. Because of these unknown variables associated with social fundraising events the 75 per cent contribution and 25 per cent contribution formula was incorporated out of practical necessity. In the case of merchandise sales the acquisition and selling costs are both known at the point of sale.

Recommendation: The method of dealing with proceeds from commercial transactions should be clear and specific in the legislation particularly because of its impact upon cornerstones of the current *Elections Finances Act*, specifically source and amount contribution limits and tax receipting. It is recommended that the residual of the selling price less the cost to acquire an item be considered a contribution for the purpose of the Act.

The Act should also consider whether a minimum threshold should be in place below which commercial sales for single or several items are not considered to include contributions for the purposes of the Act. There is a parallel in this regard in s. 38(3) where an individual charge of less than \$15 for a fund raising function and where multiple charges totaling less than \$45 (individual charge must also be less than \$15) are not contributions for the purposes of the Act.

3. **Child Care Expenses [s. 1 definition of "election expenses" (g)]**

Background: A recommendation in the 1995 Annual Report of the Chief Electoral Officer regarding candidate personal expenses was partially addressed by amendments in 1998. The recommendation basically was that there be a separate personal expense category similar to that in *The Canada Elections Act* and that the Act should define the items that should be included in this category. Child care and disability expenses were recommended to be included as personal expenses. It was also recommended that personal expenses be excluded from being election expenses but should be eligible for reimbursement.

The 1998 amendments for "*Candidate Personal Expenses*" were essentially as follows:

- Reasonable disability expenses of a candidate were excluded from being election expenses, as recommended, but made reimbursable at 100 per cent.
- Reasonable child care expenses of a candidate were recognized as election expenses so that

they are reimbursable but also subject to the spending limits. It had been recommended that reasonable child care expenses of the candidate be excluded as election expenses (i.e. not included in the spending limits) but reimbursable.

Recognizing child care expenses as election expenses may create an inequity and put some candidates at a disadvantage. Some candidates with responsibility for child care will incur child care expenses which must be included as election expenses. Even though these expenses would be reimbursed these expenses reduce the amount that may be spent due to the spending limits. Others without child care responsibility would not be in this position.

Recommendation: That the additional and unique reasonable costs incurred by a candidate for child care expenses as a result of an election be excluded as "election expenses." These costs, however, should be fully eligible for reimbursement.

4. Independent Candidate's Candidacy Period [s.1]

Background: The Act should clarify the date that a person becomes an independent candidate under the Act. Currently, a person who is not endorsed by a registered political party becomes an independent candidate by declaring himself or herself by notice in writing to the Chief Electoral Officer to be a candidate in the next election in an electoral division. Past experience is that an independent candidate will not know that a notification is necessary. The candidacy period is important since candidates' campaigns must file a financial statement for the candidacy period and income tax receipts for contributions to candidates' campaigns may only be issued for the candidacy period.

Recommendation: The Act should clarify that the candidacy period for an independent candidate begins on the date that a person publicly declares

himself or herself to be an independent candidate without requiring a notice in writing to be filed with the Chief Electoral Officer.

5. Candidate Registration Deadline [s.25; s27; s29(1)]

Background: Under s.25 of the Act a registered candidate is one who may issue income tax receipts for cash or near-cash contributions. A candidate may submit an application for registration and as long as the candidate's nomination papers have been properly filed the candidate is registered.

Subsection 29(1) states that a candidate's registration terminates at the end of the campaign period. The campaign period ends two months after polling day. The present interpretation is that an application for registration must be submitted by the end of the campaign period, however, this interpretation has been disputed and the Act should be clear with respect to the deadline. To do otherwise may permit registration applications for previous elections.

Recommendation: That the Act specify that no application for registration may be considered if it has been submitted after the end of the candidacy period.

6. Valuing and Recording Donations in Kind having minimal value [s.40]

Background: The definition of "donation in kind" (s.1) includes all goods donated. Donated goods must be valued at market value and recorded as contributions and the identity of the contributors established. (See s.40(1), (2) & (3) of *The Elections Finances Act*).

A concern has been raised that is unduly burdensome and impracticable during an election for campaigns to value and record donations in kind having minimal value. At the same time, the aggregate value of such donations should be set at a low level so that contribution and spending limits will not be circumvented.

Recommendation: That donated goods below a minimal value not be considered as contributions and therefore not recorded. The minimal value should be an aggregate value of contributions from an individual. The appropriate amount should be determined by the Legislature.

7. Authorizations for Candidate and Constituency Association Advertising [s.54.2]

Background: All advertisements sponsored by a registered party must display an authorization by the party's chief financial officer. An official agent must authorize a candidate's advertisements that appear in an election period. Constituency association and candidate advertisements outside of an election period are required to be included in a party's annual advertising limit but it is not clear who is required to authorize the advertisements or whether an authorization is required at all.

Constituency association and candidate advertisements outside of an election period should display an authorization primarily for reasons of public disclosure and compliance. The general public should have knowledge of the sponsor of a political advertisement. Displaying authorizations will assist political parties in ensuring that the advertisements of their constituencies and candidates are included in the parties' annual spending limits. In addition, advertisements for candidates appearing outside of an election period often become advertisements used during an election period for which an authorization is required.

Recommendation: Advertising sponsored at any time by a constituency association should display an authorization by the person responsible for the finances of a constituency association and all advertising sponsored at any time by a candidate's campaign should display an authorization by the candidate's official agent.

8. Tracking Candidates' Actual Deficits [s.68, s.75(1)]

Background: Section 68 requires that a candidate report each year on the balance of his or her "*campaign deficit*" arising from an election until the campaign deficit is eliminated. Where there has been a contribution of \$250 or more towards a candidate's "campaign deficit" the contribution details must be disclosed.

The determination of a "*campaign deficit*" does not include non-election expenses incurred by a candidate (but does include election expenses incurred). An example of a non-election expense would be an expense incurred for "*thank-you*" signs after the election. As such, a candidate's actual deficit (assets less liabilities) often may be larger than the candidate's campaign deficit. A candidate may receive contributions to eliminate his or her actual deficit but is only required to report until the "*campaign deficit*" is eliminated.

A candidate should be required to report each year on the balance of his or her actual deficit until the actual deficit has been eliminated. All contributions towards a candidate's actual deficit should be reported but only contributions of \$250 or more would be publicly disclosed. This is important both to ensure public disclosure of all political contributions and to ensure that the \$3,000 annual contribution limit is applied. Tracking an actual deficit would not change the existing requirements in the Act concerning the calculation of a "*deficit*" in s.75 which determines how a candidate's reimbursement of election expenses is distributed.

Recommendation: Subsection 68 should refer to an "*actual deficit*." The amount of an "*actual deficit*" for a candidate should be defined as the total of a candidate's liabilities plus the candidate's loan interest and bank charges as determined in section 75(1) that exceeds the candidate's assets plus any reimbursement payable under section 72 (as varied by section 73).

9. Independent Candidate's Excess Reimbursement [s.75(2) & (3); s.76]

Background: Where an independent candidate has a surplus (or where receipts equal expenditures) and has qualified for a reimbursement of election expenses, subsection 76(b) states that no reimbursement is payable. There appears to be an inequity when considering the payment of an endorsed candidate's reimbursement where the endorsed candidate has a surplus. In the latter situation, the endorsed candidate's reimbursement is paid to his or her endorsing political party. The funds paid to the endorsing political party could be available to the candidate in subsequent elections or may indirectly provide benefit to the candidate. An independent candidate who has qualified but who does not receive a reimbursement because of his or her surplus status would not have funds available for a future campaign or otherwise receive a benefit.

A possible solution to this situation would be to hold the independent candidate's reimbursement in trust similar to the requirements under subsections 75(2) and (3) concerning an independent candidate's surplus. An endorsed candidate's surplus is paid to his or her endorsing political party and an independent candidate's surplus is held in trust for possible future use.

Recommendation: That subsection 76(b) be amended such that a reimbursement for an independent candidate with a surplus be held in trust by the Chief Electoral Officer. The same provisions that exist in subsection 75(3) for an independent candidate's surplus held in trust should apply to an independent candidate's reimbursement held in trust, namely that it be held in trust for the independent candidate's use in the next following election or paid to the Consolidated Fund if the independent candidate is not a candidate in the next following general election.

10. Information and Documentation [s.83]

Background: Section 83 of the Act makes it an offence for any person or organization to fail to

file a required statement or return or to file a statement or return that substantially fails to disclose required information. Financial agents (i.e. chief financial officers, official agents and constituency treasurers) who are required to file statements and returns, need to have all relevant information necessary to file in compliance with section 83. There may be officers or others associated with political parties, candidates' campaigns, and constituency associations who have financial information or documents necessary to ensuring a complete statement or return but for various reasons the information or documents are not provided to the financial agent responsible for filing. The result may be an inaccurate statement or return. The Act should require officers and others to provide to financial agents information that is required to ensure that a financial statement or return is complete and accurate. Failure to provide such information should be a general offence.

A general anti-avoidance provision applicable to all sections of the Act should also be considered. The provision would make it an offence to engage in any activity designed to circumvent any provision or purpose of the Act. There is an existing anti-avoidance provision in s.51(4) of the Act strictly concerning allocation of election expenses between a political party and a candidate in an election period.

Recommendation: To assist financial agents with their filing responsibilities officers or others associated with political parties, candidates' campaigns, and constituency associations should be required to provide to financial agents all information or documents necessary to ensuring a complete and accurate statement or return. Failure to provide such information should be a general offence. The Act should also contain a general anti-avoidance provision applicable to all sections of the Act .

11. Administrative Fines [no reference in *The Elections Finances Act*]

Background: The 1995 Annual Report of The Chief Electoral Officer on *The Elections Finances Act* recommended that there be

administrative fines for essentially administrative infractions. The recommendation has not been addressed by legislative amendment and remains relevant.

Most of the penalties and enforcement provisions of the Act involve prosecution. A system of administrative fines or penalties may be more appropriate for some essentially administrative infractions. For example, if a candidate's financial statement is not filed by the deadline as required by s.61 or if information necessary to clarify or verify a political party's annual return has not been filed by the deadline specified in s.57(2), a daily penalty for each day beyond the filing deadline could be instituted on an administrative fine schedule. There should be a maximum amount specified which should be less than the maximum amount of any fine specified in section 83. The Act would give the Chief Electoral Officer authority to institute administrative fines including the authority for collecting if the fines are not paid. An administrative fine may be more effective in some cases for ensuring compliance with the Act and would also be less costly than a prosecution. The right to prosecute should still be maintained if administrative penalties were not effective in causing the return or information to be filed. An administrative fine or a prosecution may be imposed but not both.

The Royal Commission has recommended that administrative fines be part of the federal election law enforcement provisions. Administrative fine provisions exist in other jurisdictions: Newfoundland and British Columbia. Federally, the Chief Electoral Officer of Canada has recommended the decriminalization of certain offences which are of an administrative nature such as late filing of expense returns.

Recommendation: That section 98 of *The Elections Finances Act* be amended to allow the Chief Electoral Officer to direct that administrative fines be paid for certain administrative infractions. The authority should apply only to those sections of the Act where statements and returns are required to be filed and where information has been requested. The Chief Electoral Officer should also have the authority to enforce collection

in the event administrative fines have not been paid. The authority to prosecute must be retained in the event that the administrative fines do not result in the necessary statement, return or information being filed. It should be clear that either an administrative fine may be imposed or a prosecution pursued but not both. The administrative fine should be a daily amount for each day that a statement or return or requested information is beyond a required deadline to a specified maximum. Administrative fines should be publicly disclosed.

12. Reporting for Leadership Contestants [no references in the Act]

Background: The 1995 Annual Report of the Chief Electoral Officer on *The Elections Finances Act* recommended that consideration be given to basic campaign finance provisions for leadership contestants. The recommendation was not addressed by legislative amendment.

The Royal Commission on Electoral Reform and Party Financing recommended that there be public financial disclosure rules for leadership contests in the interests of promoting integrity and fairness in the electoral process. It was acknowledged that leadership selection is the purview of political parties and that rules should not be too restrictive or intrusive so as to impair a political party's ability to establish its own rules and procedures. The Commission specifically recommended that there should be spending limits, financial disclosure (especially considering that public funds are used by political parties when selecting leaders), political tax credits, and financial agents to keep records and file disclosure reports for leadership contestants.

The province of Ontario in addition to other campaign finance legislation requires that financial disclosure reports of leadership be filed by the Chief Financial Officers of contestants as does the province of British Columbia. The Chief Electoral Officer of Canada has recommended that leadership contestants for political parties be required to have an official agent to be responsible for the financial transactions relating

to a leadership contest and that an audited statement be filed with the Chief Electoral Officer.

The selection of a leader for a political party is very significant considering the importance of a leader in the electoral success of a political party and a leader's impact on public policy. Campaign finance legislation does not currently extend to leadership selection and there are no legislative requirements for leadership contestants. The selection of a leader is and should remain primarily an internal party matter, however, there is merit in having basic legislative requirements for leadership contestants primarily as they relate to public disclosure.

The Act has been amended since the 1999 recommendations particularly with respect to contribution limits. There are related issues that should be clarified:

- Should contributions to leadership campaigns be subject to contribution limits (source and amount limits)? Deemed to be contributions to the political party? Contributions to those contesting a constituency association nomination are deemed to be contributions to the constituency association.
- Should contributions be eligible for income tax receipts?
- Should advertising by leadership contestants be included in a political party's annual advertising limit?
- Should the expenses of a leadership campaign that takes place during an election period be included in the election expenses of a political party?
- Should surplus be paid to the registered political party?
- Should there be spending limits?

The notion of reporting for leadership contestants was not supported by the political party Advisory Committee.

Recommendation: That consideration should be given to basic campaign finance legislation applicable to leadership contestants. Minimal requirements would include appointing an official agent and filing audited financial disclosure reports with the Chief Electoral Officer for those leadership contestants that have financial activity above a specified amount.

13. Reimbursement must be used to settle debts [no references in *The Elections Finances Act*]

Background: The intent of *The Elections Finances Act* is that election expense reimbursement payable to the official agent of a candidate or to the chief financial officer of a registered political party should be used to reduce or eliminate the respective campaign debts, however, there is no explicit requirement to do so. There have been circumstances where a candidate's election expense reimbursement funds, funds from the public treasury, may not have been used by the official agent to pay outstanding liabilities of a candidate's campaign.

The appointment of a person to the position of official agent as required by s.10 (3.3) of the Act and s.53 of *The Elections Act* along with the official agent's duties in subsection 10(4) have the effect that the official agent acts on behalf of the candidate and is responsible for the finances of a candidate. Sub-section 55(1) requires that financial claims against a candidate be forwarded to the candidate's official agent. Sub-section 55(3) states that, with few exceptions, only the official agent may pay financial claims. The Act further requires that the candidate's election expenses reimbursement be paid to the official agent (s.77). There are similar provisions with respect to the chief financial officer of a registered political party. These requirements exist to ensure that the official agent is responsible for the financial affairs of a candidate's campaign and it follows that the candidate's election expenses reimbursement would be used to reduce or eliminate the debts of a candidate's campaign. The Act, however, should be explicitly clear that reimbursement funds are to be used for that purpose.

It may be sufficient to clarify that the official agent must deposit reimbursement funds to the candidate's campaign account and to require that the funds be used to eliminate the campaign debts of a candidate. It should also be an offence to do otherwise. Another option would be to pay reimbursement funds to the candidate and require that the candidate use the funds to eliminate the candidate's campaign debts. The candidate continues to have responsibilities under the Act after an official agent has filed the financial return and the candidate is also the one who often is personally responsible to settle any remaining debts if the campaign does not have sufficient funds. The candidate must also report on a yearly basis the details of any loan balance or deficit and must maintain campaign records for at least five years. In any event, a reimbursement for election expenses should be deposited into an account in a financial institution maintained for the purpose of a candidate's campaign.

Recommendation: The Act should be explicit that the reimbursement funds payable to a candidate's campaign for election expenses must be used to eliminate a candidate's campaign debts and that it is an offence for failure to do so. The reimbursement may be made payable to the official agent as is currently required. As an alternative, it may be better to have the reimbursement payment made to the candidate for deposit into an account in a financial institution maintained for the purpose of a candidate's campaign.

14. Expense Documentation Filed with Candidate's Audited Statement [no references in the Act]

Background: When reviewing candidates' audited statements it is very often necessary to request further documentation for some or all of the amounts reported on the statements. During the 2000 Kirkfield Park and Tuxedo by-elections candidates' campaigns were requested in advance of the filing deadline to provide copies of receipts and vouchers for all expenses (election and non-election) at the same time as filing a candidate's audited statement (Form 922). It was anticipated that filing supporting documentation for all

expenses at the time of filing Form 922 would result in more efficient and timely reviews of financial returns. In those cases where receipts for all expenses were filed at the time of filing a financial statement the result was a more timely and efficient review of a financial statement. Federal candidates must file all documents evidencing expenses set out in the candidates' returns including bank statements, deposit slips and cancelled cheques. The Manitoba Act should contain similar provisions to the Canada Elections Act.

Recommendation: An official agent should file with a candidate's audited statement documents (or copies) evidencing all expenses reported on the statement including invoices, vouchers, bank statements, deposit slips and cancelled cheques.

Administrative Issues

1. Requirement to File Certificate with Minister of Finance [S.71(1); S.72(1); S.73.1(2); 73.1(5); S.74(1)]

Background: In order to pay a reimbursement of election expenses of a qualified candidate or registered political party the Act requires the Chief Electoral Officer to file a certificate with the Minister of Finance. The certificate is authorization to process the reimbursement payment. In 1999 there was a fundamental change to the Department of Finance payment system for all departments and agencies of the government. The system of centrally processing all voucher payments, including reimbursement payments, was replaced by de-centralized processing. This change has meant that there is no longer the requirement to file documentation centrally for each payment and instead the documentation must be kept by the office processing the payment. The requirement in the Act to file a certificate with the Minister of Finance is no longer required.

Recommendation: The Act should be changed so that there is no requirement to file a certificate with the Minister of Finance authorizing a reimbursement payment.

2. Registration of Party Logo [s.15; s18(2); 19(2)]

Background: A recent Bill to amend the Act contained provisions to register logos. It was decided at the Committee stage of the Bill that the Act should not have such provisions and most, but not all, references to registered logos were removed. The remaining references to logos in the Act cause confusion. Since the Act does not permit logos to be registered the remaining references should be removed.

Recommendation: References to logos in the Act should be removed.

3. Incorrect References [s.72(3) (a) & s.73.1(1) & (2)]

Background: Subsection 72(3) (a) refers to a candidate's reimbursement paid being subject to

subsections 73(1) and sections 75 and 76. This list should also include reference to section 77 since this section, similar to the previous sections, modify the reimbursement payment in some way.

Subsection 73.1(1) authorizes the payment of an election expense reimbursement to a qualified political party that has provided required information including, "...a return regarding contributions under section 62..." There is no such return required for a party election statement but there is with a party's annual statement. The reference in this section is incorrect and should be removed.

Recommendation: In clause 72(3)(a) a reference to section 77 should be added and "...and a return regarding contributions under s.62..." should be deleted from subsections 73.1(1) and (2).

4. Fund raising function references [s.38]

Background: Subsection 38(2) should state that it is subject to s. 38(3). This "*subject to*" wording is necessary to clarify the intention that s. 38(2) does not apply where a ticket price is less than \$15.

Recommendation: Subsection 38(2) should state that it is subject to s. 38(3).

Other Acts Relevant to the Conduct of Elections

Referendum regulations

The Balanced Budget, Debt Repayment and Taxpayer Protection Act (The Balanced Budget Act) and The Manitoba Hydro Act.

Background: *The Balanced Budget Act* states that a referendum must be held for certain tax increases as outlined in s. 10(1) of that Act. This subsection reads as follows:

Referendum required for tax changes

10(1) Subject to subsection (2), the government shall not present to the Legislative Assembly a bill to increase the rate of any tax imposed by an Act or part of an Act listed below, unless the government first puts the question of the advisability of proceeding with such a bill to the voters of Manitoba in a referendum, and a majority of the persons who vote in the referendum authorize the government to proceed with the changes:

- (a) *The Health and Post Secondary Education Tax Levy Act*;
- (b) *The Income Tax Act*;
- (c) *The Retail Sales Tax Act*;
- (d) Part I of *The Revenue Act*.

The Manitoba Hydro Act states that a referendum must be held before the Legislative Assembly can present a bill to privatize the corporation and is outlined in s. 15.3(1) of that Act. This subsection reads as follows:

No privatization without referendum

15.3(1) The government shall not present to the Legislative Assembly a bill to authorize or effect a privatization of the corporation unless the government first puts the question of the advisability of the privatization to the voters of Manitoba in a referendum, and the privatization is approved by a majority of the votes cast in the referendum.

Both Acts instruct the Chief Electoral Officer to conduct and manage the referendum in the same manner as an election under *The Elections Act* with any necessary modifications. These instructions are in s. 11(1) of *The Balanced Budget Act* and s. 15.3(2) of *The Manitoba Hydro Act*.

In order to be ready to conduct a referendum, preparations have been based on a careful review and modification of *The Elections Act*. Many provisions of *The Elections Act* are readily transferable to a referendum. However, some provisions of *The Elections Act* are not readily transferable and in some cases *The Elections Act* does not contemplate certain consequences of referendums as opposed to elections. Subsection 11(3) of *The Balanced Budget Act* and s. 15.3(4) of *The Manitoba Hydro Act* address this requirement by providing for regulations to be made. The subsections read as follows:

The Balanced Budget Act:

Regulations re. procedures

11(3) The Lieutenant Governor in Council may make any regulations that the Lieutenant Governor in Council considers necessary respecting the referendum process to give effect to subsection 10(1), including, without limiting the generality of the foregoing,

- (a) governing the preparation of a voters list;
- (b) governing the expenses, if any, that may be incurred, and the contributions, if any, that may be made, and by whom, in connection with a referendum;
- (c) where greater certainty is required, modifying to the extent necessary the provisions of *The Elections Act* to make them applicable to the requirements of a referendum.

The Manitoba Hydro Act:

Regulations re. procedures

15.3(4) The Lieutenant Governor in Council may make any regulations that the Lieutenant Governor in Council considers necessary respecting the referendum process to give effect

to this section, including, without limitation, regulations

- (a) governing the preparation of a voters list;
- (b) governing the expenses that may be incurred and the contributions that may be made, and by whom, in connection with a referendum, including placing limits on such expenses and contributions and establishing registration and reporting requirements for persons or organizations who make such contributions or incur such expenses;
- (c) where greater certainty is required, modifying to the extent necessary the provisions of The Elections Act to make them applicable to the requirements of a referendum.

To be referendum ready, regulations need to be made for some processes before further modifications can be made to *The Elections Act*. Some of the most necessary of these regulations are required to address the following subjects:

- How and when precisely is the referendum question established.
- What is the duration of the referendum period given there is no nomination period?
- Are there to be referendum committees? How are they established, registered and/or regulated? May referendum committees appoint scrutineers to be present at the polls?
- Would there be unique referendum recount rules?
- Who can apply for a recount?
- Can referendums and elections be held simultaneously?
- Does the same tariff for payment of officers apply?
- Are there to be "referendum" offences?

The foregoing is not an exhaustive list and there are undoubtedly more questions which would be addressed through regulations.

Recommendation: That regulations be made pursuant to s. 11(3) of *The Balanced Budget Act* and s. 15.3(4) of *The Manitoba Hydro Act* which would enable the Chief Electoral Officer to fulfill the mandate of being able to deliver to the electorate of Manitoba a referendum if and when the Chief Electoral Officer is called upon to do so.

Campaign Finance Provisions for Referendums

s.11(1); s.11(3)(b) *The Balanced Budget, Debt Repayment and Taxpayer Protection Act* and s.15.3(2); s.15.3(4)(b) *The Manitoba Hydro Act*

Background: The above noted Acts specify that a referendum under the Acts shall be conducted by the Chief Electoral Officer in the same manner, to the extent possible, as a general election under *The Elections Act*. They also allow for the possibility that there may be campaign finance regulations:

***The Balanced Budget Act* states:**

11(3) The Lieutenant Governor in Council may make regulations...

- (b) governing the expenses, if any, that may be incurred, and the contributions, if any, that may be made, and by whom, in connection with a referendum.

***The Manitoba Hydro Act* states:**

15.3(4) The Lieutenant Governor in Council may make any regulations.....

- (b) governing the expenses that may be incurred and the contributions that may be made, and by whom, in connection with a referendum, including placing limits on such expenses and contributions and establishing registration and reporting requirements for persons or organizations who make such contributions or incur such expenses;

Referendums are very similar to general elections which is one of the reasons why the Act requires a referendum to be conducted in the same manner as a general election. General elections also have campaign finance provisions for political parties, candidates, and some third parties (those other than candidates and political parties) who participate in general elections. Similarly, referendums should also have campaign finance provisions.

Campaign finance provisions generally are concerned with money and other resources and the impact they have on the electoral process and on public policy. Those with access to abundant resources have a significant advantage over those that do not and campaign finance laws generally attempt to minimize resource differences. Legislation often contains provisions for public financial support, limitations on spending and accepting contributions, public disclosure of finances, and for participants to register and have an agent. There must also be provisions for the independent administration and enforcement of such laws.

In Manitoba, *The Elections Finances Act* has campaign finance provisions for candidates, registered political parties, constituency associations and third parties, primarily related to elections. The third party provisions have been passed but have not been proclaimed because of court challenges in other jurisdictions that bring into question the constitutionality of legislation that imposes spending limitations on third parties. The third party provisions in *The Elections Finances Act*, primarily related to public disclosure, have not been successfully challenged in other jurisdictions and should be considered as a model for referendum campaign finance provisions. Groups and individuals participating in a referendum (i.e. referendum committees) when sponsoring advertising should be required to display an authorization on advertisements. As with elections, voters in referendums have a right to know who is participating and attempting to sway their vote. Referendum committees should also be required to appoint a financial agent and register with the Chief Electoral Officer if there is financial activity above a threshold amount.

Referendum legislation exists in several Canadian jurisdictions including Canada, Alberta, Saskatchewan, Québec, British Columbia and Ontario. The provisions vary with each jurisdiction.

Recommendation: Consistent with the campaign finance principles of transparency and fairness, *The Balanced Budget, Debt Repayment and Taxpayer Protection Act* and *The Manitoba Hydro Act* should specify the campaign finance provisions that apply in the event of a referendum under that Act and that the campaign finance provisions are to be administered by the Chief Electoral Officer. Considering the possible Charter implications for spending limitations it is recommended that, until matters have been resolved by the Courts, the Act include only campaign finance provisions in relation to public disclosure, authorization of advertisements, and appointing a financial officer. The provisions should be similar to the third party amendments to *The Elections Finances Act* passed in 2000 excluding the provisions for spending limitations. Consideration should also be given to limiting by source and amount contributions to referendum committees consistent with recent amendments to *The Elections Finance Act*.

The Controverted Elections Act:

Background: Some Court procedures outlined in *The Controverted Elections Act* are no longer in effect and the language is antiquated. The Act should also be reviewed to make sure that it corresponds to any amendments made to *The Elections Act* in recent years.

Recommendation: That the entire *Controverted Elections Act* be reviewed and revised. Consideration should be given to incorporating the revised Act into *The Elections Act* (as was done in *The Canada Elections Act*). The amendments should take into account new court procedures and the current provisions of *The Elections Act*.

The Electoral Divisions Act [s. 10(2)]

Background: The timing of the adoption of new proposed boundaries in relation to the call of the 37th General Election posed a significant planning challenge for Elections Manitoba and Returning Officers. Preparations needed to be made for an election that could be run on either the old or new boundaries. Working under two possible sets of electoral boundaries means training additional Returning Officers and Assistant Returning Officers some of whom would not be needed depending on which boundaries were used. This duplication resulted in extra training and pre-writ costs. In the end, the amended *Electoral Divisions Act* received Royal Assent on April 27, 1999 and the new boundaries came into effect at the call of the 37th Provincial General Election.

The Electoral Divisions Boundaries Commission anticipated this issue, among others, as part of its report in December 1998 stating:

".... the Legislative Assembly may also wish to consider formally defining in the Act the timing of the implementation of the report of the Boundaries Commission as is the case, for example, in the federal legislation."

Recommendation: That the Legislative Assembly consider formally defining in *The Electoral Divisions Act* the timing of the implementation of the report of the Boundaries Commission.

The Legislative Assembly Act

Background: Over the past few elections, Elections Manitoba has been broached with suggestions that a set date for elections should be implemented and that consideration be given to various systems of proportional representation.

The representatives of two registered political parties also brought forward similar suggestions during post election meetings of the Ad Hoc Advisory Committee on *The Elections Act* held in spring 2000.

In 2000, the legislation in British Columbia was amended to set the election date to the second

Monday in May every four years. Today the electorate in British Columbia know they will be going to the polls on May 17, 2005.

Recommendation: The above matters are not dealt with by *The Elections Act* or *The Elections Finances Act* but rather *The Legislative Assembly Act* and are referred to the Legislative Assembly for information.