Election Advisory Committee
Minutes

Friday, October 28, 2011
10-11:30 a.m.

Fairmont Waterfront Hotel
900 Canada Place Way, Vancouver, British Columbia

PRESENT

Committee Members (alphabetically by political party name)
Cathy Young, BC Liberal Party
Chad Pederson, BC Liberal Party
Jan O'Brien, BC NDP
Murray Weisenberger, Green Party Political Association of British Columbia

Elections BC Staff
Keith Archer, Ph.D., Chief Electoral Officer (Chair)
Nola Western, C.A., Assistant Chief Electoral Officer, Funding and Disclosure
Anton Boegman, Assistant Chief Electoral Officer, Electoral Operations
Peter Gzowski, Director, Voter Registration and Boundaries
Amie Foster, Manager, Executive Services (minutes)

REGRETS

Leslie Kerr, BC NDP

1. Welcome and Introductions

Keith Archer stated that the purpose of this Election Advisory Committee (EAC) meeting was to review Elections BC's priority recommendations for legislative amendments which will be tabled in the Legislative Assembly.

Keith Archer asked all attendees to introduce themselves; he then provided the members with a description of his professional experience. Prior to Dr. Archer's September 1, 2011 appointment as Chief Electoral Officer, he spent 27 years as a political scientist at the University of Calgary. During his tenure, he focused on the areas of voting behavior, the nature of political parties, boundary redistribution, and later, on the way in which electoral administration is organized. Dr. Archer is delighted to be appointed to this

position and proud to have joined an organization with highly skilled and well-regarded staff.

All EAC members welcomed the newly appointed CEO.

2.   Priorities: Recommendations for legislative change

In 2010, Elections BC published a Report of the Chief Electoral Officer on Recommendations for Legislative Change, containing 41 technical recommendations, and 14 items described as public policy matters for consideration. To date none of these recommendations has been adopted.

Elections BC has now prioritized the earlier recommendations to align with Elections BC's current strategic plan which was developed in preparation for the November 17 budget presentation to the Select Standing Committee on Finance and Government Services.

The priority recommendations include:

- removing the definition of "voting officer" from the *Election Act*, and removing the requirement that a voting officer and a second election official be appointed to each voting station;
- removing the requirement for a door-to-door enumeration prior to each fixed-date general election;
- enabling the development of a provisional register of voters, for 16 and 17 year olds; and,
- providing flexibility to facilitate the use of new voting technologies, (this is a new recommendation).

The other recommendations previously introduced remain as priority two recommendations.

Keith Archer described these recommendations and their implications in detail before inviting the members of the EAC to comment.

A detailed explanation of these recommendations, (an excerpt of the Report of the Chief Electoral Officer on Recommendations for Legislative Change, April 2010) was provided to EAC members in attendance.

Definition of Voting Officer

Recommendation
The Act specifies that a Voting Officer, with assigned responsibility for the ballot box, must be appointed for each voting station at a voting place. The Voting Officer must be

assisted by another election official. This restricts Elections BC from establishing more effective and cost-efficient models of conducting voting proceedings. By removing the requirement for a Voting Officer and a second election official at each voting station, the District Electoral Officer will be able to maintain control of ballot boxes while gaining flexibility and potential cost savings in the election official staffing model.

Discussion
Anton Boegman explained that the voting model in BC is driven by legislation and that Elections BC is currently locked into a model which requires increasing numbers of staff that spend much of their day unoccupied. Further, this model results in an inefficient service to voters.

There are approximately 125 voting areas (VAs) in each electoral district, with two staff for each VA multiplied by 85 electoral districts. Under this model, Elections BC must hire and train more than 21,250 officials for these positions representing nearly 60% of the 37,000 employees hired to administer a general election.

Anton Boegman explained that there is room for efficiency while respecting B.C.'s voting principles, and that other jurisdictions, including New Brunswick, had found success in what they call a "bank teller" approach.

Jan O'Brien asked for other examples of voting models that Elections BC had researched as a replacement for the current model.

Anton Boegman explained that Elections BC had looked at examples in both New Brunswick and Ontario, and that any model would have to be specific to B.C. and include opportunities for critical feedback from the EAC and other stakeholders. He added that a series of on-demand events since the 2009 General Election had prevented his staff from exploring other models in great depth.

Keith Archer stated that any major change would be deliberate and staged, and that procedural changes would be tested in a by-election.

Nola Western added that a change could also be tested in select voting areas in a by-election.

Chad Pederson asked if Elections BC was interested in a province-wide model or a range of mechanisms available to the District Electoral Officer to suit the specific electoral district.

Anton Boegman said that urban centers are particularly strained by the current model. He described a situation where there are 20 voting stations representing 20 voting areas in one gymnasium, where during large portions of the day 96% of the people in attendance are election officials, 2% are scrutineers, and 2% are voters. Anton reiterated that there is

room for much greater efficiency. He added that since the issues in the north, where in some cases voting takes place in an official's living room, differ from those in urban centres that standardized approaches with geography in mind would be highly beneficial.

Jan O'Brien asked about Elections BC's preferred timing for this change.

Anton Boegman confirmed that 2013 would be the preferred timetable and stated that there are two changes that can be made within existing legislation that could reduce transcription errors, simplify processes, and adapt the voting process to better meet voter expectations. These include simplifying the process for completing advance voting certificates, and combining the voter registration form and the certification envelope.

Jan O'Brien stated that these were modest changes that appeared to be beneficial to EBC.

Cathy Young asked whether Elections BC was re-submitting past recommendations. Keith Archer replied that Elections BC would be submitting a new report with four priority recommendations. Three of these were included in the 2010 Report of the Chief Electoral Officer on Recommendations for Legislative Change and one is new. He also stated that the new report would reference the 2010 report, and that the remaining recommendations from the earlier report will remain as priority two recommendations.

Cathy Young cited section 88(1) of the *Election Act* and asked whether changing the requirement to have two officials at each voting station at a voting place would affect the integrity of the process. Anton Boegman explained that the process has not been defined, but that Elections BC cannot modernize the voting process until this barrier has been removed. He added that any proposed process would recommend the separation of duties and retain the presence of scrutineers, and would ensure the integrity of the process remained intact.

Murray Weisenberger stated that he supported the recommendation due to the potential benefit to voters. He added that he would expect any proposed changes to be reviewed by the EAC before moving ahead.

Enumeration

Recommendation
The Act was amended in 2008 to require a door-to-door enumeration prior to a general election conducted in accordance with section 23(2) of the *Constitution Act*. The requirement for door-to-door enumerations was previously repealed on the basis that it was a very costly and intrusive voter registration method and was no longer required to maintain a complete and current voters list. The quality of the preliminary voters list for the 2009 General Election was much higher than in previous elections, and was due – in part - to the successful mail-based enumeration conducted early that year.

Innovations such as access to the National Register of Electors for new registrations and updates, registration by telephone and online via the Elections BC website and data sharing by the Insurance Corporation of B.C. and the B.C. Vital Statistics Agency have all contributed to ongoing improvement of voters list quality. The national trend is toward a continuously maintained voters list as is currently in place in B.C.

To ensure the most efficient and cost-effective methodologies are used to ensure a high quality voters list, legislators may consider providing greater flexibility to the CEO to determine the best process for conducting enumerations.

Discussion
Keith Archer explained that a door-to-door enumeration is not the most efficient or cost effective way of gathering voter data. Keith Archer told EAC members that the expected cost for a door-to-door enumeration is $29.8 million, effectively doubling the cost of a general election. Further, evidence would suggest that reluctance of individuals to share their personal information in this manner suggests that this model will result in a diminished utility. Finally, Keith noted that the trend as a whole, around the world, is away from this model and that he recommends that legislators reverse this section of the Act before the next provincial general election.

Anton Boegman advised EAC members that a by-election in Port Moody-Coquitlam (POM) will be called by April 7, 2012, and that Elections BC is planning to pilot a door-to-door enumeration in POM in advance of that event with funds allocated in this fiscal year. He added that if the by-election timing is incompatible with plans for the enumeration pilot, that Elections BC will trial procedures accordingly, with specific focus on areas with populations of students, First Nations people, island and remote areas, and areas of high mobility. Anton told the EAC that there is still additional work to do in planning the pilot enumeration.

Peter Gzowski explained that our culture is changing and that people are reluctant to give their personal information at the door. In addition, Elections BC is challenged to ensure the safety of enumerators and the voter information they carry, to gain access to secure buildings and strata communities, and to hire up to 16,000 individuals to carry out this work. Complicating matters is potential confusion about the registration of third parties. For example, under current legislation, a person answering the door could provide an update for their spouse, but could not add their adult son or daughter also living in that home to the list. The enumerator would either have to return to the home, or request that the individual register online or by phone. Peter explained that a pilot door-to-door enumeration in Port Moody-Coquitlam will verify processes planned for the province-wide enumeration prior to the 2013 General Election.

Keith Archer asked the other members of the EAC if they could explain their understanding of the rationale for the requirement of a door-to-door enumeration.

Election Advisory Committee: Meeting Minutes
October 28, 2011

Jan O'Brien stated that it was to ensure the highest possible quality and coverage of the voters list. She also explained that the BC NDP believes that a door-to-door enumeration is particularly important in regions with high mobility, and that they would support a change in this regard, provided the door-to-door model remained an option on a targeted basis.

Murray Weisenberger felt that a door-to-door option should remain a tool for Elections BC, and added that it should be permissible for Elections BC to determine the most efficient, and cost effective method for ensuring a high quality list. Murray also stated that Green Party candidates have faced significant challenges in collecting the 75 signatures required for nomination in this manner, and questioned the necessity of such a requirement.

Chad Pederson stated that he shared Jan O'Brien's thoughts, that the purpose of enumeration was less about voter knowledge of the election than to ensure enfranchisement of voters and the accuracy of voters list.

Jan O'Brien explained that her party is aware of these challenges as they also conduct door-to-door visitations during elections. She reiterated that she sees a need for a targeted enumeration to remain an option under the Act. Keith Archer confirmed that Elections BC was aligned with that view.

Chad Pederson asked about Alberta's recent experience conducting a door-to-door enumeration. Keith replied that they were still unpacking their results and developing a report of best practices, but that they were frank with Elections BC regarding how challenging it was to reach eligible voters at their homes. They also explained that while Elections Alberta has conducted door-to-door enumerations fairly regularly, in 2011 voters were considerably less willing than in 2004 to provide their information in this manner.

Provisional Registration of 16 Year olds

Recommendation
Voter registration by voters 18 - 24 years of age is the lowest of all age groups. The most effective means of registering youth may be to approach them before they graduate from high school. Currently, voter registration is restricted to those at least 18 years of age, an age when many youth have left high school. Australia has addressed this issue by allowing provisional voter registration of 17 year olds. Several American states have provisional registration for 16 or 17 year olds, or have introduced Bills or declared their intention to do so. In British Columbia, using the age of 16 would permit Elections BC to work with schools and the driver licensing program to ensure maximum exposure to the registration process for young voters. The voting age could continue to be 18, with provisional registration becoming an active registration on an individual's 18th birthday.

Discussion

Keith Archer explained that young people are the least likely to be on the voters list, and that if they do not vote in the first three elections after becoming 18 years of age, the likelihood increases for them to be lifelong non-voters. Further, the decline in voter turnout is primarily in this segment of the population. Other jurisdictions including Australia allow for the provisional registration of young voters during their high school years as part of their high school curriculum.

Jan O'Brien stated that she was in favour of the change.

Murray Weisenberger stated that many parties focus on seniors because they are easily reached but questioned how we currently track youth to encourage them to vote.

Chad Pederson asked if it was possible to address this via the drivers licensing program. Peter Gzowski explained that Elections BC currently receives information from ICBC that allows EBC to update address information for drivers who are already registered voters, but that EBC cannot register voters from information provided by ICBC. Peter also explained that the benefit of the ICBC updates is limited to young people who choose to obtain a drivers licence.

New voting technologies

Recommendation

There is growing interest in a number of jurisdictions about the possibility of introducing new voting technologies as a method for further encouraging citizens to participate in the electoral process. Current provisions in the *Election Act* limit the ability of Elections BC to adopt, even on a pilot basis, new voting technologies. Legislators may wish to consider providing greater flexibility to the Chief Electoral Officer to introduce, on a pilot basis, a variety of new voting technologies.

Discussion

Keith Archer referred EAC members to the Discussion Paper: Internet Voting recently published by Elections BC, and explained that Elections BC does not currently have a mandate to use voting technologies. This recommendation would allow Elections BC to consider new opportunities and pilot new technologies.

Anton Boegman explained that while section 281 of the *Election Act* allows Elections BC to trial new processes in by-elections, that it has to be considered in the context of the current model. He added that there is precedent for the adoption and/or trial of voting technologies in both Ontario and Alberta. Anton then provided the EAC with a brief synopsis of the discussion paper.

Cathy Young stated that she did not see that section 281 of the *Election Act* prevented EBC from piloting new technologies during a by-election and questioned whether EBC had obtained an opinion on this matter from legal counsel. Anton Boegman confirmed that Elections BC had obtained a legal position on the matter.

Chad Pederson was also surprised to hear that section 281 could not be interpreted broadly to include voting technologies. He added that the Internet Voting Discussion paper was comprehensive, and reflected many of the challenges the BC Liberal Party faced during their recent leadership contest.

Murray Weisenberger stated that his party supported this recommendation and that the Green Party did not want to limit Elections BC from being the best that the organization could be.

Jan O'Brien explained that her party also used voting technology during their leadership contest in April 2011, and that she found the questions posed in the discussion paper to be very comprehensive. Jan suggested that Elections BC move very cautiously in adopting new technologies, and suggested that Elections BC consider introducing technology to counting proceedings rather than voting, at the outset.

Anton Boegman explained that Elections BC had considered counting technologies during the HST Referendum, particularly because the counting was conducted centrally. However, Elections BC was not able to find technology to meet the defined requirements in the short timeframe available. Anton also explained that election ballots are very simple, thus easy to count manually. Anton did agree that there is a wide-range of other technologies available and more research needs to be done.

Cathy Young stated that she found the questions for policy makers in the Internet Voting Discussion Paper to be interesting.

3. Closing comments

Keith Archer invited members of the EAC to ask any additional questions members might have.

Jan O'Brien asked if it was possible to include a unique numerical identifier with the voter data supplied to the political parties each year. She explained that this would assist the parties in managing their own voter information more accurately. Keith Archer agreed to review EBC's previous decisions in this regard.

Chad Pederson asked why Elections BC recently conducted a voting area redistribution. Anton Boegman explained that a voting area redistribution is standard before any ballot box style event, and that the recent voting area redistribution was conducted in preparation for a ballot-box style initiative vote. Voting area redistributions allow

Election Advisory Committee: Meeting Minutes
October 28, 2011

Elections BC to ensure that voting areas in rapidly growing communities continue to have approximately 400 voters assigned and that feedback from District Electoral Officers regarding accessibility in their Electoral Districts can be addressed before each ballot box event.

Murray Weisenberger asked the other parties for support in reducing the number of signatures required for nomination, as the Green Party believes this to be a barrier to participation. He also asked for support in removing the nomination deposit as it has been struck down in Ontario as unconstitutional. Murray also asked whether the minutes of this meeting will be available to the other registered political parties. Nola Western assured EAC members, that when finalized, the minutes will be published on EBC's website at www.elections.bc.ca, and that EBC is planning a Political Party Information Session for the fall of 2012, in preparation for the 2013 General Election.

Keith Archer thanked the EAC members for attending and welcomed them to contact Elections BC if they had further questions or comments.

Election Advisory Committee: Meeting Minutes
October 28, 2011