

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by 

Jacques Dubé, Chief Administrative Officer

DATE: March 19, 2020

SUBJECT: 2020 Municipal and CSAP Elections – election methods and Alternative voting dates

RECOMMENDATION REPORT

ORIGIN

This report originates with staff. The Election Office has commenced planning for the 2020 Municipal and CSAP Elections (Election) and requires Council direction on the following to proceed with planning:

- Method of voting for the 2020 Municipal and CSAP Election
- Dates for the advance polling period for the 2020 Municipal and CSAP Election

Halifax Regional Council is required by resolution to address administrative matters under the *Municipal Elections Act* to conduct any election, including setting dates for alternative voting for the 2020 Municipal and CSAP Elections.

LEGISLATIVE AUTHORITY

Municipal Elections Act (MEA), subsection 146A(1): “A council may by by-law authorize voters to vote by mail, electronically or by another voting method”.

Bylaw A-400 , the *Alternative Voting By-law* clauses ©(d) and section 3, as follows:

© “alternative polling days” means any hours and dates fixed by a resolution of Council for alternative voting;

(d) “alternative voting” means voting by telephone or via the internet and includes a combination of telephone and internet voting;

3. (1) Subject to this by-law, alternative voting shall be permitted on alternative polling days.
- (2) Council may, by resolution, provide that voting by a telephone and by a personal computing device shall be the only means of voting for an election.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Adopt Option 1 as outlined in Attachment A of this report and direct:
 - (a) that use of a telephone and a personal computing device as the only method of voting to be used in the 2020 Municipal and CSAP Elections during alternative polling days, including during the advance polls; and
 - (b) that paper ballot be used as the only method of voting on ordinary polling day.
2. Set the dates for alternative voting to commence on Tuesday, October 6, 2020 at 8:00 a.m. and run continuously through to Wednesday, October 14, 2020 at 7:00 p.m.

BACKGROUND

Methodology

Section 146A of the *MEA* provides Regional Council the option, by by-law, to select the method of voting.

Prior to the 2008 municipal election, Council did not have the ability to allow internet or telephone voting. Accordingly, the Municipality conducted the election using in-person paper ballots during two (2) days of advanced voting and on ordinary polling day (Election Day). After the amendments to the *MEA*, in 2007, following extensive discussion, Regional Council directed that electronic (internet & telephone voting) be introduced in the 2008 municipal and school board elections in the HRM.

A description of the voting methods and voter participation rates from previous regular municipal and school Board elections since 2008 is outlined in the table below:

Election	Format	Voting Turnout
2008 Municipal and School Board Election	<ul style="list-style-type: none"> • Electronic Voting available for 4 days prior to the beginning of the Advanced Poll • In person advanced polls with traditional paper ballots conducted for two (2) advanced polling days with no reduction in the number of advanced in-person polls • In person with traditional paper on Election Day 	<ul style="list-style-type: none"> • 36.2% overall voter participation • 28.4% of voters cast votes electronically
2012 Municipal and School Board Election	<ul style="list-style-type: none"> • Electronic Voting only available through 13 days of advance polls • In person paper ballots only available on election day • 37.5% reduction in number of election day in-person polling locations from 2008 	<ul style="list-style-type: none"> • 36.93 % overall voter participation • 60.18% of voters cast their vote electronically

Election	Format	Voting Turnout
2016 Municipal and School Board Election	<ul style="list-style-type: none"> • Electronic voting available for advance period up to two days before Election Day. • Paper and electronic voting available at the Advanced Polls. • In person paper ballots only on election day. 	<ul style="list-style-type: none"> • 33.62% Overall voter participation • 61% of voters cast their vote electronically
2019 Special Election – District 14	<ul style="list-style-type: none"> • Electronic polling only for advance and Election Day. In-person polls were set up with e-voting kiosks and staff to assist voters. 	<ul style="list-style-type: none"> • 22.5% overall voter participation • 100% of voters cast their vote electronically.

With appropriate implementation and electoral oversight, electronic voting has proven to be a well-received method of conducting municipal and school board elections in Nova Scotia and other provinces including Ontario.

Alternative Voting Dates

The *MEA* requires that the first advanced poll to be either Thursday October 8, 2020 or Saturday October 10, 2020. On February 25th, 2020, Council delegated to the Returning Officer the authority to set the date of the first Advance polling date. The Returning Officer is intending to set the date of first Advance Poll to be Saturday, October 10th, 2020. The second Advance Poll is set by the *MEA* to be Tuesday, October 13th, 2020. The hours of the Advanced Polls are also set by the *MEA* to be noon to 8:00pm.

As set out in the recommendations, staff is recommending that Regional Council: (1) set the alternative voting period to commence Tuesday, October 6th, 2020 at 8:00am and run continuously through to Wednesday, October 14th, 2020 at 7:00pm, and (2) direct that internet and telephone voting be the only methods of voting during this period. Paper voting would be the only method of voting on election day (Saturday October 17, 2020).

DISCUSSION

Methodology

The Election Office has undertaken a review of the previous voting methods (as outlined above). Following that review several options for the voting approach and methods were considered in more detail.

In summary the options examined were:

- 1) To conduct the election in a manner similar to the 2012 model using electronic voting only for the advanced voting period and in person paper ballots only on election day.
- 2) To conduct the election in a manner similar to the 2019 special election using electronic voting only for advance voting and election day.
- 3) To conduct the election in a manner similar to the 2016 model using electronic voting during the advance voting period with paper ballots at the in-person polling locations on both advance voting days and election day.

A more detailed overview of the options is provided in Attachment A of this report. The option of continuing electronic voting through to election day was considered. This option is not presented as the size of the municipality and number of polling locations on election day substantially increases both the costs and risks associated with the conduct of the election as each polling station would need a computer and internet access. Instead, it is recommended that alternative voting (voting by telephone or a personal computing device) stop two days before election day.

In light of the review and analysis staff proposes that: Halifax Regional Council adopt Option 1, as outlined in Attachment A of this report, as the method of voting in the 2020 Municipal and CSAP Elections. This method utilizes voting by telephone or a personal computing device as the only method of voting during both advanced polling days. The method of voting on election day would be in-person with paper ballots.

This option is recommended as it provides access to the greatest number of voters and aligns closely with principles previously adopted by Regional Council regarding the conduct of elections which include:

- Security and auditability of the solution – the integrity of the voting process is paramount
- Aligning with NS regulatory requirements
- Increasing voter accessibility (all areas and all demographics in HRM)
- Aligning with experience in other jurisdictions
- Having broad public acceptance
- Providing value for money

Should Council wish to consider other alternatives, the Election Office has prepared several alternative approaches for delivering the election as provided for in Attachment A of this report. All options provided comply with the legislative requirements for conducting Municipal and CSAP Elections and are within the projected 2020 election budget.

Alternative Voting Dates

This report is before Regional Council to comply with the legislative requirements of the *Municipal Elections Act* regarding Municipal Elections.

Regional Council has passed By-law A-400 to permit internet and telephone voting. Specifically, clause 2(c) of the By-law states: (c) ““alternative polling days” means any hours and dates fixed by a resolution of Council for alternative voting”.

It is recommended that Council set the internet and telephone voting to run continuously from Tuesday, October 6, 2020 at 8:00am and be kept open until Thursday, October 15, 2020 at 7:00pm. Paper ballots will be the only voting method offered on Election Day, which is Saturday October 17th, 2020.

FINANCIAL IMPLICATIONS

There are no financial implications related to the recommendation. The municipal election operating budget (A125) is pending approval of the 2020/21 operating budget and if approved will have a withdrawal of \$2.3 million from Q511, the Election Reserve. An additional \$391,500 has been approved in the 2019/20 capital budget, also funded by Reserve.

COMMUNITY ENGAGEMENT

The municipality completed a citizen engagement initiative in 2015 and 2016 with respect to elections. Where possible, input from the public will be referenced and incorporated in the planning process.

ALTERNATIVES

Methodology

Option 2:

Electronic voting for advance period, including locations, and on Election Day. No paper voting at all.

This was the model used for the 2019 Special Election in Lower Sackville.

Option 3:

Electronic voting for advance period.

Electronic and paper available at one polling location per district on two advance polling days.

Paper only on Election Day. This was the model used for the 2016 election.

Alternative Voting Dates

Council may choose to establish dates other than those recommended.

ATTACHMENT

Attachment 1 - Voting method options

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Trish Smith, Elections Coordinator, 902-490-6810

ATTACHMENT 1

VOTING METHOD OPTIONS

Option 1	Description	Comments	Opportunities
RECOMMENDED OPTION			
<p>Electronic Voting (voting by telephone and a personal computing device) only for advanced period (no paper ballots at locations) and paper only voting on Election Day.</p> <p>This was done in 2012</p>	<ul style="list-style-type: none"> • Alternative voting available to electors remotely starting at during the advance voting period. • Electronic voting kiosks available at one polling location per district on two dates during the advance voting period. • Paper ballots only on election day. 	<ul style="list-style-type: none"> • Advance period polling locations will be well staffed with election workers ready to assist electors. • There will be a full staffing component for Election Day with paper ballots at multiple locations per polling division. (approximately 1400 workers for the entire election) • Projected budget: \$2.3 million (unchanged by voting method chosen) 	<ul style="list-style-type: none"> • Offers a variety of voting options for electors. • Municipal electors have familiarity with both paper and electronic voting methods and have used them. • Electronic voting provides opportunity for those who may not otherwise be able, to cast their ballot independently using tools familiar to them. • Recognizes challenges in hiring staff and requires a reduced number of staff during the advanced period by having one polling location per district.

Option 2	Description	Comments	Opportunities
ALTERNATIVE OPTION			
<p>Only electronic voting (voting by telephone and a personal computing device) for the advance polls and on Election Day. No paper voting at all.</p> <p>This was the model used for the 2019 Special Election in Lower Sackville.</p>	<ul style="list-style-type: none"> • Electronic voting available to electors remotely during the advance voting period. • Electronic voting kiosks available at one polling location per district on two dates during the advance voting period. • Electronic voting kiosks only at all polling locations on Election Day. 	<ul style="list-style-type: none"> • All polling locations, both advance and on Election Day, will be well staffed with election workers ready to assist electors. • During the 2019 special election, staff supported electors throughout the voting process as needed. • There will be a full staffing component for Election Day to assist electors at multiple locations per polling division. (approximately 1400 workers for the entire election) • Projected budget: \$2.3 million (unchanged by voting method chosen) 	<ul style="list-style-type: none"> • Municipal voters have familiarity with electronic voting methods and have used them. • Electronic voting provides opportunity for those who may not otherwise be able, to cast their ballot independently using tools familiar to them. • Recognizes challenges in hiring staff and requires a reduced number of staff during the advanced period by having one polling location per district. • Method facilitates a timely reporting of the results.

Option 3	Description	Comments	Opportunities
ALTERNATIVE OPTION			
<p>Electronic voting (voting by telephone and a personal computing device) for advance period.</p> <p>Electronic and paper available at one polling location per district on two advance polling days.</p> <p>Paper voting only on Election Day.</p>	<ul style="list-style-type: none"> • Electronic voting available to electors remotely during the advance voting period. • Electronic voting kiosks and paper ballots available at one polling location per district on two dates during the advance voting period. • Paper ballots only on Election Day. 	<ul style="list-style-type: none"> • This was the 2016 model. • There will be a full staffing component for Election Day with paper ballots at multiple locations per polling division. (approximately 1400 workers for the entire election) • Projected budget: \$2.3 million (unchanged by voting method chosen) 	<ul style="list-style-type: none"> • Offers a variety of voting options for electors. • Municipal electors have familiarity with both electronic voting methods and paper ballots. • Recognizes challenges in hiring staff and requires a reduced number of staff during the advanced period by having one polling location per district.