

**Minutes
Election Advisory Committee
April 6, 2004**

1:00 p.m.

Office of the Citizens' Assembly on Electoral Reform
#2288 – 555 West Hastings Street, Vancouver, British Columbia

Attending:

Committee Members (alpha by Party):

Green Party: Paul George (attending for Pamela Munroe)

Liberal Party of BC: Kelly Reichert, Cathy Young (attending for R. Hector MacKay-Dunn)

Marijuana Party: Rob Gillespie

New Democratic Party of BC: Gerry Scott, Nicola Hill

Unity Party of BC: Tim Bonner

Elections BC:

Harry Neufeld, Chief Electoral Officer (Chair)

Linda Johnson, Deputy Chief Electoral Officer

Shirley Walker, Planning Officer (Minutes)

Introductions and Administrative Matters:

Harry Neufeld, Chief Electoral Officer, called the meeting to order, welcomed the Committee members and introduced the newly appointed member, Nicola Hill. Administrative matters in relation to the meeting facility and attendees' expenses were reviewed. Mr. Neufeld advised that due to budget constraints, the Vancouver Office of the Ombudsman has been closed and arrangements have been made for the committee to hold some meetings at the Office of the Citizens' Assembly on Electoral Reform.

Agenda Items:

Harry Neufeld provided an overview of the agenda and reminded members that they had been invited to provide feedback on items introduced at the October 16, 2003 meeting regarding electronic voters list data content and nomination and candidate kits.

Voter Participation by Age Group – 2001 General Election:

Harry Neufeld referred to the handout on British Columbia voter participation showing the number of eligible voters, registered voters, and voters who voted. Historical statistics for five provincial elections indicate a steady decline in participation. Only 55% of eligible voters voted in the May 16, 2001 general election. Age group charts emphasized the fact that youth participation is low: 38.3% of the eligible voters age 18 – 24 years participated, while the rate in the 65 – 74 age group was 88.4%. This trend is not unique; across Canada and internationally it is people in higher age groups that tend to register and vote. A further breakdown by electoral district illustrated some differences between urban and rural areas. Charts for three of the 79 districts were provided for comparison and showed that the youth participation rate is slightly higher in rural areas. The members received a CD-ROM disc containing the complete set of data for all electoral districts.

To bridge the gap between the numbers of eligible voters and those who are registered, Elections BC has submitted recommendations for legislative amendments for consideration in the Spring 2004 session. If

passed, the changes will have a significant impact on the targeted enumeration process, resulting in an immediate increase of approximately 700,000 voters. They would also influence the on-going maintenance of the voters list. As a non-partisan office of the legislature, Elections BC's believes its role is to eliminate administrative barriers to electoral participation, reaching out to the entire society and focusing on messaging around why voting is important rather than actively pursuing specific groups. Political parties are challenged to promote voter participation generally as well as garner electoral support.

British Columbia electoral law provides eligible voters the ability to register in conjunction with each type of voting opportunity, and 6% of eligible voters used this method in the 2001 election. Elections BC wants to reverse the trend toward registration while voting as it creates line-ups at voting places, increases administrative activity at voting places, and has a direct negative affect on campaign spending limits.

Members received an [Internet reference list](#) of articles related to voter participation and were encouraged to review information available at the sites. It was pointed out that research indicates there to be approximately 10% of the Canadian population who reject registration and voting, and are not interested in participating in any electoral process. This means 35% of eligible voters are not participating for other reasons.

Political Party Information on Elections BC Web site:

Elections BC wishes to be proactive in supporting increased voter participation and proposes posting political party policy statements on the Elections BC Web site. This would allow voters to make comparisons and develop informed choices. A [draft statement form](#) was provided for the members' feedback. Party participation would be voluntary and the statement (200 words or less) would remain on the Web site without changes until the general election was completed.

Discussion focused on the number of registered political parties in British Columbia and whether regulations were in place to ensure that parties participated in the electoral process. Linda Johnson advised that there are no restrictions on the number of people required to form a party. Section 168 of the *Election Act* requires the Chief Electoral Officer to deregister a political party if it does not endorse at least 2 candidates in one of two consecutive general elections. An exception would be if only one candidate was endorsed, but was elected. As the topic of party registration was not on the agenda, it was agreed that it be given adequate time for discussion at a future meeting.

Members supported the Web site proposal and Harry Neufeld advised that a letter will be sent to the political party leaders this Fall, inviting them to submit their party's policy statement before January 15, 2005.

Political Party Codes of Conduct:

Harry Neufeld commented that he had received a number of comments from the public recently regarding ethics of political parties. He advised that most were related to the pending federal election but raised his awareness that people expect Elections BC to respond to ethical issues associated with party conduct.

Members were asked to consider whether a code of conduct should be developed in British Columbia. Copies of the [Code of Conduct for Political Parties](#) (Institute for Democracy and Electoral Assistance - IDEA), and the [Shared Code of Ethical Conduct for Manitoba's Political Parties](#) were provided for reference.

Questions were raised about the kinds of issues that would fall within a political party code and whether or not there would be sufficient deterrents to regulate activities. It was agreed that District Electoral Officers

deal with most issues of this nature during general elections. However, some problems are escalated to Elections BC's senior management and parties need to be contacted for resolution.

Party leaders will be asked to provide to Elections BC, before the 2005 general election, the name of the contact person within their organization who is responsible for resolving ethical complaints. It was agreed that the process of appointing a party contact person should be used and that the possibility of developing a code of conduct could be revisited after the 2005 general election.

Legislative Amendments – Update:

Linda Johnson advised that the amendment to remove the requirement that a general enumeration be conducted in the third calendar year following a general election was approved in the Fall 2003 session. With a fixed election date, a targeted enumeration closer to the event is more effective. To increase the possibility of the critical legislative amendments being addressed in the Spring 2004 session, the list of previously reviewed recommendations needed to be shortened to focus on voter registration. This included using the National Register of Electors (NRoE) for updating voter records and automatically registering new voters, repealing the signature requirement at the time of registration and changing the wording regarding the appointment of District Registrars of Voters to allow District Electoral Officers to perform such duties. If the recommended changes are passed into law, consequential regulatory changes will need to be reviewed by EAC members. The regulation changes are expected to be specifically associated with a redesign of the voter registration application form.

Privacy concerns regarding the use of the NRoE have been addressed in the development of proposed legislation. Information obtained from the NRoE will be flagged and filtered out of the provincial voters list for jury selection purposes. Restricted use of this information will continue until confirmed by the voter or through provincial sources such as the Multiple Address Change program or the Motor Voter program. Section 275 of the *Election Act* addresses the access to and use of information and, if there is a conflict, that Act overrides the *Freedom of Information and Protection of Privacy Act*.

Questions were raised concerning the various sources that might be used to keep the voters list up to date. Elections BC has explored several options and encountered barriers such as privacy issues around the health records and the fact that some sources may include individuals who are not Canadian citizens. It was noted that Quebec has the best access to information with automatic updates from health insurance and drivers licenses. However, it took six years to work through the privacy issues before it was implemented.

Harry Neufeld stated that many of the recommended amendments for the Spring 2004 session remain outstanding. Instead of including recommendations for legislative amendments in future CEO election reports, he proposed preparing a special separate report for legislative amendments which would include the EAC members' signatures. Members expressed concern that amendments previously endorsed by the EAC have not gone forward. Linda Johnson explained that it is extremely difficult to have legislation introduced; the session time is limited and there is ministry competition and government priorities. A suggestion was made to review the items not scheduled for the Spring session and incorporate some into the Fall 2004 session. Linda Johnson advised that it takes considerable time to prepare draft legislation and obtain all the necessary approvals, and it would be too late for Elections BC and the parties to deal with changes potentially finalized less than six months before the election. The printing of forms and guides must be completed well before packing the election supply kits starts in the Fall.

Policy Review – Voters List Data Content:

Elections BC recognizes that file format changes may affect the parties' existing list processing programs, and the addition of new information could violate provincial privacy guidelines. At the October 16, 2003 meeting, members were asked to submit suggestions for changes to the content and structure of the electronic voters list. There were no formal written responses received. Harry Neufeld advised that a potential privacy issue exists with the Voter ID, item #3 on the handout. This 'key' information is considered confidential at the federal level and its use will have to be addressed to meet legal requirements surrounding access to NRoE data. Members were asked if they use this number or issue their own unique key. Feedback was requested on how a data format change would affect them and what fields are required. Consensus was that the identifier (voter ID#) is not reliable as it does not remain the same, while the mailing address fields were necessary and should be kept. Elections BC welcomes EAC input and will have a proposed final data format available for the next meeting.

Review of Content – Nomination Kits, Candidate Kits:

To ensure that the contents of these kits are providing value, Linda Johnson discussed the issues raised at the last meeting and asked members to provide feedback on any required changes. Handouts describing the contents of each kit were provided.

The Nomination Kit will remain the same as all items are required by law. The format, rather than content, of the nomination booklet will be changed to letter size to allow more room for instructions, easier photocopying, and better alignment on the Web site. Members requested comprehensive guidelines for the Statement of Disclosure form. Elections BC does not administer this legislation. However, a request will be made to the Disclosure Clerk's office to expand on the high-level instructions they provided for the last election. Nomination kits have a broad distribution including District Electoral Officers, Government Agents, and political parties. The parties will receive bulk kits in the Fall.

The Candidate Kits are tailored to each electoral district. Elections BC recognizes that they are of value to candidates, and will continue to provide them. As a supplement to items that were previously provided, a Guide to Candidates will be included in addition to the one provided in the Nomination kit. Financing forms are sent directly to financial agents, and are not included in the kits. If EAC members have any suggestions regarding kit contents, their input is welcome.

Voting Area Redistribution:

A handout containing background information was provided to the members. Linda Johnson clarified the difference between redistribution of the 79 Electoral District boundaries which is determined by an Electoral Boundaries Commission after every second general election (due following the May 2005 election), and redistribution of the 8,462 voting areas for which Elections BC is administratively responsible. Section 80 of the *Election Act* requires that each voting area contain no more than 400 registered voters, unless the CEO determines that a larger number will facilitate conduct of the vote.

Voting areas are the key administrative element used for election planning and event administration. Redistribution is expensive, time consuming, and impacts party strategies when maps have to be physically redrawn. Elections BC has evaluated existing voting area populations and has calculated the projected number of voters based on empty addresses and population density. There are a large number of voting areas with projected populations between 400 and 800. To minimize the cost and impact of redistribution, these voting areas will not be redrawn. Instead, an administrative "alpha split" (A-L, M-Z) will be applied to the voters list to create two ballot boxes/voting stations for each of these voting areas. This does not

affect results reporting. For approximately 200 voting areas where potential voter populations exceed 800, redistribution will be necessary. Elections BC will determine whether an isolated address can be designated as a separate "point VA" (single address voting area within a larger geographic voting area) or if the maps will have to be redrawn. To minimize re-numbering, on the new maps new voting areas will have a sequential code assigned to the original voting area number. Voting results will be reported separately for each newly-created voting area.

The District Electoral Officers are currently reviewing special voting areas such as long term care facilities, and accessibility issues including new developments and geographic concerns. This on-the-ground knowledge will help determine what map boundaries will have to be re-drawn. The scope and timing of the redistribution is being determined now and the parties will be provided with details before the maps are distributed in late Fall.

The 2001 electoral district maps are in PDF format on the Web site and can be used by commercial printers to produce the same quality product as provided by Elections BC.

Other Business:

Questions were raised about the possibility of a referendum, the type of model that would be used, and the role of Elections BC. Linda Johnson advised that the Citizens' Assembly on Electoral Reform will include the wording for a ballot in their final report if a new electoral system is recommended. Elections BC is preparing a discussion paper for government, raising such issues as voting methodology, legislation and enabling regulations, public policy regarding possible regulation of yes/no groups, and the need for voter education prior to the referendum.

Next Meeting:

The next meeting will be scheduled for mid to late June 2004, depending upon whether the legislation is passed in the Spring session. Proposed changes to the voter registration form and formatting changes to electronic voters list data content will be on the agenda.