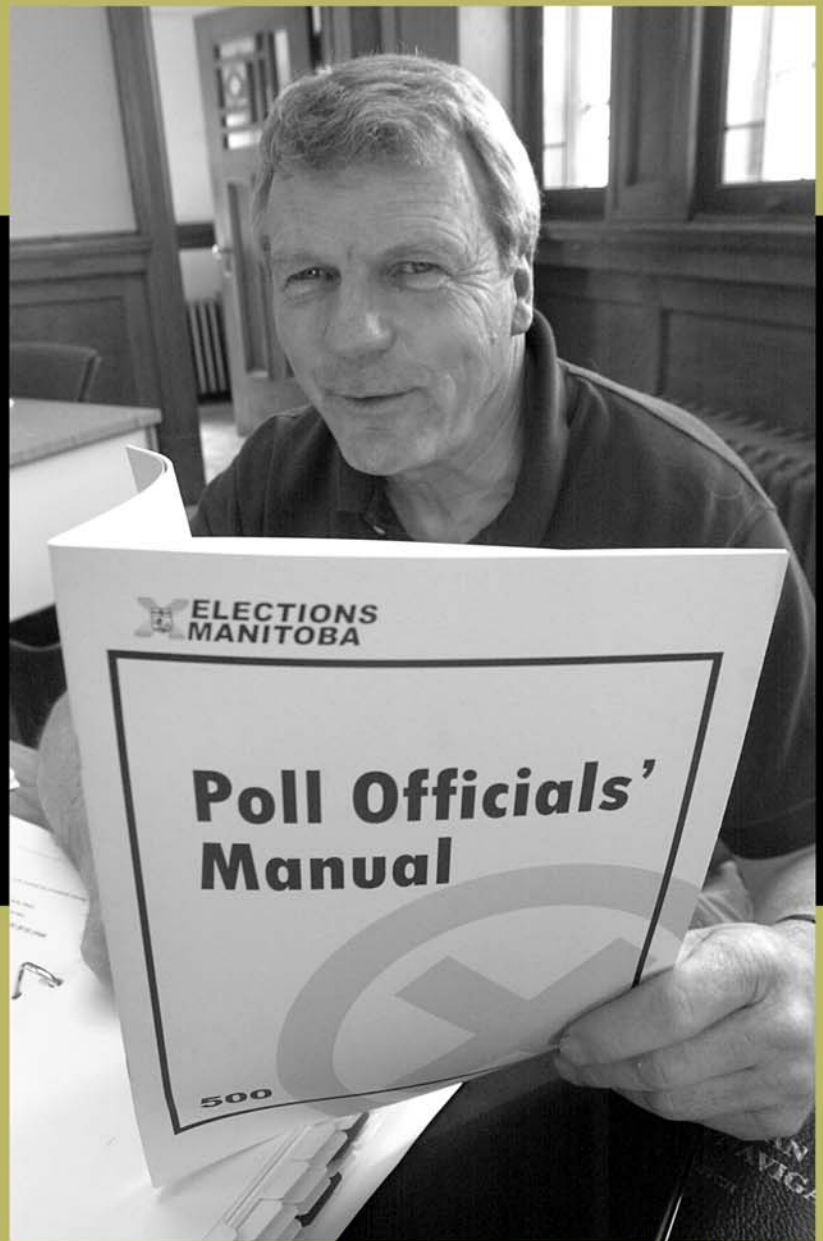


2003

# Annual Report



**Including conduct of the  
38<sup>th</sup> Provincial General Election  
June 3, 2003**

December 7, 2004

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 to you my Annual Report on the activities of Elections Manitoba including the conduct of the 38<sup>th</sup> General Election held on June 3, 2003. This report is submitted pursuant to subsection 10(2) of *The Elections Act* and subsection 99(1) of *The Elections Finances Act*. In accordance with subsection 10(3.1) of *The Elections Act* and subsection 99(2.1) of *The Elections Finances Act*, post-election and annual reporting under these statutes have been combined.

The applicable legislation states that the Speaker shall lay the report before the Legislative Assembly forthwith if the Assembly is in session or, if not, within 15 days after the beginning of the next 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 for amendments to these Acts stands referred to the Standing Committee on Legislative Affairs for consideration of those matters. Furthermore, these subsections provide 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

**On the Cover:**

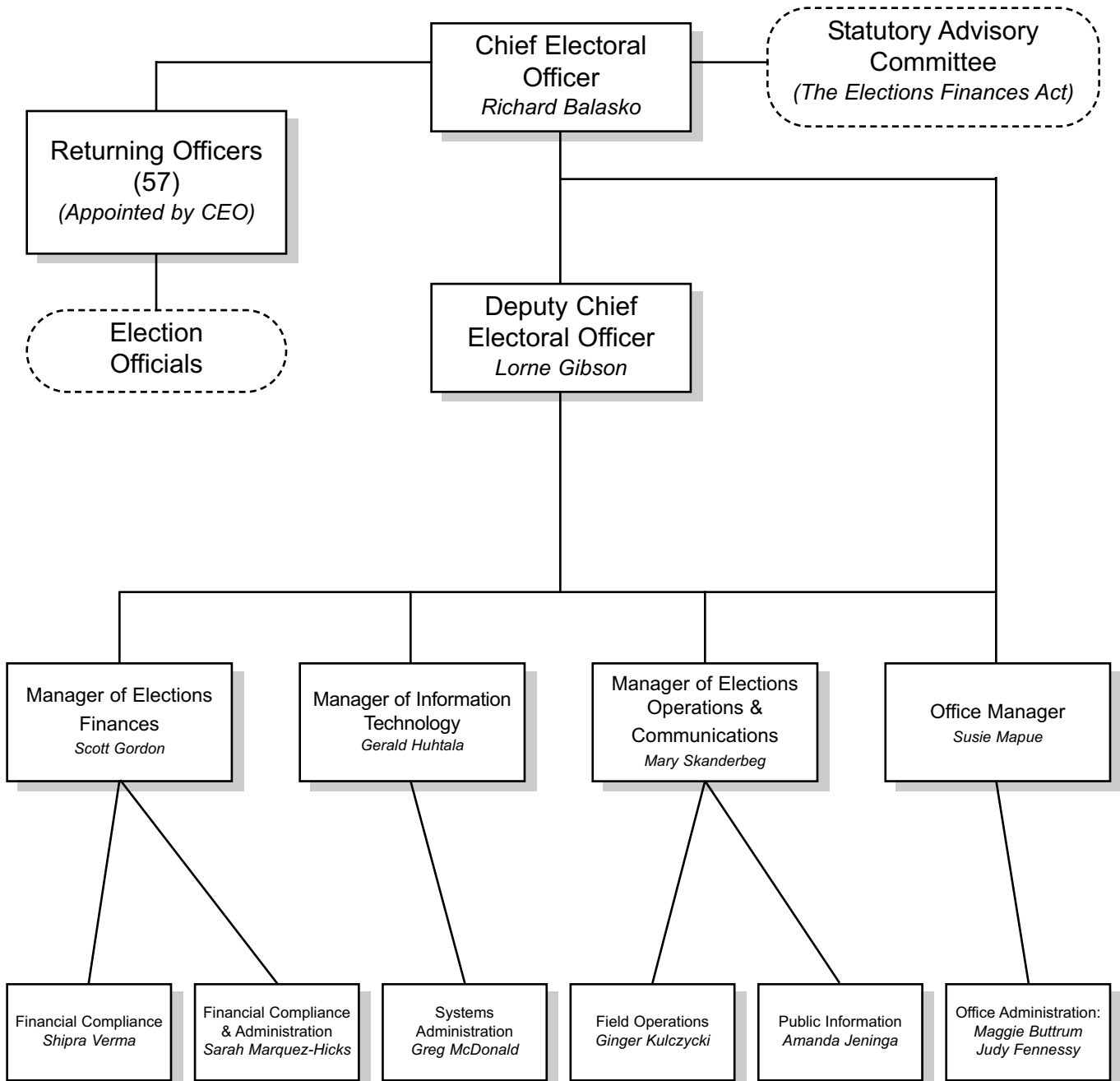
Lakeside Assistant Returning Officer  
Larry Faulkner flips through the Poll  
Officials' Manual he used to help train  
poll workers.

*Photo by Jason Halstead.*

# TABLE OF CONTENTS

	<b>ORGANIZATIONAL CHART</b>	<b>4</b>
<b>I</b>	<b>INTRODUCTION AND HIGHLIGHTS</b>	<b>5</b>
<b>II</b>	<b>ANNUAL ACTIVITIES</b>	<b>7</b>
	Registration of Political Parties	7
	Political Party Annual Statements and Returns for Contributions	8
	Advisory Committee	10
	Ad Hoc Committee	10
	Constituency Association Annual Returns for Contributions	11
	Candidates' Campaign Deficits	12
	Candidates' Loan Balances	13
	Manitoba Tax Credit Program	13
	Compliance Assistance and Public Disclosure	15
	Public Information	15
	Co-operation with other jurisdictions	16
	Update to previously filed financial statements	17
	Update on prosecutions from 1999 General Election	17
<b>III</b>	<b>38<sup>TH</sup> GENERAL ELECTION</b>	<b>19</b>
	<i>PREPARATION FOR THE GENERAL ELECTION</i>	
	Operational Readiness	19
	Advertising	21
	Compliance Assistance	21
	Auditor Assistance	22
	<i>OPERATIONAL CONDUCT OF THE ELECTION</i>	
	Appointment of Returning Officers	22
	Mapping	22
	Training	23
	Management Information Systems	24
	Voter Registration	24
	Nominations	26
	Voting	27
	Special Voting	28
	Advance voting	28
	Homebound voting	29
	Absentee voting	29
	Personal security protection voting	29
	Voting in Institutions	29
	Election Day Personnel	30
	Public Information	30
	Judicial Recounts	31
	Results	31
	Post-Election Workshops	31
	Post-election Research	32
	Staff Surveys	32
	Voter Satisfaction	32
	Voter Participation	32
	<i>FINANCIAL ADMINISTRATION OF THE ELECTION</i>	
	Payment of Returning Office Accounts	38
	<i>CAMPAIGN FINANCES</i>	
	Candidates, Official Agents, and Registered Political Parties	40
	Review of Financial Statements and Returns	45
	Reimbursements	45
<b>IV</b>	<b>LEGISLATIVE CHANGES</b>	<b>75</b>
	<i>THIRD PARTY LIMITS (NOT YET PROCLAIMED)</i>	
<b>V</b>	<b>INNOVATIONS AND FUTURE DIRECTIONS</b>	<b>77</b>
<b>VI</b>	<b>RECOMMENDATIONS</b>	<b>79</b>
	<i>The Elections Act</i>	
	<i>Other Acts Relevant to the Conduct of Elections</i>	
	<i>The Elections Finances Act</i>	
	<b>APPENDIX</b>	<b>131</b>

# ORGANIZATIONAL CHART





## INTRODUCTION AND HIGHLIGHTS

Elections Manitoba's 2003 Annual Report fulfills provisions in *The Elections Act* under section 10(2) by providing a report on the work done under the direction of the Chief Electoral Officer and a report on the conduct of the 38<sup>th</sup> General Election. It also fulfills the requirements under section 99(1) of *The Elections Finance Act* for a report on the administration of that legislation.

Preparations for the 38<sup>th</sup> General Election held on June 3, 2003 were the focus at Elections Manitoba during the first part of 2003. The training of Returning Officers was completed, information sessions for candidates and official agents continued, staff were confirmed and placed on call and last minute updates were made to computer software and procedures in anticipation of the election call.

Following the general election, the finance section of Elections Manitoba focused on reviewing the financial statements filed by candidates and political parties and the payment of reimbursements. The filing deadline for these statements for the 38<sup>th</sup> General Election was September 3, 2003. During the latter part of the year the focus for the operations section of the office was on debriefing with elections officials, meeting with political participants and surveying members of the public concerning their experience with the electoral process. With the valuable information gathered through this process much can be learned – both what went well and where improvement can be made.

Elections Manitoba would like to recognize the efforts of all staff, both in the central office and in the many field capacities, and all other participants for their co-operation and effort in making the 38<sup>th</sup> General Election a success. The information gathered and lessons learned during the election are being fed into the strategic planning process at Elections Manitoba in preparation for the next general election.

Part II of this publication reports on the annual activities of Elections Manitoba for the calendar year 2003.

Part III reports on the 38<sup>th</sup> General Election. This includes preparation, operational conduct, and financial administration of the election and campaign finances.

Part IV deals with Legislative changes. Part V of this report is a summary of where Elections Manitoba is looking in the future under Innovations and Future directions.

Part VI outlines recommendations to *The Elections Act* and to *The Elections Finance Act*. This section includes both previous and new recommendations derived from our experience administering the 38<sup>th</sup> General Election.





# 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,
- Filing a financial statement, and
- By endorsing five or more candidates.

A registered party must disclose information concerning 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 name of the candidates endorsed by the party. Once registered, a political party's name and abbreviation are protected under *The Elections Finances Act* in that other registered political parties may not use the name or abbreviation.

During 2003, there were seven registered political parties in Manitoba. However, during the 38<sup>th</sup> General Election, The Manitoba Party failed to endorse five candidates and was subsequently deregistered on November 6, 2003.

### Registered Political Parties (2003)

Political Party	Date of Registration	Registration Number	Chief Financial Officer	Date of Appointment
CPC-M	Apr. 30/99	P-9905	Cheryl Gray	May 18/03
GPM	Aug. 28/99	P-9907	Pamela Sanford	Apr. 1/01
Liberal	Dec. 12/80	P-8003	Allan Patterson	Mar. 1/03
LPM	Mar. 9/88	P-8808	Don Ives	Dec. 30/93
MP	Aug. 28/99	P-9906	Warren Goodwin	Jun. 18/01
NDP	Nov. 17/80	P-8001	Wayne Copeland	Nov. 24/03
PC	Nov. 25/80	P-8002	Don Penny	Feb. 3/03

Unofficial abbreviations used in this report for registered political parties:

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



## Yearly Comparison of Number of Registered Political Parties

Year	Number of Registered Political Parties	Year	Number of Registered Political Parties
1980	3	1992	7
1981	3	1993	7
1982	5	1994	7
1983	5	1995	4
1984	6	1996	4
1985	7	1997	4
1986	7	1998	4
1987	7	1999	7
1988	8	2000	7
1989	8	2001	7
1990	7	2002	7
1991	7	2003*	6

\*Note – Manitoba Party was deregistered as of November 6, 2003.

## 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 2002 were required to be filed by April 1, 2003. The statements were filed as follows:

Political Party	Date Filed
Communist Party of Canada - Manitoba	April 8, 2003 <sup>1</sup>
The Green Party of Manitoba	March 25, 2003
Manitoba Liberal Party	March 28, 2003 <sup>2</sup>
Libertarian Party of Manitoba	March 31, 2003
Manitoba Party	March 25, 2003
New Democratic Party of Manitoba	March 31, 2003
The Progressive Conservative Party of Manitoba	July 9, 2003 <sup>3</sup>

<sup>1</sup> Statement filed after the filing deadline without obtaining an extension

<sup>2</sup> Amended statement filed on September 13, 2004

<sup>3</sup> Statement filed after expiry of extended deadline but within 30 days of receiving notice under section 69 of *The Elections Finances Act*. Amended statements were later filed on December 9, 2003 and April 1, 2004.

A detailed list of contributors is filed with the annual financial statement and discloses:

- contributor names,
- contributor addresses, and
- amounts of aggregate contributions of \$250 or more made to the political party by any person 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 2003 registered political party annual financial statements are filed in the year 2004. Hence, the summary of the 2003 financial statements and the summary of contributions received by registered political parties will be published in the 2004 Annual Report. Nevertheless, the most current annual returns are posted on the Web site and copies of the returns for contributions are available for inspection at Elections Manitoba.

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 during regular office hours. The most current annual party returns for previous years are available on the Elections Manitoba Web site.

#### Registered Political Party Annual Financial Statements (2002)

	CPC-M \$	GPM \$	Lib. \$	LPM \$	MP \$	NDP \$	PC \$
<b>Income and Expenses</b>							
Contributions <sup>1</sup>	4,525	3,960	147,148	0	0	612,026	319,367
Transfers	0	0	0	0	0	0	5,320
Other Income	0	0	59,093	0	29	48,276	114,710
Total Income	4,525	3,960	206,241	0	29	660,302	439,397
Expenses	5,277	1,467	252,971	99	0	663,872	785,409
Surplus (Deficit)	(752)	2,493	(46,730)	(99)	29	(3,570)	(346,012)
<b>Assets and Liabilities</b>							
Assets	732	3,366	330,020	248	193	456,700	453,242
Liabilities	2,978	0	27,785	25	0	58,338	495,927
Net Worth (Deficit)	(2,246)	3,366	302,235	223	193	398,362	(42,685)

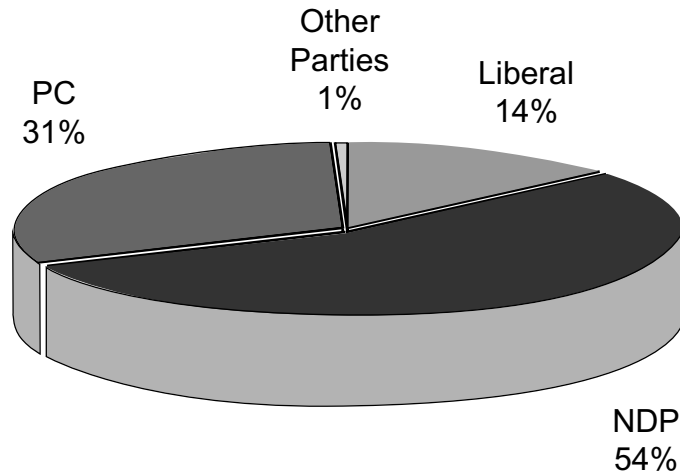
<sup>1</sup> Excludes contributions received during the by-election period.

#### Contributions Received by Registered Political Parties (2002)<sup>1</sup>

	CPC-M	GPM	Liberal	LPM	MP	NDP	PC	Totals
<b>\$250.00 or More</b>								
Total value \$	2,709	1,605	110,197	0	0	426,775	279,642	822,191
<b>\$25.00 to \$250.00</b>								
Total value \$	1,791	2,185	75,511	0	0	299,133	126,218	505,619
<b>Less Than \$25.00</b>								
Total value \$	25	170	1,098	0	0	26,736	20,209	47,954
Total of all Contributions \$	4,525	3,960	186,806	0	0	752,644	426,069	1,375,764

<sup>1</sup> Includes all contributions received during the year, including the by-election period.

## Contributions Received by Registered Political Parties



### Advisory Committee

The Advisory Committee established under *The Elections Finances Act* [section 4(1)] 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 Elections Finances Act*. Although a decision or recommendation by the Advisory Committee is not binding on the Chief Electoral Officer, the advice of the Committee members is of considerable benefit.

In 2003, the Advisory Committee met to discuss issues for future legislative amendments and to get feedback from the parties regarding the compliance assistance program before, during and after the 38<sup>th</sup> General Election.

#### Advisory Committee Members (2003)

<b>Party</b>	<b>Committee Member</b>
Communist Party of Canada - Manitoba	Darrell Rankin
Libertarian Party of Manitoba	Donald Ives
Manitoba Liberal Party	Kevin Lamoureux
Manitoba Party	None appointed
New Democratic Party of Manitoba	George Alevizos
The Green Party of Manitoba	Markus Buchart
The Progressive Conservative Party of Manitoba	Paul Staats

### Ad Hoc Committee

Although not required under the legislation, an Ad Hoc Committee on *The Elections Act* was established in 1990 to encourage exchanges between the registered political parties and Elections Manitoba.

In March 2003, the Ad Hoc Committee met to discuss new legislation regarding voting by Canadian Forces personnel while away from Manitoba on active duty. Other topics on the agenda were:

- campaign access with regard to multiple residence and suggested identification for use by political parties
- procedures regarding leave of absence for candidates and campaign volunteers
- general election preparations with regards to maps, voters lists and the nomination/endorsement process
- Elections Manitoba's newly re-designed Web site

#### **Ad Hoc Committee Members (2003)**

<b>Party</b>	<b>Committee Member</b>
Communist Party of Canada - Manitoba	Darrell Rankin
Libertarian Party of Manitoba	Clancy Smith
Manitoba Liberal Party	Kevin Lamoureux
Manitoba Party	Roger Woloshyn
New Democratic Party of Manitoba	Becky Barrett
	Tom Milne
The Green Party of Manitoba	Markus Buchar (until November)
	Shane Sadorski (after November)
The Progressive Conservative Party of Manitoba	Jim Moore
	Paul Staats
	Louise Dacquay

#### **Constituency Association Annual Returns for Contributions**

The person responsible for finances of a constituency association must file a return each year with the Chief Electoral Officer. According to section 67(1) of *The Elections Finances Act*, this return must be filed within 30 days following a calendar year end.

The return must disclose the name and address of all contributors, as well as the aggregate value of their contributions to the constituency association during that year.

An aggregate annual contribution to the constituency association totaling \$250 or more is public information.

Constituency associations may not issue receipts for income tax purposes. Constituency association returns are public information and are available for inspection at Elections Manitoba. Constituency association contribution information for previous years is available on the Elections Manitoba Web site.

### Contributions of \$250 or More to Constituency Associations (2003)

	Liberal	NDP	PC
Total Number of Constituency Associations	57	57	57
Number Reporting Contributions of \$250 or more	1	1	0
Contributions \$250 or more	\$250	\$690	\$0

NOTE: 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
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
2001	171	4	\$1,895
2002	171	5	\$9,673
2003	171	2	\$940

### Candidates' Campaign Deficits

In section 75(1) of *The Elections Finances Act* a deficit is defined as "the amount by which expenditures exceed receipts". A campaign deficit is defined in section 68(1) and means a deficit remaining after deducting any reimbursements made to the candidate.

Candidate campaign deficits of \$250 or more must be reported to the Chief Electoral Officer. Such deficits are reported within 30 days following the calendar year end.

- From the 1999 General Election, 52 candidates reported a campaign deficit.
- All 52 deficits from 1999 were eliminated by the end of 2003.

Candidates' deficits may be eliminated in a number of ways. By:

- contributions,
- transfers from a political party, and
- reimbursement of election expenses.

A candidate who pays from his or her own resources towards eliminating a deficit has

made a contribution.

Aggregate contributions of \$250 or more in any year must be reported.

The Office of the Chief Electoral Officer annually monitors those candidates with outstanding campaign deficits. This process continues until deficits are cleared. Deficit returns are public information and are available for inspection at Elections Manitoba.

### **Candidates' Loan Balances**

Candidates who have obtained a financial loan to fund their campaign are required to report an outstanding balance of \$250 or more to the Chief Electoral Officer. From the 2002 Lac du Bonnet by-election, there was one candidate who reported having an outstanding loan balance as of the end of 2003.

Candidates' loans may be eliminated in a number of ways. By:

- contributions,
- transfers from a political party, and
- reimbursement of election expenses.

A candidate who pays from his or her own resources towards eliminating a loan has made a contribution.

Aggregate contributions of \$250 or more in any year must be reported.

The Office of the Chief Electoral Officer annually monitors those candidates with outstanding campaign loans. This process continues until the loan balance is less than \$250. Loan returns are public information and are available for inspection at Elections Manitoba.

### **Manitoba Tax Credit Program**

*The Income Tax Act (Manitoba)* allows for a tax credit for a percentage of any contribution made to a registered political party and registered candidate.

The amount that can be deducted from tax payable is:

- 75% of the amount contributed if the amount contributed does not exceed \$200;
- \$75 plus 50% of the amount by which the amount contributed exceeds \$200 but does not exceed \$550; and
- if the amount contributed exceeds \$550, the lesser of
  - i) \$300 plus 33 $\frac{1}{3}$ % of the amount by which the amount contributed exceeds \$550; or
  - ii) \$500.

A proper income tax receipt must support all tax credits.

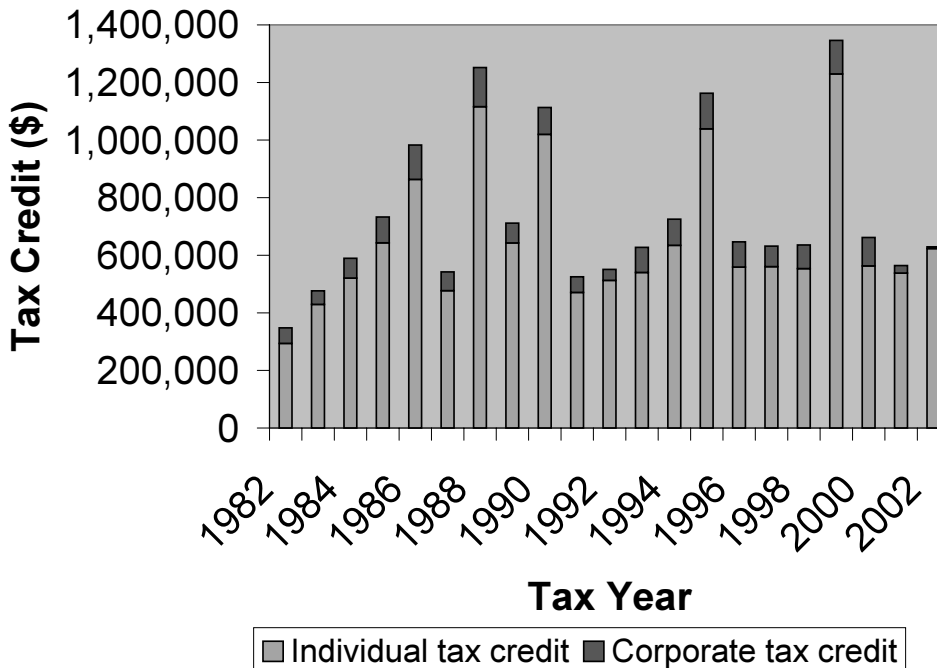
The total value of tax credits for 2002, the most current year for which total information is available, is \$629,096. From 1982 to 2002, the tax credits claimed on individual and corporate returns amounted to \$15,456,241.

### Manitoba Tax Credits Claimed for Political Contributions (1982 - 2002)\*

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
2000	562,901	98,876	662,777
2001	537,700	26,545*	564,245
2002	623,059	6,037*	629,096
<b>Total Tax Credits claimed Since 1982</b>	<b>\$13,825,587</b>	<b>\$1,629,654</b>	<b>\$15,456,241</b>

\* Credits claimed by corporations for contributions prior to 2001 when corporate contributions became prohibited.

### Manitoba Political Contribution Tax Credit



## **Compliance Assistance and Public Disclosure**

Elections Manitoba is required by legislation to assist the following individuals with compliance: candidates, official agents, political parties, chief financial officers, constituency associations and auditors. Assistance is provided by:

- organizing information sessions throughout the province for candidates, official agents, campaign managers and auditors before and during an election
- posting information on the Elections Manitoba Web site
- meeting one-on-one with official agents and party representatives
- offering a financial subsidy for auditors to consult with official agents on record-keeping
- answering telephone, written and email inquiries (extended hours are offered during an election)
- issuing periodic reminders to participants
- providing customized software and printed materials (e.g. guidelines) to candidates, official agents, registered political parties, chief financial officers and auditors

Another statutory responsibility of the Chief Electoral Officer concerns public information. *The Elections Finances Act* directs that statements and returns filed with the Chief Electoral Officer be available for public inspection upon receipt. As well, copies of *The Elections Finances Act* must be available to the public. This information is open to public inspection during regular office hours at Elections Manitoba.

Statements and returns are made available for public inspection as they are received. The review of a particular statement or return may not have been completed and as such the information available for inspection may not be complete. Once the review has been completed, a final version is placed in the public inspection file along with the return as originally filed. The 38<sup>th</sup> General Election statements and returns are also available for public review on the Elections Manitoba Web site. Academics, members of the media, political representatives and members of the public inspect these documents and records.

For people unable to attend the office, information can be mailed upon request. Election results and select financial information are available on Elections Manitoba's Web site. The election information on the Web site can be reviewed several ways, including by political party affiliation and by electoral division. In addition, political party annual financial statements and the Elections Manitoba Annual Report are available on the Web site.

## **Public Information**

With a provincial General Election on the horizon, interest in Elections Manitoba's schools program was high. Over 70 presentations were given at 48 different schools throughout the province in the spring of 2003. An exchange student from Quebec was a great asset to the program during this time. Program staff logged over 7,600 kilometres travelling throughout the province to give presentations in areas as far reaching as Thompson and The Pas.

In September of 2003, Elections Manitoba continued discussions with the Department of



Education. Department staff were able to provide feedback on Elections Manitoba's current schools program and offer ideas for future initiatives.

On October 30 and 31, 2003, a National Conference on Youth Voting was held in Calgary hosted by Elections Canada. Elections Manitoba was represented at this conference by its Communications and Community Relations Officer. Presentations by young people who are actively promoting youth voting in their communities provided new insight into what can be done to encourage young people to get involved in the electoral process. Approximately 45 leaders from youth and Aboriginal groups, business, non-governmental and labour organizations, as well as academic, research and media organizations participated in the forum.

### **Co-operation with other jurisdictions**

Every year Elections Manitoba participates in projects with other jurisdictions to further enhance our business. The sharing of manuals, materials and policies is ongoing between all jurisdictions in Canada.

Every year towns, municipalities and school boards in Manitoba request the most recent voters list for their municipality to assist them in conducting elections or by-elections at the school board or municipal level. During 2003, there were four requests made to Elections Manitoba due to by-elections being held in several areas of the province. Elections Manitoba was able to supply customized voter lists to the jurisdictions for their use.

During the review of Bill C24 in June, 2003, the Chief Electoral Officer was asked to appear before the Senate's Legal and Constitutional Affairs Committee to share Manitoba's experience with contribution limits legislation. Unfortunately, due to the timing of Manitoba's general election, Mr. Balasko was unable to attend the committee hearings in Ottawa but did submit a background report for the Committee's information.

The Canadian Election Officials conference was held in St. John's, Newfoundland in early August 2003. A project to develop a private Web site for sharing resources among jurisdictions was discussed at the previous annual conference in Regina and this year a working group and a cost sharing plan was finalized. Manitoba has taken a lead role in the project, which had been discussed among Canadian jurisdictions for several years. The planning and designing of the Canadian Elections Resource Library (CERL) began with the goal of a 2004 launch. To date the project is progressing on schedule.

In October 2003, Elections Ontario invited election officials from across the country to observe their election day systems in Toronto. The Deputy Chief Electoral Officer attended this event along with other officials from various jurisdictions in Canada.

In November 2003 The Chief Electoral Officer was invited to speak at a United Nations Training Seminar in New York City on the topic of voter registration. At this training session the different systems of voter registration were described and explained to participants. The Chief Electoral Officer was asked to describe enumeration as it is used in the Province of Manitoba to compile the voters list for provincial elections. In doing

so he highlighted not only the process and how it is managed but also some challenges, results and opportunities.

In September 2003 Elections Manitoba was represented at a conference sponsored by the Council on Governmental Ethics Laws (COGEL). COGEL is a professional organization for government agencies, organizations and individuals with responsibilities or interests in governmental ethics, elections, campaign finance, lobby laws and freedom of information. Elections Manitoba was a member of the conference planning committee and organized one of the sessions concerning compliance education and assistance, which was well received.

### **Update to previously filed financial statements**

The 1999 election and annual financial statements for the New Democratic Party were examined by Elections Manitoba for compliance as it is required to do by section 6(d) of *The Elections Finances Act*. As a result of a further assessment of the statements, and in consideration of the issues raised therein, the New Democratic Party and several New Democratic Party candidates amended and re-filed certain financial statements. In 2003, the New Democratic Party filed an amended annual financial statement (Form 920) for 1999 and amended election statements (Form 921) for 1999 & 2000. The following 13 NDP candidates also filed amended election statements (Form 922) for 1999: Chris Aglugub, Nancy Allan, Linda Asper, Lawrie Cherniak, Fran Fredrickson, Leonard Kimacovich, Bonnie Korzeniowski, Oscar Lathlin, Doug Martindale, Paul Pododworny, Harry Schellenberg, Greg Selinger, and Iris Taylor. One NDP candidate, Dawn Thompson, filed an amended election statement (Form 922) for 2000.

The initial financial statements reported certain election expenses as cash expenses whereas the detailed review and assessment by Elections Manitoba concluded that the expenses should have been classified as donation in kind expenses. The subsequent amendments had implications for reimbursements that had been paid to the New Democratic Party and to several New Democratic Party candidates since cash election expenses are reimbursable but donation in kind election expenses are not reimbursable. The resulting \$76,036 overpayment of election expense reimbursements has been repaid.

Elections Manitoba's normal practice is to have amendments to the financial statements reviewed by the auditor who provided the audit report on the initial filing of the return. However, in the above cases, the auditor resigned between the date of the audit report and the date on which the amended returns were re-filed. Therefore, Elections Manitoba verified that the amended returns reflected the same information as the initial audited returns, except with respect to revisions arising from the required amendments.

The amended returns are available on our Web site or at Elections Manitoba.

### **Update on prosecutions from 1999 General Election**

As a result of conducting compliance reviews of candidate financial statements following the 1999 general election, it was previously reported that three candidates and one campaign manager were charged with exceeding the spending limit applicable to their

electoral division. All but one of these cases have now been dealt with by the courts.

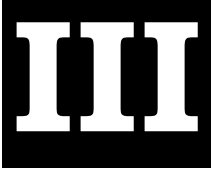
The PC candidate for The Maples, Ellen Kowalski, pleaded guilty to the charge under s. 84 of *The Elections Finances Act* for exceeding the spending limit on election expenses and was fined \$50. As well, her election expense reimbursement was reduced by \$2,700 – the amount by which the campaign spending exceeded the spending limits. Marnie Larkin, the campaign manager for Ellen Kowalski was also charged under s. 86 of *The Elections Finances Act* as an officer responsible for overspending. Marnie Larkin plead guilty to the charge and was granted a one-year conditional discharge by the court.

George Sandhu, PC candidate in the Inkster electoral division, was also charged for exceeding the spending limit on election expenses. He plead guilty to the charge and was fined \$350. Mr. Sandhu also lost a potential election expense reimbursement of \$2,140.

Vic Toews, PC candidate in the Rossmere electoral division, was also charged under s. 84 of *The Elections Finances Act* with exceeding the limit on election expenses. This charge was laid on November 22, 2001. At the time of writing, this matter was still before the courts.

It was also previously reported that following the 1999 general election charges were laid against Heather Campbell-Dewar for defamation of a candidate and obstruction. This individual plead guilty to both charges and was fined \$1,500 on the defamation charge and \$300 on the obstruction charge. In connection with the same matter, a further charge was laid against Roland Percival Barrett for defamation of a candidate. After a lengthy pre-trial process, it was decided in February 2003 to stay the charges in this case.

No charges have been laid in connection with the review of candidate or political party election returns from the 2003 General Election.



## 38<sup>TH</sup> GENERAL ELECTION

### PREPARATION FOR THE GENERAL ELECTION

#### Operational Readiness

Much of the field preparation for the 38<sup>th</sup> General Election was completed in 2002 and the focus during the early part of 2003 was keeping everything current and in a state of readiness. During the latter part of February, Returning Officers were given refresher training, concentrating largely on the software to be used during the upcoming election. Returning Officers were also instructed to confirm office space, office staff, enumerators and polling places to ensure all were still available in the event of a spring election.

A small number of Returning Officers who had been recruited in 2002 were unable to act by early 2003 due to changed circumstances. Therefore interviews and new appointments were made and additional training was held so a complete slate of officers were ready by April 2003.

New provisions to *The Elections Act* in 2000 allowed for a leave of absence for election officials as well as candidates and political party volunteers, to permit increased citizen participation in the democratic process. This was the first general election for this provision. A total of 30 Returning Officers or Assistant Returning Officers applied to their employers for this leave without pay in order to fulfill their duties in the election. Two of these applications were appealed to The Manitoba Labour Board by the employers as permitted under *The Elections Act* and were subsequently allowed by the appeal process.

Another amendment in 2000 changed the election calendar from 36 days to 33 days. Due to this change a minimum election calendar would now begin on a Friday. As experienced in the Lac du Bonnet by-election on March 12, 2002, an election called on a Friday poses some unique challenges to opening a returning office, confirming polling places, starting enumeration and installing equipment. Returning Officers were instructed to be vigilant in their preparation work and to obtain weekend numbers or cell phone numbers from all their contacts. There was also much preparation done by Elections Manitoba during 2002 and early 2003 with MTS and photocopy, fax and computer suppliers. As a result, weekend service and installation was accomplished and all returning offices were functional by the Monday following the writ.

*The Elections Act* previously allowed people to vote in a provincial election only if they have resided in Manitoba for at least six months immediately before polling day. An amendment in 2002, allowed for an exception to that rule. This amendment now allows Manitoba residents who are members of the Canadian Forces, and the people who live with them, to vote in the electoral division where they resided immediately before leaving Manitoba if they intend to return and reside in the province. During 2002 and

early 2003, cooperation between Elections Manitoba and the Judge Advocate General of the Canadian Forces, allowed for information to be prepared and ready to send to service personnel overseas as soon as the election was called.

Ad Hoc meetings with the political parties took place prior to the General Election to discuss policies and/or procedures for candidates and their representatives. From the meeting three policies were developed by Elections Manitoba in consultation with the Ad Hoc members. Elections Manitoba then prepared and distributed the final policies to each political party. They were as follows:

- communication devices within a polling place
- scrutineers acting as "runners" on election day
- access to multiple residences by candidates and their representatives

The following are three policies and/or procedures that were developed by Elections Manitoba in consultation with the Ad Hoc members.

1. *Policy Regarding the Use of Electronic Communication Devices In Polling Place Locations*

With the increase in cell phone use over the past years, some clarification was needed for the political parties to pass on to their election day workers regarding the use of any kind of communication device in the polling place. In order to avoid disruption at the polls and the possibility of any partisan conversations taking place between an election worker and their headquarters and to avoid congestion at the doorway to a polling place the following policy was developed:

- Electronic Communication Devices including cell phones, pagers, etc. are not permitted to be used in the room in which voting is taking place (e.g. school gymnasium or community hall).
- Care must be taken to ensure that persons talking on "Electronic Communication Devices" do not block access to the polling place entrance or otherwise interfere with the orderly operation of the poll and do not compromise the secrecy of voting.

2. *Policy on "Runners" (Outside Scrutineers)*

Outside Scrutineers or "runners" as they are commonly called, are not addressed in *The Elections Act*. During past elections there has been some confusion on the part of both election officials at the polls and the political parties as to where and how to administer the proper appointment and oaths for these people. To clarify the process for both the political parties and the election workers the following policy was arrived at:

- Runners must be appointed by using an Appointment of Scrutineer Form with "Runner" indicated in the top left corner.
- Runners only need to complete one appointment Form and must carry this form at all times.
- The poll numbers where the runner is to be working must be indicated on the form.
- If the runner is working at all polls "All" is to be indicated.
- The runner is to show the form to the Senior Deputy Returning Officer

(SDRO) or to the Deputy Returning Officer of the polling place with the lowest numbered poll if there is no SDRO.

- The runner will sign the Oath of Secrecy at the lowest numbered poll at each polling location.

3. *Information About Access to Multiple Residences for Purposes of Canvassing or Distributing Election Campaign Material*

New legislation in 2000 clarified a candidate's right to canvass and distribute election material in apartment buildings, condominium units and other multiple residences. The 38<sup>th</sup> General Election was the first general election for implementation of this provision. In consultation with the political parties specifics on the personal identification required for candidates and their representatives was finalized and the following process was put in place. Elections Manitoba distributed information regarding this matter to property management companies and condominium boards.

Responsibilities for candidates and their representatives:

- Campaign only during the hours of 9:00 AM to 9:00 PM.
- Carry the ID form (a sample form was provided) and some form of identification (preferably a photo ID) with you at all times when campaigning.

Complaints:

Any complaints regarding landlords who do not comply with the legislation are to be directed to the Returning Officer. If a Returning Officer is not able to satisfactorily resolve the complaint, he or she will refer the matter to Elections Manitoba.

## **Advertising**

Changes to legislation necessitated a review of public information materials in 2003. Newspaper, radio and television advertising and the Voter's Guide needed to be revised. A request for proposals to do this work was circulated and three ad agencies made submissions. Two firms were selected to give presentations. In the end, Deschenes Regnier was chosen to develop the campaign.

Changes were made to the content of the ads and Voter's Guide to satisfy the amendments to the act. Materials were also redesigned to improve readability and create a consistent visual theme across all communication vehicles. As well, for the first time, an encouragement to "Think about it - Vote" was used as a theme.

## **Compliance Assistance**

The number of Elections Manitoba's campaign information sessions for official agents, campaign managers and candidates was greatly increased this election. A total of 28 sessions were held including sessions in Brandon, Dauphin, Thompson and The Pas. This was the first time that the information sessions were held in the northern communities of The Pas and Thompson. The sessions were well received by the participants. There were major revisions to the guidelines for official agents and chief financial officers, and a short checklist of reminders specifically for candidates.

## **Auditor Assistance**

A candidate's financial statement as well as a registered political party's financial statement must be accompanied by an auditor's report. This was the first general election that information sessions for auditors were provided. Previously, these sessions were provided in by-elections. The auditor's handbook was revised for this election after consultation with political parties, auditors and the various accounting bodies.

## **OPERATIONAL CONDUCT OF THE ELECTION**

### **Appointment of Returning Officers**

The 38<sup>th</sup> general election was the first general election to have Returning Officers appointed by the Chief Electoral Officer following open, merit-based competitions. Following the amendment in 2000 giving the CEO this responsibility, Elections Manitoba underwent extensive research and discussions with other jurisdictions that also go through a similar selection process.

Interviews began in November 2001 with the first appointment being made by the end of that year. By the fall of 2002 a full slate of officers were selected and appointed in anticipation of a general election. From the fall of 2002 until shortly before the election call in May 2003, the occasional vacancy occurred resulting in recruiting to fill the vacancies. Overall, the selection process produced very capable, enthusiastic managers. Although not all successful applicants had previously been involved in the electoral process, all had involvement in and a commitment to their communities.

Probation criteria were developed for the Returning Officers and Assistant Returning Officers in order to assess their work performance. Following the introductory and pre-writ training in May 2002, Returning Officers were evaluated on their quality of work and meeting the deadlines given. Only two Returning Officers of the 57 originally hired did not meet the probation criteria, and were replaced.

Returning Officer's and Assistant Returning Officer's appointments are valid for six months following the announcement of the official results. As a result all Returning Officer and Assistant Returning Officer appointments ended mid December 2003. During 2004 the evaluation of Returning Officers and Assistant Returning Officers will be completed and the process for those who successfully qualify for re-appointment will begin. Elections Manitoba expects to retain a great majority of the Returning Officers who now have the experience of a general election.

### **Mapping**

The improvements made to base maps in the City of Winnipeg electoral divisions for the 1999 election were built upon for Winnipeg electoral divisions and extended to the City of Brandon. The new maps for divisions outside the cities of Winnipeg and Brandon included much more geographic information including rivers, roads etc. as well as more inset maps for the larger communities across the province.

The introductory and pre-writ training for Returning Officers and Assistant Returning

Officers began in May 2002. During this time Returning Officers were instructed on the process of redrawing the polling subdivisions within their electoral division. Just prior to the 1999 general election, the Boundaries Commission changes were adopted, however, time did not allow for the adjustment of the polls. An amendment from 1998 allowing for up to 350 voters per polling subdivision had also never been implemented. Consequently instructions were given to adjust the polling subdivision's boundaries where necessary to reflect these changes if it would enhance convenience to the voters.

The cost of a polling subdivision, taking into account enumeration fees, Election Day fees and supplies is approximately \$543.00. Therefore, as there were 315 fewer polls during the 2003 election, the cost savings involved was approximately \$171,000.

Due in part to the reduction of the polling subdivisions, there was also a reduction in polling locations. In total there were 69 (8%) fewer locations. Of those 69 locations, six had an advance poll held in their community. A further 26 locations were unavailable for use as a polling location. Left is a net of 37 fewer locations used in the 2003 general election than the 1999 general election.

Maps were made available to political parties beginning in October 2002 and were completed in March 2003 prior to the general election. For the first time maps were made available to all candidates upon their constituency nomination prior to the election. During the election maps are available to all candidates as they filed their nomination papers.

As with all undertakings of this magnitude lessons were learned throughout the process and improvements can always be made. As a result Elections Manitoba is now in the process of reviewing each polling subdivision in detail. As with all changes made by Elections Manitoba, this review will then be shared with the political parties for their review and comments. The Ad Hoc committee members have been asked to designate a contact person for each of their political parties for this project and as work progresses the Manager of Elections Operations and Communications will be in close contact with each of these designated people. The project is expected to be completed by early 2005.

## **Training**

In addition to the pre-writ training held in the spring of 2002, three-day comprehensive training sessions were held during the fall of 2002. In preparation for a possible spring election a one-day hands-on computer software course was conducted in February 2003. This enabled Elections Manitoba to meet with Returning Officers prior to the general election. Returning Officers were instructed to ensure that all arrangements, which had tentatively been put in place during the previous fall, were current. Office space, supplies, staff and polling places all had to be confirmed or updated.

Building on the success of the program from previous elections, Elections Manitoba hired a number of people to act as a support network for Returning Officers. Five Returning Officer *Contacts* worked at Elections Manitoba as the first point of contact with the field. Another eight worked as Field Contacts assisting when and where



necessary. This support team, both those working in the field and in head office, had also attended the training held in 2002. Early in 2003, Elections Manitoba met with the RO Contacts so they could begin familiarizing themselves with their newly developed manual and the electoral divisions that were assigned to them. The new manual was based on the election calendar and contained a day-by-day itinerary for them to follow.

## **Management Information Systems**

During the 38<sup>th</sup> general election, the 57 returning offices made full use of VES (Voter Enumeration System) to handle all aspects of the daily election operations. This MS-Access based system was first used in the 1999 General Election and 2000 by-elections simply as a program to build the voters list. Enhancements were made to enable the program to become a management tool for the field and head office. The new program was piloted in the 2002 Lac du Bonnet by-election and re-tested during numerous training sessions up to the election call. VES now handles data entry of the voters list, creation of paper and electronic copies of the lists for the candidates, posting of up-to-the-minute enumeration and revision counts, advance and special ballot voting usage, as well as election night results reporting. All the information was posted to Elections Manitoba's Web database via dial-up Internet connections throughout the day. The Web site also hosted a myriad of secure head-office and RO web reports covering all aspects of the election from office opening, staffing, training, enumeration, poll coverage, election night results and voter turnout statistics.

In addition to VES, returning office payroll was also performed in the field via an MS-Access application with data files being forwarded to EM for submission to an outside payroll service provider

Lastly, to assist in completing candidate's financial returns an automated financial return preparation filing disk was provided to all candidates allowing them to process and file returns via diskette. A head-office financial return system was also available to assist in processing, verification, tracking, and public disclosure.

## **Voter Registration**

Enumeration concluded on May 17, 2003 with 702,572 names on the voters list. This resulted in 95.9% of the total voters on the list being registered through the enumeration process.

With the minimum election period being shortened from 36 to 33 days, the phases of the election calendar were also adjusted. Consequently, the enumeration period was lengthened from 10 days to 14 days. This longer period and the enhanced management reports available on the Web site, contributed to the higher percentage of voters being placed on the voters list through the enumeration process when compared to previous elections.

The revision period was shortened from 10 days to four days. Revision took place from May 21 to May 24, 2003. Qualified voters could attend at any revising office in their electoral division to have their name added, corrected or deleted from the voters list. In addition, revising agents targeted areas where enumeration had been down or where a

voter requested a home visit rather than coming to one of the revising offices. Revising offices were located in every Returning Office and in 16 additional locations in rural Manitoba. Revision resulted in another 15,012 (2.0%) names being placed on the voters list.

Any voter whose name is not on the voters list can register by producing identification and swearing that they are a qualified voter. This method of being added to the voters list is commonly known as swearing on at the polls. At the advance, absentee, and institutional polls and on Election Day, an additional 15,362 (2.1%) names were placed on the voters list using this registration method.

New legislation introduced in 2000 allowed for a registration officer to be placed in poll locations where a large number of swear-ons may be expected. The addition of this staff position enabled those needing to be sworn on at the poll to do so quickly and efficiently and avoid any lengthy line-ups in the polling station.

In total, 732,946 voters were registered to vote for this general election. The numbers of voters registered during the different phases of registration and a comparison to previous general elections is shown in the following table.

#### **Voter Registration**

<b>Method of Registration</b>	<b>Number of Voters</b>	<b>percentage</b>
<b>1995</b>		
Enumeration	686,729	(93.78%)
Revision* (two-day period)	16,601	(2.27%)
Sworn on at polls	28,900	(3.95%)
<b>Total</b>	<b>732,230</b>	<b>(100.00%)</b>
<b>1999</b>		
Enumeration	666,427	(91.37%)
Revision* (10 day period)	32,201	(4.42%)
Sworn on at polls	30,721	(4.21%)
<b>Total</b>	<b>729,349</b>	<b>(100.00%)</b>
<b>2003</b>		
Enumeration	702,572	(95.9%)
Revision* (4 day period)	15,012	(2.0%)
Sworn on at polls	15,362	(2.1%)
<b>Total</b>	<b>732,946</b>	<b>(100.00%)</b>

\*Includes net additions and deletions and personal security voters

Data entry for the creation of the voters list was done entirely in the Returning Office with a few exceptions in more remote locations that also had a satellite office. During the 1999 general election, data entry was done in data entry operator's homes throughout each division. The centralization of the data entry for the 38<sup>th</sup> General Election eliminated the need for numerous data entry operators and it also gave the Returning Officer greater control of the list production thereby reducing the risks inherent in the physical transfer of data in the field.

With the computerization of the voters list being transferred entirely to the returning

office, the production of the list in both paper and electronic format was completed in a time saving manner. For the first time candidates were offered an electronic version in both Excel and Access formats, as well as the traditional paper copy of the voters list at the returning office. These lists and disks were available at the completion of both enumeration and revision. The transfer of the data from the returning offices to Elections Manitoba enabled a combined data base for the province to be available to the political parties at these two phases of the election and again following the election after the swear-ons from the polls had been data entered.

Guidelines on access to and disclosure of Manitoba's voters list were developed for the 1999 General Election. These guidelines were developed in consultation with the Access and Privacy office of Manitoba Ombudsman and include recommendations for safeguarding the voters list to ensure the privacy of Manitobans is protected. These guidelines were reviewed and again used with candidates and political parties as they took possession of the voters list.

Following the 38<sup>th</sup> General Election, Elections Manitoba developed an automated routine to compare the voters list database with the database from the 37<sup>th</sup> General Election. During the 2003 election a manual comparison had to be done to determine coverage of each polling subdivision. To further assist Returning Officers during enumeration in the next election an automated report will be possible in order to identify the geographic locations in all electoral divisions where enumeration has not taken place.

## **Nominations**

Nomination kits are available from Elections Manitoba for anyone wishing to run as a candidate in a provincial election. The nomination kit contains:

- Form 499 Parts 1 & 2 – Nomination Paper
- Election Calendar for Candidates
- *The Elections Act*
- Candidates Guidelines and Checklists for Filing Nomination Papers
- Various Elections Manitoba publications

Nominations for the 38<sup>th</sup> General Election closed Tuesday, May 20, 2003 at 1:00 p.m. with a total of 197 candidates filing nomination papers. This was one less candidate than in the 1999 election.

Prior to the election during discussions with the Ad Hoc committee, it was decided the nomination paper should be redesigned in an effort to make it clearer and easier to complete. More description was placed in Part 1 to explain the required addresses to be entered. On Part 2, samples of the name, address and signature were placed on each page in an effort to improve the quality of the information collected by candidates and their campaigns.

To avoid any confusion with existing nomination forms that may have still been in circulation from the last election, the form was renumbered to 499 and printed on yellow paper. All nomination papers filed within the Province were on the correct form

and Returning Officers found the process of verification of names better than in previous elections.

There were a total of seven political parties registered under *The Elections Finances Act* prior to the election. These were the same seven political parties as in the 1999 general election. Six of the registered parties endorsed candidates for the 38<sup>th</sup> Election.

The following chart shows the number of candidates for each political party for the 2003 General Election. A comparison chart of the number of candidates and their political affiliation for past elections can be found on page 44.

<b>Registered Political Party</b>	<b># Candidates</b>
Communist Party of Canada-Manitoba	5
Libertarian Party of Manitoba	5
Manitoba Liberal Party	57
Manitoba Party	0
New Democratic Party of Manitoba	57
The Green Party of Manitoba	14
The Progressive Conservative Party of Manitoba	57
Independents	2
<b>Total</b>	<b>197</b>

During the 38<sup>th</sup> General Election, The Manitoba Party failed to endorse the required minimum five candidates and was subsequently de-registered on November 6, 2003.

## **Voting**

Manitoba's *Elections Act* provides some of the most comprehensive voting opportunities as can be found anywhere in the country and ensures that all qualified voters have the opportunity to vote. Elections Manitoba's goal is to provide a voting environment which is impartial, accessible and user friendly. Despite these opportunities, voter turnout dropped by almost 14% from the last General Election. Elections Manitoba's concern over this issue has resulted in extensive research on this topic. The results of this research are presented later in this report. Detailed poll by poll results of the voting can be found in the Statement of Votes for the 38<sup>th</sup> Provincial General Election published earlier this year and available on Elections Manitoba's Web site or by calling or visiting Elections Manitoba.

Since the mid-eighties, Returning Officers have been required to find polling places which provide ease of access to voters who are physically disabled. In 1986 only 70% of the regular polls were accessible. In the 2003 general election, only 12 locations within the province did not have level access on Election Day, meaning 99.5% of the polls were accessible. Most of the polling places that did not have level access were in remote locations where no other facility was available. If a voter with a physical disability had presented themselves at one of these 12 locations, election officials were instructed to implement section 79(3) of *The Elections Act* and move the ballots, ballot box and poll book to the voter outside the polling place.

Voter turnout for the 2003 Provincial Election was 54.17% with 397,069 voters having voted. At the count 1,587 ballots (0.40%) were rejected as invalid leaving a total of

395,482 valid ballots counted. In 1999, province-wide voter turnout was 68.10% with 496,684 votes cast and 2,021 ballots (.41%) rejected, leaving 494,663 valid ballots counted.

An amendment in 1998 permitted a voter to decline to vote by writing the word *declined* on the ballot. In 2003, 426 voters (.11%) declined to vote. This compares to 1,129 (.23%) in 1999.

The following table shows the ballots cast in comparison to the 1999 General Election.

	<b>2003</b>	<b>(%)</b>	<b>1999</b>	<b>(%)</b>
Valid ballots for Candidates	395,056	99.49	493,534	99.36
Declined Ballots	426	0.11	1,129	0.23
Total Valid Ballots	395,482		494,663	
Rejected Ballots	1,587	0.40	2,021	0.41
<b>Total Ballots Cast</b>	<b>397,069</b>	<b>100.00</b>	<b>496,684</b>	<b>100.00</b>

The following table shows the manner by which voters cast their ballots in 2003, with a comparison to 1999.

<b>Method of Voting</b>	<b>2003</b>	<b>(%)</b>	<b>1999</b>	<b>(%)</b>
Absentee	696	0.18	1,788	0.36
Advance	18,762	4.72	23,351	4.70
Homebound	1,643	0.41	1,913	0.39
Institutional Polls (Special Blank Ballots)	1,420	0.36	1,720	0.35
Institutional Polls (Regular Ballots)	3,756	0.95	3,649	0.73
Regular Polls	370,792	93.38	464,263	93.47
<b>Total</b>	<b>397,069</b>	<b>100.00</b>	<b>496,684</b>	<b>100.00</b>

## Special Voting

In addition to the 2,282 regular polls open on election day there were also 100 institutional polls in health care and correctional facilities on Election Day. Other special voting opportunities available for voters are advance polls, homebound polls, absentee polls and personal security protection voting. Special voting opportunities are explained in the voter's guide that is delivered to each household during enumeration.

## Advance voting

With the change in the election calendar from 36 days to 33 days, advance voting was changed from seven days to six days, however, hours were lengthened from 11 hours each day to 12 hours. This gives Manitobans 72 hours of advance poll voting which is significantly higher than any other jurisdiction in Canada. Advance voting was held in each returning office and in 68 additional locations in mostly rural areas on one or more days during the advance voting period.

Advance voting is available to any voter who expects for any reason to be unable to vote on Election Day. Advance polls were open from May 26 to May 31 inclusive. During this period 18,762 voters cast their ballot this way (4.72% of total ballots cast).

## **Homebound voting**

Homebound voting is available to any voter who, because of a physical disability, is unable to vote at a regular or advance poll. These votes are administered using regular ballots starting as soon as regular ballots are available until Election Day. In almost all cases the Returning Officer or Assistant Returning Officer delivers a ballot kit in person, assists the voter if asked, and brings the completed ballot kit back to the returning office to be deposited in the homebound poll ballot box. If this is not possible or practical then the ballot kit is mailed to the voter with instructions to have it returned to the returning office prior to 8:00 p.m. on Election Day. There were a total of 1,643 ballots administered in this manner during the election (0.41% of the total ballots cast) .

## **Absentee voting**

Absentee voting is available to vacationers, business people and students studying out of the province and those temporarily working away from home as long as their absence from their home is less than six months. Voters living in remote areas of their electoral division could also use absentee voting. During this election 696, votes were cast at absentee polls (0.18% of the total ballots cast).

An amendment in 2001 placed an exception to the limit of six months absence for Canadian Armed Forces Personal and their families who were serving outside Manitoba, as long as they intended to return to Manitoba. Prior arrangements with military administration in Ottawa enabled an explanation letter and absentee voting applications to be sent to service personal overseas as soon as the election was called. Through the efforts of CFB Winnipeg, 30 applications were received from personal in Bosnia, processed by the applicable Returning Officer and a ballot kit sent to these voters. Twenty-four ballots were returned and included in the absentee polls for the electoral divisions where these voters had resided.

## **Personal security protection voting**

A voter for reasons of personal security may apply to have their name and personal information omitted or obscured from the voters list. Personal Security brochures were distributed to organizations which may have dealings with people who may be interested in this voting option. There were 22 personal security voters during 2003 compared to 50 voters in the 1999 General Election.

## **Voting in Institutions**

On Election Day, election officials visit both health care and correctional institutions in order for the residents of these facilities to cast a ballot. Some institutional polls are known as Institutional Moving Polls (IMPs) as they visit two or three small institutions throughout the day. Others are known as simply Institutional Polls (IPs) as they are located in only one institution for the day. Often large institutions such as the Health Sciences Centre in Winnipeg or Stoney Mountain Correctional Institution have more than one set of officials in order to extend the voting opportunity to all residents. Institutional Polls and Institutional Moving Polls can both be mobile within an institution in order to give those residents who cannot leave their room the opportunity

to cast a ballot. During the 2003 General Election there were 100 institutional polls within the province.

During their pre-writ work Returning Officers identified all the institutions and contact information for the facilities requiring institutional polls within their electoral division. Elections Manitoba staff then met with Returning Officers and the administrators of most of the large facilities to explain process and procedures for the institutions. In many cases administrators were able to identify election workers from off-duty or retired personnel.

### **Election Day Personnel**

One of the largest risks for Election Day is having all personnel in place to open the polls at 8:00 a.m. Returning Officers are instructed to train and have on-call at least five spare officials in case of an emergency. As a back up, Elections Manitoba trains additional personnel who can be deployed anywhere within the City of Winnipeg and surrounding areas. This is the second general election in which Elections Manitoba has trained additional back up personnel. For the 2003 election, the City of Winnipeg Clerk's Office offered to have 15 of their department managers trained by Elections Manitoba and available to go anywhere and be assigned any task necessary. None of the City of Winnipeg personnel were needed on election day due to the back up staffing plans put in place.

### **Public Information**

For the past four general elections, Elections Manitoba has contracted the Manitoba Government Inquiry Office (MGI) to provide call centre infrastructure and staff for general inquiries during the election. For the 38<sup>th</sup> General Election, four additional staff members were also hired to answer Elections Manitoba's main office phone numbers.

The number of telephone inquiries received during the General Election dropped significantly to 6749 - only slightly more than half the number of calls received in the 1999 election. While it is difficult to pinpoint the reason for the decline, one could speculate that the increased amount of information available on Elections Manitoba's Web site, and decreased overall voter participation in the election, could be contributing factors.

For the first time, the theme, stylistic treatment and photos used in advertisements were carried through to the election Web site. As well, more information was made available on the Web site including:

- a "where do I vote" page that provided a poll location search based on City of Winnipeg addresses
- a list of candidates updated daily as nominations were verified

- extensive elections finance information such as:
  - handbooks and guides for political participants
  - preliminary and final spending limits
  - schedule of information sessions
- online employment applications and school presentation request forms
- detailed information for the media

Statistics comparing the 1999 election Web site to the 2003 site show a substantial increase in use of the site from approximately 584,131 hits (from August 17, 1999 to October 12, 1999) to approximately 1,318,900 hits (from May 1 to June 19, 2003).

In an effort to streamline and standardize the method of dealing with complaints, a Complaints Officer position was created for the election. All complaints, whether by phone, e-mail, fax or letter, were forwarded to the Complaints Officer who dealt with them, forwarded them to the appropriate Returning Officer, or forwarded them to senior staff for follow-up. As a result, complaints were dealt with very quickly and consistently.

### **Judicial Recounts**

There was one automatic judicial recount in the rural electoral division of Minnedosa. Automatic judicial recounts are held when the difference between the leading two candidates is 50 votes or less. Eleven votes separated the leading two candidates in Minnedosa. The final result after the recount was a twelve-vote margin. There are also provisions in *The Elections Act* for a candidate or voter to request a recount for the sole purpose of declaring a candidate elected. A recount was requested in the Winnipeg electoral division of Fort Garry. The top two candidates had a vote spread of 87 votes. The spread remained 87 after the recount.

### **Results**

The poll by poll results for the 2003 election are available in the Statement of Votes which was published in December 2003 as required by *The Elections Act*. Copies of this publication are available from Elections Manitoba and on the Web site.

The official announcement of results was made on June 10, 2003 and 55 members of Legislative Assembly were declared elected on that date. Following the recounts in Minnedosa and Fort Garry, those members were declared elected on June 25, 2003 and June 30, 2003 respectively.

The Chief Electoral Officer published notice of the returns from 55 of the 57 electoral divisions in the Manitoba Gazette on July 5, 2003. Following the recounts, the results for Minnedosa and Fort Garry were published July 12, 2003.

### **Post-Election Workshops**

Post election sessions were held with field staff, office staff and political parties. These debriefing sessions are always informative and constructive and Elections Manitoba staff comes away with many new ideas for improvement to existing procedures and new initiatives. Political party sessions focused mainly on poll locations and low voter



turnout. From this a project to review all polling subdivisions and poll locations has been started as noted earlier in this report under Mapping.

Debriefing for Returning Officers and Assistant Returning Officers was held during November in Winnipeg, Brandon, and The Pas. These sessions were held on a regional basis in order to discuss local concerns and therefore give Elections Manitoba staff some further insight into the unique challenges each region faces. With this information Elections Manitoba is better equipped to improve processes and procedures which can be utilized in each unique area within the province.

## **Post-election Research**

Elections Manitoba routinely conducts surveys of voters and election officials following a general election. The findings of these surveys are summarized in the following pages.

### **Staff Surveys**

A survey for enumerators and poll officials was conducted with the goal of finding any areas where improvements could be made. The enumerators and poll officials were asked for their opinion on training, tools, supports and what improvements could be made. On the whole these officials were pleased with their experience and 75% of enumerators and over 90% of poll officials said they would do the job again. Elections Manitoba will use these surveys when reviewing and re-writing manuals and training kits for the next general election.

### **Voter Satisfaction**

Following the election, a telephone survey of just over 600 eligible voters in Manitoba was conducted by an independent research firm. The main objectives of this survey were to measure how effectively Elections Manitoba informs voters and the public's satisfaction with the voting process. The results of this research were very positive – indicating that almost 90% of electors found that they had received the information they needed during the voting process; that 97% of voters found voting locations to be convenient; that 94% of voters found election officials to be very helpful, knowledgeable, polite and courteous; that 98% of voters felt they were treated fairly; that 98% of voters were satisfied with the time it took to vote; and that 95% of voters were satisfied or very satisfied with the overall experience when they went to vote.

### **Voter Participation**

Manitoba's voter turnout had declined in the 2003 election from almost 70% in the previous two elections to 54% in the 2003 election. Following the election there was considerable discussion about this matter and speculation as to the reasons for the decline in voter turnout. Because of this dramatic decline, Elections Manitoba retained an independent research firm in the Fall of 2003 to conduct an in-depth study of voter participation from the 2003 Manitoba general election. This study took place over a six-month period and involved an extensive literature review, an analysis of secondary data, qualitative research and survey of a roughly equal number of randomly selected voters and non-voters (410 voters and 402 non-voters).

The study examined trends in voter turnout not only in the province, but also nationally and internationally. One of the purposes of the research was to identify characteristics of voters and non-voters – to gain a better understanding of why some people vote and others don't. We also felt that it was necessary and important to explore the barriers to voting and what could be done to encourage non-voters to participate. The research also examined voter turnout patterns within the electoral divisions themselves to try to gain some insight into why turnout was higher in some divisions than in others.

Voter turnout has been trending downward not only in most provinces but also nationally and in many western countries. In most provinces the turnout has been slowly decreasing since the 1970s.

The research shows that certain demographic characteristics seem to be linked to non-voting. It was found that those divisions with the lowest turnout tended to be in areas with a higher proportion of young, Aboriginal, low-income and highly mobile people.

The findings are also consistent with other Canadian research that shows that younger individuals are less likely to vote. The youngest age cohort (18- 24-year-olds) was almost three times more likely to appear in the sample of non-voters as in the sample of voters. Even the 25 to 39-year-old respondents were twice as likely to be non-voters. Among those 40 years of age or older, this reverses, and those 40 to 64 years old are 1.5 times as likely to be voters than non-voters. Those 65 plus are 3.5 times as likely to be voters.

Based on the reasons given for not voting, researchers have suggested there are three general types of non-voters: displaced, distracted and disassociated.

Displaced voters are those who, for whatever reason, report that they were physically unable to get to the polls. Displacement accounts for a relatively low percentage (11%) of non-voters. Overall, it was found in the Manitoba survey that the most common reason people in this category give is that the polls were too far away or that they could not get a ride to the poll (5%). Respondents outside of Winnipeg were slightly more likely than Winnipeg voters to cite this as a reason for not voting. Another reason displaced voters give for not voting was that the polls closed too early or weren't open early enough (3%). It should be noted that Manitoba has some of the longest voting hours in the country. Voting stations are open for 12 hours in Manitoba provincial elections from 8 a.m. to 8 p.m. Also, some individuals reported they didn't know where to vote (2%) or state that they didn't think they could vote because they weren't on the voters list (1%).

When non-voters were surveyed following the 1999 election, 13% cited process-related reasons for not voting. While this percentage decreased to 11% in 2003, Elections Manitoba will continue to make efforts to accommodate voters who have difficulty getting to the polls to vote by looking for ways to make voting more convenient. In terms of increasing voter turnout, given the relatively low number of displaced voters reported, these efforts are not likely to make a large difference in voter turnout overall but each voter is important in their own right. Other research has also suggested that technical problems related to enumeration, registration, poll location or timing affects

only a relatively small proportion of non-voters.

The next largest group of non-voters (42%) is referred to as distracted voters. They are individuals who fully intended to vote but for a variety of reasons something came up – often beyond their control – which prevented them from voting. Some of the reasons cited by this group were that they were too busy or did not have time to vote (24%), that they weren't at home or in town at the time of the election (8%), or planned to vote but simply forgot (7%). The distracted voter group represents a potential area for increased voter turnout because this is a group of people who intended to vote. Knowledge that advance poll voting is an option available to any voter who is unable to vote on election day, more advance polls, and more widely advertised poll locations may help address the problems of time conflict.

The largest group of non-voters is a group called the disassociated voter (47%). These are eligible voters who are not interested in, disengaged from, or estranged from the electoral process. Some of the reasons cited by this group were that they don't trust the candidates or the parties (13%), they have no interest in any of the candidates running or the election in general (12%), they are not well enough informed about the issues or the candidates to make a choice (10%) or that it doesn't matter who wins or loses (8%). This group appears to be growing over time. Encouraging disassociated voters to participate in the elections is perhaps the most difficult challenge. The challenge in reaching disassociated voters is not a matter of technicalities of how elections are held or the mechanics of voting. It is a matter of the non-voters' interest in the political system itself and their perception of whether the political system is relevant to their lives. For this group of committed non-voters, a way will have to be found to engage them in the electoral process.

It's somewhat of a consolation to find that the vast majority of both voters and non-voters still think voting is important. The non-voters do not hold the belief in the importance of voting as strongly as voters but their support for the notion of voting is encouraging. Interestingly, several non-voters in the focus groups said that voting was so important to them that it stopped them from voting – they did not want to make a mistake by voting for the wrong candidate or party.

The research also looked into what would encourage non-voters to vote. Several innovative options that would make voting more convenient were presented to respondents. These were ideas such as voting on-line and voting by telephone. While there was some support for these alternatives, it was found that they would not make non-voters much more likely to vote. Indeed, on-line voting and telephone voting also resulted in many saying they would be less likely to vote because they would have less confidence in the accuracy of the outcome and secrecy of their vote.

Another way of increasing voter turnout would be for electoral offices to more directly promote voting among the electorate. In recent elections, differing advertising approaches – from a gentle nudge to a stronger push – have been taken by various jurisdictions to encourage the electorate to get out and vote. Our research found that 90% of voters and 81% of non-voters support the idea of Elections Manitoba

encouraging Manitobans to vote by telling them why their vote matters and why it is important to vote.

A common criticism in the literature is that young people have not had enough exposure to the election process in school from an early age. In the present study it was found that a majority of voters (66%) and non-voters (52%) agreed that schools should do more to educate children on the benefits of voting and political participation.

While there is more research needed in a variety of areas, the present research demonstrates that Manitoba faces many of the same challenges that other provinces and countries struggle with. The biggest challenge for most jurisdictions is that voting seems to have become devalued. That is, a growing number of electors believe there is less value in voting. Not voting has become more acceptable. This research suggests that one practical (and long term) response is to reinforce (through schools and advertising) the importance of voting. In other words, promote the act of voting.

## **FINANCIAL ADMINISTRATION OF THE ELECTION**

The cost to administer the 38<sup>th</sup> General Election was \$6,152,257. Efficiencies in administration resulted in an overall actual to budget positive variance of less than one per cent. The total reimbursement paid for the 38<sup>th</sup> General Election was \$1,740,904 which was comprised of \$726,278 for candidates and \$1,014,626 for political parties. An auditor is paid a subsidy of up to \$1,500 for a candidate's election return and \$30,000 maximum for political party statements. Subsidies paid to auditors totaled \$285,504.

The administrative costs of the election are divided into two categories:

**Electoral Divisions** – This category includes the fees and travel costs of election officials in the field and the cost to operate returning offices. Other costs included are associated with the conduct of the election within individual electoral divisions. This category accounts for 72% of the total administrative costs of the election.

**Central Office** – This category includes the costs associated with providing central coordination and support to the returning offices and to publicize the election as required by legislation. The election costs associated with *The Elections Finances Act*, for example, conducting financial compliance reviews of election returns as defined by legislation is also included in this category. This category accounts for 28% of the total administrative costs of the election. Details regarding the reimbursement payments made for the 38<sup>th</sup> General Election can be found on page 45.

## Summary of Returning Office Operations Expenditures for all Electoral Divisions

### Election Officials Fees and Travel

#### Fees:

Returning Officers and Assistant Returning Officers	\$856,318
Office support	420,672
Enumeration officials	731,478
Revision officials	34,014
Poll officials	775,740
Payroll benefits	125,332
Other fees/expenses	177

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Subtotal	\$2,943,731
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#### Training:

Office support	\$8,100
Enumeration officials	88,192
Revision officials	4,521
Poll officials	170,320

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Subtotal	\$271,133
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#### Travel:

Returning Officers and Assistant Returning Officers	\$39,157
Office support	14,631
Enumeration officials	164,778
Revision officials	7,605
Poll officials	80,373

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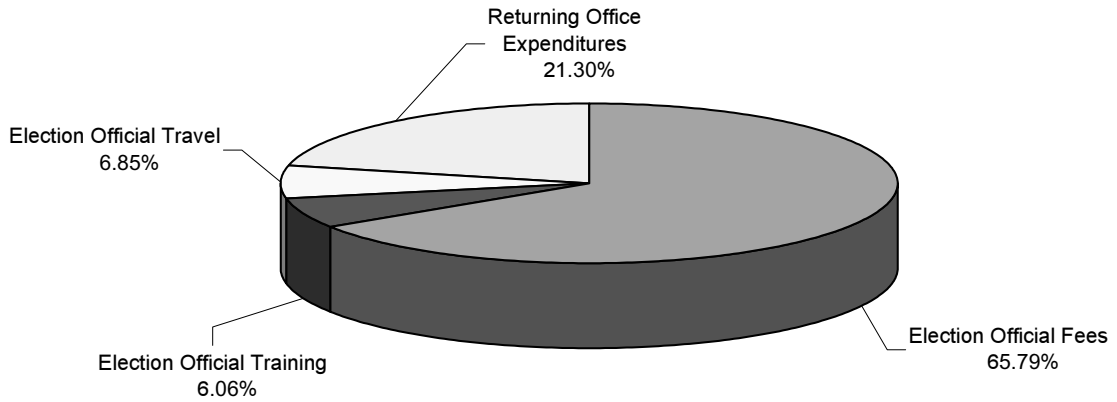
Subtotal	\$306,544
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<b>Total Election Officials Fees and Travel</b>	<b>\$3,521,408</b>
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Office Expenditures:	
Courier	\$52,458
Office rental	192,213
Office supplies	35,906
Polling place rental	145,040
Postage	2,675
Printing - Ballots	88,397
Printing - Other	542
Computer related	50,582
Furniture and equipment rental	200,887
Repairs and maintenance	15,507
Signage and ramp renovations	3,106
Supplies - paper	9,831
Telephone	155,615
Miscellaneous	260
<b>Total Returning Office Expenditures</b>	<b>\$953,019</b>
<b>Total Electoral Division Operations Expenditures</b>	<b>\$4,474,427</b>

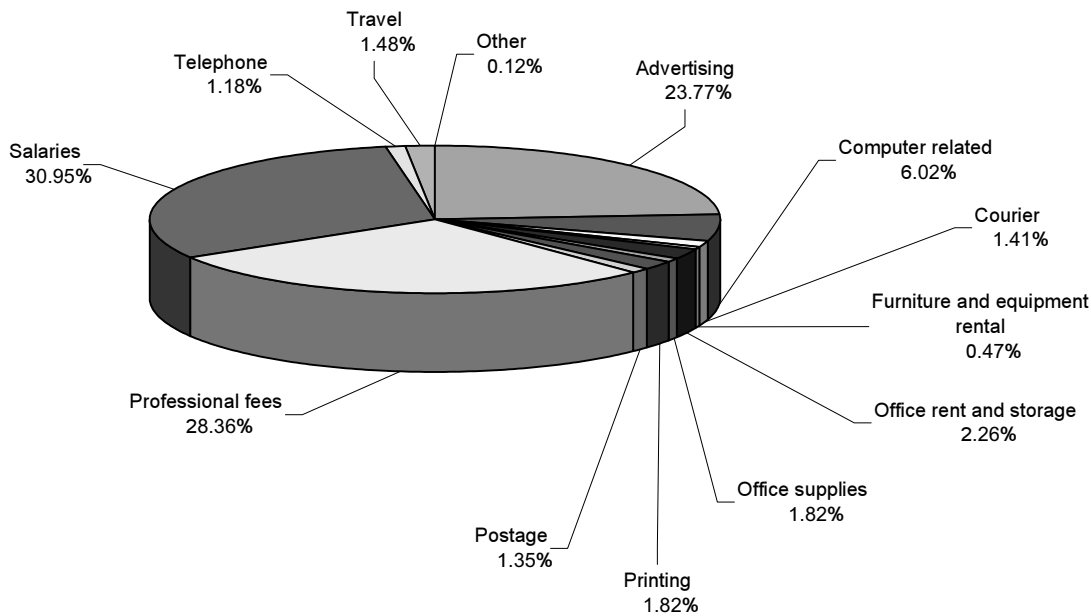
**Electoral Division Operations Expenditures**



### Summary of Central Office Expenditures

Advertising	\$398,743
Computer related	101,051
Courier	23,584
Furniture and equipment rental	7,906
Office rent and storage	37,984
Office supplies	13,693
Printing	30,465
Postage	22,604
Professional fees	475,837
Salaries	519,314
Telephone	19,862
Travel	24,837
Other	1,949
<b>Total Elections Manitoba Office Expenditures</b>	<b>\$1,677,830</b>
<b>Total Election Expenditures</b>	<b>\$6,152,257</b>

Central Office Expenditures\*



\* Variance of .01 due to rounding

### Payment of Returning Office Accounts

A Microsoft Access-based payroll system was developed and implemented for use in the 2000 and 2002 by-elections. This payroll system enables front-end payroll processing to be done at the returning office level. The intermediate and final levels of processing are then conducted at Elections Manitoba in conjunction with a payroll service provider.

After each by-election, improvements and efficiencies to the payroll program and

process were made. This automated payroll system was fully implemented in the 38<sup>th</sup> General Election with all 57 electoral divisions. Its success resulted in timely distribution of payments and accurate payroll. During the election period, approximately 7,200 employees and over 1,000 vendors were paid province-wide. Specific goals were set for timely processing and payment. These goals included over 2,800 enumerator claims being paid by polling day and over 5,400 poll officials claims being paid within two weeks following polling day. Likewise, most vendor invoices were received and processed within the two months following polling day. As with the earlier versions of the program, further efficiencies will be examined and such an automated system will be used again in future elections.

An independent chartered accountant audited the financial statements of the returning offices. No matters were identified. A copy of the Auditor's Report for the audit of Elections Manitoba Returning Offices – 38<sup>th</sup> General Election as prepared by Bulat & Poustie Chartered Accountants is included in the Appendix on page 131 along with the audited financial statements as prepared by Elections Manitoba.



## CAMPAIGN FINANCES

### Candidates, Official Agents, and Registered Political Parties

There were 197 candidates and six registered political parties contesting the 38<sup>th</sup> General Election. The following table lists the candidates by electoral division along with their endorsing parties, official agents, and registration numbers (where applicable).

#### Candidates and Official Agents in the 2003 General Elections

Electoral Division	Candidate	Political Party	Official Agent	Registration Number
Arthur-Virden	Kalynuk, Perry	NDP	Wayne Chacun	
	Maguire, Larry N.	PC	Kathryn J. Vodden	03G-01-01
	Ramsay, Vaughn C.	Liberal	William Glen McKinnon	03G-01-02
Assiniboia	Graboski, Monique	Liberal	Patrick Ireland	03G-02-03
	Rondeau, Jim	NDP	George Daniels	
	Tottle, Jesse	GPM	Pamela Sanford	
	Wishanski, Dennis	PC	William R. Badger	03G-02-01
Brandon East	Brigden, Scott	Liberal	Blair Filyk	03G-03-05
	Caldwell, Drew	NDP	Errol Black	
	Dinsdale, Greg	PC	Ross Eastley	03G-03-01
	Gallagher, Lisa	CPC-M	Janet Maureen Pratt	
Brandon West	Atkinson, Reg	PC	David Shuttleworth	03G-04-01
	Sigurdson, Candace	Liberal	Colleen Sigurdson	03G-04-02
	Smith, Scott	NDP	Janice Shannan	
Burrows	Johannson, Catharine	GPM	Robert Johannson	
	Lambert, Derek	PC	Jeff Newarch	
	Martindale, Doug	NDP	Jack Gray	
	Sanchez, Tony	Liberal	Priscilla M. Sanchez	03G-05-01
Carman	Harrison, Bill	NDP	Patricia Gross	
	Oldcorn, Don	Liberal	Minnie Davis	03G-06-01
	Rocan, Denis	PC	Paul-Emile Labossière	03G-06-03
Charleswood	Driedger, Myrna	PC	Brent Stefanson	03G-07-02
	Ross, Rick	Liberal	Hardy Enns	03G-07-01
	Willis, Mel	NDP	George Alevizos	
Concordia	Doer, Gary	NDP	Dennis Ceicko	
	Lloyd, Conor	PC	Michael Sinnock	
	Parks, Tanya	Liberal	Walt Nilsson	03G-08-01
Dauphin-Roblin	Griffin, Bill	PC	Darrell Zamrykut	03G-09-02
	Powell, Larry	GPM	Rowena Powell	
	Robinson, Joelle	Liberal	Felicia Hyra	03G-09-01
	Struthers, Stan	NDP	Kim Law	
Elmwood	Maloway, Jim	NDP	Len Dalman	
	McLeod, Bryan	PC	Akim L. Kambamba	03G-01-04
	Roberts, Walt	Liberal	John Petryshyn	03G-10-03
	Whittaker, Gavin	LPM	Rebecca Ruby	
Emerson	Gendreau, Luc	NDP	Nick Poshtar	
	Penner, Jack	PC	Gerry McEachern	03G-11-01
	Schieman, Len	Liberal	Albert Schmidt	03G-11-02
Flin Flon	Jennissen, Gerard	NDP	Beatrice Walker	03G-12-02
	McDonald, Lloyd	PC	Harold Brown	03G-12-03
	Zamzow, Garry	Liberal	Arnold D. Assoignon	03G-12-01
Fort Garry	Irvin-Ross, Kerri	NDP	Steven R. McConnell	
	Malik, Taran	Liberal	Norm Magnusson	03G-13-02
	Smith, Joy	PC	Rick Pinchin	03G-13-01
	Zuzens, Didz	Independent	Patrick I. Morrisey	

<b>Electoral Division</b>	<b>Candidate</b>	<b>Political Party</b>	<b>Official Agent</b>	<b>Registration Number</b>
Fort Rouge	Francis, Mark	PC	Saul Schachter	03G-14-02
	Henteleff, David	Liberal	Kit Wilson	03G-14-01
	Magnusson, Mikel	GPM	Lyle Ford	
	Sale, Tim	NDP	William Reid	
	Weidman, Jim	LPM	Rebecca Ruby	
Fort Whyte	Ballingall Scotten, Janine	NDP	Geoffrey Palmer	
	Loewen, John	PC	Mabel Wieler	03G-15-03
	Sankar, Gerry	Liberal	Wil Enns	03G-15-01
Gimli	Bjornson, Peter	NDP	Don Tole	
	Clark, Lynn	Liberal	Allan Chambers	03G-16-02
	Sabeski, Vern	PC	Frank Woods	03G-16-03
Inkster	Ducusin, Mario	GPM	Pamela Sanford	
	Lamoureux, Kevin	Liberal	Epifania S. Vasallo	03G-17-02
	Ledarney, Michael T.	PC	Maureen Ellen Cousins	
	Santos, Mario	NDP	William B. Hinther	
Interlake	Green, Betty	PC	Sandra M. Lappage	03G-18-01
	Jacobson, Leslie	Liberal	Allan Chambers	03G-18-02
	Nevakshonoff, Tom	NDP	John Rudyk	
Kildonan	Chomiak, Dave	NDP	Cheryl Boguski	
	Lazar, Michael	Liberal	Avrum Katz	03G-19-03
	Luschak, Frank	GPM	Pamela Sanford	
	McDonald, Garreth	PC	Perry McDonald	03G-19-02
Kirkfield Park	Head, Brian	Liberal	Amy F. Chester	03G-20-01
	Kshyk, Dennis	NDP	Daryl McLoughlin	
	Murray, Stuart	PC	Mel MacRae	03G-20-02
La Verendrye	Lemieux, Ron	NDP	Don Pena	
	Ryplanski Marsch, Paula	Liberal	Lee A. Guetre	03G-21-01
	Simard, Gerard	PC	Patrick Simard	03G-21-02
Lac du Bonnet	Appleyard, Cheryl	Liberal	David Wilken	
	Hameluck, Michael	NDP	Frances Thompson	
	Hawranik, Gerald	PC	Donald R. Halbert	03G-22-01
Lakeside	Allain, Louis	Liberal	Tanya Chartrand	03G-23-02
	Eichler, Ralph	PC	Barry Jeske	03G-23-01
	Marshall, Robert B.	NDP	Michael Gloer	
Lord Roberts	Caisse, Andy	LPM	Thomas J. Sobkow	
	Hymers, Andrew	PC	Elizabeth Oberholtzer	03G-24-02
	Lamont, Ali	Liberal	Laura Kirkland	03G-24-01
	McGifford, Diane	NDP	Lisa McGifford	
	Scott, Vere	GPM	Lyle Ford	
Minnedosa	Atkins, Colin	Independent	Murray Reimer	03G-25-03
	Paterson, Harvey	NDP	Bob Heinrichs	
	Powell, Gordon	Liberal	Carl Cunningham	03G-25-02
	Rowat, Leanne	PC	Debbie Sherritt	03G-25-01
Minto	Carr, Cheryl-Anne	CPC-M	Terry Madden	
	Javier, Mario	Liberal	Julie C. Javier	03G-26-01
	Johannson, Joan	GPM	Robert Johannson	
	Laurence, David	PC	Robert Eng	
	Mihychuk, MaryAnn	NDP	Charlotte Onski	
Morris	Auger, John	NDP	George Alevizos	03G-27-03
	Taillieu, Mavis	PC	Robert Hyde	03G-27-02
	Van Walleggem, Michael	Liberal	Regan Windsor Sotheran	03G-27-01
Pembina	Crossman, Aaron	CPC-M	Rocky Bergen	03G-28-03
	Dyck, Peter George	PC	Frank Wiebe	03G-28-01
	Johnson, Mary	NDP	George Alevizos	
	Skubovius, Marilyn	Liberal	Bernice Enns	03G-28-02

<b>Electoral Division</b>	<b>Candidate</b>	<b>Political Party</b>	<b>Official Agent</b>	<b>Registration Number</b>
Point Douglas	Bourgeois, Mary Lou	Liberal	Bernard Alibudbud	03G-29-01
	Hickes, George	NDP	Roanna Hepburn	
	McIntyre, Wyatt	PC	John Krestanowich	
	Rankin, Darrell	CPC-M	Cosmas Rowel	
Portage la Prairie	Faurschou, David	PC	Wayne McWhirter	03G-30-02
	Kriski, Bob	NDP	Randy Porter	
	Lefebvre, Mike	Liberal	Gaylene G Morton	
Radisson	Cliff, Murray	Liberal	Shannon Cliff	03G-31-03
	Jha, Bidhu	NDP	Sean Espey	
	West, Linda	PC	Kim Simard	
Riel	Ade, Kristopher	Liberal	Ronald S. Ade	03G-32-01
	Melnick, Christine	NDP	Catherine Green	
	Render, Shirley	PC	Andrew Knox	
River East	Curry, Fred	Liberal	Frank McKendry	03G-33-01
	Longstaffe, Doug	NDP	Ross Eadie	
	Mitchelson, Bonnie	PC	Peter Debenham	
River Heights	Bingeman, Kristin	NDP	William Reid	03G-34-01
	Gerrard, Jon	Liberal	Kathleen Knight	
	Goossen, Linda	GPM	Christopher Paul Billows	
	Radcliffe, Mike	PC	Scott Anderson	
	Smith, Clancy	LPM	Cynthia A. Newman	
Rossmere	Bhalesar, Sam	Liberal	Tina Gow	03G-35-02
	Larsson, Virginia	PC	Charlene Ryan	
	Schellenberg, Harry	NDP	Russell Schlamp	
Rupertsland	Phillips, Cory	PC	Bev Archer	03G-36-02
	Robinson, Eric	NDP	Victor Schroeder	
	Woodford, Orville	Liberal	Judy Ricker	
Russell	Clement, Joan	Liberal	Eugene Sochaski	03G-37-02
	Derkach, Len	PC	Jo Ann Newton	
	Yanick, Don	NDP	Dianna Sotas	
Seine River	Dacquay, Louise	PC	Patrick Hiebert	03G-38-02
	Oswald, Theresa	NDP	Barry Wittevrongel	
	Vacca, Luciano A.	Liberal	Carmen Laterza	
Selkirk	Dewar, Greg	NDP	Kathleen McCallum	03G-39-04
	Jonasson, Jack	Liberal	John Shead	
	Neal, Doug	PC	Lorraine Neal	
Southdale	Frost, Carolyn	NDP	Roland Johannes Stankevicius	03G-40-02
	Mrena, Chuck	Liberal	Patricia Fitzmaurice	
	Reimer, Jack	PC	Brian Langtry	
Springfield	Boileau, Vince	Liberal	Donna Walby	03G-41-01
	Schuler, Ron	PC	Edward Warkentin	
	Spooner, Georgine	NDP	Dawn Gates	
St. Boniface	Lamont, Dougald	Liberal	W.J. Ridgeway	03G-42-03
	Selinger, Greg	NDP	Julien Allard	
	Zahari, Dan	PC	Karolyn Bradley	
St. James	Allbutt, Cliff	PC	Paul G. Taylor	03G-43-02
	Korzeniowski, Bonnie	NDP	Terrance House	
	McKenzie, Alana	Liberal	Vi Hilton	
St. Johns	Buors, Chris	LPM	Rebecca Whittaker	03G-44-02
	Garnett, E. Ray	PC	Ross German	
	Kolodziej, Ed	Liberal	Frank Leskovjan	
	Mackintosh, Gord	NDP	Luis Martinez	
	Weinberg, Alon	GPM	Pamela Sanford	
St. Norbert	Barber, Keith	GPM	Pamela Sanford	03G-45-01
	Brick, Marilyn	NDP	William Anderson	
	Greenwood, Jocelyn	Liberal	C. Gordon Spence	
	Laurendeau, Marcel	PC	Victor Bryll	

<b>Electoral Division</b>	<b>Candidate</b>	<b>Political Party</b>	<b>Official Agent</b>	<b>Registration Number</b>
St. Vital	Allan, Nancy	NDP	Monica Girouard	
	Beaudry, Justin R.	Liberal	Cindy D. Pelletier	03G-46-02
	Morrison, Nelson P.	GPM	Bill Burrows	
	Reilly, Kirsty	PC	Pamela Sersun	03G-46-01
Ste. Rose	Cummings, Glen	PC	David C. Taylor	03G-47-02
	Harapiak, John	NDP	Bryan Harley	
	Menzies, Wendy	Liberal	Bruce Menzies	03G-47-01
Steinbach	Goertzen, Kelvin	PC	Phil Guenther	03G-48-02
	Guetre, Monica	Liberal	Lee A. Guetre	03G-48-01
	Jantz, Connie	GPM	Robert Johannson	
	Schmidt, Bonnie	NDP	Lorie Fiddler	
Swan River	McKay, Russell	Liberal	Linda Boucher	03G-49-02
	Shaw, Jason	PC	Stan Pacak	03G-49-04
	Wowchuk, Rosann	NDP	John Solomon	03G-49-01
The Maples	Aglugub, Cris	NDP	Les Crisostomo	03G-50-02
	Olivier-Job, Angelina	Liberal	Christopher Bellamy	03G-50-01
	Witko, Tammy	PC	Shae Greenfield	03G-50-03
The Pas	Goudy, Richard	PC	Ruth Lagimodiere	03G-51-01
	Lathlin, Oscar	NDP	Sheila Roque	
	Sweeny, Mark	Liberal	George W. McLeod	03G-51-02
Thompson	Archer, Bill	PC	Bev Archer	03G-52-01
	Ashton, Steve	NDP	Margaret Allan	
	Traverse, Myrle	Liberal	David Wilken	03G-52-02
Transcona	Marsiglia, Nansy	PC	Massimo Marsiglia	03G-53-03
	Reid, Daryl	NDP	Martin Johnson	
	Watts, Betty Ann	Liberal	Don Hillman	03G-53-01
Turtle Mountain	Leadbeater, Bev	Liberal	Doug Treble	03G-54-01
	Patterson, Lonnie	NDP	Kristine Janz	
	Tweed, Mervin C.	PC	Ron Schultz	03G-54-02
Tuxedo	Billinghamurst, Marla	Liberal	William G. McDonald	03G-55-02
	Stefanson, Heather	PC	Kenneth Lee	03G-55-01
	Taylor, Sonia	NDP	George Alevizos	
Wellington	Penner, Jon	PC	Susan Penner	
	Reed, Rylan	Liberal	Scott Moody	03G-56-01
	Santos, Conrad	NDP	Jerry H. Keenan	
	Wreggitt, Glen	CPC-M	Cheryl Gray	
Wolseley	Altemeyer, Rob	NDP	Boyd Poncelet	
	Buchart, Markus	GPM	Bill Burrows	
	Burner, Ashley	PC	Brian Grieve	03G-57-02
	Mollison, Val	Liberal	Mary Ann Mork	03G-57-01

The following table compares, for each general election since 1986:

- the total number of candidates
- the number of registered candidates. A registered candidate may issue official income tax receipts
- the number of candidates qualifying for reimbursement for each registered political party

### Comparison of Number of Candidates in the Last Six General Elections

	CPC-M <sup>1</sup>	GPM <sup>2</sup>	Lib.	LPM <sup>3</sup>	MP <sup>2</sup>	NDP	PC	Prog <sup>4</sup>	RPM <sup>4</sup>	WIP <sup>4</sup>	Ind <sup>5</sup>	Total
<b>Number of candidates</b>												
1986	5	-	57	-	-	57	57	13	14	6	10	219 <sup>6</sup>
1988	5	-	57	6	-	57	57	6	14	16	11	229
1990	1	-	57	5	-	57	57	5	6	6	5	199 <sup>6</sup>
1995	-	-	57	6	-	57	57	-	-	-	11	188
1999	6	6	50	6	12	57	57	-	-	-	4	198
2003	5	14	57	5	-	57	57	-	-	-	2	197
<b>Number Registered</b>												
1986	-	-	43	-	-	1	55	2	13	5	4	123
1988	-	-	57	-	-	3	55	-	12	7	7	141
1990	-	-	53	-	-	4	55	-	4	1	1	118
1995	-	-	57	1	-	8	55	-	-	-	7	128
1999	-	6	43	-	12	2	56	-	-	-	2	121
2003	1	-	55	-	-	4	50	-	-	-	1	111
<b>Number qualifying for Reimbursement</b>												
1986	-	-	37	-	-	57	57	-	8	-	2	161
1988	-	-	56	-	-	44	57	-	2	-	-	159
1990	-	-	56	-	-	53	57	-	-	-	-	166
1995	-	-	53	-	-	55	57	-	-	-	1	166
1999	-	-	33	-	-	57	56	-	-	-	-	146
2003	-	1	30	-	-	57	51	-	-	-	-	139

1 The Communist Party was deregistered after the 1990 general election and re-registered in 1999.

2 Two additional parties registered in 1999. The Green Party and Manitoba Party. The Manitoba Party was deregistered after the 38th general election.

3 The Libertarian Party was not registered in 1986.

4 Three parties were de-registered after the 1995 general election: Reform Party of Manitoba, Progressive Party of Manitoba and Western Independence Party of Manitoba.

5 The independent candidates have been listed for comparison purpose only.

6 In 1986 there were 216 candidates as three withdrew before polling day. In 1990 there were 198 candidates as one withdrew before polling day.

According to *The Elections Finances Act*, registered political parties must endorse at least five candidates in a general election in order to maintain their registration. This is pursuant to section 19(2)(e). Six of the seven registered political parties fielded five or more candidates in the 38<sup>th</sup> General Election.

Candidates and political parties must file, with the Chief Electoral Officer:

- election returns for income, transfers, and expenses,
- a balance sheet outlining assets and liabilities,
- a return disclosing non-election expenses, and
- a return disclosing all contributions from one source that in aggregate are \$250 or more.

Registered political parties must file a similar return annually disclosing contributions received during the year, including contributions received during the election period.

## **Review of Financial Statements and Returns**

Following a general election, candidates and political parties must file financial statements. The filing deadline for these statements for the 38<sup>th</sup> General Election was September 3, 2003. However, if requested, an extension may have been granted.

### **Candidates:**

- By September 3, 2003, 151 of the 197 candidates had filed.
- After September 3, 2003, 46 candidate returns remained outstanding.
- By October 3, 2003, 8 candidate returns remained outstanding.
- By November 2, 2003, 3 candidate returns remained outstanding. Two returns were filed in November, on November 7, 2003 and November 19, 2003, respectively. The final outstanding return was filed in 2004.

### **Parties:**

- By September 3, 2003, two of the six registered political parties had filed their financial statements and returns.
- After September 3, 2003, four party returns remained outstanding.
- After October 3, 2003, 1 party return remained outstanding. This final return was filed on November 3, 2003.

Candidate and party financial returns are available for public inspection at the Elections Manitoba office and can be viewed on the Elections Manitoba Web site. Upon Elections Manitoba review, an amendment to a return may be deemed necessary and an adjustment would be made to the original return. In such cases, both the original and the final amended returns are available for viewing at the Elections Manitoba office and on the Web site. Summaries of returns are provided in the following Tables.

## **Reimbursements**

Candidates receiving a minimum of 10% of the valid votes cast qualify to receive a 50% reimbursement of the actual election expenses not including donations-in-kind. In certain circumstances, depending on the deficit status of a candidate, some or all of the candidate's reimbursement is paid to the endorsing political party.

Registered political parties qualify for a 50% reimbursement of actual election expenses if their endorsed candidates, in total, receive a minimum of 10% of the valid votes cast province-wide.

The total reimbursement paid for the 38<sup>th</sup> General Election was \$1,740,904 which was comprised of \$726,278 for candidates and \$1,014,626 for political parties.

An auditor is paid a subsidy of up to \$1,500 for a candidate's election return and \$30,000 maximum for political party statements. Subsidies paid to auditors totaled \$285,504. In addition, a subsidy is provided to auditors to assist official agents with record keeping. The maximum subsidy is \$500. Subsidies paid for record keeping assistance totaled \$14,162.

*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 completed financial return. Advances were paid within 15 days as required for those returns that met the requirements of *The Elections Finance Act*.

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Arthur-Virden</b>	<b>Kalynuk, Perry NDP</b>	<b>Maguire, Larry N. PC</b>	<b>Ramsay, Vaughn C. Lib.</b>
<b>Assets and Liabilities</b>			
Assets	\$705	\$3,550	\$7
Liabilities	\$7,854	\$0	\$0
Surplus / (Deficit)	(\$7,149)	\$3,550	\$7
<b>Income</b>			
Contribution	\$1,438	\$21,075	\$865
Transfers	\$3,340	\$200	\$873
Other	\$3,191	\$0	\$0
Total	\$7,969	\$21,275	\$1,738
<b>Expenses</b>			
Election	\$12,413	\$16,859	\$1,630
Non-Election	\$1,705	\$866	\$101
Transfers	\$1,000	\$0	\$0
Total	\$15,118	\$17,725	\$1,731
<b>Surplus / (Deficit)</b>	<b>(\$7,149)</b>	<b>\$3,550</b>	<b>\$7</b>
<b>Spending Limits</b>	<b>\$32,412</b>	<b>\$32,412</b>	<b>\$32,412</b>
<b>Reimbursements</b>			
Candidate	\$5,501	\$0	\$0
Party	\$372	\$8,195	\$0
<b>Total Reimbursement</b>	<b>\$5,873</b>	<b>\$8,195</b>	<b>\$0</b>

<b>Assiniboia</b>	<b>Graboski, Monique Lib.</b>	<b>Rondeau, Jim NDP</b>	<b>Tottle, Jesse GPM</b>	<b>Wishanski, Dennis PC</b>
<b>Assets and Liabilities</b>				
Assets	\$1,215	\$1,672	\$0	\$770
Liabilities	\$3,569	\$26,870	\$0	\$21,532
Surplus / (Deficit)	(\$2,354)	(\$25,198)	\$0	(\$20,762)
<b>Income</b>				
Contribution	\$1,873	\$0	\$0	\$7,009
Transfers	\$940	\$10,616	\$14	\$855
Other	\$497	\$3	\$0	\$0
Total	\$3,310	\$10,619	\$14	\$7,864
<b>Expenses</b>				
Election	\$5,664	\$24,847	\$14	\$23,921
Non-Election	\$0	\$1,470	\$0	\$4,705
Transfers	\$0	\$9,500	\$0	\$0
Total	\$5,664	\$35,817	\$14	\$28,626
<b>Surplus / (Deficit)</b>	<b>(\$2,354)</b>	<b>(\$25,198)</b>	<b>\$0</b>	<b>(\$20,762)</b>
<b>Spending Limits</b>	<b>\$34,712</b>	<b>\$34,712</b>	<b>\$34,712</b>	<b>\$34,712</b>
<b>Reimbursements</b>				
Candidate	\$0	\$12,166	\$0	\$11,961
Party	\$0	\$0	\$0	\$0
<b>Total Reimbursement</b>	<b>\$0</b>	<b>\$12,166</b>	<b>\$0</b>	<b>\$11,961</b>

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Brandon East</b>	<b>Brigden, Scott Lib.</b>	<b>Caldwell, Drew NDP</b>	<b>Dinsdale, Greg PC</b>	<b>Gallagher, Lisa CPC-M</b>
<b>Assets and Liabilities</b>				
Assets	\$343	\$108	\$1,117	\$0
Liabilities	\$270	\$10,064	\$3,994	\$0
<b>Surplus / (Deficit)</b>	\$73	(\$9,956)	(\$2,877)	\$0
<b>Income</b>				
Contribution	\$475	\$0	\$10,454	\$0
Transfers	\$1,369	\$14,874	\$0	\$437
Other	\$0	\$0	\$0	\$0
<b>Total</b>	\$1,844	\$14,874	\$10,454	\$437
<b>Expenses</b>				
Election	\$1,771	\$14,549	\$13,316	\$437
Non-Election	\$0	\$781	\$15	\$0
Transfers	\$0	\$9,500	\$0	\$0
<b>Total</b>	\$1,771	\$24,830	\$13,331	\$437
<b>Surplus / (Deficit)</b>	\$73	(\$9,956)	(\$2,877)	\$0
<b>Spending Limits</b>	\$30,203	\$30,203	\$30,203	\$30,203
<b>Reimbursements</b>				
Candidate	\$0	\$6,911	\$2,888	\$0
Party	\$0	\$0	\$3,621	\$0
<b>Total Reimbursement</b>	\$0	\$6,911	\$6,509	\$0

<b>Brandon West</b>	<b>Atkinson, Reg PC</b>	<b>Sigurdson, Candace Lib.</b>	<b>Smith, Scott NDP</b>
<b>Assets and Liabilities</b>			
Assets	\$363	\$278	\$275
Liabilities	\$0	\$270	\$10,171
<b>Surplus / (Deficit)</b>	\$363	\$8	(\$9,896)
<b>Income</b>			
Contribution	\$17,481	\$1,325	\$0
Transfers	\$0	\$769	\$21,584
Other	\$0	\$0	\$0
<b>Total</b>	\$17,481	\$2,094	\$21,584
<b>Expenses</b>			
Election	\$15,829	\$2,086	\$20,722
Non-Election	\$1,289	\$0	\$1,258
Transfers	\$0	\$0	\$9,500
<b>Total</b>	\$17,118	\$2,086	\$31,480
<b>Surplus / (Deficit)</b>	\$363	\$8	(\$9,896)
<b>Spending Limits</b>	\$35,989	\$35,989	\$35,989
<b>Reimbursements</b>			
Candidate	\$0	\$0	\$8,767
Party	\$7,914	\$0	\$1,594
<b>Total Reimbursement</b>	\$7,914	\$0	\$10,361



**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Barrows</b>	<b>Johannson, Catharine GPM</b>	<b>Lambert, Derek PC</b>	<b>Martindale, Doug NDP</b>	<b>Sanchez, Tony Lib.</b>
<b>Assets and Liabilities</b>				
Assets	\$0	\$53	\$673	\$293
Liabilities	\$0	\$0	\$15,881	\$5,047
<b>Surplus / (Deficit)</b>	\$0	\$53	(\$15,208)	(\$4,754)
<b>Income</b>				
Contribution	\$0	\$0	\$550	\$10,037
Transfers	\$201	\$53	\$8,199	\$940
Other	\$0	\$0	\$1	\$6,891
<b>Total</b>	\$201	\$53	\$8,750	\$17,868
<b>Expenses</b>				
Election	\$201	\$0	\$14,056	\$17,241
Non-Election	\$0	\$0	\$402	\$5,381
Transfers	\$0	\$0	\$9,500	\$0
<b>Total</b>	\$201	\$0	\$23,958	\$22,622
<b>Surplus / (Deficit)</b>	\$0	\$53	(\$15,208)	(\$4,754)
<b>Spending Limits</b>	\$29,545	\$29,545	\$29,545	\$29,545
<b>Reimbursements</b>				
Candidate	\$0	\$0	\$5,626	\$223
Party	\$0	\$0	\$0	\$7,099
<b>Total Reimbursement</b>	\$0	\$0	\$5,626	\$7,322

<b>Carman</b>	<b>Harrison, Bill NDP</b>	<b>Oldcorn, Don Lib.</b>	<b>Rocan, Denis PC</b>
<b>Assets and Liabilities</b>			
Assets	\$14	\$173	\$0
Liabilities	\$35	\$3,152	\$6,752
<b>Surplus / (Deficit)</b>	(\$21)	(\$2,979)	(\$6,752)
<b>Income</b>			
Contribution	\$250	\$6,955	\$16,001
Transfers	\$2,832	\$2,440	\$700
Other	\$0	\$0	\$0
<b>Total</b>	\$3,082	\$9,395	\$16,701
<b>Expenses</b>			
Election	\$3,019	\$11,695	\$21,274
Non-Election	\$84	\$679	\$2,179
Transfers	\$0	\$0	\$0
<b>Total</b>	\$3,103	\$12,374	\$23,453
<b>Surplus / (Deficit)</b>	(\$21)	(\$2,979)	(\$6,752)
<b>Spending Limits</b>	\$31,980	\$31,980	\$31,980
<b>Reimbursements</b>			
Candidate	\$0	\$2,320	\$4,591
Party	\$1,385	\$3,452	\$6,047
<b>Total Reimbursement</b>	\$1,385	\$5,772	\$10,638

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Charleswood</b>	<b>Driedger, Myrna PC</b>	<b>Ross, Rick Lib.</b>	<b>Willis, Mel NDP</b>
<b>Assets and Liabilities</b>			
Assets	\$6,652	\$1,327	\$609
Liabilities	\$9,625	\$9,447	\$0
<b>Surplus / (Deficit)</b>	<b>(\$2,973)</b>	<b>(\$8,120)</b>	<b>\$609</b>
<b>Income</b>			
Contribution	\$21,675	\$16,875	\$5
Transfers	\$400	\$940	\$3,148
Other	\$1	\$0	\$0
Total	\$22,076	\$17,815	\$3,153
<b>Expenses</b>			
Election	\$23,732	\$23,502	\$2,544
Non-Election	\$1,317	\$2,433	\$0
Transfers	\$0	\$0	\$0
Total	\$25,049	\$25,935	\$2,544
<b>Surplus / (Deficit)</b>	<b>(\$2,973)</b>	<b>(\$8,120)</b>	<b>\$609</b>
<b>Spending Limits</b>	<b>\$34,727</b>	<b>\$34,727</b>	<b>\$34,727</b>
<b>Reimbursements</b>			
Candidate	\$1,736	\$5,708	\$0
Party	\$9,987	\$6,043	\$1,272
<b>Total Reimbursement</b>	<b>\$11,723</b>	<b>\$11,751</b>	<b>\$1,272</b>
<b>Concordia</b>	<b>Doer, Gary NDP</b>	<b>Lloyd, Conor PC</b>	<b>Parks, Tanya Lib.</b>
<b>Assets and Liabilities</b>			
Assets	\$1,187	\$0	\$45
Liabilities	\$5,070	\$0	\$0
<b>Surplus / (Deficit)</b>	<b>(\$3,883)</b>	<b>\$0</b>	<b>\$45</b>
<b>Income</b>			
Contribution	\$0	\$0	\$150
Transfers	\$26,555	\$0	\$940
Other	\$0	\$0	\$0
Total	\$26,555	\$0	\$1,090
<b>Expenses</b>			
Election	\$20,354	\$0	\$1,034
Non-Election	\$584	\$0	\$11
Transfers	\$9,500	\$0	\$0
Total	\$30,438	\$0	\$1,045
<b>Surplus / (Deficit)</b>	<b>(\$3,883)</b>	<b>\$0</b>	<b>\$45</b>
<b>Spending Limits</b>	<b>\$31,901</b>	<b>\$31,901</b>	<b>\$31,901</b>
<b>Reimbursements</b>			
Candidate	\$3,351	\$0	\$0
Party	\$6,826	\$0	\$0
<b>Total Reimbursement</b>	<b>\$10,177</b>	<b>\$0</b>	<b>\$0</b>

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Dauphin-Roblin</b>	<b>Griffin, Bill PC</b>	<b>Powell, Larry GPM</b>	<b>Robinson, Joelle Lib</b>	<b>Struthers, Stan NDP</b>
<b>Assets and Liabilities</b>				
Assets	\$639	\$0	\$1,450	\$167
Liabilities	\$5,090	\$0	\$0	\$22,698
<b>Surplus / (Deficit)</b>	<b>(\$4,451)</b>	<b>\$0</b>	<b>\$1,450</b>	<b>(\$22,530)</b>
<b>Income</b>				
Contribution	\$17,390	\$0	\$4,020	\$560
Transfers	\$800	\$84	\$3,353	\$6,924
Other	\$3,155	\$0	\$225	\$436
<b>Total</b>	<b>\$21,345</b>	<b>\$84</b>	<b>\$7,598</b>	<b>\$7,920</b>
<b>Expenses</b>				
Election	\$21,021	\$84	\$5,878	\$19,591
Non-Election	\$4,705	\$0	\$270	\$1,359
Transfers	\$70	\$0	\$0	\$9,500
<b>Total</b>	<b>\$25,796</b>	<b>\$84</b>	<b>\$6,148</b>	<b>\$30,450</b>
<b>Surplus / (Deficit)</b>	<b>(\$4,451)</b>	<b>\$0</b>	<b>\$1,450</b>	<b>(\$22,530)</b>
<b>Spending Limits</b>	<b>\$34,722</b>	<b>\$34,722</b>	<b>\$34,722</b>	<b>\$34,722</b>
<b>Reimbursements</b>				
Candidate	\$0	\$0	\$0	\$9,366
Party	\$10,510	\$0	\$0	\$0
<b>Total Reimbursement</b>	<b>\$10,510</b>	<b>\$0</b>	<b>\$0</b>	<b>\$9,366</b>
<b>Elmwood</b>	<b>Maloway, Jim NDP</b>	<b>McLeod, Bryan PC</b>	<b>Roberts, Walt Lib.</b>	<b>Whittaker, Gavin LPM</b>
<b>Assets and Liabilities</b>				
Assets	\$17	\$1,905	\$0	\$0
Liabilities	\$19,814	\$0	\$872	\$0
<b>Surplus / (Deficit)</b>	<b>(\$19,797)</b>	<b>\$1,905</b>	<b>(\$872)</b>	<b>\$0</b>
<b>Income</b>				
Contribution	\$2,869	\$2,108	\$1,479	\$0
Transfers	\$1,063	\$53	\$1,940	\$0
Other	\$2	\$0	\$0	\$0
<b>Total</b>	<b>\$3,934</b>	<b>\$2,161</b>	<b>\$3,419</b>	<b>\$0</b>
<b>Expenses</b>				
Election	\$13,043	\$256	\$4,274	\$0
Non-Election	\$1,188	\$0	\$17	\$0
Transfers	\$9,500	\$0	\$0	\$0
<b>Total</b>	<b>\$23,731</b>	<b>\$256</b>	<b>\$4,291</b>	<b>\$0</b>
<b>Surplus / (Deficit)</b>	<b>(\$19,797)</b>	<b>\$1,905</b>	<b>(\$872)</b>	<b>\$0</b>
<b>Spending Limits</b>	<b>\$31,983</b>	<b>\$31,983</b>	<b>\$31,983</b>	<b>\$31,983</b>
<b>Reimbursements</b>				
Candidate	\$5,087	\$0	\$872	\$0
Party	\$0	\$27	\$1,158	\$0
<b>Total Reimbursement</b>	<b>\$5,087</b>	<b>\$27</b>	<b>\$2,030</b>	<b>\$0</b>

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Emerson</b>	<b>Gendreau, Luc NDP</b>	<b>Penner, Jack PC</b>	<b>Schieman, Len Lib.</b>
<b>Assets and Liabilities</b>			
Assets	\$900	\$638	\$44
Liabilities	\$0	\$8,200	\$2,356
<b>Surplus / (Deficit)</b>	\$900	(\$7,562)	(\$2,312)
<b>Income</b>			
Contribution	\$222	\$11,220	\$10,645
Transfers	\$6,250	\$375	\$940
Other	\$0	\$0	\$0
Total	\$6,472	\$11,595	\$11,585
<b>Expenses</b>			
Election	\$4,958	\$17,613	\$13,304
Non-Election	\$614	\$1,544	\$593
Transfers	\$0	\$0	\$0
Total	\$5,572	\$19,157	\$13,897
<b>Surplus / (Deficit)</b>	\$900	(\$7,562)	(\$2,312)
<b>Spending Limits</b>	\$31,051	\$31,051	\$31,051
<b>Reimbursements</b>			
Candidate	\$0	\$6,123	\$1,732
Party	\$2,371	\$2,683	\$4,920
<b>Total Reimbursement</b>	\$2,371	\$8,806	\$6,652

<b>Flin Flon</b>	<b>Jennissen, Gerard NDP</b>	<b>McDonald, Lloyd PC</b>	<b>Zamzow, Garry Lib.</b>
<b>Assets and Liabilities</b>			
Assets	\$994	\$307	\$395
Liabilities	\$6,740	\$51	\$4,092
<b>Surplus / (Deficit)</b>	(\$5,746)	\$256	(\$3,697)
<b>Income</b>			
Contribution	\$0	\$374	\$3,974
Transfers	\$6,981	\$96	\$538
Other	\$326	\$0	\$146
Total	\$7,308	\$470	\$4,658
<b>Expenses</b>			
Election	\$11,470	\$210	\$8,002
Non-Election	\$1,584	\$4	\$353
Transfers	\$0	\$0	\$0
Total	\$13,054	\$214	\$8,355
<b>Surplus / (Deficit)</b>	(\$5,746)	\$256	(\$3,697)
<b>Spending Limits</b>	\$34,028	\$34,028	\$34,028
<b>Reimbursements</b>			
Candidate	\$4,105	\$0	\$3,381
Party	\$1,499	\$0	\$620
<b>Total Reimbursement</b>	\$5,604	\$0	\$4,001

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Fort Garry</b>	<b>Irvin-Ross, Kerri NDP</b>	<b>Malik, Taran Lib.</b>	<b>Smith, Joy PC</b>	<b>Zuzens, Didz Ind.</b>
<b>Assets and Liabilities</b>				
Assets	\$304	\$3,796	\$188	\$0
Liabilities	\$14,909	\$3,796	\$14,913	\$0
<b>Surplus / (Deficit)</b>	<b>(\$14,605)</b>	<b>\$0</b>	<b>(\$14,725)</b>	<b>\$0</b>
<b>Income</b>				
Contribution	\$132	\$13,074	\$8,065	\$395
Transfers	\$15,319	\$940	\$9,101	\$0
Other	\$1,867	\$0	\$1	\$0
<b>Total</b>	<b>\$17,318</b>	<b>\$14,014</b>	<b>\$17,167</b>	<b>\$395</b>
<b>Expenses</b>				
Election	\$21,050	\$13,984	\$29,935	\$395
Non-Election	\$1,373	\$30	\$1,957	\$0
Transfers	\$9,500	\$0	\$0	\$0
<b>Total</b>	<b>\$31,923</b>	<b>\$14,014</b>	<b>\$31,892</b>	<b>\$395</b>
<b>Surplus / (Deficit)</b>	<b>(\$14,605)</b>	<b>\$0</b>	<b>(\$14,725)</b>	<b>\$0</b>
<b>Spending Limits</b>	<b>\$33,176</b>	<b>\$33,176</b>	<b>\$33,176</b>	<b>\$33,176</b>
<b>Reimbursements</b>				
Candidate	\$10,359	\$0	\$12,866	\$0
Party	\$0	\$0	\$1,924	\$0
<b>Total Reimbursement</b>	<b>\$10,359</b>	<b>\$0</b>	<b>\$14,790</b>	<b>\$0</b>

<b>Fort Rouge</b>	<b>Francis, Mark PC</b>	<b>Henteleff, David Lib.</b>	<b>Magnusson, Mikel GPM</b>	<b>Sale, Tim NDP</b>	<b>Weidman, Jim LPM</b>
<b>Assets and Liabilities</b>					
Assets	\$1,084	\$1,458	\$0	\$1,553	\$0
Liabilities	\$5,193	\$2,279	\$0	\$17,596	\$0
<b>Surplus / (Deficit)</b>	<b>(\$4,109)</b>	<b>(\$821)</b>	<b>\$0</b>	<b>(\$16,043)</b>	<b>\$0</b>
<b>Income</b>					
Contribution	\$4,580	\$2,565	\$0	\$283	\$0
Transfers	\$250	\$1,030	\$48	\$10,638	\$0
Other	\$0	\$279	\$0	\$1	\$0
<b>Total</b>	<b>\$4,830</b>	<b>\$3,874</b>	<b>\$48</b>	<b>\$10,922</b>	<b>\$0</b>
<b>Expenses</b>					
Election	\$8,861	\$4,300	\$48	\$16,724	\$0
Non-Election	\$78	\$395	\$0	\$741	\$0
Transfers	\$0	\$0	\$0	\$9,500	\$0
<b>Total</b>	<b>\$8,939</b>	<b>\$4,695</b>	<b>\$48</b>	<b>\$26,965</b>	<b>\$0</b>
<b>Surplus / (Deficit)</b>	<b>(\$4,109)</b>	<b>(\$821)</b>	<b>\$0</b>	<b>(\$16,043)</b>	<b>\$0</b>
<b>Spending Limits</b>	<b>\$33,475</b>	<b>\$33,475</b>	<b>\$33,475</b>	<b>\$33,475</b>	<b>\$33,475</b>
<b>Reimbursements</b>					
Candidate	\$4,031	\$450	\$0	\$7,796	\$0
Party	\$399	\$1,585	\$0	\$0	\$0
<b>Total Reimbursement</b>	<b>\$4,430</b>	<b>\$2,035</b>	<b>\$0</b>	<b>\$7,796</b>	<b>\$0</b>

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Fort Whyte</b>	<b>Ballingall Scotten, Janine NDP</b>	<b>Loewen, John PC</b>	<b>Sankar, Gerry Lib.</b>
<b>Assets and Liabilities</b>			
Assets	\$1,083	\$4,346	\$129
Liabilities	\$17,861	\$5,034	\$3,946
<b>Surplus / (Deficit)</b>	<b>(\$16,778)</b>	<b>(\$688)</b>	<b>(\$3,817)</b>
<b>Income</b>			
Contribution	\$312	\$12,878	\$8,119
Transfers	\$2,666	\$400	\$2,290
Other	\$0	\$0	\$2,552
Total	\$2,978	\$13,278	\$12,961
<b>Expenses</b>			
Election	\$18,369	\$13,693	\$14,257
Non-Election	\$1,387	\$273	\$2,521
Transfers	\$0	\$0	\$0
Total	\$19,756	\$13,966	\$16,778
<b>Surplus / (Deficit)</b>	<b>(\$16,778)</b>	<b>(\$688)</b>	<b>(\$3,817)</b>
<b>Spending Limits</b>	<b>\$42,312</b>	<b>\$42,312</b>	<b>\$42,312</b>
<b>Reimbursements</b>			
Candidate	\$9,028	\$452	\$1,302
Party	\$0	\$6,395	\$5,827
<b>Total Reimbursement</b>	<b>\$9,028</b>	<b>\$6,847</b>	<b>\$7,129</b>

<b>Gimli</b>	<b>Bjornson, Peter NDP</b>	<b>Clark, Lynn Lib.</b>	<b>Sabeski, Vern PC</b>
<b>Assets and Liabilities</b>			
Assets	\$584	\$13	\$877
Liabilities	\$17,334	\$542	\$11,479
<b>Surplus / (Deficit)</b>	<b>(\$16,750)</b>	<b>(\$529)</b>	<b>(\$10,602)</b>
<b>Income</b>			
Contribution	\$1,430	\$1,450	\$11,995
Transfers	\$21,925	\$940	\$0
Other	\$4,787	\$0	\$0
Total	\$28,142	\$2,390	\$11,995
<b>Expenses</b>			
Election	\$30,865	\$2,825	\$22,035
Non-Election	\$4,527	\$94	\$562
Transfers	\$9,500	\$0	\$0
Total	\$44,892	\$2,919	\$22,597
<b>Surplus / (Deficit)</b>	<b>(\$16,750)</b>	<b>(\$529)</b>	<b>(\$10,602)</b>
<b>Spending Limits</b>	<b>\$40,141</b>	<b>\$40,141</b>	<b>\$40,141</b>
<b>Reimbursements</b>			
Candidate	\$14,779	\$0	\$10,110
Party	\$630	\$0	\$907
<b>Total Reimbursement</b>	<b>\$15,409</b>	<b>\$0</b>	<b>\$11,017</b>

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Inkster</b>	<b>Ducusin, Mario GPM</b>	<b>Lamoureux, Kevin Lib.</b>	<b>Ledarney, Michael T. PC</b>	<b>Santos, Mario NDP</b>
<b>Assets and Liabilities</b>				
Assets	\$0	\$223	\$0	\$25
Liabilities	\$0	\$13,330	\$0	\$1,694
<b>Surplus / (Deficit)</b>	\$0	(\$13,107)	\$0	(\$1,669)
<b>Income</b>				
Contribution	\$0	\$12,926	\$0	\$20
Transfers	\$174	\$6,834	\$11	\$30,794
Other	\$0	\$724	\$0	\$0
<b>Total</b>	\$174	\$20,484	\$11	\$30,814
<b>Expenses</b>				
Election	\$174	\$27,970	\$11	\$21,231
Non-Election	\$0	\$5,621	\$0	\$1,752
Transfers	\$0	\$0	\$0	\$9,500
<b>Total</b>	\$174	\$33,591	\$11	\$32,483
<b>Surplus / (Deficit)</b>	\$0	(\$13,107)	\$0	(\$1,669)
<b>Spending Limits</b>	\$28,781	\$28,781	\$28,781	\$28,781
<b>Reimbursements</b>				
Candidate	\$0	\$7,564	\$0	\$0
Party	\$0	\$5,534	\$0	\$10,615
<b>Total Reimbursement</b>	\$0	\$13,098	\$0	\$10,615

<b>Interlake</b>	<b>Green, Betty PC</b>	<b>Jacobson, Leslie Lib.</b>	<b>Nevakshonoff, Tom NDP</b>
<b>Assets and Liabilities</b>			
Assets	\$457	\$213	\$0
Liabilities	\$0	\$1,200	\$19,842
<b>Surplus / (Deficit)</b>	\$457	(\$987)	(\$19,842)
<b>Income</b>			
Contribution	\$3,000	\$2,859	\$45
Transfers	\$6,348	\$940	\$2,461
Other	\$0	\$0	\$7,369
<b>Total</b>	\$9,348	\$3,799	\$9,875
<b>Expenses</b>			
Election	\$8,871	\$4,774	\$19,549
Non-Election	\$20	\$12	\$668
Transfers	\$0	\$0	\$9,500
<b>Total</b>	\$8,891	\$4,786	\$29,717
<b>Surplus / (Deficit)</b>	\$457	(\$987)	(\$19,842)
<b>Spending Limits</b>	\$30,901	\$30,901	\$30,901
<b>Reimbursements</b>			
Candidate	\$0	\$0	\$9,752
Party	\$4,435	\$0	\$0
<b>Total Reimbursement</b>	\$4,435	\$0	\$9,752

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Kildonan</b>	<b>Chomiak, Dave NDP</b>	<b>Lazar, Michael Lib.</b>	<b>Luschak, Frank GPM</b>	<b>McDonald, Garreth PC</b>
<b>Assets and Liabilities</b>				
Assets	\$1,135	\$789	\$0	\$29
Liabilities	\$5,431	\$1,055	\$0	\$361
Surplus / (Deficit)	(\$4,296)	(\$266)	\$0	(\$332)
<b>Income</b>				
Contribution	\$251	\$3,225	\$0	\$250
Transfers	\$19,506	\$940	\$107	\$107
Other	\$0	\$0	\$0	\$0
Total	\$19,757	\$4,165	\$107	\$357
<b>Expenses</b>				
Election	\$13,830	\$4,418	\$107	\$687
Non-Election	\$723	\$13	\$0	\$1
Transfers	\$9,500	\$0	\$0	\$0
Total	\$24,053	\$4,431	\$107	\$688
Surplus / (Deficit)	(\$4,296)	(\$266)	\$0	(\$332)
<b>Spending Limits</b>	\$35,009	\$35,009	\$35,009	\$35,009
<b>Reimbursements</b>				
Candidate	\$2,501	\$886	\$0	\$332
Party	\$3,725	\$1,323	\$0	\$12
<b>Total Reimbursement</b>	\$6,226	\$2,209	\$0	\$344

<b>Kirkfield Park</b>	<b>Head, Brian Lib.</b>	<b>Kshyk, Dennis NDP</b>	<b>Murray, Stuart PC</b>
<b>Assets and Liabilities</b>			
Assets	\$1,429	\$31	\$948
Liabilities	\$10,349	\$4,947	\$5,542
Surplus / (Deficit)	(\$8,920)	(\$4,916)	(\$4,594)
<b>Income</b>			
Contribution	\$7,185	\$0	\$16,162
Transfers	\$2,206	\$960	\$800
Other	\$355	\$0	\$0
Total	\$9,746	\$960	\$16,962
<b>Expenses</b>			
Election	\$16,471	\$4,760	\$20,826
Non-Election	\$2,195	\$116	\$730
Transfers	\$0	\$1,000	\$0
Total	\$18,666	\$5,876	\$21,556
Surplus / (Deficit)	(\$8,920)	(\$4,916)	(\$4,594)
<b>Spending Limits</b>	\$38,087	\$38,087	\$38,087
<b>Reimbursements</b>			
Candidate	\$7,497	\$2,380	\$3,933
Party	\$739	\$0	\$5,830
<b>Total Reimbursement</b>	\$8,236	\$2,380	\$9,763



**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>La Verendrye</b>	<b>Lemieux, Ron NDP</b>	<b>Ryplanski Marsch, Paula Lib.</b>	<b>Simard, Gerard PC</b>
<b>Assets and Liabilities</b>			
Assets	\$425	\$120	\$163
Liabilities	\$8,235	\$110	\$8,050
Surplus / (Deficit)	(\$7,810)	\$10	(\$7,887)
<b>Income</b>			
Contribution	\$2	\$747	\$7,543
Transfers	\$28,239	\$242	\$1,300
Other	\$0	\$5	\$0
Total	\$28,241	\$995	\$8,843
<b>Expenses</b>			
Election	\$23,896	\$980	\$16,342
Non-Election	\$2,655	\$5	\$388
Transfers	\$9,500	\$0	\$0
Total	\$36,051	\$985	\$16,730
Surplus / (Deficit)	(\$7,810)	\$10	(\$7,887)
<b>Spending Limits</b>	\$32,437	\$32,437	\$32,437
<b>Reimbursements</b>			
Candidate	\$4,091	\$0	\$7,558
Party	\$7,297	\$0	\$551
<b>Total Reimbursement</b>	\$11,388	\$0	\$8,109

<b>Lac du Bonnet</b>	<b>Appleyard, Cheryl Lib.</b>	<b>Hameluck, Michael NDP</b>	<b>Hawranik, Gerald PC</b>
<b>Assets and Liabilities</b>			
Assets	\$0	\$16	\$79
Liabilities	\$0	\$30,470	\$1,960
Surplus / (Deficit)	\$0	(\$30,454)	(\$1,881)
<b>Income</b>			
Contribution	\$0	\$0	\$16,301
Transfers	\$239	\$15,233	\$0
Other	\$0	\$0	\$1
Total	\$239	\$15,233	\$16,302
<b>Expenses</b>			
Election	\$239	\$34,331	\$17,415
Non-Election	\$0	\$1,856	\$768
Transfers	\$0	\$9,500	\$0
Total	\$239	\$45,687	\$18,183
Surplus / (Deficit)	\$0	(\$30,454)	(\$1,881)
<b>Spending Limits</b>	\$35,964	\$35,964	\$35,964
<b>Reimbursements</b>			
Candidate	\$0	\$17,165	\$1,119
Party	\$0	\$0	\$7,540
<b>Total Reimbursement</b>	\$0	\$17,165	\$8,659

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

Lakeside	Allain, Louis Lib.	Eichler, Ralph PC	Marshall, Robert B. NDP
<b>Assets and Liabilities</b>			
Assets	\$143	\$5	\$3,591
Liabilities	\$0	\$6,916	\$15,226
Surplus / (Deficit)	\$143	(\$6,911)	(\$11,635)
<b>Income</b>			
Contribution	\$4,668	\$20,260	\$2,300
Transfers	\$269	\$0	\$4,817
Other	\$2,732	\$1,108	\$0
Total	\$7,669	\$21,368	\$7,117
<b>Expenses</b>			
Election	\$7,335	\$23,027	\$18,359
Non-Election	\$191	\$3,252	\$393
Transfers	\$0	\$2,000	\$0
Total	\$7,526	\$28,279	\$18,752
Surplus / (Deficit)	\$143	(\$6,911)	(\$11,635)
<b>Spending Limits</b>	\$35,111	\$35,111	\$35,111
<b>Reimbursements</b>			
Candidate	\$0	\$3,725	\$9,180
Party	\$0	\$7,664	\$0
<b>Total Reimbursement</b>	\$0	\$11,389	\$9,180

Lord Roberts	Caisse, Andy LPM	Hymers, Andrew PC	Lamont, Ali Lib.	McGifford, Diane NDP	Scott, Vere GPM
<b>Assets and Liabilities</b>					
Assets	\$0	\$928	\$2,418	\$80	\$0
Liabilities	\$0	\$1,379	\$4,000	\$5,010	\$0
Surplus / (Deficit)	\$0	(\$451)	(\$1,582)	(\$4,930)	\$0
<b>Income</b>					
Contribution	\$0	\$479	\$4,858	\$32	\$0
Transfers	\$0	\$0	\$538	\$18,967	\$316
Other	\$0	\$1,058	\$39	\$2	\$0
Total	\$0	\$1,537	\$5,435	\$19,001	\$316
<b>Expenses</b>					
Election	\$0	\$985	\$6,196	\$13,279	\$316
Non-Election	\$0	\$1,003	\$821	\$1,152	\$0
Transfers	\$0	\$0	\$0	\$9,500	\$0
Total	\$0	\$1,988	\$7,017	\$23,931	\$316
Surplus / (Deficit)	\$0	(\$451)	(\$1,582)	(\$4,930)	\$0
<b>Spending Limits</b>	\$33,366	\$33,366	\$33,366	\$33,366	\$33,366
<b>Reimbursements</b>					
Candidate	\$0	\$0	\$686	\$3,814	\$0
Party	\$0	\$492	\$2,343	\$2,812	\$0
<b>Total Reimbursement</b>	\$0	\$492	\$3,029	\$6,626	\$0

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Minnedosa</b>	<b>Atkins, Colin Ind.</b>	<b>Paterson, Harvey NDP</b>	<b>Powell, Gordon Lib.</b>	<b>Rowat, Leanne PC</b>
<b>Assets and Liabilities</b>				
Assets	\$0	\$483	\$8	\$280
Liabilities	\$0	\$10,351	\$0	\$6,376
Surplus / (Deficit)	\$0	(\$9,868)	\$8	(\$6,096)
<b>Income</b>				
Contribution	\$868	\$0	\$1,598	\$13,291
Transfers	\$0	\$9,645	\$1,000	\$0
Other	\$0	\$0	\$0	\$832
Total	\$868	\$9,645	\$2,598	\$14,123
<b>Expenses</b>				
Election	\$825	\$17,900	\$2,590	\$18,640
Non-Election	\$43	\$1,613	\$0	\$1,579
Transfers	\$0	\$0	\$0	\$0
Total	\$868	\$19,513	\$2,590	\$20,219
Surplus / (Deficit)	\$0	(\$9,868)	\$8	(\$6,096)
<b>Spending Limits</b>	\$31,213	\$31,213	\$31,213	\$31,213
<b>Reimbursements</b>				
Candidate	\$0	\$7,877	\$0	\$4,539
Party	\$0	\$861	\$0	\$4,687
<b>Total Reimbursement</b>	\$0	\$8,738	\$0	\$9,226

<b>Minto</b>	<b>Carr, Cheryl-Anne CPC-M</b>	<b>Javier, Mario Lib.</b>	<b>Johannson, Joan GPM</b>	<b>Laurence, David PC</b>	<b>Mihychuk, MaryAnn NDP</b>
<b>Assets and Liabilities</b>					
Assets	\$0	\$265	\$0	\$105	\$4,705
Liabilities	\$0	\$1,999	\$0	\$405	\$13,561
Surplus / (Deficit)	\$0	(\$1,734)	\$0	(\$300)	(\$8,857)
<b>Income</b>					
Contribution	\$0	\$2,500	\$0	\$0	\$101
Transfers	\$376	\$940	\$544	\$153	\$3,992
Other	\$0	\$0	\$0	\$0	\$6
Total	\$376	\$3,440	\$544	\$153	\$4,099
<b>Expenses</b>					
Election	\$376	\$5,174	\$544	\$439	\$11,337
Non-Election	\$0	\$0	\$0	\$14	\$1,619
Transfers	\$0	\$0	\$0	\$0	\$0
Total	\$376	\$5,174	\$544	\$453	\$12,956
Surplus / (Deficit)	\$0	(\$1,734)	\$0	(\$300)	(\$8,857)
<b>Spending Limits</b>	\$28,093	\$28,093	\$28,093	\$28,093	\$28,093
<b>Reimbursements</b>					
Candidate	\$0	\$1,821	\$0	\$220	\$5,618
Party	\$0	\$0	\$0	\$0	\$0
<b>Total Reimbursement</b>	\$0	\$1,821	\$0	\$220	\$5,618

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Morris</b>	<b>Auger, John NDP</b>	<b>Taillieu, Mavis PC</b>	<b>Van Wallegghem, Michael Lib.</b>
<b>Assets and Liabilities</b>			
Assets	\$525	\$6,538	\$43
Liabilities	\$0	\$10,884	\$2,505
Surplus / (Deficit)	\$525	(\$4,346)	(\$2,462)
<b>Income</b>			
Contribution	\$0	\$28,313	\$7,274
Transfers	\$1,407	\$0	\$940
Other	\$0	\$115	\$0
Total	\$1,407	\$28,428	\$8,214
<b>Expenses</b>			
Election	\$860	\$30,320	\$9,782
Non-Election	\$22	\$2,454	\$894
Transfers	\$0	\$0	\$0
Total	\$882	\$32,774	\$10,676
Surplus / (Deficit)	\$525	(\$4,346)	(\$2,462)
<b>Spending Limits</b>	\$33,910	\$33,910	\$33,910
<b>Reimbursements</b>			
Candidate	\$0	\$1,941	\$1,579
Party	\$430	\$13,219	\$3,312
<b>Total Reimbursement</b>	\$430	\$15,160	\$4,891

<b>Pembina</b>	<b>Crossman, Aaron CPC-M</b>	<b>Dyck, Peter George PC</b>	<b>Johnson, Mary NDP</b>	<b>Skubovius, Marilyn Lib.</b>
<b>Assets and Liabilities</b>				
Assets	\$0	\$3,132	\$12	\$0
Liabilities	\$0	\$63	\$0	\$0
Surplus / (Deficit)	\$0	\$3,069	\$12	\$0
<b>Income</b>				
Contribution	\$0	\$12,460	\$23	\$238
Transfers	\$388	\$249	\$707	\$0
Other	\$0	\$0	\$0	\$0
Total	\$388	\$12,709	\$730	\$238
<b>Expenses</b>				
Election	\$388	\$7,710	\$717	\$238
Non-Election	\$0	\$1,930	\$1	\$0
Transfers	\$0	\$0	\$0	\$0
Total	\$388	\$9,640	\$718	\$238
Surplus / (Deficit)	\$0	\$3,069	\$12	\$0
<b>Spending Limits</b>	\$36,375	\$36,375	\$36,375	\$36,375
<b>Reimbursements</b>				
Candidate	\$0	\$0	\$0	\$0
Party	\$0	\$3,855	\$347	\$0
<b>Total Reimbursement</b>	\$0	\$3,855	\$347	\$0

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Point Douglas</b>	<b>Bourgeois, Mary Lou Lib.</b>	<b>Hickes, George NDP</b>	<b>McIntyre, Wyatt PC</b>	<b>Rankin, Darrell CPC-M</b>
<b>Assets and Liabilities</b>				
Assets	\$0	\$407	\$0	\$0
Liabilities	\$5,765	\$7,237	\$0	\$0
Surplus / (Deficit)	(\$5,765)	(\$6,830)	\$0	\$0
<b>Income</b>				
Contribution	\$2,128	\$293	\$0	\$0
Transfers	\$656	\$8,588	\$11	\$376
Other	\$0	\$10	\$0	\$0
Total	\$2,783	\$8,891	\$11	\$376
<b>Expenses</b>				
Election	\$7,991	\$10,190	\$11	\$376
Non-Election	\$557	\$531	\$0	\$0
Transfers	\$0	\$5,000	\$0	\$0
Total	\$8,548	\$15,721	\$11	\$376
Surplus / (Deficit)	(\$5,765)	(\$6,830)	\$0	\$0
<b>Spending Limits</b>	\$24,596	\$24,596	\$24,596	\$24,596
<b>Reimbursements</b>				
Candidate	\$3,996	\$4,574	\$0	\$0
Party	\$0	\$0	\$0	\$0
<b>Total Reimbursement</b>	\$3,996	\$4,574	\$0	\$0

<b>Portage la Prairie</b>	<b>Faurschou, David PC</b>	<b>Kriski, Bob NDP</b>	<b>Lefebvre, Mike Lib.</b>
<b>Assets and Liabilities</b>			
Assets	\$709	\$5	\$302
Liabilities	\$5,638	\$16,924	\$1,536
Surplus / (Deficit)	(\$4,929)	(\$16,919)	(\$1,234)
<b>Income</b>			
Contribution	\$15,689	\$119	\$11,665
Transfers	\$641	\$10,670	\$688
Other	\$0	\$0	\$138
Total	\$16,330	\$10,789	\$12,491
<b>Expenses</b>			
Election	\$19,869	\$22,655	\$13,670
Non-Election	\$1,390	\$553	\$55
Transfers	\$0	\$4,500	\$0
Total	\$21,259	\$27,708	\$13,725
Surplus / (Deficit)	(\$4,929)	(\$16,919)	(\$1,234)
<b>Spending Limits</b>	\$31,589	\$31,589	\$31,589
<b>Reimbursements</b>			
Candidate	\$3,595	\$11,268	\$0
Party	\$5,898	\$0	\$0
<b>Total Reimbursement</b>	\$9,493	\$11,268	\$0

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Radisson</b>	<b>Cliff, Murray Lib.</b>	<b>Jha, Bidhu NDP</b>	<b>West, Linda PC</b>
<b>Assets and Liabilities</b>			
Assets	\$595	\$328	\$637
Liabilities	\$0	\$25,080	\$11,292
Surplus / (Deficit)	\$595	(\$24,752)	(\$10,655)
<b>Income</b>			
Contribution	\$248	\$22	\$8,148
Transfers	\$2,655	\$12,713	\$1,700
Other	\$0	\$0	\$0
Total	\$2,903	\$12,735	\$9,848
<b>Expenses</b>			
Election	\$2,277	\$26,913	\$17,662
Non-Election	\$31	\$1,074	\$2,841
Transfers	\$0	\$9,500	\$0
Total	\$2,308	\$37,487	\$20,503
Surplus / (Deficit)	\$595	(\$24,752)	(\$10,655)
<b>Spending Limits</b>	\$34,996	\$34,996	\$34,996
<b>Reimbursements</b>			
Candidate	\$0	\$13,447	\$7,881
Party	\$0	\$0	\$792
<b>Total Reimbursement</b>	\$0	\$13,447	\$8,673

<b>Riel</b>	<b>Ade, Kristopher Lib.</b>	<b>Melnick, Christine NDP</b>	<b>Render, Shirley PC</b>
<b>Assets and Liabilities</b>			
Assets	\$5,379	\$2,552	\$2,755
Liabilities	\$0	\$27,514	\$7,791
Surplus / (Deficit)	\$5,379	(\$24,962)	(\$5,036)
<b>Income</b>			
Contribution	\$12,988	\$184	\$15,234
Transfers	\$997	\$7,114	\$2,073
Other	\$1	\$0	\$0
Total	\$13,986	\$7,298	\$17,307
<b>Expenses</b>			
Election	\$8,595	\$21,486	\$20,036
Non-Election	\$12	\$1,274	\$2,307
Transfers	\$0	\$9,500	\$0
Total	\$8,607	\$32,260	\$22,343
Surplus / (Deficit)	\$5,379	(\$24,962)	(\$5,036)
<b>Spending Limits</b>	\$34,377	\$34,377	\$34,377
<b>Reimbursements</b>			
Candidate	\$0	\$10,651	\$2,804
Party	\$0	\$0	\$7,212
<b>Total Reimbursement</b>	\$0	\$10,651	\$10,016

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>River East</b>	<b>Curry, Fred Lib.</b>	<b>Longstaffe, Doug NDP</b>	<b>Mitchelson, Bonnie PC</b>
<b>Assets and Liabilities</b>			
Assets	\$0	\$846	\$546
Liabilities	\$0	\$15,624	\$12,317
Surplus / (Deficit)	\$0	(\$14,778)	(\$11,771)
<b>Income</b>			
Contribution	\$0	\$1,815	\$13,950
Transfers	\$239	\$8,835	\$3,500
Other	\$0	\$118	\$0
Total	\$239	\$10,768	\$17,450
<b>Expenses</b>			
Election	\$239	\$19,180	\$28,260
Non-Election	\$0	\$1,366	\$961
Transfers	\$0	\$5,000	\$0
Total	\$239	\$25,546	\$29,221
Surplus / (Deficit)	\$0	(\$14,778)	(\$11,771)
<b>Spending Limits</b>	\$36,058	\$36,058	\$36,058
<b>Reimbursements</b>			
Candidate	\$0	\$8,490	\$10,888
Party	\$0	\$0	\$3,242
<b>Total Reimbursement</b>	\$0	\$8,490	\$14,130

<b>River Heights</b>	<b>Bingeman, Kristin NDP</b>	<b>Gerrard, Jon Lib.</b>	<b>Goossen, Linda GPM</b>	<b>Radcliffe, Mike PC</b>	<b>Smith, Clancy LPM</b>
<b>Assets and Liabilities</b>					
Assets	\$1,188	\$1,196	\$0	\$1,183	\$0
Liabilities	\$4,181	\$18,020	\$0	\$0	\$0
Surplus / (Deficit)	(\$2,993)	(\$16,824)	\$0	\$1,183	\$0
<b>Income</b>					
Contribution	\$30	\$13,496	\$0	\$23,745	\$0
Transfers	\$2,113	\$7,138	\$50	\$2,655	\$0
Other	\$0	\$0	\$0	\$0	\$0
Total	\$2,143	\$20,634	\$50	\$26,400	\$0
<b>Expenses</b>					
Election	\$4,053	\$29,691	\$50	\$24,420	\$0
Non-Election	\$83	\$7,767	\$0	\$797	\$0
Transfers	\$1,000	\$0	\$0	\$0	\$0
Total	\$5,136	\$37,458	\$50	\$25,217	\$0
Surplus / (Deficit)	(\$2,993)	(\$16,824)	\$0	\$1,183	\$0
<b>Spending Limits</b>	\$34,910	\$34,910	\$34,910	\$34,910	\$34,910
<b>Reimbursements</b>					
Candidate	\$2,004	\$9,205	\$0	\$0	\$0
Party	\$0	\$5,300	\$0	\$11,570	\$0
<b>Total Reimbursement</b>	\$2,004	\$14,505	\$0	\$11,570	\$0

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Rossmere</b>	<b>Bhalesar, Sam Lib.</b>	<b>Larsson, Virginia PC</b>	<b>Schellenberg, Harry NDP</b>
<b>Assets and Liabilities</b>			
Assets	\$0	\$300	\$664
Liabilities	\$0	\$3,408	\$19,810
Surplus / (Deficit)	\$0	(\$3,108)	(\$19,146)
<b>Income</b>			
Contribution	\$20	\$9,687	\$1,212
Transfers	\$48	\$272	\$12,161
Other	\$0	\$0	\$0
Total	\$68	\$9,959	\$13,373
<b>Expenses</b>			
Election	\$68	\$11,745	\$22,388
Non-Election	\$0	\$1,322	\$631
Transfers	\$0	\$0	\$9,500
Total	\$68	\$13,067	\$32,519
Surplus / (Deficit)	\$0	(\$3,108)	(\$19,146)
<b>Spending Limits</b>	\$33,798	\$33,798	\$33,798
<b>Reimbursements</b>			
Candidate	\$0	\$1,954	\$9,282
Party	\$0	\$2,696	\$0
<b>Total Reimbursement</b>	\$0	\$4,650	\$9,282

<b>Rupertsland</b>	<b>Phillips, Cory PC</b>	<b>Robinson, Eric NDP</b>	<b>Woodford, Orville Lib.</b>
<b>Assets and Liabilities</b>			
Assets	\$39	\$3,693	\$1
Liabilities	\$0	\$8,115	\$0
Surplus / (Deficit)	\$39	(\$4,422)	\$1
<b>Income</b>			
Contribution	\$500	\$305	\$1,725
Transfers	\$0	\$14,240	\$940
Other	\$0	\$0	\$0
Total	\$500	\$14,545	\$2,665
<b>Expenses</b>			
Election	\$451	\$17,691	\$2,564
Non-Election	\$10	\$1,276	\$99
Transfers	\$0	\$0	\$0
Total	\$461	\$18,967	\$2,664
Surplus / (Deficit)	\$39	(\$4,422)	\$1
<b>Spending Limits</b>	\$36,399	\$36,399	\$36,399
<b>Reimbursements</b>			
Candidate	\$0	\$3,290	\$0
Party	\$0	\$5,403	\$0
<b>Total Reimbursement</b>	\$0	\$8,693	\$0



**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Russell</b>	<b>Clement, Joan Lib.</b>	<b>Derkach, Len PC</b>	<b>Yanick, Don NDP</b>
<b>Assets and Liabilities</b>			
Assets	\$1,922	\$0	\$32
Liabilities	\$3,020	\$14,882	\$12,205
Surplus / (Deficit)	(\$1,098)	(\$14,882)	(\$12,173)
<b>Income</b>			
Contribution	\$2,225	\$12,240	\$337
Transfers	\$1,853	\$450	\$6,250
Other	\$90	\$0	\$0
Total	\$4,168	\$12,690	\$6,587
<b>Expenses</b>			
Election	\$5,110	\$27,389	\$16,434
Non-Election	\$156	\$183	\$2,326
Transfers	\$0	\$0	\$0
Total	\$5,266	\$27,572	\$18,760
Surplus / (Deficit)	(\$1,098)	(\$14,882)	(\$12,173)
<b>Spending Limits</b>	\$31,698	\$31,698	\$31,698
<b>Reimbursements</b>			
Candidate	\$0	\$13,695	\$8,048
Party	\$0	\$0	\$0
<b>Total Reimbursement</b>	\$0	\$13,695	\$8,048

<b>Seine River</b>	<b>Dacquay, Louise PC</b>	<b>Oswald, Theresa NDP</b>	<b>Vacca, Luciano A. Lib.</b>
<b>Assets and Liabilities</b>			
Assets	\$393	\$137	\$653
Liabilities	\$8,331	\$15,718	\$985
Surplus / (Deficit)	(\$7,938)	(\$15,581)	(\$332)
<b>Income</b>			
Contribution	\$7,805	\$303	\$1,312
Transfers	\$1,231	\$12,216	\$940
Other	\$0	\$0	\$0
Total	\$9,036	\$12,520	\$2,252
<b>Expenses</b>			
Election	\$16,327	\$25,158	\$2,584
Non-Election	\$647	\$943	\$0
Transfers	\$0	\$2,000	\$0
Total	\$16,974	\$28,101	\$2,584
Surplus / (Deficit)	(\$7,938)	(\$15,581)	(\$332)
<b>Spending Limits</b>	\$36,233	\$36,233	\$36,233
<b>Reimbursements</b>			
Candidate	\$7,332	\$12,472	\$0
Party	\$441	\$0	\$0
<b>Total Reimbursement</b>	\$7,773	\$12,472	\$0

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Selkirk</b>	<b>Dewar, Greg NDP</b>	<b>Jonasson, Jack Lib.</b>	<b>Neal, Doug PC</b>
<b>Assets and Liabilities</b>			
Assets	\$154	\$2,012	\$0
Liabilities	\$13,055	\$9,123	\$0
Surplus / (Deficit)	(\$12,901)	(\$7,111)	\$0
<b>Income</b>			
Contribution	\$0	\$9,625	\$0
Transfers	\$11,684	\$940	\$0
Other	\$0	\$0	\$0
Total	\$11,684	\$10,565	\$0
<b>Expenses</b>			
Election	\$14,059	\$17,245	\$0
Non-Election	\$1,026	\$431	\$0
Transfers	\$9,500	\$0	\$0
Total	\$24,585	\$17,676	\$0
Surplus / (Deficit)	(\$12,901)	(\$7,111)	\$0
<b>Spending Limits</b>	\$34,308	\$34,308	\$34,308
<b>Reimbursements</b>			
Candidate	\$6,193	\$6,889	\$0
Party	\$0	\$1,658	\$0
<b>Total Reimbursement</b>	\$6,193	\$8,547	\$0

<b>Southdale</b>	<b>Frost, Carolyn NDP</b>	<b>Mrena, Chuck Lib.</b>	<b>Reimer, Jack PC</b>
<b>Assets and Liabilities</b>			
Assets	\$712	\$1,170	\$3,982
Liabilities	\$442	\$1,463	\$113
Surplus / (Deficit)	\$270	(\$293)	\$3,869
<b>Income</b>			
Contribution	\$325	\$1,725	\$19,829
Transfers	\$4,987	\$3,940	\$1,141
Other	\$0	\$0	\$0
Total	\$5,312	\$5,665	\$20,970
<b>Expenses</b>			
Election	\$4,845	\$5,828	\$16,203
Non-Election	\$197	\$130	\$898
Transfers	\$0	\$0	\$0
Total	\$5,042	\$5,958	\$17,101
Surplus / (Deficit)	\$270	(\$293)	\$3,869
<b>Spending Limits</b>	\$39,440	\$39,440	\$39,440
<b>Reimbursements</b>			
Candidate	\$0	\$183	\$0
Party	\$2,260	\$2,731	\$7,837
<b>Total Reimbursement</b>	\$2,260	\$2,914	\$7,837

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Springfield</b>	<b>Boileau, Vince Lib.</b>	<b>Schuler, Ron PC</b>	<b>Spooner, Georgine NDP</b>
<b>Assets and Liabilities</b>			
Assets	\$9	\$8,620	\$2,153
Liabilities	\$1,550	\$7,616	\$7,887
Surplus / (Deficit)	(\$1,541)	\$1,004	(\$5,734)
<b>Income</b>			
Contribution	\$9,158	\$19,595	\$413
Transfers	\$940	\$950	\$4,575
Other	\$0	\$31	\$274
Total	\$10,098	\$20,576	\$5,262
<b>Expenses</b>			
Election	\$11,096	\$18,436	\$9,789
Non-Election	\$543	\$1,136	\$1,207
Transfers	\$0	\$0	\$0
Total	\$11,639	\$19,572	\$10,996
Surplus / (Deficit)	(\$1,541)	\$1,004	(\$5,734)
<b>Spending Limits</b>	<b>\$37,068</b>	<b>\$37,068</b>	<b>\$37,068</b>
<b>Reimbursements</b>			
Candidate	\$0	\$0	\$4,694
Party	\$0	\$9,218	\$56
<b>Total Reimbursement</b>	<b>\$0</b>	<b>\$9,218</b>	<b>\$4,750</b>

<b>St. Boniface</b>	<b>Lamont, Dougald Lib.</b>	<b>Selinger, Greg NDP</b>	<b>Zahari, Dan PC</b>
<b>Assets and Liabilities</b>			
Assets	\$81	\$4,530	\$263
Liabilities	\$1,564	\$10,132	\$0
Surplus / (Deficit)	(\$1,483)	(\$5,602)	\$263
<b>Income</b>			
Contribution	\$1,550	\$251	\$779
Transfers	\$1,988	\$12,405	\$253
Other	\$0	\$0	\$0
Total	\$3,538	\$12,656	\$1,032
<b>Expenses</b>			
Election	\$4,987	\$12,193	\$753
Non-Election	\$34	\$1,065	\$16
Transfers	\$0	\$5,000	\$0
Total	\$5,021	\$18,258	\$769
Surplus / (Deficit)	(\$1,483)	(\$5,602)	\$263
<b>Spending Limits</b>	<b>\$32,277</b>	<b>\$32,277</b>	<b>\$32,277</b>
<b>Reimbursements</b>			
Candidate	\$1,449	\$4,986	\$0
Party	\$1,044	\$1,028	\$364
<b>Total Reimbursement</b>	<b>\$2,493</b>	<b>\$6,014</b>	<b>\$364</b>

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>St. James</b>	<b>Allbutt, Cliff PC</b>	<b>Korzeniowski, Bonnie NDP</b>	<b>McKenzie, Alana Lib.</b>
<b>Assets and Liabilities</b>			
Assets	\$1,675	\$553	\$117
Liabilities	\$10,000	\$23,977	\$17,080
Surplus / (Deficit)	(\$8,325)	(\$23,424)	(\$16,963)
<b>Income</b>			
Contribution	\$8,623	\$961	\$12,560
Transfers	\$140	\$9,018	\$4,201
Other	\$285	\$3	\$0
Total	\$9,048	\$9,982	\$16,761
<b>Expenses</b>			
Election	\$15,753	\$21,390	\$33,211
Non-Election	\$1,620	\$2,516	\$513
Transfers	\$0	\$9,500	\$0
Total	\$17,373	\$33,406	\$33,724
Surplus / (Deficit)	(\$8,325)	(\$23,424)	(\$16,963)
<b>Spending Limits</b>	\$34,128	\$34,128	\$34,128
<b>Reimbursements</b>			
Candidate	\$6,740	\$9,607	\$16,529
Party	\$1,137	\$0	\$76
<b>Total Reimbursement</b>	\$7,877	\$9,607	\$16,605

<b>St. Johns</b>	<b>Buors, Chris LPM</b>	<b>Garnett, E. Ray PC</b>	<b>Kolodziej, Ed Lib.</b>	<b>Mackintosh, Gord NDP</b>	<b>Weinberg, Alon GPM</b>
<b>Assets and Liabilities</b>					
Assets	\$0	\$214	\$1,853	\$732	\$0
Liabilities	\$0	\$321	\$1,923	\$9,882	\$0
Surplus / (Deficit)	\$0	(\$107)	(\$70)	(\$9,150)	\$0
<b>Income</b>					
Contribution	\$0	\$1,002	\$2,990	\$448	\$0
Transfers	\$0	\$204	\$1,252	\$13,866	\$533
Other	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$1,206	\$4,242	\$14,314	\$533
<b>Expenses</b>					
Election	\$0	\$968	\$4,042	\$13,571	\$533
Non-Election	\$0	\$345	\$270	\$393	\$0
Transfers	\$0	\$0	\$0	\$9,500	\$0
Total	\$0	\$1,313	\$4,312	\$23,464	\$533
Surplus / (Deficit)	\$0	(\$107)	(\$70)	(\$9,150)	\$0
<b>Spending Limits</b>	\$31,269	\$31,269	\$31,269	\$31,269	\$31,269
<b>Reimbursements</b>					
Candidate	\$0	\$0	\$0	\$6,082	\$0
Party	\$0	\$370	\$2,021	\$0	\$0
<b>Total Reimbursement</b>	\$0	\$370	\$2,021	\$6,082	\$0

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>St. Norbert</b>	<b>Barber, Keith GPM</b>	<b>Brick, Marilyn NDP</b>	<b>Greenwood, Jocelyn Lib.</b>	<b>Laurendeau, Marcel PC</b>
<b>Assets and Liabilities</b>				
Assets	\$0	\$1,207	\$229	\$108
Liabilities	\$0	\$9,031	\$5,000	\$11,909
Surplus / (Deficit)	\$0	(\$7,824)	(\$4,771)	(\$11,801)
<b>Income</b>				
Contribution	\$0	\$910	\$2,927	\$10,335
Transfers	\$117	\$10,600	\$940	\$2,415
Other	\$0	\$0	\$12	\$93
Total	\$117	\$11,510	\$3,879	\$12,843
<b>Expenses</b>				
Election	\$117	\$12,670	\$8,473	\$24,397
Non-Election	\$0	\$1,664	\$177	\$247
Transfers	\$0	\$5,000	\$0	\$0
Total	\$117	\$19,334	\$8,650	\$24,644
Surplus / (Deficit)	\$0	(\$7,824)	(\$4,771)	(\$11,801)
<b>Spending Limits</b>	\$30,243	\$30,243	\$30,243	\$30,243
<b>Reimbursements</b>				
Candidate	\$0	\$5,841	\$3,898	\$11,462
Party	\$0	\$0	\$0	\$690
<b>Total Reimbursement</b>	\$0	\$5,841	\$3,898	\$12,152

<b>St. Vital</b>	<b>Allan, Nancy NDP</b>	<b>Beaudry, Justin R. Lib.</b>	<b>Morrison, Nelson P. GPM</b>	<b>Reilly, Kirsty PC</b>
<b>Assets and Liabilities</b>				
Assets	\$811	\$195	\$0	\$67
Liabilities	\$7,497	\$0	\$0	\$254
Surplus / (Deficit)	(\$6,686)	\$195	\$0	(\$187)
<b>Income</b>				
Contribution	\$114	\$986	\$0	\$1,325
Transfers	\$16,027	\$940	\$54	\$2,500
Other	\$0	\$0	\$0	\$0
Total	\$16,141	\$1,926	\$54	\$3,825
<b>Expenses</b>				
Election	\$12,970	\$1,714	\$54	\$3,931
Non-Election	\$357	\$17	\$0	\$81
Transfers	\$9,500	\$0	\$0	\$0
Total	\$22,827	\$1,731	\$54	\$4,012
Surplus / (Deficit)	(\$6,686)	\$195	\$0	(\$187)
<b>Spending Limits</b>	\$34,047	\$34,047	\$34,047	\$34,047
<b>Reimbursements</b>				
Candidate	\$6,039	\$0	\$0	\$129
Party	\$203	\$714	\$0	\$1,837
<b>Total Reimbursement</b>	\$6,242	\$714	\$0	\$1,966

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Ste. Rose</b>	<b>Cummings, Glen PC</b>	<b>Harapiak, John NDP</b>	<b>Menzies, Wendy Lib.</b>
<b>Assets and Liabilities</b>			
Assets	\$9,136	\$915	\$395
Liabilities	\$3,046	\$13,310	\$0
Surplus / (Deficit)	\$6,090	(\$12,395)	\$395
<b>Income</b>			
Contribution	\$18,470	\$283	\$3,325
Transfers	\$0	\$9,924	\$538
Other	\$460	\$0	\$0
Total	\$18,930	\$10,207	\$3,863
<b>Expenses</b>			
Election	\$12,304	\$20,969	\$3,179
Non-Election	\$536	\$1,633	\$289
Transfers	\$0	\$0	\$0
Total	\$12,840	\$22,602	\$3,468
Surplus / (Deficit)	\$6,090	(\$12,395)	\$395
<b>Spending Limits</b>	\$31,622	\$31,622	\$31,622
<b>Reimbursements</b>			
Candidate	\$0	\$10,343	\$0
Party	\$6,152	\$0	\$0
<b>Total Reimbursement</b>	\$6,152	\$10,343	\$0

<b>Steinbach</b>	<b>Goertzen, Kelvin PC</b>	<b>Guetre, Monica Lib.</b>	<b>Jantz, Connie GPM</b>	<b>Schmidt, Bonnie NDP</b>
<b>Assets and Liabilities</b>				
Assets	\$0	\$0	\$0	\$143
Liabilities	\$7,356	\$0	\$0	\$0
Surplus / (Deficit)	(\$7,356)	\$0	\$0	\$143
<b>Income</b>				
Contribution	\$16,265	\$3,026	\$0	\$0
Transfers	\$2,300	\$484	\$75	\$546
Other	\$0	\$0	\$0	\$0
Total	\$18,565	\$3,510	\$75	\$546
<b>Expenses</b>				
Election	\$24,715	\$3,465	\$75	\$341
Non-Election	\$1,206	\$45	\$0	\$62
Transfers	\$0	\$0	\$0	\$0
Total	\$25,921	\$3,510	\$75	\$403
Surplus / (Deficit)	(\$7,356)	\$0	\$0	\$143
<b>Spending Limits</b>	\$34,958	\$34,958	\$34,958	\$34,958
<b>Reimbursements</b>				
Candidate	\$6,323	\$0	\$0	\$0
Party	\$5,976	\$0	\$0	\$171
<b>Total Reimbursement</b>	\$12,299	\$0	\$0	\$171

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Swan River</b>	<b>McKay, Russell Lib.</b>	<b>Shaw, Jason PC</b>	<b>Wowchuk, Rosann NDP</b>
<b>Assets and Liabilities</b>			
Assets	\$0	\$44	\$923
Liabilities	\$0	\$1,254	\$19,629
Surplus / (Deficit)	\$0	(\$1,210)	(\$18,705)
<b>Income</b>			
Contribution	\$4,078	\$8,190	\$760
Transfers	\$940	\$200	\$12,560
Other	\$0	\$0	\$0
Total	\$5,018	\$8,390	\$13,320
<b>Expenses</b>			
Election	\$4,967	\$9,138	\$31,387
Non-Election	\$51	\$462	\$638
Transfers	\$0	\$0	\$0
Total	\$5,018	\$9,600	\$32,025
Surplus / (Deficit)	\$0	(\$1,210)	(\$18,705)
<b>Spending Limits</b>	\$31,609	\$31,609	\$31,609
<b>Reimbursements</b>			
Candidate	\$0	\$752	\$14,478
Party	\$0	\$3,817	\$0
<b>Total Reimbursement</b>	\$0	\$4,569	\$14,478

<b>The Maples</b>	<b>Aglugub, Cris NDP</b>	<b>Olivier-Job, Angelina Lib.</b>	<b>Witko, Tammy PC</b>
<b>Assets and Liabilities</b>			
Assets	\$228	\$54	\$5
Liabilities	\$16,634	\$5,237	\$304
Surplus / (Deficit)	(\$16,406)	(\$5,183)	(\$299)
<b>Income</b>			
Contribution	\$380	\$2,805	\$457
Transfers	\$10,496	\$1,075	\$53
Other	\$1,271	\$606	\$0
Total	\$12,147	\$4,486	\$510
<b>Expenses</b>			
Election	\$17,536	\$8,821	\$801
Non-Election	\$1,517	\$848	\$8
Transfers	\$9,500	\$0	\$0
Total	\$28,553	\$9,669	\$809
Surplus / (Deficit)	(\$16,406)	(\$5,183)	(\$299)
<b>Spending Limits</b>	\$28,872	\$28,872	\$28,872
<b>Reimbursements</b>			
Candidate	\$8,332	\$4,200	\$299
Party	\$0	\$0	\$102
<b>Total Reimbursement</b>	\$8,332	\$4,200	\$401

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>The Pas</b>	<b>Goudy, Richard PC</b>	<b>Lathlin, Oscar NDP</b>	<b>Sweeny, Mark Lib.</b>
<b>Assets and Liabilities</b>			
Assets	\$0	\$976	\$1,941
Liabilities	\$1,876	\$9,308	\$3,856
Surplus / (Deficit)	(\$1,876)	(\$8,332)	(\$1,915)
<b>Income</b>			
Contribution	\$4,427	\$319	\$1,602
Transfers	\$0	\$10,013	\$392
Other	\$0	\$1,027	\$350
Total	\$4,427	\$11,359	\$2,344
<b>Expenses</b>			
Election	\$6,303	\$18,254	\$4,259
Non-Election	\$0	\$1,437	\$0
Transfers	\$0	\$0	\$0
Total	\$6,303	\$19,691	\$4,259
Surplus / (Deficit)	(\$1,876)	(\$8,332)	(\$1,915)
<b>Spending Limits</b>	\$29,806	\$29,806	\$29,806
<b>Reimbursements</b>			
Candidate	\$1,893	\$6,981	\$1,915
Party	\$1,035	\$1,942	\$29
<b>Total Reimbursement</b>	\$2,928	\$8,923	\$1,944

<b>Thompson</b>	<b>Archer, Bill PC</b>	<b>Ashton, Steve NDP</b>	<b>Traverse, Myrle Lib.</b>
<b>Assets and Liabilities</b>			
Assets	\$452	\$58	\$202
Liabilities	\$0	\$6,978	\$294
Surplus / (Deficit)	\$452	(\$6,920)	(\$92)
<b>Income</b>			
Contribution	\$3,100	\$0	\$200
Transfers	\$0	\$8,779	\$335
Other	\$0	\$0	\$0
Total	\$3,100	\$8,779	\$535
<b>Expenses</b>			
Election	\$2,448	\$9,805	\$627
Non-Election	\$200	\$1,144	\$0
Transfers	\$0	\$4,750	\$0
Total	\$2,648	\$15,699	\$627
Surplus / (Deficit)	\$452	(\$6,920)	(\$92)
<b>Spending Limits</b>	\$27,090	\$27,090	\$27,090
<b>Reimbursements</b>			
Candidate	\$0	\$4,791	\$0
Party	\$1,224	\$0	\$0
<b>Total Reimbursement</b>	\$1,224	\$4,791	\$0



**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Transcona</b>	<b>Marsiglia, Nansy Reid, Daryl PC</b>	<b>NDP</b>	<b>Watts, Betty Ann Lib.</b>
<b>Assets and Liabilities</b>			
Assets	\$0	\$1,144	\$250
Liabilities	\$0	\$6,644	\$1,905
Surplus / (Deficit)	\$0	(\$5,500)	(\$1,655)
<b>Income</b>			
Contribution	\$0	\$181	\$8,338
Transfers	\$11	\$11,208	\$2,488
Other	\$0	\$0	\$180
Total	\$11	\$11,389	\$11,005
<b>Expenses</b>			
Election	\$11	\$16,222	\$12,518
Non-Election	\$0	\$667	\$142
Transfers	\$0	\$0	\$0
Total	\$11	\$16,889	\$12,660
Surplus / (Deficit)	\$0	(\$5,500)	(\$1,655)
<b>Spending Limits</b>	<b>\$33,407</b>	<b>\$33,407</b>	<b>\$33,407</b>
<b>Reimbursements</b>			
Candidate	\$0	\$3,972	\$1,550
Party	\$5	\$3,588	\$4,709
<b>Total Reimbursement</b>	<b>\$5</b>	<b>\$7,560</b>	<b>\$6,259</b>

<b>Turtle Mountain</b>	<b>Leadbeater, Bev Lib.</b>	<b>Patterson, Lonnie NDP</b>	<b>Tweed, Mervin C. PC</b>
<b>Assets and Liabilities</b>			
Assets	\$801	\$359	\$273
Liabilities	\$0	\$2,797	\$4,050
Surplus / (Deficit)	\$801	(\$2,438)	(\$3,777)
<b>Income</b>			
Contribution	\$3,625	\$0	\$10,625
Transfers	\$940	\$3,632	\$0
Other	\$0	\$0	\$0
Total	\$4,565	\$3,632	\$10,625
<b>Expenses</b>			
Election	\$3,764	\$5,934	\$13,427
Non-Election	\$0	\$136	\$975
Transfers	\$0	\$0	\$0
Total	\$3,764	\$6,070	\$14,402
Surplus / (Deficit)	\$801	(\$2,438)	(\$3,777)
<b>Spending Limits</b>	<b>\$30,627</b>	<b>\$30,627</b>	<b>\$30,627</b>
<b>Reimbursements</b>			
Candidate	\$0	\$2,304	\$2,836
Party	\$1,882	\$663	\$3,878
<b>Total Reimbursement</b>	<b>\$1,882</b>	<b>\$2,967</b>	<b>\$6,714</b>

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Tuxedo</b>	<b>Billinghamurst, Marla Lib.</b>	<b>Stefanson, Heather PC</b>	<b>Taylor, Sonia NDP</b>
<b>Assets and Liabilities</b>			
Assets	\$65	\$17,977	\$693
Liabilities	\$4,413	\$6,274	\$0
Surplus / (Deficit)	(\$4,348)	\$11,703	\$693
<b>Income</b>			
Contribution	\$3,951	\$46,442	\$0
Transfers	\$940	\$400	\$1,723
Other	\$0	\$0	\$0
Total	\$4,891	\$46,842	\$1,723
<b>Expenses</b>			
Election	\$8,741	\$32,960	\$993
Non-Election	\$498	\$2,179	\$37
Transfers	\$0	\$0	\$0
Total	\$9,239	\$35,139	\$1,030
Surplus / (Deficit)	(\$4,348)	\$11,703	\$693
<b>Spending Limits</b>	\$36,098	\$36,098	\$36,098
<b>Reimbursements</b>			
Candidate	\$3,881	\$0	\$0
Party	\$489	\$16,480	\$496
<b>Total Reimbursement</b>	\$4,370	\$16,480	\$496

<b>Wellington</b>	<b>Penner, Jon PC</b>	<b>Reed, Rylan Lib.</b>	<b>Santos, Conrad NDP</b>	<b>Wreggitt, Glen CPC-M</b>
<b>Assets and Liabilities</b>				
Assets	\$0	\$1	\$409	\$0
Liabilities	\$0	\$3,990	\$19,647	\$0
Surplus / (Deficit)	\$0	(\$3,989)	(\$19,238)	\$0
<b>Income</b>				
Contribution	\$0	\$2,200	\$1,608	\$0
Transfers	\$0	\$940	\$4,711	\$376
Other	\$0	\$0	\$0	\$0
Total	\$0	\$3,140	\$6,319	\$376
<b>Expenses</b>				
Election	\$0	\$6,803	\$17,845	\$376
Non-Election	\$0	\$326	\$2,712	\$0
Transfers	\$0	\$0	\$5,000	\$0
Total	\$0	\$7,129	\$25,557	\$376
Surplus / (Deficit)	\$0	(\$3,989)	(\$19,238)	\$0
<b>Spending Limits</b>	\$24,449	\$24,449	\$24,449	\$24,449
<b>Reimbursements</b>				
Candidate	\$0	\$3,402	\$8,148	\$0
Party	\$0	\$0	\$0	\$0
<b>Total Reimbursement</b>	\$0	\$3,402	\$8,148	\$0

**Summary of Candidate Income, Expenses, Assets, Liabilities, Spending Limits and Reimbursements for the 2003 General Election**

<b>Wolseley</b>	<b>Altemeyer, Rob NDP</b>	<b>Buchart, Markus GPM</b>	<b>Burner, Ashley PC</b>	<b>Mollison, Val Lib.</b>
<b>Assets and Liabilities</b>				
Assets	\$241	\$654	\$423	(\$399)
Liabilities	\$19,517	\$0	\$0	\$0
Surplus / (Deficit)	(\$19,276)	\$654	\$423	(\$399)
<b>Income</b>				
Contribution	\$552	\$883	\$1,425	\$3,524
Transfers	\$11,444	\$6,024	\$11	\$940
Other	\$0	\$0	\$0	\$0
Total	\$11,996	\$6,907	\$1,436	\$4,464
<b>Expenses</b>				
Election	\$20,949	\$5,308	\$1,007	\$4,592
Non-Election	\$823	\$42	\$6	\$271
Transfers	\$9,500	\$903	\$0	\$0
Total	\$31,272	\$6,253	\$1,013	\$4,863
Surplus / (Deficit)	(\$19,276)	\$654	\$423	(\$399)
<b>Spending Limits</b>	\$29,611	\$29,611	\$29,611	\$29,611
<b>Reimbursements</b>				
Candidate	\$9,897	\$0	\$0	\$1,101
Party	\$0	\$2,212	\$503	\$1,212
<b>Total Reimbursement</b>	\$9,897	\$2,212	\$503	\$2,313

**Political Parties Summary of Income, Election Expenses, Spending Limits and Reimbursements for the 2003 General Election**

	<b>CPC-M \$</b>	<b>GPM \$</b>	<b>Lib. \$</b>	<b>LPM \$</b>	<b>MP \$</b>	<b>NDP \$</b>	<b>PC \$</b>
<b>Income</b>							
Contributions <sup>1</sup>	3,385	11,561	73,219	0	0	653,695	261,886
Transfers	0	903	0	0	0	298,000	11,998
Other	0	0	0	0	0	9,347	610
Total Income	3,385	12,464	73,219	0	0	961,042	274,494
Election Expenses	1,418	3,609	174,338	423	0	1,131,584	283,487
Transfers	1,953	8,341	47,597	0	0	392,650	25,544
Surplus (Deficit)	14	514	148,716	(423)	0	(563,192)	34,537
<b>Party Reimbursements</b>							
Direct Reimbursements <sup>2</sup>	0	0	87,169	0	0	565,766	141,494
Transferred Reimbursement <sup>3</sup>	0	2,212	65,793	0	0	57,845	199,365
<b>Spending Limits</b>							
Advertising	45,728	144,055	592,149	52,501	0	592,149	592,149
<b>Overall<sup>4</sup></b>	<b>91,456</b>	<b>288,110</b>	<b>1,184,297</b>	<b>105,003</b>	<b>0</b>	<b>1,184,297</b>	<b>1,184,297</b>

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 donation-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 list for all electoral divisions in which the registered political party endorses candidates is multiplied by the amount permitted on a per voter basis (\$1.6158)



## LEGISLATIVE CHANGES

### THIRD PARTY LIMITS (NOT YET PROCLAIMED)

This is an update to previous annual reports. The status of *The Elections Finances Act* amendments with respect to third party activities during an election remained the same in 2003. The amendments were passed in 2000 but as of the end of 2003 were not proclaimed.

The position of the Chief Electoral Officer, consistent with previous recommendations, is that the issue remains relevant and that:

- there should be reasonable limits on third party expenditures, and
- there should be disclosure requirements for third parties incurring election expenses above a certain threshold.

We had previously reported that there was an outstanding court decision which may impact on Manitoba's third party legislation. In *Harper v. Canada (Attorney General)* under *The Canada Elections Act*, the Crown appealed the Alberta Court of Queen's Bench June 29, 2001 decision to strike down the third party spending limits. Harper cross-appealed the Court's decision to uphold the remaining "attribution, registration and disclosure" provisions. The Appeal was heard May 9, 2002 and a December 16, 2002 Alberta Court of Appeal decision ruled that spending limit provisions and the attribution, registration and disclosure provisions were unconstitutional and of no force or effect.

The Supreme Court of Canada granted the Attorney General of Canada leave to appeal the Alberta Court of Appeal decision. The appeal was heard on February 10, 2004 and a May 18, 2004 decision of the Supreme Court of Canada upheld the constitutionality of the third party provisions in *The Canada Elections Act*.

The Supreme Court of Canada decision may mean that Manitoba's legislation will be proclaimed. If the law is proclaimed there will be considerable time and resources needed for implementation. There is a requirement for extensive consultation with an advisory committee to develop election communication guidelines and an information campaign is needed to identify and notify potential third party participants in an election. Guidelines and reporting forms will also be required.





## **INNOVATIONS AND FUTURE DIRECTIONS**

As mentioned previously in this report Manitoba's elections legislation provides for some of the most comprehensive voting opportunities that can be found anywhere in the country. Manitoba has also been at the forefront in the development of systems and software applications used during elections.

At Elections Manitoba we are constantly examining new and innovative ways of administering elections in order to enhance access to voting for Manitobans. New voting opportunities are researched and evaluated, adapted to the needs of Manitoba and recommendations for enabling legislation are made to the Legislature in this report. As the sophistication of technology grows, so do the possibilities for programs that will enhance voting opportunities and the management of elections. Our goal in researching these possibilities is to make voting easy and accessible without jeopardizing the integrity of system. Elections Manitoba will continually assess technological innovations and adopt new systems provided they do not diminish public confidence in and that they maintain the integrity of the electoral process in Manitoba.

With the success of the automated tools in the 38<sup>th</sup> general election, the core software applications will be maintained with several enhancements and additional functionality planned for upcoming by-elections. As well, more emphasis will be placed on web-enabled management reporting to allow even quicker response to operational issues in the field. Some database redesign and integration is planned to reduce the number of standalone databases, which will also assist in quicker access to information both at head-office and at returning offices. Lastly, some conversion to web-based applications will be started to reduce reliance on software-based programming languages such as MS-Access, which require frequent version upgrades.

From consultations with political parties, official agents and auditors it is apparent that the support measures undertaken by Elections Manitoba for the 2003 general election were on the mark. What is also apparent from the consultations is that we need to do even more especially concerning support for candidates' official agents. We anticipate additional activities will include expanding our information seminars for official agents, campaign managers and auditors; developing further our electronic Form 922 for candidates to include a function to record expenses; and expanding the information available on our Web site. We also see further advances in financial disclosure. We scanned candidate and party financial returns from the 2003 general election and disclosed them on our Web site. This will continue and will also include annual financial returns and contributor lists for political parties, constituency associations and candidates.





## RECOMMENDATIONS

### ***The Elections Act***

The outstanding recommendations from the 2002 Annual Report and new recommendations as a result of the 2003 General Election are set out on the following pages. Where applicable, updates to the existing recommendations have been made. Those recommendations that are outstanding are dated as to the Annual Report in which they first appeared. For ease of reference the recommendations have been placed in the following categories:

- Voting Entitlements
- Voting Provisions
- Voters List
- Candidates/Nominations
- Offenses
- Miscellaneous Provisions
- Administrative Issues

### **Voting Entitlements**

#### **1. Qualification for Voters List (six-month residency rule) [s. 32 (1) and 35 (1)] (First appeared in 1999)**

**Recommendation:** That the six-month residency requirement be extended to a period of several years for the following people who are otherwise eligible to vote:

- employees of the Federal Public Service or Manitoba Civil Service or international organizations of which Manitoba or Canada are members who have every intention of returning to live in Manitoba upon the conclusion of their employment;
- students living outside of the province, who have every intention of returning to Manitoba; and
- the immediate family of any such workers or students.

**Background:** In section 35 (1) of *The Elections Act*, Rule 2 states, "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."

Significant improvements to voter enfranchisement were made to *The Elections Act* in 1998, with the introduction of absentee voting. Absentee voting was well received across the province during the 1999 and 2003 General Elections. An eligible voter located anywhere outside the



province can vote in a Manitoba provincial election by using a special blank ballot, provided 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 his or her home electoral division, may also vote using an absentee ballot.

The Canadian Forces Personnel Act, which was given Royal Assent on July 17, 2002, exempts Manitoba residents who are members of the Canadian Forces from the six-month residency period. The amendment to *The Elections Act* allows Manitoba residents who are members of the Canadian Forces, and the people who live with them, to vote while posted outside the province. During the recent General Election this enfranchised 26 Canadian Forces personnel who were on peacekeeping duties in Bosnia.

However, it was also recommended that the requirement under *The Elections 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, yet intend to return to Manitoba within a specified time.

During an election, students can be affected by the residency requirement. Elections Manitoba's interpretation of the six-month residency requirement, as it pertains to students, is based on a 1981 decision of the Provincial Judges Court. 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 six-month residency 'clock' begins anew, once the student resumes studies outside the province.

During the 1999 General Election, students and their families expressed concerns that the six-month residency requirement should not apply to people studying outside the province. It was felt that a student who is unable to return home within a six-month period should still be permitted to vote by absentee ballot. The Ad Hoc Committee for *The Elections Act* supported a recommendation that a five-year exemption apply to students, public servants and employees of international organizations. During the 2003 election not as many concerns were expressed due in part to the time of year and the fact that many students studying outside the province were home for the summer.

In British Columbia, an eligible voter does not lose residency if

he or she is engaged in the service of the government of British Columbia or Canada. There is no specific time limit set for BC's residency exemption. BC's legislation does not deal with students attending school outside the province.

In Ontario, an eligible voter can be absent for up to two years before election day and is still entitled to vote provided he or she lived in Ontario for at least 12 consecutive months before moving from the province and he or she intends to reside in Ontario again. The two-year limit does not apply to a person absent from Ontario in the service of the Government of Ontario or the Government of Canada, or to attend an educational institution.

In Québec, an eligible voter may exercise his or her right to vote from outside that province for two years after his or her departure. However, the two-year limit does not apply to a voter who is posted outside Québec to a position with the government of Québec or Canada, or to a voter who is posted outside Québec to a position with an international organization of which Québec or Canada is a paying member.

In Saskatchewan, an eligible voter loses residency if he or she moves away from Saskatchewan and intends to remain outside Saskatchewan for at least five years. Students studying outside the province are deemed to be a resident in the polling subdivision where they lived prior to leaving for their studies and continues to be able to vote in that polling subdivision until he or she completes or abandons his or her studies.

For federal elections, the residency exemption applies to the staff of international organizations of which Canada is a paying member. The exemption extends to employees in the public service of Canada or a province, who are posted outside Canada. The residency exemption also applies to eligible voters who live outside Canada for less than five years and intend to return to Canada.

Prince Edward Island, Nova Scotia, Newfoundland, the Northwest Territories and Nunavut all provide for students who are attending a recognized educational institution outside the province or territory to vote in their home province or territory while attending school

Employees of the government of the Yukon residing outside the Yukon and students studying outside the Yukon are both considered to be ordinarily a resident of the Yukon.

In Canada, British Columbia, Ontario, Québec, Prince Edward Island and the Yukon, eligible voters who are spouses and family members of the category of employees or students listed above are also exempt from the normal residency rules.

**2. Caregiver of a homebound voter**  
**[s.101 and 102] (First appeared in 1999)**

**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 use the homebound voting method.

**Background:** During the 1999 General Election, the by-elections in 2000 and 2002 and again during the 2003 General Election, Returning Officers received requests from caregivers to vote at home. Many of these caregivers were spouses and other family members who, except for occasional relief by home care workers, were confined to their homes to care for their disabled partner or family member. This respite did not always coincide with a voting day, especially if the relief was not available on a weekly basis.

**3. Homebound voting for voters with a mental disability**  
**[s. 101(1)]**

**Recommendation:** That Section 101(1) of *The Elections Act* be amended to include persons with mental disabilities that prevent them from leaving their home unaccompanied.

**Background:** Section 101(1) of *The Elections Act* says a voter who is unable to go in person to the polling place or an advance poll because of a physical disability may apply in writing to the Returning Officer to vote at home. The Returning Officer administers the homebound voting and if necessary assists the voter in marking his or her ballot. During the 2003 General Election the question arose as to whether or not this provision applied to those voters with a mental disability and could not leave their residence without assistance. The argument was made that although these voters were not physically disabled, their mental disability prevented them from getting to a polling place in the same manner that a physical disability would.

Section 9.1(d) of the Human Rights Code describes discrimination as meaning "failure to make reasonable accommodation for the special needs of any individual or group, if those special needs are based upon any characteristic referred to in subsection (2). Subsection (2) defines applicable characteristics for the purpose of section 9.1(d) as "(l) physical or mental disability or related characteristics or circumstances, including reliance on a dog guide or other animal assistant, a wheelchair, or any other remedial appliance or device."

Section 58 of the code reads:

"Paramourncy of Code

Unless expressly provided otherwise herein or in another Act of the Legislature, the substantive rights and obligations in this Code are paramount over the substantive rights and obligations in every other Act of the Legislature, whether enacted before or after this Code."

**4. Special circumstances  
[s. 101 and 102] (First appeared in 1999)**

**Recommendation:** That sections 101 and 102 be amended to extend the homebound voting provisions to voters with 'special circumstances'. In such cases, the Returning Officer must be 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 election day.

**Background:** During every election, on the Sunday and Monday before election day, calls are received by Elections Manitoba from qualified voters whose circumstances have changed. They explain that they will not be able to attend their polling place location on election day. The most common situations heard are:

1. The voter has been called out of town unexpectedly, either on business or personal matters, and the absentee application deadline was the previous Saturday.
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 location and the homebound voter application deadline was the previous Saturday.

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.

Voters with personal security concerns may apply and vote, anytime up to and including election day and may use the homebound voting poll.

Similar voting options to the ones described above could accommodate people with 'special circumstances'. By using the homebound poll, the voter who leaves the hospital early could arrange to have the ballot delivered by the Returning Officer. If distance is a factor, this might need to be done by someone designated by the Returning Officer.

**5. Residency of disadvantaged individuals**  
**[s. 35 (1)] (First appeared in 1999)**

**Recommendation:** That a provision be provided for a person with no fixed address to determine their ordinary residence by using a shelter, hostel, or similar institution which provides food, lodging or social services to him or her.

**Background:** Prior to the 1999 Election, Elections Manitoba developed a policy to address the issue of residency for people who live in temporary residences (e.g. 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* contains a provision similar to Elections Manitoba's policy. British Columbia, Nova Scotia, New Brunswick, Prince Edward Island and Nunavut also have similar legislation.

## **Voting Provisions**

**6. Advance voting**  
**[s. 65(4), 65(5), 72(2), 83(1) and 83(2)]**

Every election concerns are expressed about voters that are unable to vote due to unforeseen circumstances. *The Elections Act* anticipates many of these circumstances with the voting opportunities presently in place. Namely, advance voting, absentee voting, homebound voting and institutional voting. However, the expansion of advance voting and making it even more accessible to voters would further enhance Manitoba's voting opportunities. People today have very busy lives and extending advance voting would give additional opportunities to those who may otherwise not exercise their vote. Research shows that many non-voters intend to vote, but their schedules often conflict with being able to vote only on election day therefore, advance polls are very important. Outlined below are three recommendations to expand advance voting in Manitoba.

**6a Expanding Advance voting**  
**[83(1) and 83(2)]**

**Recommendation:** That, in order to encourage the use of advance polls and further enfranchise voters, section 83(1)

should be amended eliminating the wording "expects for any reason to be unable to vote at his or her polling subdivision on polling day," and instead extend advance poll voting to any voter. Also, that section 83(2) be repealed to eliminate the requirement for a signed oath at advance polls.

**Background:** Currently section 83(1) of *The Elections Act* allows for any voter to vote at an advance poll who "expects for any reason to be unable to vote at his or her polling subdivision on polling day". Section 83(2) of *The Elections Act* requires that an advance poll voter take an oath prior to casting a ballot at an election.

Provisions in *The Canada Elections Act* do not stipulate a reason is needed to take advantage of an Advance Poll. Advance poll voting is for any qualified voter. The Yukon, Northwest Territories and Nunavut also allow any voter to vote at an advance poll.

The notion of needing a reason may dissuade some voters from attending advance polls. The requirement of an oath may, in some voters minds, enforce the idea that a particular reason is required to attend advance polls.

#### **6b Mobile Advance Polls [s. 65(5) and 72(2)]**

**Recommendation:** That Section 65(5) allow for mobile advance polls and that section 72(2) be amended to allow for more flexible hours for these polls.

**Background:** Section 65(5) allows for additional advance polls to be held in an electoral division for one to six days as determined by the Returning Officer. These provisions allow for advance polls to be held in many smaller rural communities and in urban locations if necessary. Section 72(2) stipulates that these polls shall be open from 8:00 a.m. to 8:00 p.m.

Greater flexibility in the hours would permit mobility of the advance poll and could increase the Returning Officer's ability to serve the voters in such locations as seniors' complexes or large apartment buildings which would greatly extend service to these voters.

Mobile advance polls are currently permitted through provisions in the Local Authorities Elections Act and the City of Winnipeg Act. Saskatchewan and Quebec also have provisions for advance mobile polls.

#### **6c Advance polls on Sundays [s. 65(4)]**

**Recommendation:** That Section 65(4) be amended to permit advance polls to be held from the second Sunday before polling day to the Saturday before polling day. The hours for Sunday voting should be noon to 8:00 p.m.

**Background:** Section 65(4) stipulates that advance voting take place from the second Monday before polling day to the Saturday before

polling day. Therefore, under current legislation Sunday advance poll voting is not permitted.

Societal attitudes toward commercial activity on Sunday have changed in recent years. The public has become more accepting of Sunday shopping, dining and recreational activities. Most amenities are open for at least the afternoon on Sunday.

Saskatchewan legislation provides for advance polls to be held on Sundays from noon to 7:00 p.m. The Chief Electoral Officer of Quebec in a recent report to the National Assembly of Quebec, proposed that elections take place on Sundays to "improve access to and promote the exercise of voting". Research from that jurisdiction showed Sunday voting would benefit several groups of voters. Seniors and handicapped persons could obtain more support from family members to assist them to the polls. Approximately half the youth voters surveyed said they would be more likely to vote on a Sunday than on any other day of the week.

**The following is a recap of the recommendations made for Advance voting:**

- That section 83(1) be amended to eliminate the wording "expects for any reason to be unable to vote at his or her polling subdivision on polling day" and instead open advance poll voting to any voter who may wish to vote at an advance poll.
- That Section 83(2) be repealed to eliminate the requirement for a signed oath at advance polls.
- That Section 65(5) allow for mobile advance polls and that section 72(2) be amended to allow for more flexible hours for these polls.
- That Section 65(4) be amended to permit advance polls to be held from the second Sunday before polling day to the Saturday before polling day and that the hours be from noon to 8 p.m. on Sunday.

**7. Prisoner Voting**  
**[s.31]**

**Recommendation:** In view of the court decisions made in Manitoba and Canada, section 31 should be repealed.

**Background:** In 1998 section 31 was amended to read as follows:

*Inmates disqualified from voting*

31 Every inmate of a correctional facility serving a sentence of five years or more is disqualified from voting in an election,

and the name of such a person shall not be placed on a voters list.

On August 23, 1999 The Court of Queen's Bench declared section 31 of no force or effect. As a result, all inmates who were eligible had the opportunity to vote in the General Elections in 1999 and again in 2003. In October 2002 the Supreme Court of Canada rendered its decision in *Sauvé vs Canada* on the same issue. In that judgement the court held that provisions in the Canada Elections Act that prevent inmates who are serving sentences of two or more years from voting are in breach of the Charter of Rights and Freedoms

## **Voters List**

### **8. Longer Revision period [s. 38(1)]**

**Recommendation:** That Section 38(1) of *The Elections Act* be amended to provide for six consecutive days of revision beginning on the Monday after the day the voters list is completed from enumeration.

**Background:** Due to amendments to *The Elections Act* in 2000 the minimum election period was reduced from 36 days to 33 days. With this reduction came adjustments to the election calendar with respect to enumeration and revision. Enumeration was extended from 10 days to a maximum of 14 days while revision was reduced from 10 days to 4 days starting on the Wednesday after enumeration. During the subsequent by-elections and the 2003 General Election, Returning Officers requested to begin revision immediately following enumeration rather than losing the momentum already in place. Enumerators leave information cards at the households where they cannot find anyone home, instructing residents to call the returning office to be placed on the voters list. Residents often respond to these cards immediately and in the current election calendar, revision offices and revising agents do not start until the following Wednesday. Having revision begin immediately following enumeration would allow 2 more days for a voter to be placed on the voters list making it easier and more convenient for the voter.

### **9. Authorized signatures and delivery to Returning Officers [s. 36 (1 & 2)] (First appeared in 1999)**

**Recommendation:** That *The Elections Act* be amended so that the Returning Officer may sign the voters list.

**Background:** During the 1999 General Election, a new way of producing the voters list was used. Data entry operators entered the voter's name and address on a computer template. This replaced the practice of having each enumerator type his or her own voters list. The voters list was then reproduced in the returning office, instead of having it prepared by a commercial printer. In some rural electoral divisions, data entry operators



were arranged on a regional basis. During the 2000 and 2002 by-elections and the 2003 General Election the voters lists were data entered in the returning offices. Having enumerators return to sign the list was a problem, especially in the rural areas where the enumerators were in some cases far removed from the returning office location. Currently, *The Elections Act* states that the Enumerator shall sign the voters list. While the signature of an election official remains an important concept, it would be more efficient to permit the Returning Officer to sign the finalized voters list.

#### 10. Safeguarding the Voters List

[s. 156 (1); 156 (2); 158; 163.1 (1); and 164] (First appeared in 1995)

**Recommendation:** That the Chief Electoral Officer be permitted to place control entries on the voters list for the purpose of safeguarding the voters list and to detect misuse of the voters list. Consequential amendments would be necessary to subsections 156 (1), 156 (2) and section 158 to eliminate these entries from being an election offense.

**Background:** In the 1995 Statutory Report, it was recommended that, "*The Elections 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."

The voters list is available for electoral purposes under section 163.1(1) and as a result copies of the voters list are made available to municipalities, towns and school boards as well as all candidates in an election. Although every precaution is taken to safeguard the voters list when distributed to others the possibility exists that security of the information could be at risk when shared. To further protect this information control entries could be used to trace unauthorized use.

Section 51(3) of the British Columbia Election Act allows for control entries for the purpose of safeguarding the voters list. It states:

"For the purpose of tracing unauthorized use of the lists of voters, including a list of voters used for election purposes, the chief electoral officer may have fictitious voter information included in a list of voters."

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.

**11. Use of the Voters List**  
**[s. 163.1 (1) and 164] (First appeared in 1999)**

**Recommendation:** That section 163.1(1) 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. In addition, personal information recorded on the voters list may only be used for election related purposes consistent with the following statutes: *The Elections Act*; *The Elections Finances Act*; a referendum conducted under The Balanced Budget, Debt Repayment and Taxpayer Protection Amendment and Consequential Amendments Act ("The Balanced Budget Act") The Manitoba Hydro Act or The Manitoba Public Insurance Act; The Local Authorities Elections Act; The City of Winnipeg Act; 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 recorded on the list, the Chief Electoral Officer may impose conditions, restrictions and safeguards on the use of voters list information.
- c. That an election officer may require a person wishing to inspect a copy of a voters list, or record pertaining to the voters list, to provide a signed statement that the person will not use personal information included in the voters list or record, except for a purpose permitted by *The Elections Act*. A similar statement should be required for those permitted users obtaining a copy of the voters list from Elections Manitoba to require any individual or organization inspecting the voters list to sign a statement declaring the use is only for a purpose permitted by *The Elections Act*.

**Background:** The voters list contains the names, addresses and, where provided, phone numbers of voters. Section 163.1(1) of *The Elections Act* is worded in such a way as to make it an election offence to misuse the voters list without stating clearly what constitutes authorized use of the list. Municipalities, towns and school divisions can request copies of the voters lists for electoral purposes under the present provisions for use when conducting elections in their jurisdictions. Provisions to guard against misuse, and clarify how the lists may or may not be used, should be added. The elections legislation of Canada, British Columbia and Québec are specific regarding acceptable uses of voters lists. Now that the voters list is available in electronic form, it is recommended that this section of *The Elections Act* be more specific.

**12. Access to communities by election workers  
[s. 174](First appeared in 1999)**

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

**Background:** In 2000, two amendments to Bill 17, The Elections Amendment Act, were passed at the report stage. The amendments to section 174.2 of *The Elections Act* established the right of candidates and their representatives to enter communities for the purpose of canvassing or distributing election campaign material. The provisions in section 174 should be extended in order to ensure access to all communities by Enumerators and election officers including the Returning Officer.

## **Candidates and Nominations**

**13. Nomination Papers  
100 Signatures to nominate a candidate**

**Recommendation:** That section 53(1) be amended to reduce the number of signatures on the nomination paper for a candidate from 100 to between 25 and 50 eligible voters.

**Background:** Section 53(1) of *The Elections Act* requires candidates to obtain the names and signatures of 100 or more persons eligible to vote in an election for their nomination paper. The number of names required in many other jurisdictions is considerably less. Manitoba, Quebec, and Canada are the only jurisdictions to require 100 names. It should also be noted that the size of the electoral divisions for Quebec and Canada are considerably larger than those of Manitoba. The required number of names varies in other jurisdictions from 4 in Saskatchewan to 25 in B.C. Alberta, Ontario, New Brunswick, and The Yukon. Fifteen names are required in Northwest Territories and Nunavut while 10 are needed in Prince Edward Island and Newfoundland.

With the exception of Quebec, other jurisdictions also require a deposit of funds upon filing of a nomination paper. Canada requires the sum of \$1,000.00 with all other jurisdictions requiring either \$100.00 or \$200.00. The requirement of a deposit could be viewed as an obstacle for some candidates. However, considering the Quebec model where no deposit is required, and the electoral divisions are 2 ½ to 3 times larger than in Manitoba, the number of names of those nominating a candidate in Manitoba could be reduced to make the relationship between the number of names required and the population of an electoral division more relevant and more consistent with other jurisdictions.

Returning Officers are instructed to be vigilant in their verification process for nomination papers. This includes verifying that the names and addresses to ensure that the 100 persons signing a nomination paper are qualified voters within the electoral division. This process can take several hours to perform and often a candidate or their representative will have to return later in the day to receive the official receipt for the nomination paper. Candidates have often questioned the length of time it takes to verify a nomination paper in the returning office. This can often be inconvenient especially for candidates in rural areas who may have to drive a considerable distance to attend at the returning office.

This matter has also been raised by The Green Party in Manitoba.

#### **14. Residential Address of Candidates**

**Recommendation:** To clarify the fact that the residential address of a candidate will be published, section 58(1)(e) should be amended to read publish the names, residential addresses and political party endorsements of the candidates nominated. A further amendment would be required to permit candidates to apply for the publication of an alternate address for reasons of personal security.

**Background:** Some concerns have been raised about the publication of a residential address of a candidate as required under section 58(1)(e). The concerns were generated due to some safety and privacy issues of the individuals. The background to the residential address on the nomination papers is as follows:

- Prior to 1980 the candidate's "residential address" was collected, and along with "occupation" were placed on the ballot with each candidate's name.
- In 1980 "residential address" was no longer on the ballot but occupation remained.
- In 1983 occupation was no longer placed on the ballot.

According to section 58(1)(c), the Returning Officer must forward to the Chief Electoral Officer a notice "indicating the names, residences and political party endorsements of the candidates nominated". Section 58(1)(e) requires that the Returning Officer "publish the names, addresses and political party endorsements of the candidates nominated in the election and the names of their official agents". The address that is published is the residential address.

During discussions with the Ad Hoc committee following the June 3rd election, it was felt that the residential address of a candidate was an important fact for the voter to be aware of and that publishing the residential address of a candidate serves the voting public well. There is however, the possibility that publishing a candidate's residential address may affect the personal security of an individual in which case the

individual would have to request another address such as a mailing address be used.

Prince Edward Island, Saskatchewan, Nova Scotia and the Northwest Territories publish the name and the residential address of candidates.

## Offences

### 15. Interfering with a candidate to canvass or campaign in a community [s. 174.2(3) & 174.2(4)]

**Recommendation:** That an additional section be added following section 174.2 to expand and therefore further clarify the rights of candidate's and their representatives to canvass and campaign in communities. This section should address the issue of any action or series of actions that have the effect of impeding or interfering with a candidate or a candidate's representatives' ability to canvass or distribute election material in any community as being an offence under the act.

**Background:** In 2000 amendments were made to *The Elections Act* which clarified the right of candidates and their representatives to enter communities. Due to this amendment 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.

Strict interpretation of this section would require that a specific individual show identification and be physically prevented from entering a community to campaign in order for there to be an offence. The section does not cover a more likely situation where there is interference or intimidation with a candidate's ability to campaign within a community.

Section 150(1) of *The Elections Act* makes interference or intimidation of a voter in exercising their right to vote an election offence. A similar provision should be included for candidates or their representatives when campaigning.

### 16. False entries or statements [s.156(2)] (First appeared in 1999)

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

**Background:** Currently, section 156 (2) of *The Elections Act* 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 statement on any election papers used under *The Elections Act*.

The integrity of the electoral process is undermined if people make false statements 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 elections acts of British Columbia, Canada, Newfoundland and Yukon address the issue of a false entry, oath or statement and misleading information.

**17. Influencing votes[s. 145] (First appeared in 1999)**

**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'.

**Background:** This section of *The Elections 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' that are prohibited under section 145.

An overly broad interpretation of this section should be prevented. It should be stated explicitly that 'benefits' are not acceptable if there is a 'corrupt intent'. This would help candidates, registered political parties and the public. This would be similar to a concept expressed in section 147 that deals with "treating" for the purpose of corruptly influencing another person.

**18. Obstruction of election officers  
(Part 7: Voting) (First appeared in 1999)**

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

**Background:** Currently, provisions exist in *The Elections Act* [s. 30.3 (2)] making it an offence to obstruct an enumerator in the performance of his or her duties. Many other jurisdictions (e.g. British Columbia, Canada, Québec, The Yukon) have extended their legislation to make it an offence to obstruct any election officer.

**19. Political activities on polling day/campaigning within 50 metres of polling place  
[s. 111 and 112] (First appeared in 1999)**

**Recommendation:** That sections 111 and 112 be amended to provide for exceptions to the effect that:

Polling place locations are often established in a residential complex or building containing interlocking units, offices, stores or other premises. In such cases, the prohibition of signs, etc. should apply to the polling place location, and to a 50-metre distance from the entrance of the polling place.

**Background:** In past General Elections and by-elections, some people expressed confusion about political campaigning on election day. In order to provide clarity, changes need to be made to sections 111 and 112 of *The Elections Act*.

Subsections 111 and 112 are intended to prohibit political campaigning within or within 50 meters of the entrance to polling place locations. Presently, *The Elections Act* prohibits circulars, etc. "within or within 50 meters of the entrance of a building in which there is a polling place [location]." The provisions also apply to advance poll voting, whether in a separate polling place 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 the voter was entering a polling place location.

The Returning Officer and candidates often locate their offices within 'strip malls'. If the term "building" is interpreted to mean the entire strip mall, 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 location) could be considered as the shortest distance a person would be able to travel between the two polling place locations within that mall.

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

## **20. Campaigning in Multiple Residences** **[s. 174.2(1)]**

**Recommendation:** That Section 174.2(1) be amended to include an exception for campaigning in a multiple residence on any day which voting at that location is taking place. This would include advance polls and election day.

**Background:** During recent elections and by-elections, concerns have been raised regarding campaigning on voting days in

locations such as seniors residences and other multiple residences such as apartment buildings and condominium complexes which are being utilized as polling locations. An amendment in 2000 to section 174.2(1) enabled candidates or their representatives to canvass or distribute election campaign material at the doors of units in these buildings or complexes. However, confusion may be created due to section 111(1), which prohibits anyone from distributing any circular, card or other paper having reference to the election inside or within 50 metres of the entrance to a building in which there is a polling place for voting.

For the convenience of voters many polling places are held in large apartments, seniors complexes or condominium complexes. Complaints have been made that candidate's are campaigning within a building which is being used as a poll location. Clarity of which section of the Act takes precedence over the other needs to be made. Section 111(1) was presumably written to prevent the last minute influence of a voter by a political party or candidate and therefore should take precedence over section 174.2(1).

## **21. Separation of Compliance and Investigative Powers [s.174.1]**

**Recommendation:** That the investigation and prosecution responsibilities of the Chief Electoral Officer be separated from the assistance and compliance responsibilities similar to the Canadian federal model and that alternative enforcement tools such as voluntary compliance agreements and administrative fines be considered for appropriate circumstances and offences in addition to the option of prosecution.

**Background:** The Chief Electoral Officer has the statutory responsibility to provide assistance to candidates, leadership contestants, official agents, political parties, chief financial officers and auditors and to undertake reviews and audits to ensure that there has been compliance with *The Elections Finances Act*. The Chief Electoral Officer also has the statutory responsibility for enforcement, i.e. to conduct investigations of any matter that might constitute a contravention of *The Elections Finances Act* or *The Elections Act* and to initiate prosecutions for violations where warranted. Investigations and prosecutions can be perceived as adversarial and may seriously impact the statutory responsibility to provide assistance and to ensure compliance.

Most other jurisdictions in Canada do not combine into one authority the functions of enforcement and compliance assistance. Canada, for example, has an impartial and independent official appointed by the Chief Electoral Officer called the Commissioner of Canada Elections. The Commissioner has responsibility for enforcement of all provisions of the Canada Elections Act whereas Canada's Chief Electoral Officer has the statutory responsibility to provide assistance to political participants



in order to ensure compliance with the Act. Consideration should be given to separating the investigation and prosecution responsibilities from the assistance and compliance responsibilities similar to the Canadian model.

## Miscellaneous

### 22. Appointment of Chief Electoral Officer [s. 5(1)]

**Recommendation:** That section 5(1) be amended to appoint the Chief Electoral Officer by resolution of the Assembly.

**Background:** The independent administration of elections is critical to the integrity of the electoral system. Amendments in 2000 gave the responsibility of appointing Returning Officers to the Chief Electoral Officer through open merit based competitions. This was one further step to enhancing the independence of the office of the Chief Electoral Officer and to confirm non-partisan administration of the electoral system.

In a similar way the appointment of the Chief Electoral Officer by resolution of the Assembly confirms the independence of the office. The most recent appointment to this office was through a resolution by the Assembly even though the actual appointment under *The Elections Act* is by Order in Council. The agreement at the time was to recognize the appointment by a resolution of the Legislative Assembly and was done to reinforce the independence of the position.

This appointment process is consistent with other jurisdictions across Canada. Canada, Quebec, and Saskatchewan all have provisions which set out the appointment of the Chief Electoral Officer by way of resolution of their respective assemblies.

### 23. Application for a recount and the return of the writ [s. 131(1.1) and 140 (1)]

**Recommendation:** To permit Members of the Legislative Assembly to take office following an election while still allowing a reasonable period for recount applications the following recommendations are made:

- 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.
- That if desirable, section 131 (1.1) could be reviewed to reduce the number of days allowed following the Returning Officers official announcement for applications for a recount to be made.

**Background:** Currently section 140 (1) (b) of *The Elections Act* states that the writ is returned "immediately after the 10th day after announcing the result of the count." This announcement is made a week following the election which makes the return of the writ 18 days after election day. This enables the deadline for applying for a judicial recount to pass as specified in section 131(1.1). It 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."

The eight day waiting period for making application for a recount to the courts is only consistent with four other jurisdictions in Canada. (Alberta, Newfoundland, Northwest Territories and Nunavut). Two jurisdiction have a 6 day period for applications to be made (British Columbia and The Yukon) while the remaining seven jurisdiction provide for only a four day waiting period.(Canada, Quebec, Ontario, Saskatchewan, PEI, Nova Scotia and New Brunswick).

Allowing for the writ to be returned immediately after the deadline for an application for a recount would shorten the waiting period before an elected member can take office from 10 days to 8 days. A further shortening of the waiting period could be achieved if the deadline for recount applications was reduced as other jurisdictions in Canada have done.

**24. Senior Deputy Returning Officers  
[s. 21 (2)] (First appeared in 1999)**

**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.

**Background:** According to *The Elections Act*, a polling place location requires more than three polls in order for a Senior Deputy Returning Officer to be appointed. In past elections, some polling place locations hosted only three polls. In these cases, a Senior Deputy Returning Officer would have been useful, especially in polling place locations where only one poll official had election day experience.

Currently, only one Senior Deputy Returning Officer can be appointed per polling place location. Some polling place locations (e.g., schools) host eight to twelve polls within one building. It would be advantageous in such polling place locations to appoint two Senior Deputy Returning Officers.

**25. Homebound ballot voting: delivery  
[s. 101 and 102] (First appeared in 1999)**

**Recommendation:** That section 102 (1) 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.

**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 that 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 homebound voters often require assistance, 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 the vote. By allowing either the Assistant Returning Officer or a designate 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.

## Administrative Issues

### 26. Plain language

[no references in *The Elections Act*] (First appeared in 1999)

**Recommendation:** That *The Elections Act* be re-written in plain, gender-neutral language.

**Background:** The principles of plain language are being used as sections to *The Elections Act* are amended. However, many sections remain more complex and wordy than they need to be. *The Elections Act* is an important statute and, therefore, it is essential that it be understood by candidates, election officials and the public. Clear language will also benefit people who have difficulty reading. A re-write to the act would undoubtedly find many ways of streamlining and enhancing processes that exist in the present statute. It would also provide an opportunity to bring Manitoba's election provisions in harmony with best practices in other jurisdictions across Canada. At the July 4, 2002 meeting of the Standing Committee on Privileges and Elections, there was a commitment, over the medium term, to re-write *The Elections Act* in plain language so that the public can understand it.

### 27. Statement of account

[s. 122] (First appeared in 1999)

**Recommendation:** That section 122 be repealed.

**Background:** The responsibility for completing and certifying statements of account for all fees and expenses of poll officials and rent – and then delivering or mailing the statements to the Returning Officer – does not belong to the Deputy Returning Officer. Moreover, these duties are not completed at the polling place location, as stated in *The Elections Act*. The statements of account and rents are an administrative duty of the Returning Officer and are completed in the returning office.

**28. Appointment of court officials at a recount  
[s. 135(1.2)]**

**Recommendation:** That Section 135(1.1) be amended to include election officers to be appointed as court officials to assist at a judicial recount.

**Background:** At present Section 135(1.2) permits a judge during a recount only to appoint a court official or officials to provide assistance. The current practice is to have the Returning Officer involved in the recount provide election officers to assist in judicial recounts since they are aware of the count procedures used at the poll. During a recent recount, the presiding judge recommended that section 135(1.2) be amended to include "election officer or officers" to assist in the recount.

## Other Acts Relevant to the Conduct of Elections

### 1. Referendum regulations (First appeared in 2000)

**Recommendation:** That a Referendum Act be developed. The Act should deal with the administrative conduct of referendums and campaign finance provisions.

**Background:** There are now three statutes in Manitoba that require a referendum to be held under certain circumstances. They are:

1. *The Balanced Budget, Debt Repayment and Taxpayer Protection Amendment and Consequential Amendments Act ('The Balanced Budget Act')*
2. *The Manitoba Hydro Act*
3. *The Manitoba Public Insurance Corporation Act*

*The Balanced Budget Act*, requires that a referendum must be held for certain tax increases as outlined in subsection 10(1). This subsection states that the government shall not present 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 subsection 15.3(1).

The most recent Act to be amended is *The Manitoba Public Insurance Corporation Act*. Section 14.1(1) now requires a referendum prior to government taking any steps to privatize the corporation or all or any part of its insurance undertaking or present to the Legislative Assembly a bill to authorize or effect such a privatization. This bill was introduced on December 12, 2003 and on June 10, 2004 received Royal Assent.

All three 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 subsections 11(1) of *The Balanced Budget Act*, 15.3(2) of *The Manitoba Hydro Act* and 14.1(2) of *The Manitoba Public Insurance Corporation 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. Subsection 11(3) of *The Balanced Budget Act*, subsection 15.3(4) of *The Manitoba Hydro Act* and 14.1(4) of *The Manitoba Public Insurance Corporation Act* address this requirement by providing for regulations to be made. The Acts also allow for the possibility that the subject of campaign finance be included in either a Referendum Act or regulations.

Regulations regarding procedures are outlined as follows:

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. (Section 11(3) of *The Balanced Budget Act*)

*The Manitoba Hydro Act* and *The Manitoba Public Insurance Corporation Act* add to section (b) above by saying:

"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"

The following questions need to be addressed in either an Act or regulation:

- How and when, precisely, is the referendum question established?
- What is the duration of the referendum period given that no nomination period exists?

- Are there to be referendum committees? How are they to be established, registered and/or regulated? May referendum committees appoint scrutineers to be present at the polls?
- Would there be unique referendum recount rules?
- Who may apply for a recount?
- May referendums and elections be held simultaneously?
- Does the same tariff for payment of officers apply?
- Are there to be "referendum" offences?

General elections also have campaign finance provisions for such participants as candidates and political parties. Referendums should contain similar provisions for campaign finances.

In general, campaign finance provisions are concerned with money and other resources, and the impact they have on the electoral process and public policy. People with access to abundant resources have a significant advantage over people who do not. A key to campaign finance laws involves minimizing resource differences. Legislation often contains provisions for public financial support; spending limits and accepting contributions; public disclosure of finances; and for participants to register and have an agent. In addition to these, provisions must exist for the independent administration and enforcement of such laws.

In Manitoba, *The Elections Finances Act* contains campaign finance provisions for candidates, constituency associations and registered political parties. Such provisions are related primarily to elections. The third party provisions have been passed but have not been proclaimed.

Groups and individuals participating in a referendum (i.e. referendum committees) should be required to display an authorization on sponsored advertisements. As with elections, voters in referendums have a right to know who is participating and attempting to sway their vote.

In addition, referendum committees should be required to appoint a financial agent and register with the Chief Electoral Officer if there is financial activity above a threshold amount.

Undoubtedly, additional issues could arise.

Referendum legislation exists in several Canadian electoral

jurisdictions. Québec has all pertinent subjects included in its Referendum Act. Alberta, British Columbia and Saskatchewan have a minimal number of subjects included in their respective legislation and deal with most matters by regulation. Canada deals with most subjects in its legislation. Prince Edward Island, The Yukon, Northwest Territories and Nunavut all have a separate Plebiscite Acts. Ontario has taxpayer protection legislation similar to Manitoba.

Over time there has been momentum towards the increased possible use of referendums. *The Balanced Budget, Debt Repayment and Taxpayer Protection Act, The Manitoba Hydro Act* and *The Manitoba Public Insurance Corporation Act*, received Royal Assent on November 3, 1995, July 6, 2001, and June 10, 2004 respectively. As reasons grow for the possible use of referendums, so to does the need to have rules clearly articulated by all Members via the Legislative Assembly.

In the interim, Regulations should be articulated under the existing legislation.

**2. *The Controverted Elections Act*  
[all sections] (First appeared in 1999)**

**Recommendation:** That all sections of *The Controverted Elections Act* be reviewed and revised. Consideration should be given to incorporating a revised version 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 in *The Elections Act*.

**Background:** Certain court procedures outlined in *The Controverted Elections Act* have expired and the language is antiquated. In addition, *The Controverted Elections Act* should be reviewed to ensure that it corresponds to any amendments made to *The Elections Act* in recent years.

**3. *The Electoral Divisions Act*  
(First appeared in 1999)**

**Recommendation:** That the Legislative Assembly consider:

- the final report of the Boundaries Commission be made to the Lieutenant Governor and to the Speaker of the Legislative Assembly
- formally defining in *The Electoral Divisions Act* the timing to implement the report of the Boundaries Commission
- the composition of the Commission to include rural representation.

**Background:** The Electoral Divisions Boundaries Commission in its report in December 1998 stated the following:

With the benefit of examining other Canadian legislation, there emerges a clear trend in the reporting mechanism by other boundaries commissions



which appears to be at odds with the practice in Manitoba. The current legislation requires the final report and recommendations of the Commission to be submitted to the Lieutenant Governor and to the President of the Council, rather than to the Speaker of the Legislative Assembly, as is now a much more common practice. It is respectfully suggested that in the future the report of the Commission should be made to the Lieutenant Governor and to the Speaker of the Legislative Assembly. In turn, the Speaker would forthwith provide each member of the Legislative Assembly with a copy of the report. The report would then be made public. In this way the public, including all members of the Legislative Assembly, would have complete access to the Commission report as soon as it is delivered. This suggestion is consistent with the principle that boundaries commissions act, at all times, on behalf of the public at large.

In Quebec, Alberta, Saskatchewan, Prince Edward Island, and Nova Scotia reports are tabled with the Assembly and the timing of the enactment of the new boundaries is specified in the relevant acts. The Federal Electoral Boundaries Readjustment Act states that the new boundaries come into force upon the first dissolution of Parliament that occurs at least one year after the issue of the proclamation.

The 1998 commission report further stated:

As a further matter, 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."

Elections present significant, often unpredictable, challenges. The 37th General Election in 1999 had some unique challenges. Elections Manitoba staff and Returning Officers needed to ensure that it could be run on either the old or new electoral boundaries. Working under two possible sets of maps meant pre-election training of 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 pre-writ costs. In the end, an amended version of The Electoral Divisions Act received Royal Assent on April 27, 1999. The new boundaries came into effect at the call of the 37th Provincial General Election.

Another recurring comment which has been made during public hearings of the Boundaries Commission in both 1978 and in 1988

is the need to have at least one member of the Commission be particularly familiar with rural concerns.

The present Commission is comprised of 3 members - the Chief Justice of the province, the President of the University of Manitoba and the Chief Electoral Officer of Manitoba. All Boundaries Commissions in Canada are comprised of either three or five members to facilitate decision making by way of eliminating the possibilities of a split of opinion.

#### **4. The Legislative Assembly Act (First appeared in 1999)**

**Recommendation:** The following matters are not dealt with by *The Elections Act* or *The Elections Finances Act* but, rather, *The Legislative Assembly Act*. At this point, they are referred to the Legislative Assembly for consideration.

**Background:** Over the past few elections, Elections Manitoba has received suggestions that a set date for elections should be implemented. In addition, submissions have been made to support 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 Committee on *The Elections Act*, held in spring 2000.

In 2000, legislation in British Columbia was passed to set the General Election date. The fixed election date amendment to the *Constitution Act* received Royal Assent on August 27, 2001 and took effect on December 9, 2002. General Elections in BC must now be held on the second Tuesday in May in the fourth calendar year following the previous general election.

Ontario is also in the process of passing legislation for a fixed election date. At the time of writing Bill 86, amending *The Election Act*, *The Election Finances Act*, *The Legislative Assembly Act* and *The Representation Act* is in its second reading in the Ontario Legislature. This bill provides for a general election to be held on the first Thursday in October in the fourth calendar year following polling day in the most recent election.

The subject of proportional representation is being reviewed in several jurisdictions.

In British Columbia, on September 20, 2002, the government retained Gordon Gibson as a consultant to develop guidelines on how the Citizens' Assembly on Electoral Reform should be set up and operate. His recommendations were delivered to the BC government in December of 2002, and Dr. Jack Blaney was appointed as Chair. The Assembly's

mandate is to assess all possible models for electing MLAs, including preferential ballots; proportional representation; and the current first-past-the-post system. The Citizens' Assembly on Electoral Reform consists of 160 members, 80 women and 80 men randomly selected from throughout the province in 2003. During 2004 the group will spend time learning about electoral systems, holding public hearings and in deliberation. A final report and recommendations must be delivered by December 15, 2004. Any changes to the current electoral system recommended by the Citizen's Assembly will be put to a province-wide referendum in conjunction with the next BC general election.

In New Brunswick in December 2003 The Commission on Legislative Democracy was introduced with the mandate of presenting a report and recommendations back to the legislature by late 2004. At the time of writing a progress report has been submitted to the House and key options outlined in the report include proportional representation and fixed election dates.

In Prince Edward Island, the Legislative Assembly commissioned a report on proportional representation. The report was tabled in the PEI Legislature in Spring 2002. It reviewed various types of proportional representation systems currently being used in Belgium, Germany, Switzerland, France, Ireland, New Zealand, Malta and Iceland and outlined three possible proportional representation scenarios for consideration. Following tabling of the report, the Premier established a one-person Commission to look at proportional representation. Commissioner Norman H. Carruthers held several meetings across Prince Edward Island during the spring and early summer of 2003. He presented his report to the Premier of that province in December of that year. The report recommends that more education and public engagement is required before any decision can be made regarding changing the electoral system.

In Québec, both the National Assembly and the Government of Québec have established commissions to hold public hearings, province-wide, on various electoral subjects, including proportional representation. The new provincial government announced that a bill will be prepared, and probably submitted for study by a parliamentary commission, in the spring of 2004. The bill will likely include the topic of electoral system reform, including elements of proportional representation.

Beginning in 2001, The Law Commission of Canada conducted extensive research and public consultations in preparing their

report on electoral reform. This report has now been tabled in the House of Commons. In the Executive Summary of the report it is stated that "While there is no single magic bullet that will instantaneously stimulate Canadians' involvement in the political system, a consensus appears to be emerging among political parties of all stripes, experts in electoral behaviour, and grassroots organizations that electoral system reform is a good starting point for energizing and strengthening Canadian democracy." The Executive Summary closes in saying "Electoral reform is thus a necessary step to energize and strengthen Canadian democracy". The recommendation made in this report is to add an element of proportionality to Canada's electoral system by adopting a mixed member proportional system.

# ***The Elections Finances Act***

## **Contributions**

### **1. Proceeds from commercial activities**

**[s.1 definition of 'contribution'; no other definitive references in *The Elections Finances Act*] (First appeared in 2000)**

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

In addition, *The Elections Finances Act* should 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 Elections Finances Act*. A parallel exists in section 38 (3) where an individual charge of less than \$15 for a fundraiser, and where multiple charges totaling less than \$45 (individual charge must also be less than \$15), are not contributions, according to *The Elections Finances Act*.

**Background:** *The Elections Finances Act* does not specify how the proceeds from a commercial activity 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 depends on 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 [s. 40 (1) and 40 (2)]. However, *The Elections Finances Act* 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 Elections Finances Act*, a 'contribution' is defined as "...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). At first glance, the definition of 'contribution'

may not be met where merchandise is received for money paid. In other words, this appears to be a transaction. 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 in which 'fundraising' is dealt in *The Elections Finances 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 Elections Finances Act*.

A more significant difficulty with this approach, assuming the definition of fundraising function were amended to include commercial activity, is the resulting overstated value of the contribution portion as determined under subsection 38(2), being 75% of the selling price, along with the overstated value of the tax receipt. For example, using the social fundraising 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% of \$350, or \$262.50.

Commercial sales are also distinct from such social fundraising functions as dinners because the net profit on a fundraising dinner ticket is not known in advance due to 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% contribution and 25% 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.

**2. Candidate registration deadline**  
**[s. 25; 27; and 29 (1)] (First appeared in 1999)**

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

**Background:** Under *The Elections Finances Act* [s. 25], a registered candidate may issue income tax receipts for cash or near-cash contributions. A candidate may submit an application for registration and, provided the nomination papers have been filed properly, he or she is registered.

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

**3. Tracking candidates' actual deficits**  
**[s. 68 and 75 (1)] (First appeared in 2000)**

**Recommendation:** That subsection 68 of *The Elections Finances Act* 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), which exceeds the candidate's assets plus any reimbursement payable under section 72 (as varied by section 73).

**Background:** *The Elections Finances Act* [s. 68] requires that a candidate submit an annual report on the balance of his or her 'campaign deficit' arising from an election, until the campaign deficit is eliminated. The contribution details must be disclosed where there has been a contribution of \$250 or more towards a candidate's 'campaign deficit'.

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) may often 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 Elections Finances Act* [s.75] concerning the calculation of a 'deficit'. That section determines how a candidate's reimbursement of election expenses is distributed.

**4. Source of Contributions**  
**[s.1 "contribution"; s.41]**

**Recommendation:** Bundled contributions should disclose the name, address, amount and date of each individual contribution together with a consent form or other document signed by each individual contributor. The form of the signed document could include such things as a cheque, membership application or declaration. Only individuals who are normally resident in Manitoba acting as agents on behalf of registered political parties, candidates, constituency associations, and leadership contestants should be permitted to collect or bundle contributions for delivery to a political entity.

**Background:** The contribution limit provisions in *The Elections Finances Act* have been in effect since January 1, 2001 and are applicable to several entities (registered political parties, candidates, constituency associations, and leadership contestants). *The Elections Finances Act* requires that only individuals normally resident in Manitoba may make contributions. The Act also requires the recipient to record the name, address, amount and date of for each contribution. The recipient risks accepting prohibited contributions if it is unable to do so.

In most cases individuals make direct contributions to political entities. In the case of direct contributions the necessary information concerning the contributor is generally known. However, in some cases such as contributions drawn on joint accounts the risk of making and accepting a prohibited contribution increases when the necessary information is not documented. For example, in the case of a contribution by cheque on a joint account it would need to be clear as to the identity of the actual contributor or whether the contribution is shared and if so in what amounts by each individual on the joint account. In such cases although not currently required by the Act it is recommended that written instruction be provided by the contributor(s) as to who has made the contribution(s).

Where contributions are not received by the political entity directly from the contributor there are concerns about establishing the facts of each contribution so as to reduce the risk of prohibited contributions being made



or accepted. The process by which individual contributions are collected and then turned over to a political entity is referred to as "bundling". There are two types of bundling; direct and indirect.

Direct bundling would occur where individual contributions are collected and the contributions are forwarded in tact to a recipient political entity. Direct bundling would occur for example when a number of individual contributions by cheque are collected at an event and then turned over to a political entity. Generally there are few concerns with direct bundling of contributions by cheque, however, if the various individual contributions collected and forwarded to the recipient are cash there are concerns about documenting each individual contribution.

Indirect bundling occurs when individual contributions are collected but rather than passed on directly the individual amounts of the contributions are amalgamated and then provided to the recipient political entity. In some instances political parties advise that this process is a practical means to forward cash contributions to the political entity from contributors who do not wish to put cash contributions in the mail. In this situation an individual (most often an agent of the party) sometimes collects all such contributions and then writes a cheque (or purchases a money order) and sends the total of the contributions to the party along with a list disclosing the required information for each individual contributor.

As discussed at the Standing Committee on Legislative Affairs, in the case of bundling of contributions, our guideline is that the money collected and forwarded to a political entity should be accompanied by a list that details the name, address, amount and date of each contribution by each individual contributor. It is also our view that there should be a consent form or some signed document from each individual contributor certifying the facts of the contribution. Concerns have also been expressed about the ability of organizations rather than individuals alone to become involved handling contributions. *The Elections Finances Act* does not currently deal with these aspects.

Because of the risk associated with accepting prohibited contributions and the requirement to maintain adequate documentation, yet cognizant of fund raising practices if bundling is to be permitted, *The Elections Finances Act* should require each contributor's intention to be clear and direct before a contribution may be accepted.

**5. Adjusting Contribution Limits  
[s.41]**

**Recommendation:** Contribution limits in section 41 of *The Elections Finances Act* should be adjusted every three years by changes to the Winnipeg Consumer Price Index. The adjustment should be rounded to the next highest \$100.

**Background:** Section 41 of *The Elections Finances Act* states that an individual's contribution is limited to \$3,000 in a year in respect of contributions to registered political parties, candidates and constituency associations and an additional \$3,000 for a leadership contestant in a leadership contest period. These limits are not adjusted for inflation as is the case with spending limitations nor is there a prescribed periodic review of the contribution limit amount.

Spending limitations in *The Elections Finances Act* for candidates and registered political parties in an election are adjusted by monthly changes in the Winnipeg Consumer Price Index [s.52]. Spending limitations in respect of a registered political party's annual advertising limit are adjusted by changes in the Winnipeg Consumer Price Index every year [s.54.1(4)]. Contribution limits should also be adjusted for inflation changes.

Contribution limit adjustments that occur too frequently may be confusing to contributors and may lead to misunderstandings about how much may be contributed in a year. There may also be confusion if the contribution limit amounts are increased by small amounts. For example, the \$3,000 contribution limit for registered political parties, candidates and constituency associations if adjusted for inflation after its first year using the Consumer Price Indexes for January 1, 2001 and January 1, 2002 would have been \$3,037.72 ( $120.8 / 119.3 \times \$3,000$ ). It may be better to increase the limits every three years by changes to the Consumer Price Index and round the increase to the nearest \$100. In such a case the \$3,000 contribution limit after its first three years using the Consumer Price Indexes for January 1, 2001 and January 1, 2004 and by rounding to the next highest \$100 would have been adjusted to \$3,200 ( $125.7 / 119.3 \times \$3,000$ ).

**6. Residency Guidelines for Individuals Making Contributions  
[s.41(1)]**

**Recommendation:** That *The Elections Finances Act* provide for guidelines to assist in determining whether or not an individual is normally resident in Manitoba for the purposes of making contributions to any candidate, leadership contestant, constituency association or registered political party in Manitoba.

**Background:** Section 41(1) of *The Elections Finances Act* states that no

person or organization other than an individual normally resident in Manitoba shall contribute to any candidate, leadership contestant, constituency association or registered political party. It is not uncommon for individuals to be resident in more than one jurisdiction at a time. The intent of the section seems to be that Manitoba must be an individual contributor's principal residence for the individual to be eligible to make a contribution. It would not be enough just to be a resident. There are no guidelines in *The Elections Finances Act* to assist in determining whether or not an individual is normally resident in Manitoba. The need for such guidelines was raised by a member of the Standing Committee on Legislative Affairs (April 5, 2004). The Canada Revenue Agency publishes guidelines in connection with the Income Tax Act (Canada) to assist in determining an individual's residency status and these guidelines, in particular the notion of "residential ties", may be useful for determining if an individual is normally resident in Manitoba for the purposes of *The Elections Finances Act*. "Residential ties" includes consideration of an individual's dwelling place and the dwelling place of the individual's spouse and family. Other "residential ties" include the jurisdiction in which an individual has a driver's licence, health insurance coverage, and bank or credit cards. The Canada Revenue Agency guidelines recognize that an individual may be resident in more than one province but will be considered to be resident only in the province where he or she has the most significant residential ties.

**7. Government Advertising During an Election**  
**[s.56]**

**Recommendation:** That clause 56(1)(c) of *The Elections Finances Act* should be clarified and strengthened to reduce an overly broad exemption on government advertising during an election period.

**Background:** Section 56 of *The Elections Finances Act* restricts government advertising during an election period. No department or crown agency of the government may publish or advertise in any manner any information concerning the programs or activities of the department or Crown agency unless the advertising is in one of the following exempt categories:

- in continuation of earlier publications or advertisements concerning ongoing programs of the department or Crown agency; or [s.56(1)(c)]
- to solicit applications for employment with the department or Crown agency; [s.56(1)(d)]or
- where the publication or advertisement is required by law; or [s.56(1)(e)]

- where the publication or advertisement is deemed necessary by the Chief Electoral Officer for the administration of an election. [s.56(1)(f)]

The apparent intent of the section is to limit the ability of a government to use public funds to advertise during an election period while ensuring that the necessary business of government continues. The need for such a section is brought more into focus since limitations have been placed on the ability of registered political parties to receive contributions and since limits have been placed on the annual advertising of registered political parties. Section 56(1)(a), however, provides a very broad exemption. Section 56(1)(a) exempts government advertising "...in continuation of earlier publications or advertisements concerning ongoing programs of the department or Crown agency...". This exemption is too broad and could conceivably defeat the purpose of the overall prohibition. Clause 56(1)(a) needs to be more consistent with the intent of section 56 and with the other specific exemptions.

The exemption would be more effective if it specified the types of advertising permitted during an election period such as advertising for urgent matters or where it is a matter of the public's welfare.

## Reporting

### 8. Independent candidates's candidacy period [s. 1] (First appeared in 2000)

**Recommendation:** That *The Elections Finances Act* clarify that the candidacy period for an independent candidate begins on the date a person publicly declares himself or herself to be an independent candidate. This would not require filing a notice in writing with the Chief Electoral Officer.

**Background:** *The Elections Finances Act* should clarify the date a person becomes an independent candidate. Currently, a person who is not endorsed by a registered political party becomes an independent candidate by declaring himself or herself to be a candidate in the next election. This is done by written notice to the Chief Electoral Officer. Past experience indicates that an independent candidate will likely not be aware of the necessity of proper notification.

The candidacy period is important since candidates' campaigns must file a financial statement for that timeline. Furthermore, income tax receipts for contributions to candidates' campaigns may only be issued for the candidacy period.

### 9. Authorizations for candidate and constituency association advertising [s. 54 (2)] (First appeared in 2000)

**Recommendation:** That advertising sponsored at any time by a

constituency association display an authorization by the person responsible for the finances of a constituency association. In addition, all advertising sponsored at any time by a candidate's campaign should display an authorization by the candidate's official agent.

**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 during an election period. Advertisements for candidates and constituency associations that run outside of an election period are required to be included in a party's annual advertising limit. However, it is unclear who is required to authorize the advertisements, or whether an authorization is required at all.

Advertisements for candidates and constituency associations that run 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 candidates and constituency associations 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.

#### **10. Additional Information Filed with Candidate's Audited Statement [no references in the Act] (First appeared in 2000)**

**Recommendation:** That an official agent file with a candidate's audited statement, copies of documentation such as invoices or receipts evidencing all expenses reported on the candidate's audited statement. Candidate's campaigns should also disclose the amounts owing to suppliers of goods and services and the names of such suppliers.

**Background:** Typically, when reviewing candidates' audited statements, it is necessary to request further documentation or information for some, if not all, of the amounts reported on the statements.

During the 2000 Kirkfield Park and Tuxedo by-elections, and the 2003 general election, 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). Candidates' campaigns are required to maintain such documentation but are not required to provide it when filing 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 majority of candidate campaigns), 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 Elections Finances Act* for Manitoba should contain similar provisions to the Canada Elections Act.

More detailed information is often requested for the reported accounts payable amounts of a candidate's campaign (supplier names, description of services and respective amounts owing, for example). This information is important in ensuring compliance with *The Elections Finances Act* particularly with respect to the proper reporting of contributions. Candidates' financial returns could be processed more efficiently if this information was provided with the financial return.

#### **11. Child care expenses**

##### **[s. 1(g) definition of 'election expenses'] (First appeared in 1988)**

**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 eligible for reimbursement.

**Background:** A recommendation in the 1995 Annual Report of the Chief Electoral Officer regarding candidate personal expenses was addressed partially by amendments in 1998. Briefly, the recommendation was that there be a separate personal expense category similar to that in the Canada Elections Act, and that *The Elections Finances 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. In addition, it was 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%.
- 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

childcare 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, they reduce the amount that may be spent due to the spending limits. Others without child care responsibility would not be in this position.

**12. Independent candidate's excess reimbursement [s. 75 (2) & (3); and 76] (First appeared in 1999)**

**Recommendation:** That subsection 76 (b) of *The Elections Finances Act* 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 a reimbursement held in trust, namely that it be held in trust for the independent candidate's use in the next following election. The reimbursement held in trust would be paid to the Consolidated Fund if the independent candidate does not run in the next following general election.

**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.

**13. Reimbursement for transferred goods and services**  
**[s.44 (6); 71 (2); and 75] (First appeared in 2001)**

**Recommendation:** That *The Elections Finances Act* [s.44 (6)] be amended to specify that the reimbursement for transfers be paid to the transferor if the transferor is eligible for reimbursement, and if the transferred goods or services are used as election expenses by the transferee. Where the transferee is a candidate's campaign, *The Elections Finances Act* should be further amended to exclude transferred goods transactions from section 75 ('deficit calculation').

**Background:** Under section 44 (6) of *The Elections Finances Act*, transferred goods used as election expenses are election expenses of the transferee. It has been a longstanding interpretation that these election expenses are reimbursable to the transferee. *The Elections Finances Act* does not provide for a reimbursement to be paid to a political party on anything but a political party's election expenses. [s.71(2)].

If, for example, a political party purchases brochures and transfers them to a candidate's campaign, which are then used by the campaign in an election period, the campaign must report the cost as an election expense. The campaign, if eligible, would receive a 50% reimbursement of the cost. The transferee receives the reimbursement even though the transferor actually purchased or paid for the brochures.

In addition, a candidate's campaign may be left with surplus funds when it seems that one of the purposes of *The Elections Finances Act* is to leave a campaign with a zero balance. The additional surplus funds may occur because the surplus calculation in section 75 must consider all election expenses including those under section 44 (6) where no money has been paid by the campaign. Election expenses recorded as 'donations in kind' are not included in the surplus calculation.

It seems appropriate that the election expenses are reported by the transferee (i.e. the candidate in the above example). It would also seem appropriate that the entity purchasing the brochures (i.e. the political party in the above example) would receive the reimbursement assuming that the entity is eligible for reimbursement and the goods or services are used as election expenses by the transferee. The Advisory Committee was not strongly in favour of addressing this issue, but did not oppose it.

**14. Election Period Filing Deadline**  
**[s.60; s.61]**

**Recommendation:** That section 60 and section 61 be amended to increase the number of days from 30 to 45 in order to file respective election financial statements.

**Background:** *The Elections Finances Act* requires the filing of election financial statements for registered political parties and for candidates



within 30 days after the end of the reporting period. The reporting period for candidates and political parties ends two months after Election Day. The 30-day period allows the financial statements to be audited as required by *The Elections Finances Act*. Whether an auditor has one financial statement to audit or several, it may be the case that there is not sufficient time to undertake a thorough audit unless the filing deadline has been extended. It is common for a portion of the 30-day period to expire while waiting for financial account statements of candidates or political parties to be available. Candidates' campaigns and registered political parties are required to maintain an account in a financial institution and the financial account information is essential for auditors. Auditors perform a valuable service and provide a measure of assurance that financial statements comply with *The Elections Finances Act*. The request to allow more time to file financial statements has come from the Advisory Committee and from auditor comments in relation to our formal needs assessment process.

*The Elections Finances Act* should allow more time to audit the election financial statements of candidates and political parties. Allowing an additional 15 days to file an election financial statement would provide additional time to undertake an audit without a significant impact on public disclosure (financial statements are available to the public when filed) and would result in financial returns that are in better compliance with *The Elections Finances Act*.

The province of Ontario requires candidate and political party financial statements to be filed six months after Election Day for a reporting period ending three months after Election Day. Candidates and political parties in Ontario, therefore, have three months after the end of a reporting period to file audited financial statements as compared to only 30 days for candidates and political parties in Manitoba.

**15. Loans**  
**[s.44.1 to s.44.5]**

**Recommendation:** That *The Elections Finances Act* specify that all loans must be repaid by a specified time period or be deemed to be contributions.

**Background:** There are loan provisions in *The Elections Finances Act* applicable to entities (i.e. to registered political parties, candidates and constituency associations). When an entity borrows money *The Elections Finances Act* requires that a written

loan agreement be filed with Elections Manitoba setting out the terms and provisions. For loans from individuals and entities other than registered political parties and constituency associations, *The Elections Finances Act* deems a loan, or a portion of the loan, to be a contribution in certain circumstances:

- when the loan remains unpaid 6 months after becoming due and no legal proceedings to recover the debt have been commenced (unless the creditor is a financial institution),
- when the interest rate is less than the prime rate of the government's principal banker the difference between the amount of interest charged and the amount of interest that would have been charged at the prime rate is a contribution,
- when a payment is made on the loan by someone other than the debtor.

There are no provisions that limit the maximum period of a loan or whether a loan may be re-financed. Loans could, therefore, exist indefinitely without having to be repaid. A loan that is not repaid is, in effect, a contribution and raises contribution limit issues. It may be possible for a prohibited contributor, in essence, to make a contribution by agreeing to make a loan for an extended period or to refinance a loan indefinitely.

It may be advisable for *The Elections Finances Act* to specify a maximum time by which a loan must be repaid.

#### **16. Loan Interest and Bank Charges [s.75(1) (c) & (d); s.77(2)]**

**Recommendation:** That sections 75(1) (c) & (d) be amended to remove references to "the end of the candidacy period" and be replaced with "the filing deadline provided for in section 61".

**Background:** A candidate's campaign will often continue to incur loan interest charges and charges in respect of operating the campaign's financial account (bank charges) well after an election and well after the candidate's financial statement has been filed with Elections Manitoba. A candidate that qualifies by receiving 10% or more of the valid votes cast is eligible to receive a 50% reimbursement of actual election expenses. The reimbursement is often necessary to reduce or eliminate the campaign's debts including loan interest and financial account charges.

The Act essentially provides for a candidate's campaign to receive a reimbursement to the extent that the reimbursement eliminates a cash deficit (as determined by section 75). The surplus/deficit calculation in section 75 includes consideration for loan interest charges and bank charges until the end of a candidate's candidacy period (i.e. until two months after election day). This consideration has the effect of allowing a candidate's campaign to keep more of its reimbursement when some of it

is otherwise required by *The Elections Finances Act* to be transferred to the candidate's political party. To provide additional relief, the surplus/deficit calculation in section 75 for loan interest and bank charges should include charges incurred until the deadline for filing a candidate's election financial statement (i.e. an additional 30 days at present). A candidate's campaign that has qualified for a reimbursement of election expenses may be eligible to receive one half of the reimbursement due to the campaign within 15 days of filing thereby providing financial relief.

**17. Payment of Final Reimbursement**  
**[s.71; s.72]**

**Recommendation:** That the Chief Electoral Officer have the discretion to pay all or part of a candidate's or a political party's remaining final reimbursement where the information required to be filed would not affect the final amount of the reimbursement payable and where the return is in agreement with *The Elections Finances Act* in all material aspects.

**Background:** There is provision in *The Elections Finances Act* for paying an advance on the total reimbursement payable to political parties and candidates. Before the final reimbursement can be paid, however, a political party or a candidate's campaign must have filed all required information including verifying or clarifying information required by Elections Manitoba. There are circumstances where the additional required information does not affect all or part of the final reimbursement amount to be paid. Although the required information must still be provided to be in compliance with *The Elections Finances Act*, there would seem to be no reason to withhold the entire amount of the final reimbursement. The Chief Electoral Officer should have the discretion to pay some or all of the final reimbursement in such cases.

**18. Third Party Campaign Finance Provisions**  
**[not yet proclaimed]**

**Recommendation:** *The Elections Finances Act* should provide for the third party \$5,000 spending limit in section 55.2(1) to be adjusted for inflation. *The Elections Finances Act* should also require third parties incurring election communication expenses of \$500 or more to open and maintain an account in a financial institution.

**Background:** Campaign finance provisions were passed in 2000 but have not yet been proclaimed. Should the decision be made to proclaim these provisions there are two recommended changes:

a) Section 55.2(1) of *The Elections Finances Act* states that a

third party shall not incur election communication expenses of more than \$5,000 during an election period. There is no provision in the Act to adjust the spending limit amount for changes in the Consumer Price Index as there is for the spending limits of registered political parties and candidates [s.52]. The Act should provide for the third party \$5,000 spending limit to be adjusted for changes in the Consumer Price Index.

- b) There is no provision in *The Elections Finances Act* for third parties to maintain an account in a financial institution solely for the finances of a third party incurring election communication expenses. Registered political parties, candidates, and constituency associations in Manitoba must open and maintain an account in a financial institution [s.10.1]. The use of a financial institution account provides for better record keeping and facilitates the review and audit of a financial statement. Third parties are required to file a financial statement when incurring election communication expenses of \$500 or more but not an audited financial statement. Elections Manitoba may, on occasion, need to review the records of third parties to ensure compliance with *The Elections Finances Act*. To ensure that any required review is efficient and timely, third parties incurring election communication expenses of \$500 or more should be required to open and maintain an account in a financial institution with the same requirements as outlined in section 10.1 of *The Elections Finances Act*. This is particularly important in the absence of an audited financial statement.

## Offences

### 19. Administrative fines

[no references in *The Elections Finances Act*] (First appeared in 1991)

**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 Elections Finances Act* where statements and returns are required to be filed and where information has been requested.

In addition, the Chief Electoral Officer should 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 disclosed to the public.

Finally, where appropriate, other enforcement processes in lieu of prosecutions should be expanded further and considered as possible amendments to *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 Elections Finances 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 [s.61], or if information necessary to clarify or verify a political party's annual return has not been filed by the deadline specified [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 [s. 83]. *The Elections Finances Act* would authorize the Chief Electoral Officer to institute administrative fines including the authority for collecting if the fines are not paid. In some cases, an administrative fine may be more effective for ensuring compliance with *The Elections Finances 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 enforcement provisions of federal election law. Administrative fine provisions exist in such jurisdictions as British Columbia and Newfoundland. The Chief Electoral Officer of Canada has recommended the decriminalization of such offences as late filing of expense returns, which are deemed to be of an administrative nature.

In addition, the Royal Commission has recommended that voluntary compliance agreements be used, where warranted, in place of prosecutions. The Canada Elections Act was amended to include such agreements.

Voluntary compliance agreements, compliance letters and other enforcement processes in lieu of prosecutions should be expanded further, in certain instances, and considered as possible amendments to *The Elections Finances Act*.

**20. Reimbursement must be used to settle debts  
[no references in *The Elections Finances Act*] (First appeared in 2000)**

**Recommendation:** That *The Elections Finances Act* state explicitly that the reimbursement funds payable to a candidate's campaign for election expenses be used to eliminate a candidate's campaign debts. There should be a similar requirement for party chief financial officers. In addition, failure to do so should be an offence under *The Elections Finances Act*. The candidate's reimbursement should be made payable to the official agent in trust for the candidate. As an alternative, it may be better to have the candidate's reimbursement payment made to the candidate for deposit into an account in a financial institution maintained for the purpose of a candidate's campaign.

**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. At present, there is no explicit requirement to do so. Circumstances exist where a candidate's reimbursement funds (i.e. funds from the public treasury) for election expenses in the 1999 general election may not have been used by the official agent to pay outstanding liabilities of a candidate's campaign. This matter was referred to the Winnipeg Police Services and charges were laid against the official agent.

The appointment of a person to the position of official agent as required by *The Elections Finances Act* [s.10 (3.3)] and *The Elections Act* [s.53], along with the official agent's duties described *The Elections Finances Act* [s.10(4)], has the effect that the official agent acts on behalf of the candidate and is responsible for the finances of a candidate. *The Elections Finances Act* [s.55(1)] requires that financial claims against a candidate be forwarded to the candidate's official agent. Sub-section 55(3) of *The Elections Finances Act* states that, with few exceptions, only the official agent may pay financial claims. Furthermore, *The Elections Finances Act* [s.77] requires that the candidate's election expenses be reimbursed to the official agent. Similar provisions exist 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. It follows that the candidate's election expenses reimbursement would be used to reduce or eliminate the debts of a candidate's campaign. However, *The Elections Finances Act* should state explicitly that reimbursement funds are to be used for that purpose.

It may be sufficient to clarify that the official agent or the party's chief financial officer, as the case may be, must deposit reimbursement funds to the respective financial account that must be maintained and to require that the funds be used to eliminate the campaign debts of a candidate or the debts of the party. In addition, 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 Elections Finances Act* after an official agent has filed the financial return. The candidate often assumes responsibility for settling 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 respective reimbursement for election expenses should be deposited into an account in a financial institution maintained for the purpose of a candidate's campaign or for a political party.

**21. Separation of Compliance and Investigative Powers**  
**[s.6; s.70.1; s.77.3]**

**Recommendation:** That the investigation and prosecution responsibilities of the Chief Electoral Officer be separated from the assistance and compliance responsibilities similar to the Canadian federal model and that alternative enforcement tools such as voluntary compliance agreements and administrative fines be considered for appropriate circumstances and offences in addition to the option of prosecution.

**Background:** The Chief Electoral Officer has the statutory responsibility to provide assistance to candidates, leadership contestants, official agents, political parties, chief financial officers and auditors and to undertake reviews and audits to ensure that there has been compliance with *The Elections Finances Act*. The Chief Electoral Officer also has the statutory responsibility for enforcement, i.e. to conduct investigations of any matter that might constitute a contravention of *The Elections Finances Act* (and *The Elections Act*) and to initiate prosecutions for violations where warranted. Investigations and prosecutions can be perceived as adversarial and may seriously impact the statutory responsibility to provide assistance and to ensure compliance. Similar circumstances exist in relation to *The Elections Act*.

Most other jurisdictions in Canada do not combine into one authority the functions of enforcement and compliance assistance. Canada, for example, has an impartial and independent official appointed by the Chief Electoral Officer called the Commissioner of Canada Elections. The Commissioner has responsibility for enforcement of all provisions of the Canada Elections Act whereas the Canada's Chief Electoral Officer has the statutory

responsibility to provide assistance to political participants in order to ensure compliance with the Act. Consideration should be given to separating the investigation and prosecution responsibilities from the assistance and compliance responsibilities similar to the Canadian model.

In addition to prosecution, the federal Commissioner has access to other enforcement tools. The Commissioner may enter into voluntary compliance agreements in which a person who has or is likely to commit an offence agrees to terms and conditions necessary to ensure compliance with the Act. Such agreements are made public. This was formerly a recommendation of the Royal Commission on Electoral Reform and Party Financing (1991). The Chief Electoral Officer of Manitoba has been recommending the use of voluntary compliance agreements since 2001. Since 1995 Elections Manitoba has also recommended the use of administrative fines for certain administrative infractions. A system of administrative fines for some essentially administrative infractions such as, late filing of financial returns or clarifying information, may be more effective for ensuring compliance and would be less costly than prosecution. Administrative fines were also recommended by the Royal Commission to be part of the federal election law enforcement provisions. Administrative fine provisions currently exist in BC and Newfoundland.

**22. Information and documentation**  
**[s. 83] (First appeared in 2000)**

**Recommendation:** That officers or others associated with candidates' campaigns, constituency associations and political parties be required to provide financial agents with all the necessary information or documents. This measure would ensure a complete and accurate statement or return. In addition, it would assist financial agents with their filing responsibilities. Failure to provide such information should be a general offence. Finally, *The Elections Finances Act* should contain a general, anti-avoidance provision, applicable to all sections.

**Background:** *The Elections Finances Act* [s. 83] 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, constituency treasurers, official agents) 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 candidates' campaigns, constituency associations and political parties who have financial information or documents necessary to ensure a complete statement or return. However, 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 Elections Finances Act* should require officers and others to give financial agents the necessary information, to ensure that a financial statement or return is



complete and accurate. Failure to provide such information should be a general offence.

In addition, a general, anti-avoidance provision applicable to all sections of *The Elections Finances Act* should be considered. The provision would make it an offence to engage in any activity designed to circumvent any provision or purpose of *The Elections Finances Act*. A specific, anti-avoidance provision exists in *The Elections Finances Act* [s.51(4)]. It deals with the allocation of election expenses between a political party and a candidate during an election period.

## **Administrative Issues**

### **23. Requirement to File Certificate with Minister of Finance [s.71(1); s.72(1); s.73.1(2); s.73.1(5); s.74(1)] (First appeared in 2000)**

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

**Background:** In order to pay a reimbursement of election expenses of a qualified candidate or registered political party, *The Elections Finances 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 Elections Finances Act* to file a certificate with the Minister of Finance is no longer required.

### **24. Registration of Party Logo [s.15; s.18(2); s.19(2)] (First appeared in 2000)**

**Recommendation:** That references to logos in *The Elections Finances Act* be removed.

**Background:** A recent Bill (Bill 3, 1997) to amend *The Elections Finances Act* contained provisions to register logos. It was decided at the Committee stage of the Bill that *The Elections Finances Act* should not have such provisions and most, but not all, references to registered logos were removed. The remaining references to logos in *The Elections Finances Act* cause

confusion. Since *The Elections Finances Act* does not permit logos to be registered, the remaining references should be removed.

## 25. Incorrect References

### [s.72(3) (a) and s.73.1(1) & (2)] (First appeared in 2000)

**Recommendation:** That in clause 72(3)(a) of *The Elections Finances Act* 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).

**Background:** Section 72(3) (a) of *The Elections Finances Act* 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, modifies the reimbursement payment in some way.

Section 73.1(1) of *The Elections Finances Act* authorizes the payment of an election expense reimbursement to a qualified political party that has provided required information. This includes "...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.

## 26. Fund raising function references

### [s.38] (First appeared in 2000)

**Recommendation:** That subsection 38(2) of *The Elections Finances Act* state that it is subject to subsection 38(3).

**Background:** Subsection 38(2) of *The Elections Finances Act* should state that it is subject to subsection 38(3). This 'subject to' wording is necessary to clarify the intention that subsection 38(2) does not apply where a ticket price is less than \$15.

## 27. Third Party Campaign Finance Provisions

### [not yet proclaimed]

#### [s.1 "election period" - from writ day to election day]

#### [s.1 "campaign period" - from writ day to two months after election day]

**Recommendation:** In section s.55.8(1) "election period" should be changed to "campaign period", and in s.55.8(6) "candidacy period" should be changed to "campaign period".

**Background:** Campaign Finance provisions were passed in 2000 but have not yet been proclaimed. Should the decision be made to proclaim these provisions there are two recommended administrative changes:

- a) Section s.55.8(6) refers to a third party's financial agent and to the financial agent's "candidacy period" responsibilities. A candidacy period is applicable to a candidate in an election but not to a third party. Candidates must report financial activity during a candidacy period which often commences before an election is called. A

third party, however, is required to report on its finances for the "campaign period" [s.55.11(2)(b)]. Third parties must not have financial activity until the election is called. *The Elections Finances Act* should state that a financial agent is responsible for the finances of a third party throughout the campaign period.

- b) Section s.55.8(1) states that any contribution made to a third party in the election period must be made to the third party's financial agent. However, contributions to a third party must be reported for the campaign period. The requirement that contributions be made to a financial agent for a third party should apply to the campaign period.

## **28. Return of Contribution** **[s.41(3)]**

**Recommendation:** *The Elections Finances Act* should state that, upon learning of any prohibited contribution being accepted, the prohibited contribution must be returned (or an equivalent amount paid back). Reference to subsection (2) should be deleted.

**Background:** The intent of ss.41(3) of *The Elections Finances Act* seems to be that, upon learning of a prohibited contribution being accepted, it must be returned (or an equivalent amount paid back). However, subsection (3) also refers to accepting contributions contrary to subsection (2). Subsection (2) refers to knowingly accepting prohibited contributions. This may be a technical argument that only those contributions that a recipient knows are prohibited at the time of receipt must be returned. Such an argument would, however, be inconsistent with the intent of contribution limits. The Act should be clear that all prohibited contributions must be returned.

# APPENDIX



## **Management Report**

The accompanying financial statements are the responsibility of management and have been prepared in accordance with generally accepted accounting principles. In management's opinion, the financial statements have been properly prepared within reasonable limits of materiality incorporating management's best judgement regarding necessary estimates and all other data available.

Management maintains internal controls to provide reasonable assurance that the financial information is reliable and accurate and that assets are properly safeguarded. Staff of Bulat & Poustie review internal controls, and report their findings to Management.

The responsibility of Bulat and Poustie is to express independent, professional opinion on whether the financial statements are fairly presented in accordance with generally accepted accounting principles. The Auditor's Report outlines the scope of the audit examination and provides the audit opinion.



Richard Balasko  
Chief Electoral Officer



Scott Gordon  
Manager of Elections Finances

Winnipeg, Manitoba  
February 11, 2004

AUDITORS' REPORT

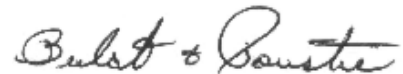
TO THE CHIEF ELECTORAL OFFICER

We have audited the statement of financial of Elections Manitoba Returning Offices<sup>th</sup> 38 General Elections on November 2, 200 and the statement of operations for the period May 2, 2003 to November 2, 2003. These financial statements are the responsibility of the Chief Electoral Officer's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards which require that we plan and perform an audit to obtain reasonable assurance that the financial statements are free of material misstatement. An audit includes examining, on a test basis, supporting the amounts and disclosures in the financial statements. An audit also includes testing the accounting principles used and significant estimates made by management, as well as an overall review of the financial statement presentation.

In our opinion, these financial statements present fairly, in all material respects, the results of operations, financial position and cash flows of Elections Manitoba Returning Offices for the period May 2, 2003 to November 2, 2003 in accordance with the generally accepted accounting principles.

BULAT & POUSTIE



Winnipeg, Manitoba  
February 12, 2004

CHARTERED ACCOUNTANTS

ELECTIONS MANITOBA  
RETURNING OFFICES - 3<sup>rd</sup> GENERAL ELECTION  
STATEMENT OF FINANCIAL POSITION  
AS AT NOVEMBER 2, 2003

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ASSETS

CURRENT

Accounts receivable	\$	11,84
		<hr/>
		\$ 11,84

LIABILITIES

CURRENT

Bank indebtedness	\$	9,08
Accounts payable		2,76
		<hr/>
		11,84

NET ASSETS

Unrestricted net		-
		<hr/>
		\$ 11,84



ELECTIONS MANITOBA  
 RETURNING OFFICES - 38<sup>th</sup> GENERAL ELECTION

STATEMENT OF OPERATIONS  
 FOR THE SIX MONTH PERIOD ENDED NOVEMBER 2, 2003

RETURNING OFFICES OPERATING EXPENSES

Bank charge	\$	28
Courier and fr		52,45
Equipment rental		251,46
Insurance		232
Office rent		191,35
Office supplies		35,90
Polling place		145,04
Postage		2,67
Printi		88,93
Repairs and maintenance		15,50
Salaries and benefits		2,943,73
Signs and ramp renova		3,10
Supplies paper		9,83
Telephone and internet		155,61
Traini		271,13
Travel		306,54
Utilities		862
		<hr/>
		4,474,42
LESS: STATUTORY FUNDING ALLOCATION		4,474,42
		<hr/>
	\$	-

ELECTIONS MANITOBA  
RETURNING OFFICES - 38<sup>th</sup> GENERAL ELECTION

NOTES TO FINANCIAL STATEMENTS  
NOVEMBER 2, 2003

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1. ENTITY DEFINITION

Elections Manitoba is an independent office of the Legislative Assembly of Manitoba.

These financial statements reflect the financial activity relating to the provincial Returning Offices for the 38<sup>th</sup> General Election. These costs are required by statutory obligations under The Elections Act.

2. STATEMENT OF CASH FLOWS

A statement of cash flows has not been presented, as it was determined that the significant value added to the financial statements by preparing the statement