

## Election Report - Covid-19 Contingency Planning

<b>Date</b>	July 8, 2020
<b>To</b>	Executive Committee
<b>From</b>	City Clerk's Office
<b>Service Area</b>	Office of the City Clerk
<b>Item No.</b>	EX20-24

### RECOMMENDATION

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The Executive Committee recommends that City Council:

1. Approve amendments to *The Mail-In Ballot Bylaw, Bylaw No. 2012-42* as follows:
  - (a) to allow for voters to apply for a mail-in ballot by mail, fax or other means of electronic transmission where the following conditions are met:
    - i. the voter's signature on the Declaration of Person Requesting Mail-in Ballot and Voter's Registration forms is witnessed by a person that falls within the list of prescribed persons outlined in Appendix A;
    - ii. the voter provides proof of their identity to the witness in the form of Government issued identification that includes the voter's photograph, name, address and signature as outlined in Appendix A so that the witness can be satisfied that the voter's identity has been established;
    - iii. the voter provides copies of their Government issued identification that includes the voter's photograph, name, address and signature as outlined in Appendix A to the deputy returning officer or other designated election official as part of their mail-in ballot application;

- (b) to allow anyone who is unable to attend at an established polling place to apply for a mail-in ballot and to expand the ability of election officials to attend at a voter's residence to accept their mail-in ballot application where the voter is not able to apply in person because of an illness, a compromised immune system or has increased risk factors that could lead to illness if exposed to a communicable disease
  - (c) to update outdated legislative references;
2. Approve both *The Mail-In Ballot Bylaw*, Bylaw 2012-42 and *The Automated Vote Counting Bylaw*, Bylaw 101097, that would allow the mail-in ballots to be inserted into a voting machine the next business day after the close of the advance poll dates if 100 or more mail-in ballots are received prior to the advance poll dates;
  3. Approve COVID-19 contingency plans and associated costs for the 2020 Municipal/School Board Election as outlined in Appendix A;
  4. Approve the revised polling location numbering as outlined in Appendix C;
  5. Direct the City Solicitor to prepare the necessary bylaw to amend *The Mail-In Ballot Bylaw*, Bylaw No. 2012-42 and *The Automated Vote Counting Bylaw*, Bylaw No. 10197; and
  6. Approve these recommendations at its July 29, 2020 meeting.

## ISSUE

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Elections Regina has been monitoring the COVID-19 pandemic and its level of impact on the 2020 Municipal/School Board Election. We have been working closely with Government Relations, Elections Saskatchewan and other municipalities across Saskatchewan to develop processes and address changes that will be required to facilitate the election while protecting the health and safety of election workers and voters.

This report is to provide Council and Administration with an overview of the processes that are being proposed and the updates to the associated Bylaws that would be required. The information is based on current restrictions in place to protect the health of residents, it is unknown what risk factors will remain present at the time the writ is dropped.

The COVID-19 pandemic may affect voter turnout in the 2020 Municipal/School Board Election as some voters may not feel safe attending a polling station in person. To address this and increase voter participation, Elections Regina proposes some changes to election processes and election bylaws to provide voters with additional ways to safely exercise their right to vote. This report outlines these proposed changes.

## **IMPACTS**

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### **Accessibility Impact**

Planning for the 2020 Municipal/School Board Election is based on recent reopening safety protocols suggested by the Saskatchewan Health Authority (SHA) through Public Health Orders and the Province's Reopen Saskatchewan Plan. The safety of election workers and voters is a priority and Elections Regina wants to ensure voters needs are met. In addition to traditional voting, the following is proposed to ensure all voters have the ability to exercise their right to vote in the upcoming election:

### **Mail-in Ballot (Electronic Application Submission)**

The proposed changes provide the ability for voters to apply for mail-in ballots by mail, fax or other means of electronic submission where the voter submits copies of the identification outlined in Appendix A and their mail-in ballot forms are witnessed and identification checked by a prescribed witness (see Appendix A).

### **Safety Measures**

1. All Regular and Advance Polls will encourage proper social distancing measures with floor decals and voters will be directed through the poll in a streamlined fashion.
2. All Election Workers will be provided with personal protective equipment (PPE) and sanitization products.
3. Each poll will be assigned door greeters and hall monitors.
4. Each poll location will be provided with custodial staff.
5. Special Polls will be given the opportunity to have an in-person poll or to take part in the mail-in ballot process.

### **Financial Impact**

The advance poll locations and regular polling locations approved by City Council in relation to item CR20-5 2020 Municipal Election Report on January 29, 2020 will be utilized in the upcoming fall election. Staffing levels at the polls have been reduced at all locations to ensure safe social distancing. The reduction in staffing levels will allow funds to be reallocated to cover the necessary costs of running the election with proper precautions in place.

### **Policy/Strategic Impact**

With each election, the goal is to improve the fairness and effectiveness of existing systems while creating consistency for the public. This election year will see many changes due to the pandemic; the goal is to continue to provide voters with every available option to exercise their right to vote in the fall. Elections Regina is collaborating with municipalities across Saskatchewan on a regular basis to collectively improve processes and address challenges with COVID-19.

### **Legal Impact**

*The Local Government Election Act, 2015 and Regulations* allow a municipality, by bylaw, to appoint persons other than the returning officer to witness the forms and check the voter's identification for the purposes of a mail-in ballot. In order to ensure the integrity of the election process, the returning officer is proposing to limit the witnesses to certain people and to require copies of the voter's identification.

*There are no environmental, other implications or considerations.*

### **OTHER OPTIONS**

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1. Council could decide not to approve the proposed mail-in ballot bylaw changes. This would mean that voters would have to apply in person to an election official or someone who administers oaths in order to complete their mail-in ballot application and provide proof of their identity. This would also mean that the use of mail-in ballots would be limited to those who are absent from the city on election day or are receiving care in a hospital or personal care facility; and
2. Not approve the changes to allow mail-in ballots to be inserted into a voting machine the next business day after the close of the advance polls. This would mean that all mail-in ballots would have to be inserted after the close of polls on election night, which could result in an extend period of time before the results can be announced.

### **COMMUNICATIONS**

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Elections Regina is working closely with Communications to ensure consistent messaging to the public around COVID-19. Proper signage will be posted at all Advance and Regular Polls to ensure voters are aware of safe distancing protocols and sanitization measures in place. The website, [Regina.ca/elections](http://Regina.ca/elections), will be continuously updated to reflect the message of the Public Health Orders put in place by the Saskatchewan Health Authority (SHA). Mail-in ballots will be promoted and encouraged as a main method of voting to reduce the amount of in-person voting at the polls this fall. This should assist in preventing large gatherings at each poll to help stop the spread of COVID-19.

### **DISCUSSION**

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Elections Regina has been working on proposed changes to a number of election processes and bylaws to provide voters with additional ways to safely exercise their right to vote. The following outlines these proposed changes.

#### **Mail-in Ballots**

Due to the COVID-19 pandemic, research and observations have shown that many voters will be leaning towards the use of mail-in ballots. Using mail-in ballots allows people to

avoid some personal contact as it allows people to apply for and submit their ballot by mail thereby avoiding attending a polling location where there are a number of other people. However, *The Local Government Elections Regulations, 2015* requires some personal contact for witnessing the voter's signature on the mail-in ballot application form and for checking the voter's identity. Currently, *The Mail-in Ballot Bylaw* requires voters to apply in person to an election official or someone who administers oaths in order to complete their mail-in ballot application and provide proof of their identity.

To provide more flexibility with this, bylaw changes are proposed that would allow a broader range of approved witnesses for the *Voter's Registration Form and Poll Book/Declaration of Person Requesting Mail-in Ballot* and to check the voter's identity. The list of prescribed witnesses and required forms of identification is set out in Appendix A. Further, changes are proposed that would allow the voter to send in their forms and copies of their identification by mail, fax or other means of electronic transmission to avoid more personal contact. The election officials would review the voter's signature in their identification against the mail-in ballot forms to ensure that the signatures of the voter match. Where there is some discrepancy or the forms are illegible or incomplete, the voter would be required to apply in person to an election official. Administration has been in contact with the City of Saskatoon and have collaborated together on this process; they are proposing to use a similar approach to what has been outlined in terms of the witnesses and identification requirements.

In addition, bylaw changes are proposed to expand the use of the mail-in ballot to any person who is unable to attend a polling location during the advance polls or on election day. This would allow people to use this option if they are unable to vote in person for any reason, including COVID-19. Currently, the mail-in ballot bylaw option is limited to those voters who are not in the city during the advance polls or on election day, or to voters who cannot attend a polling location because they are receiving care in a hospital, personal care facility or similar institution.

Further, bylaw changes are being recommended that would also expand election officials' ability to go out to a voter's residence to accept a mail-in ballot application and check identity where the voter is not able to apply in person because of an illness, a compromised immune system or has increased risk factors that could lead to becoming severely ill if exposed to a communicable disease. Currently, the bylaw only provides this option where the voter is not able to apply in person because of a physical disability or limited mobility.

Finally, bylaw changes are proposed that would allow for the mail-in ballots to be inserted into a voting machine for those ballots on the next business day after the close of the advance polls. This would only be done if 100 or more mail-in ballots were received prior to the close advance polls. Otherwise, the mail-in ballots are inserted into the machine after the close of polls on election day. The reason for this change is that it is anticipated that there will be a significant increase in mail-in ballots and it would delay the reporting of results on the night of the election if a significant amount of mail-in ballots had to be inserted into the voting machines after the close of polls on election night.

### **In-Person Application Process for Mail-in Ballots**

Along with the above changes, election officials will also be looking at ways to offer the in-person mail-in ballot application process at many City facilities for example, leisure centres, community centres, libraries etc. This provides a more accessible and available option for voters who would prefer to apply in-person or who cannot meet the requirements to apply by mail, fax or other means of electronic transmission, it will reduce the number of people coming to the Elections Office to apply and make it easier for voters to apply for a mail-in ballot.

### **Regular and Advance Polls**

All Regular and Advance Polls will be provided with proper social distancing measures in accordance with the suggested safety protocols provided by the Saskatchewan Health Authority. Floor markers and directional arrows will be placed at each polling location to assist with social distancing and guide voters through the polls in a streamlined fashion.

To ensure the safety of workers at each poll, we have reduced the number of staff that will be working and only have one election official per table. We will have door greeters at the entrance of the poll; some will be assigned to monitor voters coming into the poll and ensure social distancing measures are being followed and one will screen each voter as they enter the location to ensure they aren't experiencing any symptoms. The door greeters will also monitor the number of voters in the polling station at a time if size of gatherings is limited.

Elections Regina has arranged to share plexiglass screens with the staff at the Elections Saskatchewan office in the event they procure screens to use at the polls. There is a large cost in having these screens created for a single use, so the preference would be to borrow or rent the screens from Elections Saskatchewan to offset the cost.

### **Personal Protective Gear for Workers**

All Election workers will be provided with personal protective equipment (PPE) and sanitization products:

1. Masks and gloves provided to all election workers
2. Custodial staff on-site at polling stations to clean supplies and surfaces routinely and ensure election workers are trained in proper sanitization techniques
3. Hand sanitizer and sanitizing wipes will be provided for election workers
4. Implement physical distancing lines and arrows on the floors to maintain safe distance between people in the polling station
5. Consider having designated times for higher risk electors at polling stations. E.g. first two hours of the poll
6. Candidates and scrutineers would be required to wear appropriate PPE at the poll
7. Signage to take extra precautions if voters are symptomatic

### **Special Polls**

The Elections Regina team has been following the Policies and Guidelines issued by the

SHA closely and the impact they would have on hosting polls at care homes, hospitals and senior facilities in Regina. Our team reached out to the Special Poll locations to better understand their specific policies, situations and requirements and how we can work with them to accommodate their residents with voting in the fall election. Because many of the locations are not allowing people from outside their facility in, unless absolutely necessary, we have decided to take a hybrid approach to facilitating their votes. Special Polls will be given the opportunity to have an in-person poll or to take part in the mail-in ballot process. This approach has been well received by all facilities.

The mail-in ballot bylaw changes identified above will make the voting possible at these locations and will require very little additional work from the Administrators and staff. Please see Appendix B for an outline of the Special Poll Mail-in Ballot Process.

For the facilities wanting to take part in the In-Person Voting Option, we will conduct our polls as we have done in past years and be incorporating a similar approach as we have the Regular and Advance Polls for social distancing measures, providing proper PPE, and having sanitization processes in place.

#### **Correction to Poll Location Numbers**

Revisions have been made to some of the polling location numbers that were approved in report CR20-5 2020 Municipal Election Report, the revised list is attached in Appendix C to this report. These revised lists reflect the updated poll numbers due to an oversight in the initial report that was presented to City Council for approval on January 29, 2020. In addition to this, it should be noted that Milton Heights estimated voting population will be included in Ward 1 and not Ward 6 as previously indicated in report CR20-05.

#### **DECISION HISTORY**

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CR20-5 2020 Municipal Election Report was before City Council and approved on January 29, 2020.

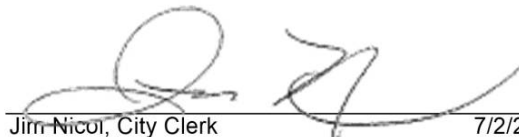
Respectfully Submitted,

Respectfully Submitted,



Amber Ackerman, Deputy City Clerk

7/2/2020



Jim Nicol, City Clerk

7/2/2020

Prepared by: Kristina Gentile, Business Performance Consultant

#### **ATTACHMENTS**

Appendix A - Electronic Mail-In Ballot Application Process

Appendix B - Special Poll Mail-In Ballot Process

Appendix C - Amended - Appendix D from CR20-5 2020 Municipal Election Report