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**Halifax Regional Council**  
**June 14, 2005**

**TO:** Mayor Kelly and Members of Halifax Regional Council

**SUBMITTED BY:** Betty MacDonald  
Betty MacDonald, Director, Governance & Strategic Initiatives

**DATE:** June 6, 2005

**SUBJECT:** 2004 Municipal Election Debrief

## **INFORMATION REPORT**

### **ORIGIN**

The 2004 Municipal Election was unique in HRM's history, as it included a Province-wide referendum. In the spirit of learning from our experiences, the Director, Governance & Strategic Initiatives, with the assistance of her Administrative Assistant, undertook a debrief with some of those involved in the election to identify lessons learned and improvements that could be considered in the running of the next Municipal Election.

### **BACKGROUND**

From a legal perspective, the 2004 Municipal election was a success. The results of the election have stood, and there have been no successful challenges against HRM. Those elected were elected fairly.

However, the election was not without its challenges. For the first time a province-wide plebiscite was conducted in concert with the election, where those eligible to vote on the plebiscite were different from those eligible to vote in the Municipal election. As well, the school board elections were also run in concert with the Municipal election. The complications which resulted were significant and there were a number of issues raised.

The purpose of the debrief was to learn from the experience, to hear concerns and suggestions, and

to determine where changes might be made in future to improve the operations of the election. Governance and Strategic Initiatives undertook four separate sessions with representatives of Candidates, Official Agents & Campaign workers, individuals who worked on the election, and the Municipal Clerk's Office. It should be noted that the Elections Officer was accountable to the provincial Election Officer and does not report to the Director of Governance & Strategic Initiatives for this purpose.

It should also be noted that the Provincial Government has also undertaken a review of the 2004 Election. A debrief was held in December 2004, the results of which may be shared with the municipal elections working group.

## **DISCUSSION**

The Municipal Election Act is the legislative guide which governs the election process for all Nova Scotia Municipalities. In 2001 Service Nova Scotia and Municipal Relations initiated a process to review the Municipal Elections Act which culminated in some legislative changes which were first implemented in the HRM November 2003 Special Election for District 2, 3 and 16.

The Municipal Elections were held on Saturday, October 16, 2004 for the election of Halifax Regional Council (one Mayor and 23 Councillors) and the Halifax Regional School Board. Due to acclamations for the African Nova Scotia member for the Halifax Regional School Board and the Conseil Scolaire Acadien Provincial (CSAP), no election for these matters was necessary. However, the province did mandate that a Provincial plebiscite question relating to Sunday Shopping be included with the municipal elections.

Many of the comments during the sessions suggest that the majority of those taking part believe that there is more subjectivity to the manner in which elections are conducted than is actually permitted. The Municipal Election Act is very clear in how and when actions specific to the timing of events during an election must take place. Service Nova Scotia and Municipal Relations also provide a handbook for election officials and Candidates to ensure that the requirements governing municipal elections are transparent. Nothing is subjective. However, there are areas such as training, poll locations and voter enumeration which are within the discretion of the election office. Staff is committed to reviewing all comments and these will be discussed and taken into consideration for future elections.

Staff will also be coming back to Council at a later date with a report on voting alternatives.

The attached Table summarizes the comments made during the debriefing sessions along with the appropriate Elections Act response.

## **BUDGET IMPLICATIONS**

## **FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

## **ALTERNATIVES**

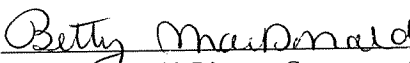
## **ATTACHMENTS**

1. Table: 2004 Election Debrief Comments

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Betty MacDonald

Report Review by: Barb Palmeter, Financial Consultant

Report Approved by:   
Betty MacDonald, Director, Governance & Strategic Initiatives 490-4769

## Attachment 1

Comments from Election Debrief	Response
<p><b>Voters List</b> - use more current list; voters in new areas not on list; deceased still on list; use Federal voters list; individuals who moved were on list for old location, but voted at new location; inform people better of how to correct the voters list</p> <p>Voters list should be available for public viewing</p>	<p>Will discuss with the Province and review for the next election</p> <p>Voters lists protected under FOIPOP Act</p>
<p><b>Voter Notification Cards</b> - each voter on list to receive their own card</p>	<p>Will review for next election</p>
<p><b>Proxy vote</b> - get rid of it; some people not aware of requirements since they do not read newspapers; people do not like to have someone vote for them; have mail in ballot or electronic voting</p>	<p>Proxy voting is mandated in the Municipal Elections Act - will discuss proxy voting provisions with the Province.</p>
<p><b>Military Vote</b> - naval personnel away and could not vote since original signature required for proxy form; suggest we ship a ballot box to ships three weeks before election day as done in a Federal election</p>	<p>Will review alternative voting method prior to next election</p>
<p><b>Candidate's deposit</b> - too low, suggested increase to \$500 (Councillor) and \$1,000 (Mayor); keep the fee at \$200 so not to democratize the process or disenfranchise individuals from running; campaign disclosures should be done at the same time as signs are removed; candidates deposits should be held in the Clerk's office and not deposited and cheques could be returned when all conditions are met</p>	<p>Will discuss with the Province</p> <p>Re: holding deposits for return - substantial cash being held is not secure and the Elections Act states the portion a candidate refunded is also based on the number of votes polled</p>
<p><b>Campaign spending</b> - legislate a funding cap for the amount a candidate can spend; monies raised during Federal and Provincial elections are tax deductible - suggest a line be added to the income tax form for Municipal donations.</p>	<p>Will discuss with the Province</p> <p>Province has been approached in the past with request that Municipal Election donations be made income tax deductible with no success.</p>
<p><b>Counting of ballots at close of poll</b> - each matter should have a separate ballot box; use very different colours for ballots of each voting choice</p>	<p>Will review for next election</p>
<p><b>Fundraising</b> - needs to be tax exempt as per Provincial and Federal Elections - discuss with UNSM</p>	<p>Will discuss with the Province as this is within their control.</p>

<b>Information on Nomination Papers</b> - did not have complete package of information; did not know who to talk to regarding rules and regulations; hold a briefing session for official agents	Information packages were available in late July which included Nomination Papers, Information Memo, Candidate's Guide - the candidate was required to meet with Election staff for a review of the information. Will review training.
<b>Polling locations</b> - check with Councillors before setting boundaries for polls; staff should be better informed of the district boundaries; if locations are changed, include a map on the voter notification card; ensure locations are safe during inclement weather; mobile polls with reduced hours to vote was confusing for residents in nursing homes; use same locations as in Federal and Provincial elections; need better polling location signage; more parking at polls; individual voter notification cards; better ensure accessibility (how far to walk from parking lot to voter table, stairs; slippery floors if raining; laminate outdoor poll signs; work better with School Board on accessing facilities; put locations and directions on website	Will review for next election Election staff have to be careful in checking with Councillors respecting boundaries for poll, to ensure that they maintain and are perceived to maintain their independence.
<b>Signs</b> - indicate where 200' distance is around polling stations; have signs removed the day before the election confusion where they were allowed; signs at entrance to polling stations and on vehicles driving up to the door of polling locations; out-of-district signs on public property; damage to signs	Candidate's Guide included in the information package given to candidates is specific to signs and is also in the Municipal Elections Act. Location distance is mandated by the Act. Will discuss with the Province.
<b>Workers pay</b> - HRM employees should be paid at time and a half and should take as time in lieu; greeters paid more than poll clerk with less responsibility; supervisors can be responsible for getting SIN#s, addresses for payment; consider time commitment/responsibility in setting pay levels	will review for next election

<p><b>Worker selection</b> - use experienced workers to mentor new workers; use a consultant for training; hire younger workers; need better screening; should not work at the same location; individuals who work for candidates should be allowed to work in a different district; start recruitment process earlier; Supervisors should play a role in selection; put most experienced DROs in areas where there are no supervisors; Second HRM employees to work on elections; consider university political science students</p>	<p>Will review for next election</p>
<p><b>Training</b> <b>Workers:</b> some workers not well trained; hire workers who have worked in Federal and Provincial elections; workers should be told swearing on the bible is the voter's choice; inside agents were not sure of their rights: DRO training should be more in-depth and done separately; all training should be done together so everyone aware of respective responsibilities; role play training; create data base of workers and experience; clarify if a "yes/no" is acceptable instead of a check mark; clarify whether the DRO or the voter can place ballots in the ballot box; clarify if ID required for each vote; ensure all workers have clear understanding of the rules for campaigning on election day; instill attitude of protecting democracy/integrity of voting process; need to ensure tally sheets correct <b>Candidates/Campaign workers:</b> candidates should be better informed/trained; provide a special handbook for agents; agents need to be clear on what they can observe during the election process <b>Public:</b> candidate refused access to campaign in an apartment building</p>	<p>Will review for next election</p>

<p><b>Administration</b> - workers should not work both Advance and Election days; Advance polls should be counted at same location held</p> <p>Returning Officer's attitude was a problem when asked to make changes</p> <p>Long lineups - options to respond</p> <p>an official agent was a Municipal Clerk employee;</p> <p>supply more plastic bags, envelopes, black markers, more seals; location for supply pick up difficult to access; advise workers of amount of material to transport to polling location in advance</p>	<p>Will review for next election</p> <p>Returning Officer followed the Municipal Election Act.</p> <p>Will review for next election</p> <p>The Returning Officer discussed with senior management prior to the election. Individual had no contact with election process.</p> <p>Will review for next election</p>
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