



April 13, 2021

Legislative Affairs Committee
Province of Manitoba

Bill 32 – *The Election Financing Amendment and Elections Amendment Act*

Representing the two undersigned construction associations, we would like to begin by thanking the Provincial Government for undertaking these much-needed amendments to *The Election Financing Act*.

In 2016, the Winnipeg Construction Association raised concerns about differing interpretations of *The Election Financing Act* and in 2018 the WCA shared these concerns with Michael Green, of Green and Dixon Barristers and Solicitors who was commissioned to report to government on this issue.

Our concerns began when we heard mixed messages from government staff regarding their interpretation of subsection 92(1) which deals with restrictions on Government advertising. We witnessed examples of some departments or Crown agencies interpreting the “advertising” clause to mean a suspension of construction tendering of previously announced projects or communicating on projects already out for tender out of fear of violating the Act. This has unnecessarily delayed progress on critical infrastructure projects like hospital emergency renovations, schools and bridges. The language around this clause in the Act was very poorly crafted and these amendments seek to remedy this issue.

The amendment explicitly exempt advertisements that ‘solicits proposals or tenders for a contract’ from the advertising ban. This addition to sub-section 92(2) will provide clarity to provincial staff that tendering for construction projects can continue during an election ‘black out’ period.

Our organisations are supportive of this amendment and commend the Provincial Government for making amendments to The Election Financing Act a priority.

Darryl Harrison, WCA, at darryl@winnipegconstruction.ca or 204-775-8664 if you have any questions.

Best regards,

A handwritten signature in black ink, appearing to read "Ron Hambley".

Ron Hambley
Winnipeg Construction Association

A handwritten signature in black ink, appearing to read "Chris Lorenc".

Chris Lorenc
Manitoba Heavy Construction Association