



Fifth Session- Thirty-Sixth Legislature

of the

Legislative Assembly of Manitoba

Standing Committee

on

Privileges and Elections

Chairperson
Mr. Peter Dyck
Constituency of Pembina



MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Sixth Legislature

Member	Constituency	Political Affiliation
ASHITON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave	Kildonan	N.D.P.
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise, Hon.	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
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DOER, Gary	Concordia	N.D.P.
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DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
EVANS, Clif	Interlake	N.D.P.
EVANS, Leonard S.	Brandon East	N.D.P.
FAURSCHOU, David	Portage la Prairie	P.C.
FILMON, Gary, Hon.	Tuxedo	P.C.
FINDLAY, Glen	Springfield	P.C.
FRIESEN, Jean	Wolseley	N.D.P.
GILLESHAMMER, Harold, Hon.	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSON, Gerard	Flin Flon	N.D.P.
KOWALSKI, Gary	The Maples	Lib.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
MACKINTOSH, Gord	St. Johns	N.D.P.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McALPINE, Gerry	Sturgeon Creek	P.C.
McCRAE, James, Hon.	Brandon West	P.C.
McGIFFORD, Diane	Osborne	N.D.P.
McINTOSH, Linda, Hon.	Assiniboia	P.C.
MIHYCHUK, MaryAnn	St. James	N.D.P.
MITCHELSON, Bonnie, Hon.	River East	P.C.
NEWMAN, David, Hon.	Riel	P.C.
PENNER, Jack	Emerson	P.C.
PITURA, Frank, Hon.	Morris	P.C.
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
RADCLIFFE, Mike, Hon.	River Heights	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack, Hon.	Niakwa	P.C.
RENDER, Shirley, Hon.	St. Vital	P.C.
ROBINSON, Eric	Rupertsland	N.D.P.
ROCAN, Denis	Gladstone	P.C.
SALE, Tim	Crescentwood	N.D.P.
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VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	N.D.P.
<i>Vacant</i>	St. Boniface	

LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS

Monday, April 26, 1999

TIME – 7 p.m.

LOCATION – Winnipeg, Manitoba

**CHAIRPERSON – Mr. Peter Dyck
(Pembina)**

**VICE-CHAIRPERSON – Mr. David
Faurshou (Portage la Prairie)**

ATTENDANCE - 11 – QUORUM - 6

Members of the Committee present:

Hon. Messrs. Pitura, Praznik
 Ms. Barrett, Messrs. Dyck, Faurshou,
 Kowalski, Laurendeau, Martindale, Ms.
 Mihychuk, Mr. Penner

Substitutions:

Mr. Struthers for vacancy

APPEARING:

Mr. Kevin Lamoureux, MLA for Inkster
 Mr. Richard Balasko, Chief Electoral
 Officer, Elections Manitoba

WITNESSES:

Mr. Fred Toker, Private Citizen
 Mr. Paul Nielson, Private Citizen

MATTERS UNDER DISCUSSION:

Bill 17, The Elections Amendment and
 Elections Finances Amendment Act

Mr. Chairperson: Good evening. Will the Standing Committee on Privileges and Elections please come to order. This evening the

committee will be considering Bill 17, The Elections Amendment and Elections Finances Amendment Act.

To date, we have received two registrations to speak to Bill 17 from Mr. Fred Toker, a private citizen, and from Mr. Paul Nielson, private citizen. If there are any other persons in attendance this evening who would like to speak to the bill and who have not already registered, please see the Chamber branch personnel at the table located at the back of the room to register. All additional names will be added to the list of presenters. In addition, I would like to remind presenters that 15 copies are required of any written materials to be handed out to the committee. If assistance is required to make the copies, please contact the Chamber branch personnel at the back table, and the copies will be made for you.

Did the committee wish to use time limits for the consideration of public presentations this evening?

An Honourable Member: Only two presenters.

Mr. Chairperson: No? Okay. What is the wish of the committee?

An Honourable Member: No, it is fine.

Mr. Chairperson: Okay, then we will proceed. We will not have time limits.

Hon. Darren Praznik (Minister of Highways and Transportation): Mr. Chair, I think we have agreement on not using time limits as long as people are reasonable. If someone wanted to make an all-night presentation, we would have some difficulty with that. I believe that my colleague the member for Burrows (Mr. Martindale) has a nomination to fill a vacancy on this committee.

Committee Substitution

Mr. Doug Martindale (Burrows): Mr. Chairperson, I move, with the leave of the committee, that the honourable member for Dauphin (Mr. Struthers) be elected to fill the vacancy created on the Privileges and Elections committee by the death of the member for St. Boniface, Neil Gaudry, with the understanding that the same substitution will also be moved in the House to be properly recorded in the official records of the House. The substitution is to take place immediately.

Mr. Chairperson: Is there leave? [agreed] Thank you.

We shall then proceed with the hearing of presentations. First, I will call on Mr. Fred Toker please to come, give his presentation. Please move up to the podium there, if you would, please. Mr. Toker, I would ask you to give your presentation, but I would also ask you to move your microphone a little closer so that we can pick it up, please.

Mr. Fred Toker (Private Citizen): Mr. Chairman, my name is Fred Toker. I am a resident of Winnipeg for about 80 years. I am very displeased with the results that transpired in the Monnin inquiry. I was just wondering if there is any way about that such a democratic system as we claim to be, it is permitted to be practised. Should these kinds of tactics be permitted in our democratic system? That is my concern, in closing. That concludes my words.

Ms. MaryAnn Mihychuk (St. James): Mr. Toker, 80 years as a resident of Manitoba, you have seen a lot of comings and goings in elections in your time. Can you tell us if you have ever seen or heard of such similar practices in Manitoba or elsewhere?

Mr. Toker: There was one incident in British Columbia in the early '70s where the Mounties were called to investigate whether there was any organized crime behind tampering with votes in a democratic constituency.

Mr. Chairperson: Thank you. Are there any further questions? Thank you very much, Mr. Toker, for your presentation.

I will then call on our next presenter. Please, I would like to call Mr. Paul Nielson. Okay, you have some handouts that are being handed out. Okay. Thank you.

Please proceed, Mr. Nielson.

Mr. Paul Nielson (Private Citizen): I think my presentation will be mercifully short too, I hope, because—actually I should not say mercifully—I did not have time to adequately prepare.

Anyway, I would like to begin by making a few points about ongoing, unnecessary obstacles to citizen participation in the legislative process. First of all, I would like to say there has not been sufficient time to study this bill on my part and I do not think on anybody else's part unless you consider, of course, that Justice Monnin said it all. I happen to believe that more research and more checking could have been done. I tried to do some of that.

I think less than a week to examine the implications and to look at alternatives is not enough time. Second of all, I am trying to demonstrate to you I think the future that is coming, whether you like it or not. I wanted to capture the text of Bill 17 electronically. As you know, the bill by itself is meaningless. You also need The Election Finances Act and you need The Elections Act in order to see what clauses are amended.

I would like to point out to the committee for their information for future reference that first of all I was unable to get the text of Bill 17. The actual acts themselves, which were far more important, I was offered a copy for sale from Statutory Publications. I knew enough to go to the chief electoral office and get a print copy for free. That is rather interesting, that you get two different answers. I am appalled that the laws of the people of Manitoba are only available for a \$600-plus annual subscription. I think that defeats the democratic process. I think ignorance of the law is no excuse. Similarly, citizens must have access to the law. I believe that in this particular instance, especially because I had to move so fast, I was defeated.

Why do I need the text electronically? Well, that would have enabled me to make much more

intelligent, pointed comments line by line, clause by clause, hone in right on it. It would also have enabled me to transmit that text to a lot of other people who did not feel like coming down here tonight. I have access to the Canadian Political Science Association. I have access to a group of government information specialists. I have access to an international group of democratic people who are trying to use the Internet to reform the democratic process throughout the world. I have access to an access to information group in the United States, which I hate to tell you, American technology and American democracy are 10 to 20 years ahead in terms of exploiting the advantages of the Internet for the purposes of improving democracy.

So again, because of the time constraints and because I could not do that, I was left with doing a little bit of searching on the Internet myself. I have pinpointed two sites for you that I think are highly important to look at again.

I would also like to comment that the government website, as you look at it and enter it, says: discover Manitoba and explore Manitoba, which means that its purpose is for trade, its purpose is for economics, its purpose is for tourism. It is not for understanding your government, holding it accountable, and understanding it.

Finally, I read the complete Hansard debate so I know what all of you have said on the bill, those of you that have chosen to speak. The Thursday afternoon session was not available until afternoon today, so again, if you think of democracy's purpose to be the attempt of the citizens to participate along with you and offer their experience and offer their ideas, groups like Mothers Against Drunk Drivers, people like that, our own Joyce Milgaard, anybody who has a particular position and wants to contribute should have the facility to do that. I think we would end up with a better democracy and I think we would do it.

* (1910)

Anyway, I am not particularly happy with what I have been able to do. I have mainly dashed things down. I tried to remove the typos,

but it is not, as far as I am concerned, as good as I could do if I was given more time.

Anyway, in reading the debate so far I was surprised that most of the members who spoke on the debate on second reading, accepted the authority and expertise of Justice Monnin. As far as I am concerned, his training as a judge means that he is competent legalistically and formalistically, but he is not a politician and he does not understand political process to the degree of depth that you need to adequately understand elections.

None of the members in the second reading debate on the bill, as far as I could see so far, have been making comparisons to the law and system in other jurisdictions. The growing influence of the Internet which is out there—there are all kinds of developments, information technologies in improving the state of the art of electoral law. As far as I am concerned, this is an opportunity not just to hear from the Chief Electoral Officer or the justice, which is a formalistic reporting process, but to find out how to do things really better and to improve upon, learn from your mistakes and do better.

Again all of this, by the way, moves in the direction—I mean the Internet, of course, is everything, but it does have a side that does not make it out into the media as much, a side that improves openness, a side that improves accountability, improves participation, improves efficiency, and consequently improves democracy very much.

Again, I am afraid I would like to say that I feel the debate was, in reading the entire debate, stuck too much in the partisan past. I think citizens want to move away from this kind of government and debate to a government that makes decisions based on the best available information for the greatest good of Manitoba society, for the least cost in money and intrusion on the freedom of the citizen if it is unnecessary. So, as far as I am concerned, I respect both sides or three sides of the House. I think you all have something to contribute and I really try to listen to both sides and both points of view, but I feel it is too partial and too partisan and not motivated always enough by the need to come up with

creative solutions for the good of the whole society.

Moving on to the bill now, I do feel the same thing happens in elections that there are too many partisan abuses. I do not mean, by the way, to minimize the particular abuses we are here tonight to discuss, but in general there is too much advertising, too much brochures, too much slanted arguments, not enough substantive debate and policy, not enough accountability information for voters to make a proper decision. I participated in the 1995 election as a citizen on behalf of the now-defunct Blue Sky Community Network. In addition to attempting to get the party platforms up on the Internet where everybody could examine them and compare them, which I think is what a citizen really needs to do, especially the undecided—and you all are fighting over the undecided, you know, you have your committed supporters—in addition to that, I had co-operation from the Red River Community College journalism group. They did biographies and as much as possible not just focusing on the party but actually interviewing and finding out who the candidates were and what their qualifications were. It was a very imperfect effort.

Another interesting effort that was involved is that I approached 50 groups from all spectrum of society. My purpose was not to slant but to get all the major organizations from the Manitoba Teachers' Society to the Winnipeg Chamber of Commerce to present their ideas on the election, what they thought the issues were, what their expertise told them was the answer. I would like to say that I was disappointed in a couple of instances when I was told: we do not really need to participate, we do not want to expose ourselves, we can have a meeting with the minister any time we want and the democratic process is not for us, we would much prefer to deal mano a mano with the administration. That is what I felt defeated it.

So, looking again at the bill, I am afraid I did not have time to make reference to the specific sections. I think the amendments as they are, are good, but they are not good enough. Here are five different items that I think should be there, could be there, to improve democracy in Manitoba.

Number one, there is no provision in the bill that I could see or understand which triggers the Chief Electoral Officer to investigate abuses. I envision him—I do not know where he is tonight, if he is here—sitting in his office waiting for the call to do it. I think there needs to be a very good mechanism, a reporting mechanism for triggering a rapid response to any complaint. As far as I am concerned as a citizen, I do not want to hear about a complaint and see it resolved four years later. I would prefer that these kinds of complaints be resolved at the time. I happen to think that if you had this kind of tight reporting mechanism, of course, everybody would behave much better than ever before, because you could not get away with what you currently can, because reporting mechanisms are so slow, and because any threat of investigation is remote. It takes a lot; there is no easy trigger mechanism to initiate a thing.

Secondly, Elections Manitoba lacks the staff to do anything about it anyway, to adequately monitor the election as it is happening. In the debate I heard reference to the fact that returning officers are currently a partisan appointment, a patronage appointment, and I believe that they should be under the control of the merit system. They should be under the control of the Chief Electoral Officer.

Again, I find it deeply ironic that we send people to El Salvador and all over the world to monitor elections, and I think we need a minimal system like that. If the returning officers were highly qualified people who were known to be independent and competent, I believe they could be the adequate first defence against abuse and a mechanism for first investigation. As it is now, I cannot see things being adequately monitored and adequately caught in the election process.

Third of all, I do not see how you can have any—if there are no consequences, as you well know, in the criminal justice system, if there are no consequences for one's actions, if no one pays any penalties, particularly for lying, then one can continue to lie, one can adjust one's statements as one moves along. I feel that the way this happened was quite ridiculous, that we still do not know adequate answers and that we are still left with the feeling that, because the main perpetrators are not being held in any form of

account, I think we need penalties in the act for this kind of behaviour, perjury, whatever it takes.

My fourth point is that information technology now permits the posting of campaign contributions and expenditures, not just in money, but in time and donations in kind or whatever. These could be accessible on a website, and a database program could greatly enhance this as a monitoring tool. You might say that this is practically impossible but, as far as I am concerned, all individuals and their affiliation should be known, not their address so that they could be harassed. But anyone who makes a contribution sufficient to get a benefit, a tax deduction, should be divulged.

If you look at it positively, you could say, well, this is their endorsement of the candidate; this is their taking a stand and saying: I feel this is a worthy candidate, and I am putting my money on this candidate. I do not see why there have to be any negative connotations to that whatsoever.

* (1920)

Again, California Voters Foundation, as far as I know from my experience in the international Democratic Discussion Group, is the most far advanced along this line. Their website illustrates an attempt to get as much information as possible about the candidates, about the issues, about their expenditures, about their contributions. Again, I believe this is an incredible enhancement to democracy, and we in Manitoba should be moving in that direction.

Finally, I think there needs to be conflict of interest legislation. I do not believe that self-policing party and government policies do anything to really govern behaviour, to really change it. I believe that, again, because of the degree of the abuse that we have, all major ethical conflicts should be discussed. The conflict between your party position, your government position, your business position, your personal benefit position, all of these kinds of things should be subject to declaration, removal, and/or disclosure, with real penalties.

On the Internet, the office of the Ethics Counsellor of the federal Government of Canada

has a website in which all conflict-of-interest legislation and declarations and mechanisms in Canada that are on the Internet are available. Five provinces have them. Manitoba is not one of the five provinces. I have given you the location of that website as well.

The strongest ethics legislation has an ethics commissioner. In the United States they have inspector generals who monitor abuse department by department. I think that this kind of thing where a person who had wanted to report an ethical violation in their opinion would not go to the media necessarily as a first choice at all. It should be preferred that they in conscience make their reporting to an ethics commissioner. If this official is somebody of stature and competence, that kind of situation can be covered. Ironically—not ironically enough—well, ironically, I guess, is the right word, as far as I know, the government in Canada that has the strongest ethics, conflict-of-interest legislation, is the government of Alberta. You may recall that Ralph Klein was called up on the carpet for a conflict of interest that was through his wife, and so on and so forth. It never has a satisfactory resolution for all sides, but that particular issue was solved and dealt with. It was dealt with by a commissioner of ethics.

That particular law and system, when you go to that website, what is interesting is that, for the five provinces that do have laws covering conflict of interest, four of them simply say, here is the law, whereas you click on the Alberta site and there are all these mechanisms of reporting and mechanisms of adjudicating these kinds of conflicts.

In conclusion, I believe that what I would like to see elections become is much more a marketplace of ideas where the parties contend over the issues, over their competence to deal with the issues, over their management abilities, over their record, and things like that. As far as I am concerned, too much money now is spent on polling; too much is spent on advertising; too much is spent on brochures; too much is spent on getting out the vote. I believe most of that money could be more wisely spent in creating a democratic information structure. It is coming. Other jurisdictions are leading the way.

I feel that Manitoba, in response to the situation that you have all just lived through, I believe this would be the best response.

Mr. Chairperson: Thank you very much, Mr. Nielson, for your presentation. We have several questions here. I am going to call on Mr. Laurendeau first.

Mr. Marcel Laurendeau (St. Norbert): I will be brief. You are right on the Internet side of it. I think our system probably does need some help, but some of the things you stated are not there I thought I had found on the Internet. Certain ministers can be e-mailed directly. Within certain departments you have listings of all the phone numbers. So I will differ with you on that. But, yes, there could be some work.

Where I have a problem is with your No. 1 and with your No. 3 in your What Is Wrong with the Bill. When you are talking about the trigger, what trigger are you talking about? In No. 3, you say: What good is it to find out about election abuses long after the election itself? That is one of the triggers that has been implemented in this bill, that trigger that now, if he does not find out until two years down the road, then the trigger is pulled. He has the one year to do the investigation and bring those charges down at that time. So I find that this bill actually answers a lot of your 1 and 3.

Mr. Nielson: If I could respond to 3 first. As far as I am concerned, if what you want is a formalistic and legalistic solution, then your bill covers that. But in my view, what the voters really want is for this never to have happened in the first place, and I believe that they would have liked to have known about it around the time of the election. A lot of them may be saying to themselves: had I but known, I would have voted differently. All of us have to think about that. So, as far as I am concerned, I am approaching this from the point of view of—my specialty is information, and I am saying voters need information to make intelligent decisions.

Just to reply to point one briefly, I wrote this in a mad rush and what I attempted to say in point one was not that there was nothing there but that it was not easily accessible. The focus was, you know, you are loading graphics and

you are finding out about tourism. You have to go down four items to find the Legislative Assembly. To get your e-mail, Mr. Laurendeau, is difficult. It is not easily findable, and, interestingly enough, if you click on the ministers—you can try this—what you will find is that their e-mail is not there. You have to go over to the Legislature to get their e-mail. So I can assure you that I try this day by day. I test it.

Mr. Laurendeau: You are right, it could be made much simpler. Now, when you are talking about the irregular activities that are happening during elections, you did not really touch on any of those irregularities that you are speaking about. You are talking around them a little bit.

Now, were you talking about—I am going to try and read between the lines, but election workers possibly being trained by other people in Toronto and paid by different groups to be election workers during an election, are you saying those types of things should be reported?

Mr. Nielson: Well, I prepared for tonight by reading through the catalogue of sins that was provided in the second reading debate, you know, on all sides, the tampering with signs and things like that.

What I am trying to say is that the particular trick that was done this time was of one sort. I would almost be willing to bet a million dollars that that particular trick will never happen again. What is going to happen is another kind of trick, and what I want to see happening—again, in the debate I heard a lot of praise for Darryl Sutherland coming forward because there were just so many obstacles in his way to do it. What I want is a place, a clearly designated place, where an individual who in conscience feels that there has been some sort of monkey business—again, it is my understanding of law that when there is a clear way of resolving and you know that what you are going to do is going to be found out—if you know that if you get into a car and drive drunk and you are going to be found out, you are not going to do it.

Ms. Becky Barrett (Wellington): A comment on your second point about the returning officers being merit appointments by the Chief Electoral Officer, I think if you read the Hansard, you will

know that our Justice critic spent virtually his entire speech on that very topic which is basically the only virtually—I will say virtually—the only recommendation that the Chief Electoral Officer has made that is not reflected in this legislation or in others. He has made that recommendation several times, and that is a position that needs support, that is very important. So I will agree with you on that.

Mr. Nielson: I am afraid that I am guilty of plagiarism.

Ms. Barrett: Your fifth item about the ethical conflicts and the ethics commissioner, I am not taking exception with anything that you said; I think it is an excellent idea. I am just wondering if this is a larger issue than just The Elections Act and perhaps would be more appropriate in a separate piece of legislation.

* (1930)

Mr. Nielson: I am not proposing specific amendments and I was well aware that that is—as far as I am concerned, elections are one part of government. They actually are only four or five years, and from there on in you are dealing with the fallout. I happen to agree with Peter Russell. He is the professor of constitutional history at the University of Toronto. He says that the form of government we have in Canada is cabinet dictatorship, that you elect a cabinet and then once you have elected it, you live with it for four or five years, and you can hold it to account later on. I am afraid this applies to all parties at the moment. Unfortunately, Donald Savoie has just one-upped that; he now has written a book called *Governing from the Centre* in which he feels that more and more all decisions come out of the PMO at the federal level.

Again, I feel that all of this is, to my mind, you need your citizens to obey the law; you need to participate; you need them to pay taxes; you need them to understand; you need to contribute to society. The one way of them taking ownership of that is for them to be able to feel that they have a means of constantly judging their politicians and constantly talking to them on a substantive and on an easy basis. I believe that all of this could be improved and the level of discussion and the actual contributions of

individuals, I always take as my model Mothers Against Drunk Driving. Like they changed the world. So did Joyce Milgaard by virtue of her knowing she was right. By continuing to research and continuing to make your case, I believe that kind of thing could happen far more throughout government, department by department, agency by agency. I wish the portals were open.

Mr. Martindale: I do not know if the presenter, Mr. Nielson, is aware, but we negotiated these amendments. We requested that they be done before the budget was introduced, but this situation is really not unlike the normal process for amendments in that frequently they go to committee very shortly after debate on second reading, and that frequently the bill goes into the House for third reading the very next day, which I believe is what is going to happen tomorrow with these amendments.

Now, some of us in the past have been on an ad hoc committee on Rules changes, including the minister who is also the House leader, who is at the head of the table here tonight. I am wondering if you think that we should make changes to the way legislation goes to committee, not just with this bill, but with all bills. A couple of ideas that have been suggested are that there would be a time period of two weeks before a bill went to committee, which would give people like you a chance to either purchase the amendments or see them on a website and have time to present a written brief, or that amendments be required to give a week's notice before the amendments are introduced in the committee. Would you be in favour of those ideas, or do you have similar ideas of your own?

Mr. Nielson: No, I agree totally with them. I have testified in the past on Freedom of Information, on The City of Winnipeg Act, and again I felt that—and even tonight I feel that I am just going through the motions in terms of—believe it or not I did not realize—like I was amazed at the harmony, everybody agreed, and I just could not figure it out. I did not realize it was an agreement among the House leaders, but I should have known that. I know you are all anxious to have an election, but I firmly believe

that this is where it all starts, that government could vastly improve.

If I could just give you one more small example, I know Arthur Schafer, you know Arthur Schafer, he is a world-leading light on the subject of ethics. He is out there somewhere, I do not know if he has written a column that I have missed, but I was planning on giving him a little bit of a jog and telling him about this ethics site via e-mail. You might be interested to know that he wrote a report on conflict of interest and ethics for the Somalia inquiry. It is one of the ancillary reports to it. By the way, I do not believe everything is on the Internet. Do you know what I mean? There is expertise out there inside people's heads, and actually I still go more by books than anything. So all I am trying to say is, in conceptualizing how to deal with the problem you have at hand, here is Arthur Schafer, who I am sure would be willing to help you and would make Manitoba not only have the lowest unemployment rate in Canada but have the best democratic website. I am afraid we do not have that, in answer to your question. I believe that we are behind, very far behind, in terms of making it democratic.

The United States, because of the nature of its government, because there is far more separation of powers and the legislature is far more able to take the ball and run with it, they have ensured that there is full disclosure in a lot of things, but I wish we could do that here.

Mr. Martindale: I am wondering if when you were searching for information, Mr. Nielson, did it occur to you to look at the Conservative Party website, as well as the government website?

Mr. Nielson: I only had so much time.

Mr. Martindale: The reason I am suggesting it is that one time I was searching for information when the government was doing amendments to The Child and Family Services Act and had appointed a review committee, and to my surprise the information was on the Conservative Party web page, not on the government web page, and I was going to raise that in Estimates as an issue, but I did not.

An Honourable Member: That was my report.

Mr. Nielson: Well, one of the members here wants to take credit for that report, but I was quite surprised that it was available on the Conservative Party website and not on the government website.

Mr. Martindale: My question, Mr. Chairperson, is on a different topic. That is, arising out of your presentation, what laws in other jurisdictions might be helpful in Manitoba in addition to the amendments in front of us tonight, which, as we all know, have arisen out of Judge Monnin's inquiry, are you aware of specific election act or election finance act laws in other jurisdictions that you think should be introduced in the Manitoba Legislature?

Mr. Nielson: I am afraid that, like you, I did not have time to do it. I only got so far as to pinpoint—I go to the federal website because of the possibility that there might be the intergovernmental comparison. I would start there. So I really cannot answer that. I did not get further than that.

You see, I knew this conflict of interest site was good because there they are side by side.

Mr. Kevin Lamoureux (Inkster): I enjoyed your presentation. Actually, I find it somewhat of an eyeopener whenever I listen to individuals that give a perspective on democracy. In listening to what you are saying, Mr. Nielson, the legislation that we have before us is strictly coming from the Monnin inquiry. There are a number of people no doubt that would like to see all sorts of changes to The Elections Act.

You make reference to a few points, both written and in your additional comments. My question is: have you ever had audience or request audience with Elections Manitoba? Do you belong to an interest group, anything of that nature?

Mr. Nielson: I am afraid my expertise and my passion is in this particular area. I have been chair of the access to information committee of the Manitoba Library Association. I was involved in the original freedom of information legislation in Manitoba in 1981, and I have been involved at the same level federally. So personally I feel that I am connected to a

network of experts. I daily get e-mail on all these subjects, and I wish I could come up with more gems in a shorter period of time. A lot of them are in my files.

So what I am trying to say though is that these suggestions that I have here, for example, are free to anybody that wants to adopt them in their party platform. They are free to anybody that wants to start applying them on their campaign website. By the way, in conversations with some people, I have had two caveats thrown at me, which I will tell you. One of them is: what about privacy? You know what I mean? I do realize that is somewhat of an issue. I know that the electoral lists have been a problem where especially women in danger are worried about people picking up addresses. Again, I feel that everything, you know, there are always downsides and so forth, but I still believe that a way can be worked out so that the substantive information is there, but too many individuals—I would like to see a culture where individuals should not be blamed for who they support in any party.

Another caveat that I had was not everybody is on the Internet. I would like to remind you, by the way, that the rural public libraries through a network are coming on really fast. I think they are actually, believe it or not, ahead of the city. The city only has two or three branches, for various reasons, really up and running. So the outlet for anybody to take it in their mind to go down and inform themselves and check in on the government website, check in on the campaign or whatever exists. I mean compared to the obstacles of getting the print, it is not that difficult. I will try to answer your questions.

* (1940)

Mr. Lamoureux: Mr. Chairperson, as a political party, the different political parties on occasion meet with Elections Manitoba to express their concern. Quite often if there are going to be changes, there is a consultation that occurs. I do not know, I have never posed the question and that is the reason why I pose it to you. You know, you seem to have a number of different ideas. You seem to have some expertise. I am not aware of a local interest group or lobbying group that makes

presentations to Elections Manitoba. It seems that we are all partisan and might have some hidden agendas. Someone made reference, for example, of things that are classified as volunteer labour when in fact it is not volunteer labour when there is training provided and so forth. There might be political reasons as to why we would raise things of that nature.

In many of the discussions, we could talk endlessly all night about how wonderful it would be to improve our democracy, but in terms of this actual bill, there are a couple of points that were missed. One of those points would have been the code of ethics. So I would be interested in knowing whether or not you believe that the code of ethics should be incorporated into the legislation.

With the other broader issues that you bring to the table, in part what I would suggest is that I think that there is a responsibility on behalf of Elections Manitoba to listen to other forms of advocacy groups. It does not necessarily have to be a political party or the Manitoba Teachers' Society or other large organizations such as that. In other words, citizens do have a role. I think that Elections Manitoba would be open to that, but other than that I would be interested in your comments on the code of ethics.

Mr. Nielson: Okay. One of my points here does. I do believe that it requires separate legislation and I do believe that it should cover civil servants, politicians, and members, and it should cover business conflicts of interest. For example, I have taken the conflict of interest of the Manitoba government four times and what they were always interested in was whether or not I was going to make a profit. The other thing was whether or not I was going to criticize my minister.

One of the things I find is a problem in Manitoba society is that quite often within the departments you have the very people who have the only expertise who are not free to speak. So again, what I believe in terms of driving this forward, like I believe this is something that will be discussed in the election. There is a lot of room for improvement and I believe that competitively all parties should go for it.

I myself might be looking down the road to get a foundation grant. I am aware of the Smart Communities Initiative. I am aware of the VolNet Initiative of the federal government. I do not have the technical expertise, but I have the content-information expertise. You know what I would like to design is something that was nonpartisan, that gave information to people and that held accountable and evaluated the information availability of all government agencies in Manitoba.

Mr. Jack Penner (Emerson): Mr. Nielson, you indicated in your remarks that all of our electors would probably not want to see this kind of a process ever again, and I am referring to those that were debated in the Monnin inquiry. I think I would concur with you. Indeed, I think all Manitobans would concur. Everyone around this table would concur with that statement. I think also that the people that we are discussing in this bill, whom we are talking about, were election campaign workers and not politicians.

I find that some of the debate that I have had to listen to during the last couple of weeks in the House when we were debating this bill and the electoral boundaries bill, and the references made to parties and members of parties and some of the things that have been said and recorded—and I think one of the documents that I saw tabled here today makes reference to some of those kinds of things—I think is an indication to all electors as to the quality of people that they have elected to this Legislative Assembly.

I think what we say about each other—when we start calling each other liars in that Chamber I think reflects and tells the people of Manitoba how and—

Point of Order

Mr. Martindale: On a point of order, this was actually raised in the House several times, and the Speaker took under advisement a point of order about the use of what she called unparliamentary words. I believe we are still waiting for her ruling, so even though some of us might be anxious to put that on the record, I think we should wait until the Speaker makes her ruling on it.

Mr. Chairperson: I would ask all members to choose their words carefully, and I will ask Mr. Penner to proceed please.

* * *

Mr. Penner: I was really making reference to some of the things that I had heard during the debate in the Chamber. I think I need not say any more about that, but it reflects on all of us and causes people outside of the Chamber to reflect rather negatively on the group or maybe even potential candidates in the future. Therefore I have been somewhat disturbed about the process, because I believe that in most cases people elected to, in fact, make the kind of legislative changes that you referred to make the decisions in government, and one of the key and most important ones is to make the law, and prescribe to the law is important. I think most people still believe that the process that we abide by in this province, as well as the rest of the country, is probably one of the best processes anywhere in the world.

However, the reason I raise this, I think I want to ask you what kind of changes you would want to see prescribed in legislation as to the application of the rules of operation in the House and, secondly, then, the rules of the operation of a given electoral process. I know that is a large question, but I think it is important that we—and I do not agree with what one of my colleagues across the table here said, that we should ask Elections Manitoba to listen to the people. I think it is dependent on us as legislators to go out to the people of Manitoba and ask them what they feel, and we should then, after listening to what they have said, start drafting a legislative process.

But I would like to hear what your thoughts and comments are in this regard.

* (1950)

Mr. Nielson: I am afraid I feel I have been rather critical of everyone. When I described the debate as stuck in the partisan past, one of the things that surprised me was that it seemed to me that people wanted to enter on the record who did what when, which did not seem to me to be related to the principle of the bill, which is what

second reading is supposed to be about. Anyway, I do somewhat sympathize with that, because I do not believe closure has been achieved to my satisfaction either. You see, I feel that is why it keeps welling up and coming up, as far as I am concerned, so I do not.

You see, the thing that surprised me is, if something bad happened, the key question should be what kind of law can we make without overreacting and sort of tying everybody in knots so that this does not happen again. It is not going to happen in the same form again. Therefore, to my mind, people that were talking to the second reading debate should be saying, well, you know, this is what happened, these were the bad things that happened, and these are the kinds of measures we need to make sure they do not happen again. Again, I tried to address that. To my mind, it is highly complicated, but I would also like to say that I have been, for the first time in my life, following Question Period and I do not enjoy it very much.

Mr. Penner: The second issue that you raise, and I refer to it slightly, is the rules and rules changes, the rules of operation of the legislative process. I do not know whether you know that Mr. Lamoureux and Mr. Martindale, the minister, myself, and Mr. Ashton were chosen a few years back by our colleagues to do exactly that, in other words, to rewrite the rules of the Legislature, to rewrite the rules of the operation of the House and then to prescribe via those rules a different method of operation that would have some rigidity to it. We spent two years debating within the committee and/or within our caucuses to try and come to some conclusion, and we did. We finally came up with a set of recommendations. We implemented those recommendations and operated under those rules for a year. We did that as a provision, as a proviso that if they would, in fact, operate, we would continue them.

There were a few people within the Legislature that decided that these were not good rules. I would dare say to members of this committee that it will not be too many years and we will be forced by the general public to reconsider exactly those rules that we drew up, because they did have some rigidity to it and they had an orderly process to it that I heard you

mention should be implemented in a proper legislative debate. I would challenge those members that were opposed to it, in the final analysis, after the operation of a year in this House. Maybe you could and the general public might encourage them to consider re-implementing those rules, because I truly think that they, Mr. Minister and Mr. Chairman, operated well.

I just had to put that on the record, Mr. Nielson, because I think you are absolutely right when you indicate some of the other authorities—the California one, I have not spent enough time on the web to look at that site, but I have looked at the site and I like some of the things that I have seen there. I think some of the things that they operate under are similar to what we had in fact implemented here without knowing what they adopt. So it is to a large part, I think, dependent on us to go back to the people and ask them what should be done both with the electoral rules, and I believe that this is just a first step that we are going to take to ensure that other infractions similar to this will not happen again.

Mr. Chairperson: Do you want to respond to that, Mr. Nielson?

Mr. Nielson: I believe that change does not happen overnight. I believe that some of the problems in the Legislature are related to the way the media reports the Legislature, and I would hope that the Legislature could find a way of presenting itself and opening itself to participation at a higher level. I would hope there is a technical answer to—you will never get away from disagreement, but I would prefer to see it be at a higher level.

Mr. Gary Kowalski (The Maples): Yes, I would like to make some comments in regard to your presentation. First of all, the point you make about insufficient time to study the bill that has been out for less than a week, and as my colleague for Emerson (Mr. Penner) mentioned, provisional rules I think had in it that there would be a two-week period before notice of committee hearings, so that would cover that. I am not being flippant here, but I remember six years ago when I first came to the Legislature I was amazed at how we made laws. The saying

that I was told is there are two things you never want to see being made: a sausage and law, because sometimes it is not pleasant, but the end product ends up being not too bad sometimes.

In regard to your point about need for improvement for the Internet, improvements for this Legislative Assembly and for government, I would like to celebrate how far we have come as opposed to where we could be, because even six years ago we were not at that stage. Even now Hansard mails out daily copies of Hansard to many people who look at that as soon as they get it a couple of days later. There is one gentleman that comes around to the Legislative Assembly. I think his name is Walter, who studies it and phones us with questions all the time. So, yes, we could be a lot further, but there is no end to it. I think we have to keep on advancing, but we have to celebrate how far we have already come.

We have things that maybe it is not as good as the United States, but it is a lot better than what we used to have, and I would like to celebrate that. The other point is about ethics and bringing in the code of ethics and quick election laws. Well, I have been in law enforcement for almost 30 years now, and I know every time you bring in a new law, there will be someone who will think of another way to beat it. A lot of times the quality of the people—and I think when human beings are perfect we will have a perfect electoral process. We will have no cheating in elections. People are not perfect creatures, so we will have problems.

In my area, some people on my election committee were from the Philippines, and they would tell me that in the Philippines they judge by how fair of an election it was by the body count. In comparison, our elections here in Manitoba and that, the ethics, the integrity that in general we see here, I would like to celebrate that too. In comparison to many other parts of the world, we do have relatively fair elections, but we will have zealots that will go to the extreme.

The other point about technology and elections, not all campaigns have computers. Not all campaigns have the Internet as you have mentioned. There are still some campaigns that get an old voters' list out. They get some

highlighters and they write everything down. Not everyone is on computers and that, so we still have to realize that with our technology, we also have to keep both doors open, so that it is not just those people who have the resources, who have the finances. We have to make it available to everyone.

In regard to the speed to get this bill through, because of the possibility of an impending election, you are right. That is why this was rushed through, and all parties wanted to make sure that the things that happened in the Monnin inquiry did not happen again. I have seen 20 bills go through in an hour at this committee. Maybe that is not the way it should be done, but this view that more information will necessarily make a more informed electorate is not necessarily true. I am constantly amazed at how many people, even on printed matter, never read the pamphlets, never watch the television news, never read the newspaper, and sometimes they make their electoral choice by the sound of the name or by the picture on the paper. That is discouraging. It is kind of cynical.

Yes, we are always trying to improve, but I do not want from your presentation the view that things are that terrible. We are doing good.

Mr. Nielson: I find it hard to deal with the argument that 'twas ever thus, which I feel is a constant one. You know, there are always bad apples and they are always going to do bad things and they are out there somewhere, the second argument being that the glass is half full rather than half empty. I would agree with many of the points that you made, that those are positive developments and progress, but I have to say that when I go into a website and when I compare Canadian websites to American websites, the difference is not, believe it or not, whether it is a Conservative Party or an NDP party or a Liberal Party, the difference is whether or not the majority so controls, the Legislature so controls the government that they get to decide what goes on the website, whereas in the United States there are so many rogue elephants and so many rogue democrats who are each proposing their own bill and who are each susceptible to persuasion that there is not a static done-deal kind of thing. We have all heard the words "done deals."

* (2000)

Meech Lake was not the only done deal. I am afraid I find done deals all over the place, and I do not know if any of you have been watching, what is going on with your federal counterparts to overcome your own sorrows is that right now the Whip is jiggering things to make sure that no committee gets out from under control. They are putting in substitutes to replace people like Charles Caccia. There has even been a report on leaking that was leaked. I mean, if all you can do is leak—I had better not go too far with that one.

Mr. Chairperson: Thank you very much. I think we will proceed unless there are any further questions. At this point I will canvass the audience to see if there are any other persons in attendance who wish to speak to Bill 17.

Seeing none, then we will proceed. Shall we go clause—

Mr. Laurendeau: When Mr. Toker made his presentation he inadvertently handed in the speaking notes given to him by the NDP. I would request that the speaking notes be removed from the record.

Mr. Chairperson: Is it agreed that they be removed? Is it the will of the committee? It is the will of the committee.

Mr. Lamoureux: For clarification purposes, we had someone who came and presented, made presentation. I had taken that this was a part of his presentation. I do not think that we can just wipe it off of the record, with all due respect.

Mr. Laurendeau: Mr. Chairperson, this is a briefing note prepared by the NDP caucus for their members to use during debate. I do not think it would be appropriate to print the whole, all this information on the record. Mr. Toker spoke on his behalf.

Ms. Barrett: The anticipation was that Mr. Toker would speak from the document that he had with him and he did not, so I do not see a problem with removing it from the record. Virtually everything that would have been in his

speaking notes, had he read them verbatim, has already been in Hansard or other venues.

Mr. Chairperson: Thank you. Is it agreed then? [agreed]

Is it the will of the committee to proceed with the clause-by-clause consideration of Bill 17? [agreed].

First of all, does the minister for Bill 17 have an opening statement?

Mr. Praznik: No.

Mr. Chairperson: I thank the minister. Does the critic have an opening statement?

Ms. Barrett: I promise to be brief. I just want to put on the record how I felt about the process that was undertaken by the all-party committee and the drafters of the legislation. I want to commend everybody because I think the positive part of the facility with which this was done is that it does enable us to have this legislation completed and as part of the statutes of the Province of Manitoba prior to the next election. I think it is always important for us to note whenever we do operate in a collegial manner. It may not be as often as some would like, but I think where conditions warrant, we are able to set aside our partisan views, maybe not in the speaking to the legislation but in the producing and the passing it through.

I also want to say that I think Elections Manitoba has done remarkable work not only in bringing the committee together and doing the background work but making sure that whenever the election is called, the constituencies and all the voters in the province will have a fair and equal chance to be heard, and all the processes are underway. So I want to give kudos to Elections Manitoba while they are in the room tonight.

Mr. Chairperson: We thank the member for those comments.

Mr. Lamoureux: Mr. Chairperson, I just wanted to not necessarily add comment as much as to say that in normal procedures we would have the staff come forward in case there are any

questions, which I would suggest might be an appropriate thing to do because I do have some questions that I would like to get on the record.

Given the need for Elections Manitoba to be really and truly independent, if through leave of the committee, we are allowed to with the bill now. Shall Clause I pass? ask the chief financial officer a question or two in regard to—[interjection] I am sorry, Chief Electoral Officer. Did I say finance? I am still trying to raise money for my own campaign, what can I say, and now with Becky, it will be tougher.

But, Mr. Chairperson, the point is I do think that there would be some benefit for committee members who might have some questions relevant to this particular bill to be able to ask the questions directly to the Chief Electoral Officer.

Mr. Chairperson: Agreed?

Mr. Praznik: Mr. Chair, we do not have the Chief Electoral Officer—[interjection] We do? All right. So these questions, if we could ask him to come up if there is agreement, both he and legal counsel—if he would like.

Mr. Chairperson: Is the committee in agreement that we ask the Chief Electoral Officer to come up for questions? [agreed]

Mr. Penner: I just wanted to say to the two members at the table who are going to be running in one constituency that they might share a fundraising person who would go door to door, and they might split the funds equally in order to accommodate a more equal process.

Mr. Chairperson: Please, let us proceed.

During the consideration of a bill, the preamble and the title are postponed until all other clauses have been considered in their proper order. So we shall proceed

Mr. Lamoureux: Mr. Chairperson, I did have a couple of questions that I was wanting to pose. It might not necessarily be specific to this clause. If it is okay with the committee, I would just as soon pose the questions now, and then we could go ahead at least from my perspective and I

believe at least in part from the member for The Maples' (Mr. Kowalski) perspective, that we could then be passing it along, if that is okay.

Mr. Chairperson: Is that the will of the committee? [agreed]

Mr. Balasko, I would ask you to introduce your staff, please.

Mr. Richard Balasko (Chief Electoral Officer, Elections Manitoba): Yes, thank you very much, Mr. Chairperson. I was not quite sure where to sit, so that was the first strategic issue, and I have been given this chair.

Joining me tonight is Mr. Scott Gordon—he is the campaign finance officer in our office—and Mr. John Kelly. Mr. Kelly is a chartered accountant who provides auditing advice to our office. These are the people at the table.

Mr. Chairperson: Thank you, and welcome here.

Mr. Lamoureux: Mr. Chairperson, I know that each party had representation in terms of meeting and discussing the bill that we have before us today. One of the discussions, or I should say, one of the recommendations that came out of the Monnin report was the idea of the code of ethics and code of behaviour. Even though I have had opportunity to talk to party representatives from the Liberal Party that were present, I am interested in knowing Elections Manitoba's perspective. Do they have any intentions on pursuing, or what role does Elections Manitoba have in terms of ensuring that Manitobans will be seeing some form of code of ethics or code of conduct?

Mr. Balasko: I thank you for the question. Just to be clear, the recommendation in the report of former Chief Justice Monnin was that the parties ought to adopt the code of ethics by a given date, and if it was not met by that date, then to make it something required by legislation. That is similar to the approach taken by the royal commission in 1991. They again opted for a voluntary code of ethics. That is just for the record.

In terms of the role that we perceive ourselves playing, at the political party advisory

committee, we offered up the idea for discussion that we be prepared to take a lead in discussing whether or not there is a set of common shared electoral values that all political parties could consider and then within our own codes of conduct determine whether or not this is something that they could adopt and something that will be meaningful and provide guidance. So we offered that. I am pleased to say that all three parties at the meeting took us up on that, so we are scheduling a second meeting at which we are going to provide some background information and materials. So our intention is to proceed along the road, working together with the parties, to see if we cannot come up with some type of code of electoral values for the province. So we want to take a leadership role in that regard and I believe that would be helpful.

* (2010)

Mr. Lamoureux: Mr. Chairperson, I did not have many questions, but one of the presenters, Mr. Nielson, I made the point that there are all sorts of changes that one would like to see with The Elections Act, and I am glad to hear that we can anticipate some future recommendations coming from Elections Manitoba in regard to codes of behaviour or conduct or ethics. I look forward to seeing that. There are other areas that obviously are of great concern and the member for St. Norbert (Mr. Laurendeau) had made mention. I have had opportunity to meet with you and some of your staff to express concerns. Earlier, one of the suggestions I made to the presenter was as an interest or a lobby group or just as a concerned citizen that they have an opportunity, I would think, to be able to make presentation to Elections Manitoba. Can you indicate to committee members if in fact that is the case, like do you hear from outside organizations or what role they might be able to play in assisting you in having changes brought forward to Elections Manitoba Act?

Mr. Balasko: The legislation does and has for some time imposed a positive obligation on the Chief Electoral Officer to make recommendations for amendments. So we do have a role to bring forward issues and put them before the Legislative Assembly. In doing that, we have a website which I hope that people have an

opportunity to visit. There is a considerable wealth of information there, and we do get feedback from time to time on the website with regard to not just the website itself but also some issues. We have also had citizens attending our office and make suggestions about electoral law changes and we take those into consideration.

One of the groups that we do get a lot of interesting feedback from are people who work in the field in elections, and so following an election we have a debriefing of the procedures and the processes and then we also meet with the representatives of the parties. So, absolutely, because we have an obligation to make recommendations, our door is open. Whenever we do receive submissions, we take them seriously and we meet with people and follow up on that.

Mr. Lamoureux: We have this legislation today because of the Monnin inquiry, and that is the reason why it is passing. There is a need, or I guess more so for clarification—and excuse me for not necessarily knowing the law on this point—what obligation does Elections Manitoba have in law to bring forward recommendations for changes?

One of the reasons I bring that up is a valid point from the presenter earlier in regard to the returning officers. I know it has been a long-standing issue with Elections Manitoba that the returning officers should be appointed from Elections Manitoba. What obligation is there, and how frequent would that be?

Mr. Balasko: The obligation on Elections Manitoba is twofold. Firstly, with regard to The Elections Finances Act, there has always been an annual report. So in that annual report we put forward whatever recommendations we believe would be appropriate. I will just highlight that although those recommendations are discussed with the political party advisory committee, and that is an extremely helpful and valid sounding board for us, they are the recommendations of the CEO at the end of the day.

Secondly, under The Elections Act, there is a report with recommendations following each election. One of our previous recommendations that has been picked up in the amendments of

June last year—and, by the way, those were, as you all know, massive amendments to The Elections Act and The Elections Finances Act—that allows us now to report annually, as we have asked, on The Elections Act to annually make recommendations on The Elections Act.

Further, one of the items in the bill before you tonight broadens consideration of our recommendations. Currently, if a recommendation under The Elections Finances Act relates to spending limits or reimbursement, it stands referred to the committee, but in this bill, any recommendation in the future, if it is adopted, recommendations to the CEO would go to the committee regardless of what the subject matter might be. So I think that it is a well-stated process, and I think we are just expanding it and building on it last year with the bills and now.

Mr. Lamoureux: Mr. Chairperson, I do not want to take much more time. I wanted to emphasize a point, and I have talked about it in my second reading and alluded to the fact that I believe Elections Manitoba does read the types of comments that are put on the record, that is the importance of recognizing the fact that with political parties, there are political agendas. Trusting that Elections Manitoba is very aggressive in seeking out comment and input outside of political parties, I think that that is absolutely critical in terms of being able to see the types of changes that are needed to make our democracy that much better.

But having said that, there was one point regarding the financing that has always been of some interest to me, and that is there seems to be a loophole in The Elections Finances Act that allows individuals to have, let us say, large sums of money transferred over, where you do not see candidates actually receiving donations. A good example might be, let us say, the former member for Charleswood. You pull out I think it is the 205 or whatever it is that you make your report of who has contributed to the campaign, and you would see two pages of individuals or companies that have committed donations. Then, on the other hand, you go through many other forms, and you will see zero, zero, zero, zero, and, in part, it is because the donations are sent to a political party, and then the party donates it to the local campaign, which I think defeats the

purpose of our wanting to know who is donating to our candidates.

There are so many issues that I would love the opportunity to sit down, and I trust in the future, whether I am successful or not in the next election, to be able to share some of those experiences with Elections Manitoba. Thank you.

Mr. Chairperson: Are there any further questions? Do you want to respond to that, Mr. Balasko?

Mr. Balasko: I did read your comments, and I would be very pleased to meet with you.

Mr. Chairperson: Okay, thank you. Any further questions of the three gentlemen at the table? If not, then we will proceed, and you can excuse yourselves from the table as we proceed with the bills, please.

An Honourable Member: I think they should stay if there are any questions to the clause by clause. That was the idea of having them here.

Mr. Chairperson: Well, okay, if you wish to stay, that is fine as well. All right, let us proceed.

Clause 1—pass; Clause 2—pass; Clause 3—pass; Clause 4—pass; Clause 5—pass; Clause 6—pass; Clause 7—pass; Clause 8(1)—pass; Clause 8(2)—pass; Clause 8(3)—pass; Clause 9—pass; Clause 10—pass; Clause 11—pass; Clause 12—pass. Clause 13.

Mr. Praznik: Mr. Chair, I have an amendment to make to this. I have shared it with colleagues in the opposition. Under our Elections Act, I understand that there is a Section 178 that indicates that amendments to The Elections Act do not come into force until some 90 days after they receive Royal Assent. I think it was all-parties agreement or consensus that Sections 2 and 3, it would be more timely to have them in the bill and active currently.

I would therefore move

THAT section 13 of the Bill be amended by renumbering it as subsection 13(1) and by adding the following as subsection 13(2):
Coming into force: sections 2 and 3

13(2) Notwithstanding section 178 of The Elections Act, the amendments to The Elections Act, as enacted by sections 2 and 3 of this Act, come into force on the day this Act receives royal assent.

[French version]

Il est proposé que l'article 13 du projet de loi soit amendé par substitution, à son numéro de paragraphe 13(1), et par adjonction de ce qui suit:

Entrée en vigueur des articles 2 et 3

13(2) Malgré l'article 178 de la Loi électorale, les modifications qui sont apportées à cette loi et qui sont édictées par les articles 2 et 3 de la

présente loi entrent en vigueur le jour de la sanction de celle-ci.

Mr. Chairperson: Dispense. Any questions on that?

An Honourable Member: No.

Mr. Chairperson: Amendment—pass; Clause 13 as amended—pass; preamble—pass; title—pass. Bill as amended be reported.

Thank you. Any further questions?

COMMITTEE ROSE AT: 8:20 p.m.