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Item No. 13.1.2
Executive Standing Committee
March 11, 2024

TO: Mayor Savage and Members of Executive Standing Committee

SUBMITTED BY: **ORIGINAL SIGNED**

Cathie O'Toole, Chief Administrative Officer

DATE: January 31, 2024

SUBJECT: 2024 Halifax Regional Municipality and CSAP Elections – election methods and Alternative voting dates

ORIGIN

This report originates with staff. The Election Office has commenced planning for the 2024 Halifax Regional Municipality and CSAP Elections (Election) and requires Regional Council direction on the following to proceed with planning:

- Method of voting for the 2024 Municipal and CSAP Election
- Dates for the advance polling period for the 2024 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 2024 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.

(3) The by-law may provide for...

(ca) voting by telephone, via the Internet or by any other electronic means, including a combination of different electronic means...

(cc) additional hours and dates for voting at an advance poll, including permitting voting twenty-four hours per day over a period of days;

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

(c) “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 Executive Standing Committee recommend that Halifax Regional Council:

1. Adopt Option 1 as outlined in attachment A of this report and direct,

(a) that personal computer and telephone voting be used as the method of voting in the 2024 HRM and CSAP Elections during the alternative polling days;

(b) that internet voting be used as the only method of voting in the 2024 HRM and CSAP Elections at the in person advance polls; and

(c) that paper ballots be used as the only method of voting on ordinary polling day.

2. Set the dates for the alternative voting period to commence on Tuesday, October 8, 2024, at 8:00 a.m. and run continuously through to Wednesday, October 16, 2024, at 7:00 p.m.

3. Direct that staff undertake a resourcing study after the conclusion of the 2024 Municipal Election that contemplates an election conducted entirely through alternative voting for the Halifax Regional Municipality including any required legislative changes to the Municipal Elections Act

BACKGROUND

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 alternative (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 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"> • Alternative Voting available for 4 days prior to the beginning of the Advance Poll • In person Advance Polls with paper ballots conducted for two (2) advanced polling days with no reduction in the number of advanced in-person polls • In person with paper on Election Day 	<ul style="list-style-type: none"> • 36.2% overall voter participation • 28.4% of voters cast votes alternatively (internet & telephone voting)

2012 Municipal and School Board Election	<ul style="list-style-type: none"> • Alternative 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 alternatively (internet & telephone voting)
2016 Municipal and School Board Election	<ul style="list-style-type: none"> • Alternative voting available for advance period up to two days before Election Day. • Paper and alternative 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 alternatively
2019 Special Election – District 14	<ul style="list-style-type: none"> • Alternative polling only for advance and Election Day. In- person polls were set up with internet voting kiosks and staff to assist voters. 	<ul style="list-style-type: none"> • 22.5% overall voter participation • 100% of voters cast their vote alternatively.
2020 Municipal and School Board Election	<ul style="list-style-type: none"> • Alternative voting available for advance period up to two days before Election Day. • Paper and alternative available at the Advanced Polls. • In person paper ballots only on election day. 	<ul style="list-style-type: none"> • 39.83% overall voter participation • 76.9% of voters cast their vote alternatively

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

Advance Polling Locations

This report is before Executive Standing Committee to comply with the legislative requirements of the Municipal Elections Act regarding Municipal Elections. The MEA requires that the municipality conduct at least one advance poll.

The date and time of the advance polls are set by the MEA and the Returning Officer. The MEA requires that the first advance poll to be either Thursday, October 10, 2024, or Saturday, October 12, 2024. On December 13, 2023, 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 12th, 2024. The second Advance Poll is set by the MEA to be Tuesday, October 15th, 2024. The hours of the Advanced Polls are also set by the MEA to be noon to 8:00 p.m.

This report seeks Regional Council’s direction on the method of voting to be used at in person advance polling locations during the 2024 Municipal and CSAP election, as set out in the recommendations. Staff are recommending that alternative voting (internet) through voting kiosks be the only method of voting at both in person Advance Polling locations.

This recommendation relates to the method of voting at the in person Advance Polling locations. The advance poll days will occur during the proposed alternative voting period. As a result, electors would also have the option of voting through the alternative voting methods (phone and personal computer) on the advance poll dates (October 12 and 15) without attending at an Advance Polling location.

Alternative Polling Days

Under section 146A(cc) of the MEA, Council may establish additional dates for voting through alternative methods. In 2008, Halifax Regional Council passed By-law A-400 to permit internet and telephone voting. Clause 2(c) of the By-law defines the “alternative polling days” as “any hours and dates fixed by a resolution of Council for alternative voting”.

In compliance with By-Law A-400 *Respecting Alternative Voting*, staff is recommending that Regional Council set the alternative voting period to commence Tuesday, October 8th, 2024 at 8:00am and run continuously through to Wednesday, October 16th, 2024 at 7:00pm, and direct that internet and telephone voting be the methods of voting during this period.

Election Day

Staff is recommending that paper voting would be the only method of voting on election day (Saturday, October 19, 2024) as set out in the recommendations.

DISCUSSION

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 alternative 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 alternative voting only for advance voting and election day.
- 3) To conduct the election in a manner similar to the 2016 model using alternative 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. An option to conduct the entire 2024 Municipal Election utilizing alternative voting as the only method of voting was considered. This option is not recommended 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 multiple voting kiosks and reliable internet access. Furthermore, the Information Technology resources required to support the technological operations at each of the 134 polling locations presents additional staffing and resourcing challenges at this time. The option to run the entirety of the Municipal Election through alternative voting will continue to be pursued including legislative changes required to be able to utilize technology in voting stations to support the voting process.

Staff are proposing that Halifax Regional Council adopt Option 1, as outlined in Attachment A of this report, as the method of voting in the 2024 Municipal and CSAP Elections. This method utilizes alternative voting by telephone or personal computing device as the only method of voting during the alternative polling days period (October 8- October 16) and internet voting as the only method of voting during the in person Advance Polls (October 12 and 15, 2024). This option allows for paper ballots as the only method of voting for Election Day, Saturday, October 19, 2024.

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
- 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

This option also allows staff to collect measurable data on the applicability of in person alternative voting in the HRM. This includes voter processing time, voter traffic at in person polling stations, and voter experience which will be used to develop a proposed resourcing plan for the 2028 regular election that is conducted using alternative voting only. It should be noted that additional legislative or regulatory changes may be required to facilitate an election that uses alternative voting methods only. Staff are proposing that this also be explored in the recommended resourcing plan if approved by Regional Council.

This recommended option also provides Regional Council with the opportunity to further align election activities with its strategic priorities related to the environment. Utilizing alternative voting helps contribute to the priority outcome of net-zero emissions through reduced travel by allowing electors to vote from home via computer or telephone without driving to polling locations. Additionally, within advance polling locations, the usage of electronic voting kiosks as opposed to paper ballots and ballot boxes ties in directly with Council's priority related to protected and sustainable environment through reduced paper usage. The election office is also considering other operational/logistical measures to reduce its environmental footprint such as the utilization of Remote Accumulation Sites throughout the municipality for the storage of secured and unsecured election material. This will further reduce the number of vehicular trips required to return of equipment, ballots, and supplies back to Election Headquarters on Election and Advance Polling days and can lead to overall emission reductions related to election activities.

Should Council wish to consider other alternatives, the Election Office has prepared several alternative approaches for delivering the election as provided for in Attachment 1 of this report. All options provided comply with the legislative requirements for conducting Municipal and CSAP Elections.

FINANCIAL IMPLICATIONS

The municipal election operating budget (A125) is pending approval of the 2024/25 operating budget and if approved will have a withdrawal of \$3.5 million from Q511, the Election Reserve. The recommended option outlined in this report can be accommodated within the operating budget.

Option 2 as outlined in this report will place an additional estimated \$1.5 million budget pressure which is outside of the proposed operating budget. Should this alternative be selected over the recommended option, alternative funding arrangements would need to be sought to fund the pressure and using a one-time tax funding would result in approximate average residential bill impact of \$5.29.

RISK CONSIDERATION

The 2024 Municipal Election is a legislatively required action.

COMMUNITY ENGAGEMENT

No community engagement was required.

ENVIRONMENTAL IMPLICATIONS

Environmental considerations are included in the Discussion section of this report. No additional environmental implications were identified.

ALTERNATIVES

Executive Standing Committee could recommend that Halifax Regional Council proceed with the following options for the 2024 Halifax Regional Municipality and CSAP election:

Option 2:

Alternative voting for advance polling, including at in person polling locations, and on Election Day. No paper voting at all. This was the model used for the 2019 Special Election in Lower Sackville. This would represent an increased budget and resource allocation risks to equip and support all 134 in person polling locations with internet voting kiosks but would align with the environmental goals of the HRM.

Option 3:

Alternative voting for advance period. Internet voting kiosks and paper available at polling locations on two advance polling days. Paper only on Election Day. This was the model used for the 2016 and 2020 election. This course of action is not recommended as it will not accurately provide the required data for resourcing future elections using alternative voting methods as the only method of voting.

Alternative Voting Dates

Executive Standing Committee may recommend that Halifax Regional Council choose to establish dates for alternative voting other than those recommended in this report.

ATTACHMENTS

A. 2024 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.

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ATTACHMENT A: 2024 VOTING METHOD OPTIONS

Option 1	Description	Comments	Opportunities
RECOMMENDED OPTION			
<p>Alternative 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 during the alternative voting period, Tuesday, October 8 to Wednesday, October 16, 2024 Electronic voting kiosks available at all polling locations on Saturday October 12 and Tuesday, October 15, 2024 during the advance polling days. Paper ballots only on election day, Saturday, October 19, 2024. 	<ul style="list-style-type: none"> Advance period polling locations (24) will be equipped with internet voting kiosks and staffed with election workers ready to assist electors. There will be a full staffing component for Election Day with paper ballots at all 110 polling locations per polling division . (approximately 1400 workers for the entire election) Projected budget: \$3.5 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 alternative voting methods and have used them. Alternative 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. Allows for data collection to inform future fully electronic elections in the HRM

Option 2	Description	Comments	Opportunities
ALTERNATIVE OPTION			
<p>Only Alternative voting (voting by telephone and a personal computing device) for Advance Polls and 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"> • Alternative voting available to electors remotely during the alternative voting period, Tuesday, October 8 to Wednesday, October 16, 2024. • Electronic voting kiosks available at polling locations on Saturday, October 12 and Tuesday, October 15, 2024 during the advance polling days • Internet voting kiosks only at all polling locations on Election Day, Saturday, October 19, 2024. 	<ul style="list-style-type: none"> • All polling locations, both advance (24) and on Election Day (110), 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) • Risks associated with the procurement of equipment and specialized IT staff to support voting locations • Projected budget: \$5 million (\$1.5 over budget) 	<ul style="list-style-type: none"> • Municipal voters have familiarity with alternative voting methods and have used them. • Alternative voting provides opportunity for those who may not otherwise be able, to cast their ballot independently using tools familiar to them. • Method facilitates a timely reporting of the results.

Option 3	Description	Comments	Opportunities
ALTERNATIVE OPTION			
<p>Alternative voting (voting by telephone and a personal computing device) for advance period.</p> <p>Internet and paper available at advance polling locations on two advance polling days.</p> <p>Paper voting only on Election Day.</p>	<ul style="list-style-type: none"> Alternative voting available to electors remotely during the alternative voting period, Tuesday, October 8 to Wednesday, October 16, 2024. Internet voting kiosks and paper ballots available at all advance polling locations during the advance polling days, Saturday, October 12 and Tuesday, October 15, 2024.. Paper ballots only on Election Day, Saturday, October 19, 2024. 	<ul style="list-style-type: none"> This was the 2016 and 2020 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: \$3.5 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 alternative 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.

