

**Election Advisory Committee (EAC)
Minutes**

Monday, October 17, 2016

9 a.m. – 11 a.m.

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

PRESENT

Committee Members (alphabetically by political party name)

Raj Sihota, BC NDP

Ryan Sudds, BC NDP (late arrival)

Joan Robinson, British Columbia Conservative Party

Evan Southern, British Columbia Liberal Party

Sharon White, British Columbia Liberal Party

Christopher Pettingill, Green Party Political Association of British Columbia

Jonathan Dickie, Green Party Political Association of British Columbia

Elections BC Staff

Keith Archer, Ph.D., Chief Electoral Officer (Chair)

Nola Western, CPA, CA, Deputy Chief Electoral Officer, Funding and Disclosure

Anton Boegman, Deputy Chief Electoral Officer, Electoral Operations

Amie Foster, Manager, Executive Services and Corporate Administration (minutes)

Meeting convened at 9:01 a.m.

1. Welcome and Introductions

Keith Archer, Chief Electoral Officer (CEO) introduced the agenda and provided a brief overview of Elections BC's work in preparing for and administering the 2017 Provincial General Election. He highlighted some significant changes for this event including the addition of technology to the voting place for administrative purposes and a new blended (online and in-person) training model for election officials.

Keith also noted the recently published discussion paper regarding the frequency of political contributions reporting. This report was published in response to a request from the Attorney General and lays out several options for more frequent reporting of political contributions. The discussion paper is available on the Elections BC website at: http://elections.bc.ca/docs/2016-Disclosure-of-Political-Contributions_Discussion-Paper.pdf. There has been no statutory change in this regard to date.

2. Legislation and Policy Update

Nola Western discussed the changes to Elections BC's legislation and policy since the 2015 meeting of the Election Advisory Committee.

A. *Miscellaneous Statutes (Signed Statement) Amendment Act* received Royal Assent on March 4, 2016.

This Act amended several sections of the *Election Act* that required solemn declarations by replacing the requirement for a solemn declaration with a signed statement.

Solemn declarations are no longer needed on any:

- nomination documents
- political party or constituency association registration documents
- third party advertising sponsor documents

Solemn declarations are still required by certain individuals involved with voting:

- election officials
- scrutineers
- individuals who assist a voter, including those who translate for voters
- vouchers and the voter they vouch for when a person is registering in conjunction with voting but doesn't have the necessary ID
- voters that are challenged can make a solemn declaration that they are entitled to vote

The Chief Electoral Officer can require an advertising sponsor or someone who made a political contribution to make a solemn declaration that they have not contravened the financing or advertising rules.

B. *Local Elections Campaign Financing Act (LECFA)*

This Act was amended in May 2016 to incorporate election spending limits for candidates, elector organizations and third party sponsors. The first election to which local spending limits will apply will be the October 20, 2018 General Local Elections – there will be no spending limits for by-elections held between now and then.

Note, since the 2014 General Local Elections, there have been 40 by-elections and 26 non-election assent votes.

C. *Redistribution of Electoral Districts*

All constituency associations registered under the current electoral districts will have to either voluntarily deregister earlier or be automatically deregistered on Writ Day, April 11, 2017. For simplicity, Elections BC recommends early voluntary deregistration. Electoral finance has written to all registered constituency associations and parties with registered constituency associations to provide information about this process. To date, 37 constituency associations have voluntarily

deregistered and 34 new constituency associations have registered under the boundaries that will come into effect on April 11.

D. New Interpretation

Elections BC has updated the policy on election advertising on the Internet. Under this interpretation, election messages transmitted over the Internet are election advertising only if they meet the applicable definition of election advertising and have, or would normally have, a placement cost. The policy follows Elections Canada's policy of the same and can be accessed here for reference: <http://www.elections.bc.ca/docs/lecfa/Bulletin%20-%20ElectionAdvertisingInternet.pdf>

Discussion Questions

- If we pay for a Facebook advertisement, is it election advertising?
 - Yes, any paid advertising is election advertising, and any production costs are an election expense.
- Can candidates post a photo of themselves wearing their party colours on General Voting Day?
 - Yes, this would be allowable and would not be election advertising, as long as there is no cost to post the content.
- If a candidate or party spends \$10,000 to produce a YouTube video and then links the YouTube post to a paid Facebook advertisement, would this be election advertising?
 - Yes, the production costs would be an election expense subject to spending limits, and the paid advertisement would be election advertising requiring an authorization statement.
- How will you monitor this? It seems like it will be challenging to monitor?
 - The public does a good job of monitoring and reporting possible contraventions. You are also welcome to contact Elections BC if you have any questions or if you require clarification.

3. Approach – 2017 Provincial General Election and Enumeration

Anton Boegman provided attendees with an overview of Elections BC's strategic plan for the 2017 Provincial General Election and Enumeration. A copy of the PowerPoint slide deck is embedded below:

2017 Enumeration & Provincial General Election:

Overall Approach

October 18, 2016



Discussion Questions

- How will enumerators access apartment buildings and condominiums for targeted enumeration?
 - Enumerators have legislated access to such buildings, and District Electoral Officers reach out to the building managers to obtain access. However, it is not always possible to access locked buildings.
- How many new people do you expect to register as part of enumeration?
 - It is difficult to say. Targeted enumeration will result in additions, corrections, and removals, all of which will improve the overall quality of the list.
 - For example in the 2013 Enumeration, overall, there were 247,993 transactions consisting of 41,218 new registrations, 97,693 corrections, 43,436 confirmations of records and 65,583 removals. This activity resulted in an increase in voters list currency from 89.4% to 92.7%. For additional information, see the *Report of the Chief Electoral Officer on the 2013 Enumeration*:
<http://www.elections.bc.ca/docs/rpt/2013-Enumeration-Report.pdf>
- Do you have to be a Canadian citizen to vote? How does Elections BC verify whether an individual is a Canadian citizen?
 - A voter must be a Canadian citizen in order to vote. In B.C., voters must affirm when voting that they meet the eligibility requirements.
- If political parties want to provide feedback or ask questions about advance and special voting locations and targeted outreach activities, what can they do?

- Parties and candidates can contact Elections BC. Please note, it may not be possible to implement every suggestion. We must evaluate each suggestion through a lens of non-partisanship, operational requirements, and statutory obligations.
- Right now all of the parties are updating their voter information, and I assume that Elections BC is doing the same. Is there a way to coordinate/make this more efficient?
 - Elections BC recommends that parties and candidates drive all registration/update efforts through Elections BC's telephone or Online Voter Registration system, and to Elections BC's registration drive and outreach activities in each electoral district. This will ensure that the voters list used by the agency and by political parties and candidates is of the highest possible quality.
- Standing nominations end on April 10?
 - Yes, at 4:30 p.m.
- Are the "shape files" on the website?
 - The ED "shape files" are currently available on the B.C. Electoral Boundaries Commission website, accessible through the Elections BC website. The ED-VA "shape files" will be available on December 1, 2016, when the voting areas are published in the *B.C. Gazette*.
- What is a location index?
 - It is a list of every location or community in British Columbia and the electoral district the location is in. It will be updated this fall to reflect the new electoral boundaries.
- How do you determine, during the vouching process, whether an individual is a Canadian citizen? How would Elections BC know if an individual voted in two districts on the same day? Would Elections BC know immediately?
 - An individual would be required to affirm when voting that they meet the eligibility requirements. If they were at their assigned voting location they would cast a live ballot; at any other location they would cast a provisional ballot that would be set aside during final count if the individual attempted to vote more than once (i.e. vote in two districts on General Voting Day).
- Former candidates can request participation information. How far back can they request such information?
 - Former candidates can only request information from the preceding event (i.e. the event for which they were a candidate).

4. 2017 Strategic Outreach

Amie Foster presented Elections BC's strategic outreach plan for the 2017 Provincial General Election. A copy of this presentation is embedded below:

2017 Strategic Outreach



Amie Foster

Manager, Executive Services and
Corporate Administration

Discussion Questions

- What are your plans for reaching students at post-secondary institutions given that advance voting begins on April 29 – too late for most students?
 - Elections BC is working on a pilot project with the University of Victoria to administer special voting to students before they leave for the summer – and before the start of advance voting.
- Can special voting be administered before advance voting?
 - Yes, it is permissible under the Act.
- Can a student who moves from Ontario to B.C. in September, declare BC residency and Vote in the May 2017 Provincial General Election?
 - Yes, they can. This is how it has been in B.C. since 1995 and there is no recent change in this regard. Residency is determined by the individual when they declare their place of residence. They will also need to meet B.C.'s voter identification requirements.
- What are the goals for reaching out to voters who are homeless and other groups?

- The goal is to provide information about registration, identification and voting, as well as providing opportunities for these voters to register to vote.

5. Looking Ahead - Vision 2021

Anton Boegman presented attendees with a high-level view of Elections BC's voting modernization plan for the 2021 Provincial General Election. A detailed report outlining the Vision 2021 project, including areas of legislation that will require change, will be tabled in the Legislative Assembly after the 2017 Provincial General Election.

6. Closing Comments and General Discussion

Keith Archer thanked members for their thoughtful comments and observed the current disparaging of election administration as part of the American presidential contest. He thanked the parties for their partnership in ensuring positive and professional election administration in British Columbia.

Keith highlighted a few additional points:

- After reflecting on participation rates and increases at advance and absentee voting, some voting areas will have up to 700 assigned voters rather than 400. The agency has confidence that this change will be both administratively successful and fiscally responsible.
- Advance voting is expected to continue to grow in 2017 as voters opt for the additional flexibility it offers.
- A Youth at the Booth program will be rolled out in 2017. The program will encourage high-school students to work as election officials. Students will benefit from school credit, excellent pay, work experience, and exposure to the voting process. Elections BC will benefit from the skills students will bring to the voting place. Students must be 15 years of age or older to participate.

Discussion Questions

- If there is a change in the voting model at the federal level, would this result in a change at the provincial level also?
 - Not necessarily and it would be at the discretion of the Legislative Assembly as it is a public policy decision.
- If more than one third party advertiser shares the same online content, who reports the expense and includes the authorization statement?
 - Elections BC would need to consider the specific situation. The election advertising would require an authorization statement, and the advertising sponsors would need to record their share of the expense. Third parties must not collude with candidates or political parties, or use this process to circumvent

candidate or political party spending limits. If third parties are working together they share the third party advertising expense limit rather than doubling it.

- When will we have the final amounts for spending limits?
 - As soon as we have the final available CPI preceding the election – likely during the last week of March.
- What is the schedule for financial agent training?
 - It will be established in the next few weeks. However, with sufficient numbers, Elections BC will also deliver training to individual political parties via Skype, in our offices, or at a location of your choosing. Please contact Elections BC to make arrangements. Staff are available to answer your questions – please don't ask for forgiveness – ask for help.
- Can Elections BC investigate possible changes to political party financing and the type of electoral system used in B.C.?
 - The Chief Electoral Officer has no role in determining matters of public policy. The Chief Electoral Officer will, at regular intervals, publish recommendations for technical and administrative changes to the *Election Act*.
- Do you have mobile polls? If yes, how do you confirm competency and ensure care attendants are not expressing undue influence?
 - Yes, the *Election Act* provides for “mobile polls” at long-term care facilities such as nursing homes. Elections BC encourages district electoral officers to assign experienced staff to administer the vote in these locations and to assist voters as necessary. Care attendants may only assist one voter. There is no test for competency under the Act.

Attendees may forward any questions regarding this meeting to Amie Foster, Manager, Executive Services and Corporate Administration, by phone at 250-952-6226 or by email at amie.foster@elections.bc.ca.

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The meeting was adjourned at 11:01 a.m.