

ANNUAL REPORT

2009



December 20, 2010

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

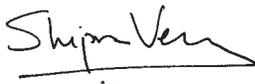
Dear Mr. Speaker:

I have the honour of submitting to you my annual report on the activities of Elections Manitoba for the 2009 calendar year. This report is submitted pursuant to subsection 32(1) of *The Elections Act* and subsection 99(1) of *The Elections Finances Act*. In accordance with subsection 32(5) of *The Elections Act* and subsection 99(2.1) of *The Elections Finances Act*, post-election and annual reporting under these statutes has 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 32(4) 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,

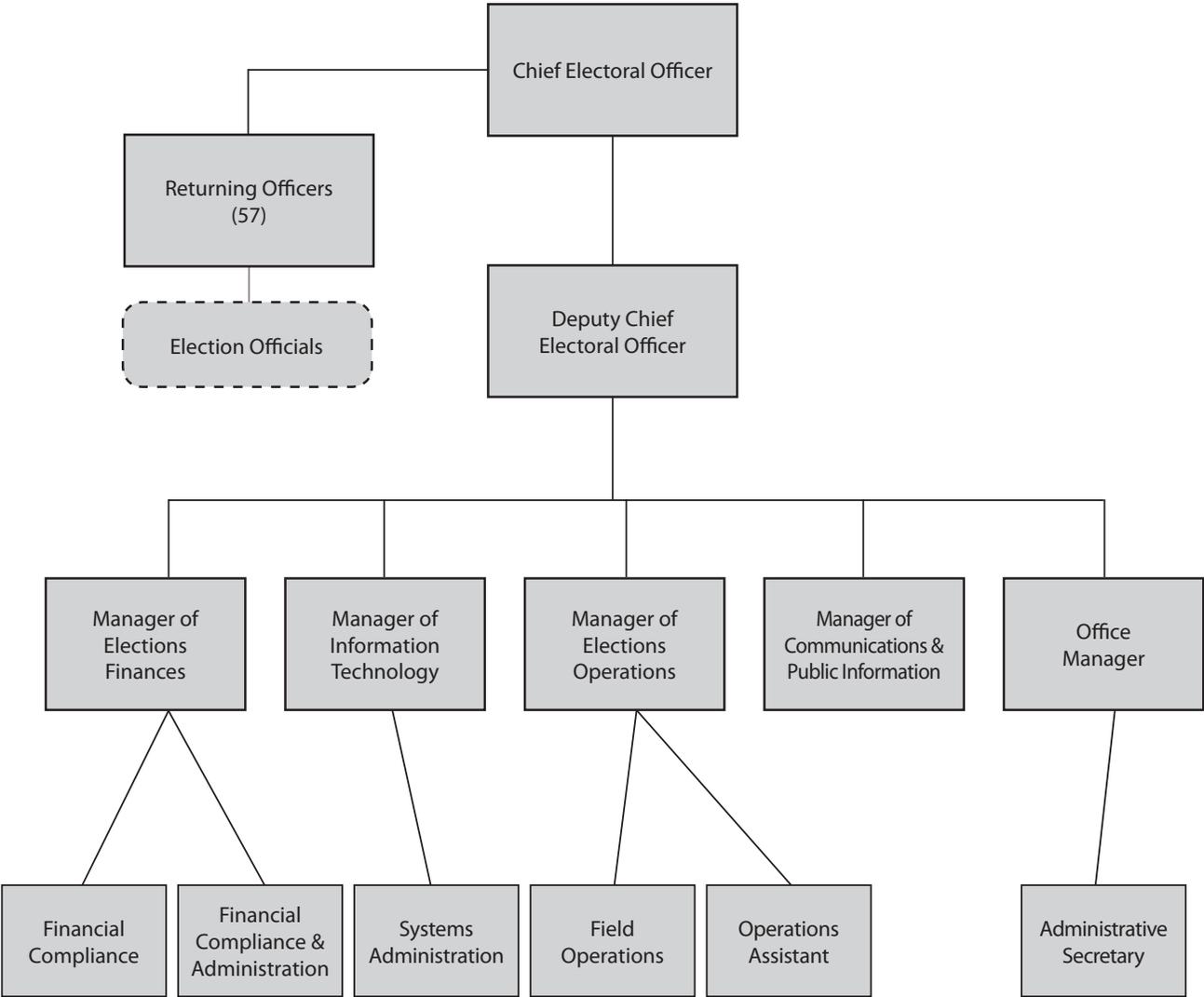


Shipra Verma, CA
Deputy Chief Electoral Officer

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ORGANIZATIONAL CHART





INTRODUCTION

The passage of Bill 37 in October 2008 necessitated extensive operational changes, with significant work achieved on that front in 2009. With the amendments to *The Elections Act* and *The Elections Finances Act*, activities focused on the following areas:

- preparation for the first set date election in October 2011, including planning for recruitment, training, enumeration, revision, payroll, and communications
- creation of an address database for enumeration
- introduction of annual funding for registered political parties based on votes received
- removal of the annual advertising limit and introduction of an election year advertising limit of \$250,000 for parties and \$6,000 for candidates
- increase in voting opportunities, including eight days of advance voting and an additional hour of voting on election day

Considerable work was carried out in 2009 as a result of the new boundaries, outlined in the December 2008 report of the Electoral Divisions Boundaries Commission. The new boundaries have an impact both for elections operations and for political parties, many of whom began the process of dissolving their existing constituency associations and forming new ones.

The Public Information and Educational mandate was also a focus in 2009. Work began on an adaptation of *Your Power to Choose* for adult learners, to be released in fall 2010. At the same time, educational workshops were delivered to students throughout the province, building election literacy and citizenship education among students in grades 6, 9 & 11. Finally, research was carried out into fostering community relations within the province, with programs to be developed and implemented in 2010-2011.

The year 2009 was also marked by the resignation of Premier Gary Doer, resulting in a leadership convention for the New Democratic Party (NDP) in October 2009 and a by-election in the electoral division of Concordia in 2010. Also notable was the retirement of Deputy CEO Scott Gordon, the appointment of Shipra Verma to the position of Deputy CEO, and the announcement by long-time CEO Richard Balasko of his retirement in April 2010.



ELECTION ACTIVITIES

BY-ELECTION

By-elections were conducted in 2009 as a result of two vacancies in the Legislative Assembly. The member for Elmwood, Jim Maloway, resigned his seat on September 8, 2008, and the member for The Pas, Oscar Lathlin, passed away November 2, 2008.

Nominations closed on March 9, 2009, with the by-elections taking place on March 24, 2009. The boundaries of the electoral divisions were the same as in the 2007 provincial general election.

A total of 11,907 eligible voters were registered in Elmwood and 13,334 in The Pas. Voter turnout was 36.44% for Elmwood and 29.65% for The Pas. In the 2007 general election, voter turnout was 49.98% for Elmwood and 36.63% for The Pas. The results of these by-elections did not change the standings of the parties in the Legislative Assembly.

Comparison of 2009 by-election voter turnout to past by-elections:

By-Election	Voter Turnout
The Pas 2009	29.65%
Elmwood 2009	36.44%
Fort Whyte 2005	38.07%
Turtle Mountain 2004	47.09%
Minto 2004	47.18%
Lac du Bonnet 2002	59.30%
Kirkfield Park 2000	54.87%
Tuxedo 2000	46.03%
AVERAGE	44.82%

Operational Conduct

These by-elections were the first electoral events to include the expanded voting opportunities introduced through the recent amendments to *The Elections Act*. There was an additional day of advance voting (Saturday, March 14). Advance voting places were required in communities of more than 50 voters so individuals would not have to travel more than 30 km to vote. These enhancements to advance voting led to significant increases in voter turnout during the advance period over the 2007 general election:

- With the addition of one regular location and one mobile advance location in a seniors' apartment, advance turnout in Elmwood increased 175%.
- With the addition of one location in a popular shopping centre and six locations in small communities, advance turnout in The Pas increased 350%.

In addition, voting on election day started at 7:00 am (one hour earlier than in previous elections). However, on election day, only a few voters took advantage of the opportunity to vote in the first hour.

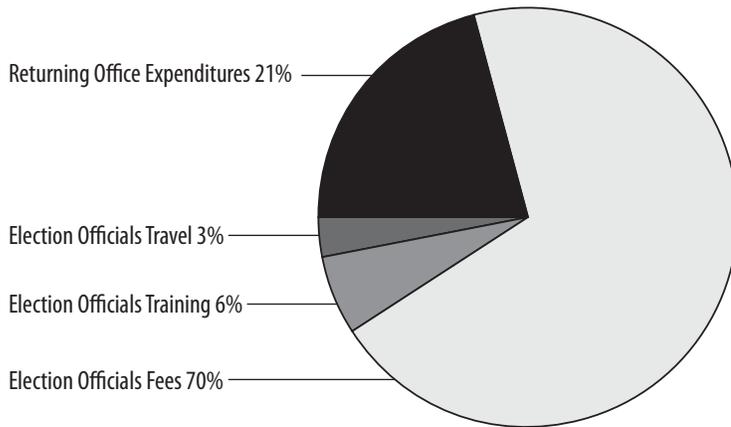
Financial Administration

The finance department provided a high level of service throughout the by-elections. Staff reviewed and updated training materials for RO staff and also provided one-on-one training to the finance clerk, a new position at the RO office.

Summary of Returning Office Operations Expenditures for Elmwood and The Pas Electoral Divisions

Elections Officials Fees, Training and Travel	Elmwood	The Pas	Total
Fees:			
Enumeration officials	\$ 20,734	\$ 13,096	\$ 33,830
Office support	12,505	7,958	20,462
Payroll benefits	4,381	3,184	7,565
Returning Officers and Assistant Returning Officers	15,543	17,215	32,759
Revision officials	5,733	3,790	9,524
Voting officials	23,666	24,508	48,174
Subtotal	\$ 82,562	\$ 69,751	\$ 152,314
Training:			
Enumeration officials	\$ 1,856	\$ 1,983	\$ 3,839
Voting officials and others	3,403	5,057	8,460
Subtotal	\$ 5,259	\$ 7,040	\$ 12,299
Travel:			
Enumeration officials	\$ 168	\$ 2,517	\$ 2,685
Returning Officers and Assistant Returning Officers	165	548	713
Voting officials and others	639	3,535	4,174
Subtotal	\$ 972	\$ 6,600	\$ 7,572
Total Election Officials Fees , Training and Travel	\$ 88,793	\$ 83,391	\$ 172,185
Office Expenditures:			
Courier and freight	\$ 416	\$ 1,630	\$ 2,046
Equipment rental	3,551	500	4,051
Office rent	1,907	2,879	4,786
Office supplies	8,309	4,446	12,755
Printing	--	2,734	2,734
Professional Services	876	4,100	4,976
Repairs and maintenance	46	324	369
Telephone and internet	2,713	2,076	4,789
Voting place rental	4,330	4,524	8,854
Total Returning Office Expenditures	\$ 22,148	\$ 23,213	\$ 45,360
Total Electoral Divisions Operations Expenditures	\$ 110,941	\$ 106,604	\$ 217,545

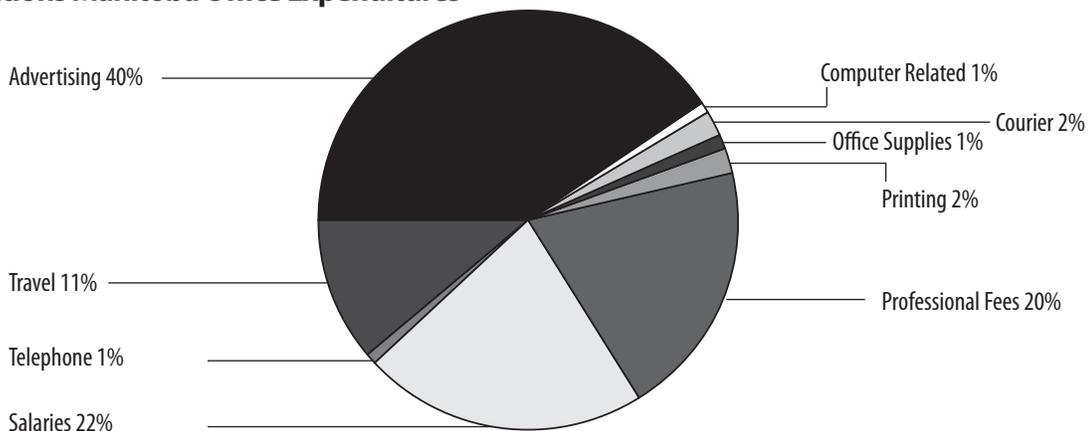
Returning Office Operations Expenditures



Summary of Elections Manitoba Office Expenditures

	Elmwood	The Pas	Total
Advertising	\$ 34,623	\$ 45,400	\$ 80,023
Computer related	565	129	694
Courier	2,646	1,553	4,199
Office supplies	569	628	1,197
Printing	2,034	2,034	4,068
Professional fees	25,497	13,072	38,569
Salaries	15,251	28,619	43,870
Telephone	1,290	535	1,825
Travel	532	21,658	22,190
Total Elections Manitoba Office Expenditures	\$ 83,007	\$ 113,628	\$ 196,635

Elections Manitoba Office Expenditures



Campaign Finance

Candidates and parties must file audited statements for financial activity during an election or by-election, in addition to annual statements. Statements for both parties and candidates were due July 24, 2009.

Elmwood

Candidate	Extension Date (If any)	Date Filed
Beddome, James R., Green Party of Manitoba	—	23-Jul-09
Blaikie, Bill, NDP	—	23-Jul-09
Schulz, Adrian, PC Manitoba	24-Sep-09	24-Sep-09
Wolfrom, Regan, Liberal	—	9-Jun-09
Political Party	Extension Date (If any)	Date Filed
Green Party of Manitoba	24-Aug-09	24-Aug-09
Manitoba Liberal Party	—	23-Jul-09
New Democratic Party of Manitoba	24-Aug-09	24-Aug-09
Progressive Conservative Party of Manitoba	24-Sep-09	24-Sep-09

The Pas

Candidate	Extension Date (If any)	Date Filed
Berens, Maurice, Liberal	—	22-Jul-09
Nabess, Edna, PC Manitoba	24-Sep-09	24-Sep-09
Whitehead, Frank, NDP	—	24-Jul-09
Political Party	Extension Date (If any)	Date Filed
Manitoba Liberal Party	—	23-Jul-09
New Democratic Party of Manitoba	24-Aug-09	24-Aug-09
Progressive Conservative Party of Manitoba	24-Sep-09	24-Sep-09

Total audit subsidy paid was \$31,529.15.

Summary of Candidate Assets, Liabilities, Income, Expenses, Spending Limits and Reimbursements – Elmwood

	Beddome, James The Manitoba Greens	Blaikie, Bill NDP	Schulz, Adrian PC Manitoba	Wolfrom, Regan Liberal
Assets and Liabilities				
Assets	\$ 73	\$ 468	\$ 409	\$ 46
Liabilities	-	8,200	-	9,182
Surplus/(Deficit)	\$ 73	\$ (7,732)	\$ 409	\$ (9,136)
Income				
Contribution	\$ 431	\$ 184	\$ 700	\$ 5,835
Transfers	819	10,907	15,998	13,981
Other	-	-	-	994
Total	\$ 1,250	\$ 11,091	\$ 16,698	\$ 20,810
Expenses				
Election	\$ 1,116	\$ 17,603	\$ 15,920	\$ 27,106
Non-Election	61	1,220	369	2,840
Transfers	-	-	-	-
Total	\$ 1,177	\$ 18,823	\$ 16,289	\$ 29,946
Surplus/(Deficit)	\$ 73	\$ (7,732)	\$ 409	\$ (9,136)
Spending Limits				
Advertising	\$ 7,042	\$ 7,042	\$ 7,042	\$ 7,042
Overall	\$ 34,207	\$ 34,207	\$ 34,207	\$ 34,207
Reimbursements				
Candidate	-	\$ 6,528	\$ -	\$ 6,919
Party	-	2,182	7,960	6,634
Total Reimbursements	-	\$ 8,710	\$ 7,960	\$ 13,553

Summary of Candidate Assets, Liabilities, Income, Expenses, Spending Limits and Reimbursements – The Pas

	Berens, Maurice Liberal	Nabess, Edna PC Manitoba	Whitehead, Frank NDP
Assets and Liabilities			
Assets	\$ 1,442	\$ 6,762	\$ 389
Liabilities	1,382	431	24,387
Surplus/(Deficit)	\$ 60	\$ 6,331	\$ (23,998)
Income			
Contribution	\$ 1,800	\$ 1,330	\$ -
Transfers	7,516	38,262	2,764
Other	-	-	-
Total	\$ 9,316	\$ 39,592	\$ 2,764
Expenses			
Election	\$ 9,256	\$ 31,677	\$ 25,898
Non-Election	-	1,584	864
Transfers	-	-	-
Total	\$ 9,256	\$ 33,261	\$ 26,762
Surplus/(Deficit)	\$ 60	\$ 6,331	\$ (23,998)
Spending Limits			
Advertising	\$ 7,219	\$ 7,219	\$ 7,219
Overall	\$ 35,065	\$ 35,065	\$ 35,065
Reimbursements			
Candidate	\$ -	\$ -	\$ 12,949
Party	-	15,838	-
Total Reimbursements	-	\$ 15,838	\$ 12,949

Summary of Registered Political Party Income, Expenses, Spending Limits and Reimbursements – Elmwood

	The Manitoba Greens	NDP	PC Manitoba	Liberal
Income				
Contribution ¹	\$ 1,702	\$ 103,198	\$ 119,408	\$ 19,059
Transfers	21	-	-	-
Other	-	21,896	23,656	54,325
Total	\$ 1,723	\$ 125,094	\$ 143,064	\$ 73,384
Expenses				
Election Expenses	\$ -	\$ 2,171	\$ -	\$ 15,496
Transfers	799	11,358	15,639	12,988
Total	\$ 799	\$ 13,529	\$ 15,639	\$ 28,484
Surplus/(Deficit)				
	\$ 924	\$ 111,565	\$ 127,425	\$ 44,900
Spending Limits				
Advertising	\$ 20,248	\$ 20,248	\$ 20,248	\$ 20,248
Overall ²	\$ 40,495	\$ 40,495	\$ 40,495	\$ 40,495
Reimbursements				
Direct Reimbursements ³	\$ -	\$ 1,085	\$ -	\$ 7,748
Transferred Reimbursements ⁴	-	-	4,357	3,067

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

2 The higher number of names on either the final voters list for the by-election or the previous general election is multiplied by the amount permitted on a per voter basis.

3 Only three political parties qualified for reimbursement. The amount reimbursed was 50% of actual election expenses (total election expenses less donation-in-kind).

4 Candidate reimbursements transferred to political parties as per section 76 of the EFA.

Summary of Registered Political Party Income, Expenses, Spending Limits and Reimbursements – The Pas

	Liberal	PC Manitoba	NDP
Income			
Contribution ¹	\$ 8,168	\$ 119,408	\$ 103,198
Transfers	-	-	-
Other	23,282	23,656	21,896
Total	\$ 31,450	\$ 143,064	\$ 125,094
Expenses			
Election Expenses	\$ 7,801	\$ -	\$ 29,099
Transfers	7,516	37,134	3,514
Total	\$ 15,317	\$ 37,134	\$ 32,613
Surplus/(Deficit)			
	\$ 16,133	\$ 105,930	\$ 92,481
Spending Limits			
Advertising	\$ 21,224	\$ 21,224	\$ 21,224
Overall ²	\$ 42,446	\$ 42,446	\$ 42,446
Reimbursements			
Direct Reimbursements ³	\$ 3,901	\$ -	\$ 14,549
Transferred Reimbursements ⁴	3,067	4,357	-

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

2 The higher number of names on either the final voters list for the by-election or the previous general election is multiplied by the amount permitted on a per voter basis.

3 Only three political parties qualified for reimbursement. The amount reimbursed was 50% of actual election expenses (total election expenses less donation-in-kind).

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PLANNING FOR 40TH GENERAL ELECTION

1. Strategic Planning

Strategic planning for the 40th General Election, set for October 4, 2011, began in the year following the previous General Election. Elections Manitoba developed five areas of strategic focus to guide the planning and decision-making in preparation for the next General Election. The strategic focus areas identified were:

- i. Amendments - Implementing legislative requirements
- ii. Accessibility - Making the election process more accessible to voters
- iii. Assistance - Expanding assistance to political parties and voters
- iv. Staff Development - Developing staff to provide better services
- v. Service - Enhancing service through effective communications and use of technology

Because Elections Manitoba's mandate is driven by legislation (*The Elections Act* and *The Elections Finances Act*), the first of the five strategic focus areas was central to the development of activities in all other areas. Specific activities undertaken or begun during 2009 in the other four areas include:

Accessibility:

- ***Mapping the province:*** The first step in administering an election. Following the 2008 boundaries review, 56 of the 57 electoral divisions changed to reflect population growth and changes in distribution within the province. The goal of boundary review is to ensure effective representation for everyone.
- ***Additional opportunities for voting:*** Elections Manitoba strives to continually build on voting opportunities in order to accommodate voters' needs.
- ***Developing the voters list:*** The first phase of development of a new address database was begun. Access to new information, use of Canada Post addressing standards, and a double-entry system for adding names to the list will help ensure accuracy and completeness.

Assistance:

- ***Simplified Guides:*** Revision and development of comprehensive guides for all political participants was begun in 2009. The guides were designed to provide information to candidates, constituency associations, official agents, auditors, chief financial officers, leadership contestants and staff with respect to incorporating legislative amendments.
- ***Customized training sessions:*** User-focused seminars and workshops were created to meet the specific needs of all political participants.
- ***Record-keeping system:*** The process of creating a new filing disk to facilitate compilation, filing and submission of financial records for political candidates and parties was begun.

Staff Development:

- ***Providing tools for better management support:*** To better manage elections and provide better service to voters and political participants, improved information resources, training and management tools for returning office and headquarters staff were a focus in 2009.
- ***Advance recruitment strategies:*** New tools for recruitment of field staff outside the election period were developed, including assessment of all job descriptions and development of selection criteria.

Service:

Communications

- ***Education Strategy:*** The *Your Power to Choose* curriculum-driven classroom program targets Grades 6, 9 & 11 students province-wide to encourage and engage new voter interest and participation. In 2009 work began on the adaptation of the *Your Power To Choose* guide for an adult literacy audience.
- ***Community Relations Strategy:*** A comprehensive community relations strategy was developed to meet the mandate of Section 29 (b) of the *Elections Act*: *[The chief electoral officer may at any time] implement public education and information programs to make the electoral process better known to the public, particularly to those persons and groups most likely to experience difficulties in exercising their democratic rights.*
- ***Increased website services:*** Systems were put in place to provide more timely and convenient public disclosure of financial and other public information on the Elections Manitoba website.

Technology

- ***Infrastructure upgrades:*** Hardware upgrades were performed to increase performance and disaster recovery processes. Several existing HQ and field election management systems were enhanced, and new in-house built staff timesheet and education workshop tracking systems were introduced.
- ***Election tools:*** User-friendly, user-tested tools were developed to enhance service.
- ***Using the website:*** The website was expanded to support recruitment, education, and more.

ELECTORAL BOUNDARIES COMMISSION

The report of the Electoral Boundaries Commission was delivered in December 2008, necessitating extensive operational activity at Elections Manitoba. Out of 57 electoral divisions, 56 had their boundaries redrawn, and 10 electoral divisions underwent name changes to better reflect the history of the region and/or the communities within the boundaries of each. New maps had to be produced for all affected electoral divisions, leading, in turn, to the redistribution of voting areas, assignment of voting locations, and creation of new street keys and voting keys. The change in boundaries also impacts the political parties, many of whom are now in the process of dissolving their existing constituency associations and forming new ones, with Elections Manitoba providing information and resources to support this process.



LEADERSHIP CONTESTS

The *Elections Finances Act* requires public disclosure of leadership contestants' finances. This enhances the fairness and transparency of the process political parties use to choose their leaders.

The **Green Party of Manitoba** held a leadership contest on November 15, 2008. There were three contestants. The filing deadline for the leadership contest was February 17, 2009.

2008 Leadership Contest – Green Party of Manitoba: Filing Deadline: Feb 17/09

Contestant's Name	Date Filed
Basham, Andrew	Jan 8/09
Beddome, James	Feb 17/09
Nestruck, Shane	Feb 13/09

2008 Leadership Contestants' Financial Statements – The Green Party of Manitoba

	Andrew Basham	James Beddome	Shane Nestruck
Assets and Liabilities			
Assets	\$ 21	\$ 4	-
Liabilities	-	-	-
Surplus/(Deficit)	\$ 21	\$ 4	-
Income			
Contribution	\$ 45	\$ 20	\$ 63
Other	-	-	-
Total	\$ 45	\$ 20	\$ 63
Expenses			
	24	16	63
Surplus/(Deficit)	\$ 21	\$ 4	-

The **New Democratic Party of Manitoba** (NDP) held a leadership contest on October 17, 2009, following the resignation of Premier Gary Doer, MLA for Concordia. There were three contestants: Steve Ashton, Greg Selinger and Andrew Swan. The filing deadline for the leadership contest was January 18, 2010, and the contestants' finances will be reported in the 2010 Annual Report.



ANNUAL ACTIVITIES

PROCESSING ANNUAL FINANCIAL RETURNS

To demonstrate compliance and maintain transparency with the public, political parties and constituency associations disclose their annual financial activities. Candidates are required to report the status of campaign deficits and loan balances annually as well.

Political Parties

Annual statements for 2008 were required to be filed by March 31, 2009 or by an approved extension date and were filed as follows:

Political Party	Extension Date (if applicable)	Filed Date
Communist Party of Canada - Manitoba	May 1/09	May 1/09
Green Party of Manitoba	Apr 14/09	Apr 14/09
Manitoba Liberal Party	-	Mar 25/09
New Democratic Party of Manitoba	-	Mar 31/09
The Progressive Conservative Party of Manitoba	-	Mar 31/09

Registered Political Party Annual Financial Statements (filed in 2009 for the calendar year ending Dec. 2008)

	CPC-M	The Manitoba Greens	Liberal	NDP	PC Manitoba
Income and Expenses					
Contributions	\$ 1,162	\$ 8,251	\$ 136,546	\$ 722,502	\$ 834,710
Transfers	-	-	18,950	10,701	30,059
Other Income	1	1,123	19,717	71,384	96,833
Total Income	1,163	9,374	175,213	804,587	961,602
Expenses	8,024	9,982	158,928	691,658	942,107
Surplus/(Deficit)	\$ (6,861)	\$ (608)	\$ 16,285	\$ 112,929	\$ 19,495
Assets and Liabilities					
Assets	\$ 589	\$ 3,652	\$ 55,872	\$ 364,229	\$ 186,916
Liabilities	12,632	-	19,701	51,839	186,106
Net Worth/(Deficit)	\$ (12,043)	\$ 3,652	\$ 36,171	\$ 312,390	\$ 810

ANNUAL ALLOWANCE PAID IN 2009 FOR THE CALENDAR YEAR 2008

The Elections Finances Amendment Act (EFAA) in Bill 37 was given the Royal Assent on October 9, 2008 and become effective as of January 9, 2009. Under new legislation that came into effect in January 2009, political parties are entitled to public funding upon request, referred to in the legislation as an *annual allowance*. Allowance paid for 2008 was as follows:

Political Party	Amount certified
Communist Party of Canada - Manitoba/Parti communiste du Canada Manitoba	\$ 600
Green Party of Manitoba/Parti vert du Manitoba	\$ 6,983
Manitoba Liberal Party	\$ 64,821

Contributions¹ Received by Registered Political Parties (2008)

	CPC-M	The Manitoba Greens	Liberal	NDP	PC Manitoba	Totals
\$250.00 or More Total value \$	-	2,275	77,668	458,158	420,241	958,342
\$25.00 to \$250.00 Total value \$	1,162	4,741	56,415	252,929	400,985	716,232
Less Than \$25.00 Total value \$	-	1,235	2,463	11,415	13,484	28,597
Total of all Contributions \$	1,162	8,251	136,546	722,502	834,710	1,703,171

¹ Includes all contributions received during the year

CONSTITUENCY ASSOCIATION ANNUAL RETURNS FOR CONTRIBUTIONS AND LOANS REPORTING

Information regarding the balance remaining on a contribution and loan shall be provided to the Chief Electoral Officer by the person responsible for the finances of a constituency association. Constituency association returns state 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. Four of the five registered political parties have constituency associations.

Registered political parties are in the process of dissolving constituency associations based on the 1998 electoral boundaries and forming new associations based on the Report of the 2008 Electoral Divisions Boundaries Commission.

Contributions of \$250 or More to Constituency Associations (1999)				
	Liberal	The Manitoba Greens	NDP	PC Manitoba
Total Number of Constituency Associations, pursuant to the 1998 electoral boundaries¹	57	4	57	57
<hr/>				
No. of contributions of \$250 or more	-	-	2	-
Amount of contributions \$250 or more	\$ -	\$ -	\$ 787	\$

Contributions of \$250 or More to Constituency Associations (2009)			
	Liberal	NDP	PC Manitoba
Total Number of Constituency Associations, pursuant to the 2008 electoral boundaries¹	-	-	30
<hr/>			
No. of contributions of \$250 or more	-	-	1
Amount of contributions \$250 or more	\$ -	\$ -	\$ 500

¹ The Communist Party of Canada – Manitoba did 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
2004	171	4	\$2,055
2005	171	3	\$2,595
2006	172	5	\$3,746
2007	174	8	\$6,315
2008	174	0	\$0
2009	175	2	\$787
2009*	30	1	\$500

*under new boundaries

Candidates' Campaign Deficit and Loan Balances

From the Progressive Conservative Party of Manitoba leadership contest in 2006:

- One contestant reported an outstanding deficit and/or loan balance at the end of 2009.

From the 2007 General Election:

- In 2009, 12 candidates reported deficit and/or loan balances. Of these candidates, seven have reported that the outstanding deficit and/or loan balance was eliminated by the end of 2009.

From the 2009 By-Elections:

- In 2009, five candidates reported deficit and/or loan balances. Of these candidates, four have reported that the outstanding deficit and/or loan balance was eliminated by the end of 2009.

Complete details can be found in the relevant returns which are available for viewing at Elections Manitoba or via Elections Manitoba's website: www.electionsmanitoba.ca.

Manitoba Tax Credits Claimed for Political Contributions (1982 - 2009)*

Tax Year	INDIVIDUAL	CORPORATE	TOTAL
	Returns \$	Returns \$	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	661,777
2001	537,700	26,545	564,245
2002	623,059	6,037	629,096
2003	1,195,568	2,342	1,197,910
2004	728,462	2,018	728,462
2005	792,686	-	792,686
2006	944,841	-	944,841
2007	1,551,826	-	1,551,826
2008	969,134	-	969,134
2009	1,072,440	-	1,072,440
Total Tax Credits Claimed Since 1982	\$ 21,080,544	\$ 1,634,014	\$ 22,714,558

* As of January 1, 2001, contributions from corporations are not permitted under *The Elections Finances Act*. Credits claimed by corporations are for contributions prior to 2001.

IMPLEMENTING PUBLIC INFORMATION AND EDUCATION PROGRAMMING

Elections Manitoba continued to promote its *Your Power to Choose* (YPTC) curriculum-based election education program in 2009. In support of the YPTC program, 35 in-class workshops were given, 34 in English and one in French. More than 768 participants were reached as follows:

- 735 school-aged children and youth in 13 schools
- 33 adults in two adult learning centres

An electronic tool was developed to track all workshops delivered in the province, allowing for the creation of reports by electoral division, grade, language, and several other criteria.

To complement the existing educational resources for primary and secondary students, an adaptation of the *Your Power to Choose* education guide for adult learners was initiated in 2009. The adult literacy guide is being developed in consultation with Manitoba Adult Learning and Literacy, and incorporates the nine Essential Skills identified by Human Resources Development Canada to support skills upgrading at work and in everyday life. The guide is divided into four phases (history of democracy, election experience, political experience, democratic experience). Each lesson in the guide is offered at three learning levels, to reflect the three different stages of learner development. The *Your Power to Choose: Adult Guide* guide will be launched in fall 2010.

Significant research and development work took place in 2009 in the area of community relations. Reflecting on post-election research carried out by Prairie Research Associates for Elections Manitoba, a national literature review and gathering of best practices from other jurisdictions, a delivery strategy and tactical plan were developed for the community relations program. Implementation will begin in 2010.

CONSULTING ADVISORY COMMITTEES

Elections Manitoba consults with all parties on an annual basis. It does so via legislated advisory committees under *The Elections Act* (EA) and *The Elections Finances Act* (EFA).

The EA Committee met on November 16, 2009. The EFA Committee met on November 17, 2009. Topics discussed at the EA Advisory Committee meeting included draft recommendations to amend *The Elections Act*, the anticipated Concordia by-election, and preparations for the 40th general election. Topics discussed at the EFA Advisory Committee meeting included draft recommendations to amend *The Elections Finances Act*, the new recordkeeping tool to assist official agents, and the Concordia by-election.

Elections Act Advisory Committee Members (2009)

Party	Committee Member
Communist Party of Canada – Manitoba	Darrell Rankin
Green Party of Manitoba	Vacant
Manitoba Liberal Party	Dennis Trochim
New Democratic Party of Manitoba	Sonia Kowalewich
The Progressive Conservative Party of Manitoba	Vacant

Elections Finances Act Advisory Committee Members (2009)

Party	Committee Member
Communist Party of Canada - Manitoba	Darrell Rankin
Green Party of Manitoba	Vacant
Manitoba Liberal Party	Dennis Trochim
New Democratic Party of Manitoba	Kevin Dearing
The Progressive Conservative Party of Manitoba	Vacant

DEVELOPING STAFF

Elections Manitoba encourages its staff to interact with peers across the country. There were a number of opportunities to share best practices in 2009:

- Elections Manitoba's Finance Department hosted jurisdictional workshops in February of 2009. Sessions were held on a number of topics, including finance legislation, advertising issues (party vs. candidate and transfer of expense), trends in public funding, relation between set election date and spending limits, techniques to obtain compliance, confidentiality vs. disclosure investigation, and the role of external auditors. Twenty finance staff from 12 jurisdictions attended the workshops.
- Staff from Elections Saskatchewan visited Elections Manitoba's Finance Department to observe our payroll review and returns review processes, and also to learn more about compliance assistance and information and technology.
- Staff from Elections Ontario visited Elections Manitoba to learn more about its staffing and training.
- Staff from Elections BC visited Elections Manitoba to see our approach to building the address data base and to gather best practices on enumeration, as B.C. had recently been mandated to conduct enumeration.
- Elections Manitoba staff attended an inter-jurisdictional workshop in Ottawa to explore trends in electoral geography, future use of geographic information systems, as well as the collection, maintenance and sharing of base geographic data.

PUBLIC INTEREST DISCLOSURE (WHISTLEBLOWER PROTECTIONS) ACT

The Public Interest Disclosure (Whistleblower Protection) Act came into effect in April 2007. This law gives employees a clear process for disclosing concerns about significant and serious matters (wrongdoing) in the Manitoba public service, and strengthens protection from reprisal. The Act builds on protections already in place under other statutes, as well as collective bargaining rights, policies, practices and processes in the Manitoba public service.

Wrongdoing under the Act may be: contravention of federal or provincial legislation; an act or omission that endangers public safety, public health or the environment; gross mismanagement; or, knowingly directing or counseling a person to commit a wrongdoing. The Act is not intended to deal with routine operational or administrative matters.

A disclosure made by an employee in good faith, in accordance with the Act, and with a reasonable belief that wrongdoing has been or is about to be committed is considered to be a disclosure under the Act, whether or not the subject matter constitutes wrongdoing. All

disclosures receive careful and thorough review to determine if action is required under the Act, and must be reported in a department's annual report in accordance with Section 18 of the Act.

The following is a summary of disclosures received by Elections Manitoba for fiscal year 2009 – 2010:

Information Required Annually (per Section 18 of <i>The Act</i>)	Fiscal Year 2009 – 2010
The number of disclosures received, and the number acted on and not acted on. <i>Subsection 18(2)(a)</i>	NIL
The number of investigations commenced as a result of a disclosure. <i>Subsection 18(2)(b)</i>	NIL
In the case of an investigation that results in a finding of wrongdoing, a description of the wrongdoing and any recommendations or corrective actions taken in relation to the wrongdoing, or the reasons why no corrective action was taken. <i>Subsection 18(2)(c)</i>	NIL

GOVERNMENT ADVERTISING

Sections 56(1) & (1.1) of *The Elections Finances Act* regulates the kind of information a government department or Crown agency can publish or advertise leading up to and during elections and by-elections.

Any person who believes that a department or Crown agency has violated Section 56 (1) or (1.1) may file a complaint with the Commissioner of Elections.

Section 56(3) of *The Elections Finances Act* requires that, if the Commissioner of Elections finds that a complaint is justified, the Commissioner must advise the Chief Electoral Officer of the particulars of the violation. The particulars are then to be published in the Annual Report.

At the time of writing the 2009 Annual Report, there were no matters provided by the Commissioner, Michael T. Green, to report under this section.



LOOKING FORWARD

In 2010, Elections Manitoba will continue to put in place the necessary systems and processes to pave the way for the 2011 General Election. Technological infrastructure will be further developed and refined, implementation of the new electoral boundaries will be finalized, information and resources will be provided on an ongoing basis to political participants to assist with compliance, and training will be conducted for Returning Officers and Assistant Returning Officers.

Work in implementing the legislative changes from 2008 will also continue in 2010. A strategy for building the voters list will be developed and implemented to reflect the longer enumeration and revision periods. The new address database for the province will be fine-tuned in order to provide assistance to enumerators as they begin carrying out their work in July 2011.

The office will also continue to promote its public information and education program by building on the success of *Your Power to Choose* through workshop delivery and the launch of the newly adapted guide for adult literacy. Community consultation and outreach will begin in support of Elections Manitoba's role of making the electoral process better known to the public, particularly those persons and group most likely to experience difficulties in exercising their democratic rights. (Sec. 29).

RECOMMENDATIONS

THE ELECTIONS ACT

Legislation allows the Chief Electoral Officer to recommend amendments to Manitoba's electoral law in order to improve and/or update the electoral process and better serve the electorate. The CEO's recommendations are published in Elections Manitoba's annual reports.

The CEO consults with the Advisory Committees when drafting recommendations; however, what is ultimately recommended is at the sole discretion of the CEO.

1. Set election period

s. 49(1) (c) clause(i)

Recommendation: Bill 37 establishes a set election date. It is recommended that section 49(1) (c) clause (i) be amended as well to establish a set election period after the writ is issued rather than a variable period of at least 28 days but not more than 35 days from the issue of the writ.

Background: A set election date provides for greater service and efficiency in the conduct of elections as well as a more level playing field for all political participants. By eliminating the possibility of a variable election period this level playing field would be further enhanced and provide for clarity for all stakeholders. It would provide for an equitable management of election expenses by assisting campaigns to better manage their election expenses within the spending limits. It will also assist them to plan their operations and better manage incurring expenses in the non-election period and thereby prevent allocation issues of expenses between reimbursable election expenses and non-reimbursable non-election period expenses.

A set election period would also assist in recruiting election officials and may also assist in the recruitment of volunteer campaign workers.

BC and Ontario also have set election dates and have a set election period of 28 and 29 days respectively.

2. Revision period

s. 77(1)

Recommendation: To shorten the revision period in section 77(1) to end on the third Monday before election day rather than the second Thursday before election day, to provide time to deliver the official list of voters to locations for the first Saturday of Advance voting.

Background: Section 77(1) stipulates that revision end on the second Thursday before election day, therefore the revised voters list would be completed on the next day which is the second Friday before election day. Section 125(5) allows for advance voting to begin in any location the next day, which is the second Saturday before election day. This would make it very difficult to complete the revised list of voters, print the official list and deliver it to Advance voting locations which are often a distance from the returning office for that Saturday. As Saturday in many communities is an ideal day to hold advance voting, under the current act this may not be able to happen, as an official voters list cannot reach distant or remote locations in time.

Even with shortening the revision period there would still be 25 days of revision following 33 days of enumeration which will allow for a substantial length of time to compile a complete voters list.

3. Access for campaigning

s. 195(1) and 195(5)

Recommendation: To amend the process and requirements regarding access for campaigning in an apartment, condominium complex, other multiple residence or community, as defined in sections 195(1) and 195(5) of *The Elections Act*. Specifically, it is recommended that *The Elections Act* be amended to state that individuals be required to produce identification, in accordance with Section 2 of the act, as well as documentation confirming that the individual is a candidate or a representative of a candidate. A further amendment would require that the documentation be a prescribed form, similar to that required for scrutineers, signed by the candidate or official agent, designating them as a candidate's representative. Both the identification and documentation would be presented upon request.

Background: The current legislation states that no one can prevent candidates or their representatives from campaigning in the type of multiple residences or communities outlined in section 195, provided that they produce identification or documentation. The Act does not stipulate, however, when the documentation must be presented, i.e. upon request, or what type of documentation or identification is required.

While Elections Manitoba provides guidelines and suggested forms for identification of candidates' representatives visiting multiple residence buildings or communities, there is currently no requirement for campaign workers to carry similar forms. Just as scrutineers must carry a prescribed form signed by the candidate or official agent in order to gain access to voting places, candidates and their representatives should also be required to carry a prescribed form when campaigning in those locations described in section 195.

In order to administer this provision efficiently, it is recommended that candidates' representatives campaigning at those locations described in section 195 of the EA be required to carry a prescribed form signed by the candidate or official agent, as well as identification that conforms to section 2 of *The Elections Act*, and that both the identification and documentation need only be presented upon request.

THE ELECTIONS FINANCES ACT

Recommendations carried forward from previous annual report:

1. Tax registration

s. 25

Recommendation: To extend the tax registration period from the end of the candidacy period to four months after the election day.

Background: The current section states that an application to register must be made to the

Chief Electoral Officer before the end of the candidacy period in order to issue income tax receipts for contributions received by a candidate in his or her campaign period. This pre-existing deadline for registration (end of candidacy period) was clarified in *The Elections Finances Act* pursuant to an amendment in Bill 22, 2006.

Tax registration is optional and it was observed in 2007 that a few campaigns became aware of the need to be registered after the expiry of the tax registration deadline at the time of preparation of election returns, which was after the end of the campaign period.

To address this concern and to provide extra time in recognition of the voluntary nature of the role of an official agent, it is recommended that the deadline to register be extended to the filing deadline of the election returns, which will be four months after the election day.

2. Calculation of candidate's surplus or deficit

s. 75(1)

Recommendation: For the deficit calculation for section 75, the receipts should include income from sale of merchandise. This is a consequential change due to new sections on fundraising and contribution income which were added in the 2006 amendments to *The Elections Finances Act*.

Background: Section 75(1), candidate's deficit calculation takes into account income from all sources. When the new provisions of income from sale of merchandise were included in *The Elections Finances Act* through Bill 22 in December 2006, section 75(1) was not changed to include income from sale of merchandise.

3. Candidate exceeding expense limit

s. 84(2)

Recommendation: To amend section 84(2) Candidate exceeding expense limit to include reference to section 54.1 Annual limit on advertising expenses. This is a consequential change due to the new amendments being added to *The Elections Finances Act* in January 2009. Section 84(2) should read: Every candidate who contravenes section 51 or 54.1 is guilty of an offence and is liable on summary conviction to a fine of \$5,000.

Background: The annual expense limit in the year of set date elections was a new amendment contained in Bill 37 which was given the Royal Assent on October 9, 2008. Section 84(1) Party exceeding expense limit does reference section 54.1. Hence, section 84 needs to be consistent with its application for a candidate and a party and include section 54.1 in both subsections.