

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

Chairperson
Mrs. Sarah Guillemard
Constituency of Fort Richmond

Vol. LXXII No. 4 - 2 p.m., Monday, January 28, 2019

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-First Legislature

Member	Constituency	Political Affiliation
ALLUM, James	Fort Garry-Riverview	NDP
ALTEMEYER, Rob	Wolseley	NDP
BINDLE, Kelly	Thompson	PC
CLARKE, Eileen, Hon.	Agassiz	PC
COX, Cathy, Hon.	River East	PC
CULLEN, Cliff, Hon.	Spruce Woods	PC
CURRY, Nic	Kildonan	PC
DRIEDGER, Myrna, Hon.	Charleswood	PC
EICHLER, Ralph, Hon.	Lakeside	PC
EWASKO, Wayne	Lac du Bonnet	PC
FIELDING, Scott, Hon.	Kirkfield Park	PC
FLETCHER, Steven, Hon.	Assiniboia	Man.
FONTAINE, Nahanni	St. Johns	NDP
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GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin, Hon.	Steinbach	PC
GRAYDON, Clifford	Emerson	Ind.
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ISLEIFSON, Len	Brandon East	PC
JOHNSON, Derek	Interlake	PC
JOHNSTON, Scott	St. James	PC
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KLASSEN, Judy	Kewatinook	Lib.
LAGASSÉ, Bob	Dawson Trail	PC
LAGIMODIERE, Alan	Selkirk	PC
LAMONT, Dougald	St. Boniface	Lib.
LAMOUREUX, Cindy	Burrows	Lib.
LATHLIN, Amanda	The Pas	NDP
LINDSEY, Tom	Flin Flon	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Flor	Logan	NDP
MARCELINO, Ted	Tyndall Park	NDP
MARTIN, Shannon	Morris	PC
MAYER, Colleen, Hon.	St. Vital	PC
MICHALESKI, Brad	Dauphin	PC
MICKLEFIELD, Andrew	Rossmere	PC
MORLEY-LECOMTE, Janice	Seine River	PC
NESBITT, Greg	Riding Mountain	PC
PALLISTER, Brian, Hon.	Fort Whyte	PC
PEDERSEN, Blaine, Hon.	Midland	PC
PIWNIUK, Doyle	Arthur-Virden	PC
REYES, Jon	St. Norbert	PC
SARAN, Mohinder	The Maples	Ind.
SCHULER, Ron, Hon.	St. Paul	PC
SMITH, Andrew	Southdale	PC
SMITH, Bernadette	Point Douglas	NDP
SMOOK, Dennis	La Verendrye	PC
SQUIRES, Rochelle, Hon.	Riel	PC
STEFANSON, Heather, Hon.	Tuxedo	PC
SWAN, Andrew	Minto	NDP
TEITSMA, James	Radisson	PC
WHARTON, Jeff, Hon.	Gimli	PC
WIEBE, Matt	Concordia	NDP
WISHART, Ian	Portage la Prairie	PC
WOWCHUK, Rick	Swan River	PC
YAKIMOSKI, Blair	Transcona	PC

LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON LEGISLATIVE AFFAIRS

Monday, January 28, 2019

TIME – 2 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Mrs. Sarah Guillemard
 (Fort Richmond)

VICE-CHAIRPERSON – Mr. Andrew Micklefield
 (Rossmere)

ATTENDANCE – 11 **QUORUM** – 6

Members of the Committee present:

Hon. Mr. Cullen, Hon. Mrs. Mayer

*Messrs. Allum, Altemeyer, Ms. Fontaine,
 Mrs. Guillemard, Ms. Lamoureux, Messrs. Martin,
 Micklefield, Smith, Yakimoski*

APPEARING:

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

MATTERS UNDER CONSIDERATION:

*Elections Manitoba's Proposal to Modify the
 Voting Process*

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

Our first item of business is the election of a new Vice-Chairperson. Are there any nominations?

Mr. Blair Yakimoski (Transcona): I nominate Mr. Micklefield for Vice-Chair.

Madam Chairperson: Mr. Micklefield has been nominated. Are there any other nominations?

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

This meeting has been called to consider Elections Manitoba's proposal to modify the voting process, included in the Annual Report of Elections Manitoba for the year ending December 31st, 2017.

For the information of the committee, subsection 28.1(4) of The Elections Act states that before directing a modification to the voting process, the Chief Electoral Officer must submit a written

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

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

Ms. Nahanni Fontaine (St. Johns): Until the business is concluded.

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

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

Hon. Cliff Cullen (Minister of Justice and Attorney General): I will. Shipra Verma is our CEO of Elections Manitoba. I think she will also have an opening statement as well.

Good afternoon, everyone. I'd like to thank Shipra Verma, the chief 'electorial' officer for Elections Manitoba, for being with us today. I'd also like to thank the staff in your office for all of their hard work ensuring our democratic process is fair and accessible for all Manitobans.

Protecting and enhancing the 'electorial' process requires the dedicated focus of all political parties and a team of officials represented here today. That is why the work of this committee is so important.

As mentioned at the last committee, our government has moved quickly to strengthen Manitobans' democratic process. With the passage of Bill 27, The Elections Amendment Act, by-elections will now be conducted within six months of a vacancy, unless they occur within one year from a general election.

Our government also established a fixed election period, as recommend by Elections Manitoba, so that the length of an election campaign is stable and predictable going forward.

At the request of the chief 'electorial' officer, we join provinces across the country by amending The Elections Act to create a permanent voters list to replace costly and inefficient door-to-door enumerations.

Our government also repealed the NDP vote tax subsidy for political parties, effectively saving taxpayers \$2.4 million over the next four years. As members of the committee know, our government recently introduced The Referendum Act, a long-standing recommendation of Elections Manitoba, which will restore the rights of Manitobans to vote on major tax increases and provide a framework for calling and conducting a referendum.

To Ms. Verma, as the chief 'electorial' officer, I would like thank you and your team personally for coming to the Legislature to demonstrate to members how the proposed changes we are discussing today will actually work in practice.

As we saw through your previous demonstration, these changes are very reasonable and they make sense as technology becomes increasingly important in our lives. These changes make important technology changes while still maintaining the integrity of a paper ballot system.

The request to modify states that these changes will speed up processing time for voters with real-time strike off and a new voting book format that will streamline a multistep process where a voter's name is entered three different times by hand.

These changes were tested successfully during the recent St. Boniface by-election, and the proposed changes complement changes already implemented, such as the permanent voters list and enforcement of personal identification requirements.

I am personally happy to see that the proposed changes complement changes already implemented, such as the permanent voters list and the enforcement of personal identification requirements. These changes will help ensure that Elections Manitoba have the tools they need to ensure that the eligibility requirements for all Manitoba voters are enforced, including the requirement of Canadian citizenship.

Elections Manitoba has indicated that the electronic process will only be in place in high-demand areas with reliable Internet services. Where the technology is not in place, Elections Manitoba should ensure that the controls in place are adhered to and the staff are held to the same level of accountability as all

locations, whether they are on this new system or the old system.

This may involve ensuring that all records indicate which staff filled them out and holding those staff accountable for keeping accurate records. Through the demonstration, we saw that the fundamentals of voting will still apply and each voter will still receive a paper ballot, and the voter will mark that ballot behind a privacy screen and the voter will return their ballot to the ballot box.

I look forward to discussions today and—we'll have here in committee, and I thank you again to Elections Manitoba for their very helpful demonstration.

Thank you very much.

Madam Chairperson: We thank the minister.

Does the official opposition critic wish to make an opening statement?

Ms. Fontaine: Well, happy new year to everybody on the committee. And I just want to, again, on behalf of our caucus, just acknowledge all of the expertise and hard work that Manitoba elections does day in, year after year.

I think that everybody around the table would agree that Ms. Verma and her staff are quite extraordinary, and I think that it's important that we acknowledge that hard work. I also do want to take a moment to also thank Ms. Verma and her staff for the overview that she provided our caucus. I think that that was very informative and helped our caucus understand all of the new changes and the process moving forward.

And then just wish Ms. Verma and her staff the best moving forward with all of these new changes.

Miigwech.

Madam Chairperson: We thank the member.

Does the second opposition critic wish to make an opening statement?

Ms. Cindy Lamoureux (Burrows): I, too, would like to thank the Chief Electoral Officer for joining us here once again and being very patient with us and helping us better understand Elections Manitoba throughout the province.

We're very happy to read this proposal, and we enjoyed going through it and learning and just seeing all the ways that Elections Manitoba is helping ensure that the entire province is becoming more involved in our democracy. We want to continue to strive for a

healthier democracy, and I think everyone around this table is fighting for that here today.

Madam Chairperson: We thank the member.

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

Ms. Shipra Verma (Chief Electoral Officer, Elections Manitoba): Good afternoon, Madam Chairperson and members of the committee. I do have some brief remarks today.

I would like to thank the committee and the Legislative Assembly staff for expediting this process to convene the committee hearing to review and provide a decision on the three modifications being proposed.

I have with me Debbie MacKenzie, the Deputy Chief Electoral Officer, and Tracy Nylen, manager of finance.

As you know, amendments to The Elections Act passed in 2017, which allowed our office to develop a permanent voter register. The creation of this electronic register has created opportunities to increase efficiency and accuracy in our voting process.

Under the same legislation, the CEO may also recommend modifications to the voting process that meet three requirements.

These requirements are: improve the voting process for voters, achieve administrative efficiencies and to maintain the integrity of the voting process. As demonstrated on January 10th, we believe that our proposed modification passed this test in all the three cases.

* (14:10)

Briefly, the modifications are: first, strike advance voters list off the list—voters off the list in real time using the electronic voter register. Second, adapt the format of the advance voting book to allow for a printed label to replace a—handwritten voter information. The label would be generated from the voter register.

Third, for election day, produce a pre-printed voting book that also serves as a voters list. Voters who have already voted, either through advance, absentee, homebound or any other voting opportunities, would be struck off the list.

I would like to walk you through our actions to date in bringing forward these proposed modifications.

In May 2017, a letter was sent out to Elections Act advisory committee members about our intention to test these modifications alongside the existing processes during the St. Boniface by-election.

We then tested these modifications during the by-election. In September we consulted with the advisory committee, demonstrated the proposed processes, presented the results of our testing and also advised them about our plan to formally propose the modifications. No concerns were raised by the advisory committee.

In October, our 2017 annual report was tabled, along with a detailed proposal to modify these processes. The proposal was included in the annual report and provided in a separate document. I was invited to address the Legislative Affairs Committee in December to review these modifications. At that meeting, the committee requested further information on the proposal.

A demonstration was subsequently scheduled to provide the committee an opportunity to observe the kind of processes alongside of the proposals. This demonstration took place on January 10th.

This brings us to today when we look to the committee for their decision. Again, these modifications would not impact the vote itself. The paper ballot system would still be in place. It would simply allow us to better manage and track voting, reduce errors, increase efficiency, while maintaining the integrity of the vote.

Voters' expectation is changing. They expect us to use technology to improve their experience, and these modifications are in line with those expectations.

So thank you for your time, and I'll be happy to answer any questions which you may have.

Madam Chairperson: Thank you very much.

The floor is now open for questions.

Seeing no further questions, I believe the minister has a motion.

Mr. Cullen: I do.

I move that, pursuant to subsection 28.1(5) and subject to subsection 28.1(6) of The Elections Act, the Standing Committee on Legislative Affairs approve the proposal to modify the voting process including— included in the Annual Report of Elections Manitoba for the year ending December 31st, 2017, and

recommend that the chief 'electoral' officer direct that the voting process be modified for upcoming by-elections and the 2020 general election.

Motion presented.

Madam Chairperson: The motion is in order. The floor is open for debate.

Seeing no questions, does the committee call for the question? *[Agreed]*

Voice Vote

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

Some Honourable Members: Aye.

Madam Chairperson: All those opposed, say nay.

The motion is accordingly passed.

* * *

Madam Chairperson: I would like to inform all members that, pursuant to section 28.1(7) of The Elections Act, Elections Manitoba will include a report on the modifications to the voting process in any report the Chief Electoral Officer makes about the conduct of the election or in the next annual report.

As well, for the information of the committee, the motion just passed here will also be reported to the House at the next sitting day.

The hour being 2:16 p.m., what is the will of the committee?

An Honourable Member: Committee rise.

Madam Chairperson: Committee rise.

COMMITTEE ROSE AT: 2:16 p.m.

CORRIGENDUM

On November 28, 2018, page 4, second column, second paragraph, the last sentence should have read:

It will provide an electronic listing of all people who have voted to the candidates and parties.

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

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