

ELECTIONS NB



ANNUAL REPORT 2021-2022

Elections New Brunswick

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Province of New Brunswick
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Transmittal letter

FROM THE CHIEF ELECTORAL OFFICER TO THE CLERK OF THE LEGISLATIVE ASSEMBLY

Shayne Davies
Clerk of the Legislative Assembly

Dear Mr. Davies,

I have the honour of presenting the Annual Report of Elections
New Brunswick for the period April 1, 2021, to March 31, 2022.

I respectfully request that you forward this report to the members
of the Legislative Assembly.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kim Poffenroth', with a stylized flourish at the end.

Kimberly A. Poffenroth
Chief Electoral Officer

Our Mandate

Elections New Brunswick's mandate is to conduct free and fair elections for New Brunswickers, to facilitate compliance with electoral laws, and to advance public awareness of and confidence in the electoral process.

OUR VISION

Elections New Brunswick is a trusted organization that supports the democratic process by providing innovative electoral services to all New Brunswickers.

OUR CORE VALUES

Our three core values are the deeply ingrained principles that guide all of our actions and influence everything we do. They guide our internal conduct as well as our relationship with our stakeholders. They guide us in fulfilling our mandate and realizing our vision. These values are essential to creating a work environment that supports the execution of our strategy.



Integrity

We work in an honest and trustworthy manner administering transparent and non-partisan electoral processes that adhere to legal and ethical principles.



Innovation

We strive to develop new and better ways to improve our electoral processes and services provided to our stakeholders.



Professionalism

Our strength comes from the knowledge, experience and dedication of our staff. Working together, we consistently deliver high-quality electoral products and services.

Organizational Chart

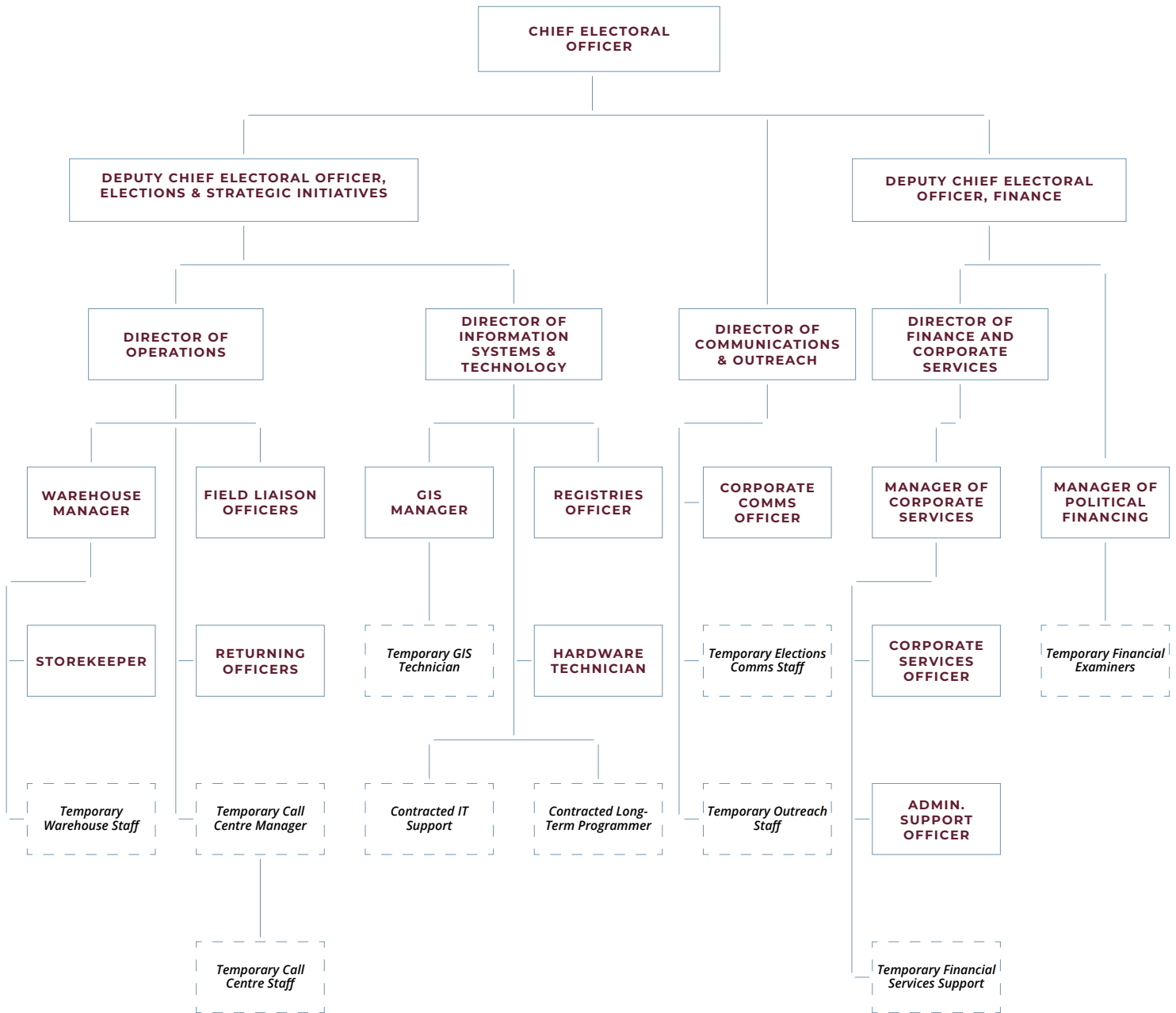


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Message from the Chief Electoral Officer

As I reach the halfway point in my ten-year appointment as Chief Electoral Officer, I take this moment to reflect on everything we have been able to accomplish so far, including the administration of two province-wide events during a global pandemic and the significant advancement on several goals in our *Strategic Plan 2018-2027*.

The team at Elections New Brunswick started fiscal year 2021-2022 administering a second province-wide event during the COVID-19 pandemic. That event was the May 2021 municipal general elections which had been originally scheduled for May 2020 and was postponed due to the pandemic.

Despite this being our second event held during the COVID-19 pandemic, it came with its own set of unique twists and turns when a surge in COVID-19 cases in the northwestern part of the province resulted in a lockdown being imposed by health authorities during the election period.

However, legislative changes introduced by the government allowed us to respond quickly to the lockdown in the Edmundston-Madawaska region. A report detailing the modifications made to facilitate voting and to report results was submitted to the New Brunswick Legislature in August 2021.

Following that event, Elections New Brunswick took advantage of a brief lull in major electoral activities to make significant advancement on several goals in our strategic plan. These are highlighted later in this report. The cover of our 2021-2022 Annual Report reflects an important advancement made to one of these strategic goals - the co-location of Elections New Brunswick's warehouses and head office.

Overview

As mentioned in the Message from the Chief Electoral Officer, Elections New Brunswick made significant progress on several actions identified in our strategic goals in fiscal year 2021-2022.

The first advancement happened during the May 2021 municipal general election. At that election, we fully implemented our new strike-off solution at the polls across the province. This new technology provides near real-time synchronization of the list of electors and other improvements to processes at the polls.

A few retirements throughout the year also allowed us to move forward with changes to our organizational structure. These changes reflect an important part of the realignment of Elections New Brunswick organizational structure to our strategic goals and mandate.

In November, a white paper proposing a reduction in the number of municipalities was released by the Government of New Brunswick. In December 2021, legislation received Royal Assent that, amongst other things, required Elections New Brunswick to conduct another province-wide electoral event that included most of the local governments affected by the government's restructuring initiative. This unscheduled event required a significant amount of preparatory work to begin immediately in 2022.

Who We Are

Elections New Brunswick is the election management body responsible for the administration of provincial and local government general elections, by-elections and plebiscites. We also administer district education council and regional health authority elections.

The Chief Electoral Officer administers these elections to ensure they are fair and free of political influence in accordance with the *Elections Act*. In New Brunswick, the Chief Electoral Officer also holds the positions of Supervisor of Political Financing and Municipal Electoral Officer, overseeing compliance with the *Political Process Financing Act* and the *Municipal Elections Act*. As an officer of the Legislative Assembly of New Brunswick, the Chief Electoral Officer must be non-partisan and may not vote in any election for which she is responsible.

Elections New Brunswick has a full-time staffing complement of 17, including the Chief Electoral Officer, with its corporate office located in Fredericton. The Chief Electoral Officer is supported in fulfilling her legislated duties by two Deputy Chief Electoral Officers. One is responsible for overseeing the electoral processes and activities, and the other is responsible for overseeing all matters related to corporate services and political financing.



Financial Summary

Elections New Brunswick submits its annual budget for approval by the Legislative Administration Committee (LAC) of the Legislative Assembly. As provided in Main Estimates for the fiscal year 2021-22, Elections New Brunswick received funding of \$9,330,000.

During the fiscal year, Elections New Brunswick received additional funding of \$93,092 to cover pay increases resulting from the government's adjustment of management and non-union pay plans retroactive to April 1, 2019. As a result, our total approved funding for the fiscal year was \$9,423,092.

An overview of our budget, expenditures, and surplus or deficit, in dollars by financial program, is presented in the following table and explanatory notes:

PROGRAM	BUDGET	EXPENDITURES	SURPLUS (DEFICIT)	NOTES*
Administration and Coordination				
Administration	1,863,092	1,736,829	126,263	(1)
Annual Payments to Political Parties	668,000	668,000	-	(2)
Electoral Boundaries and Representation Commission	55,000	45,066	9,934	(3)
Sub-total	2,586,092	2,449,895	136,197	-
Elections Infrastructure	1,542,315	1,575,424	(33,109)	(4)
Municipal Elections				
May 2021 Municipal General Election	5,055,685	4,864,074	191,611	(5)
Nov 2021 Municipal By-Elections	239,000	270,880	(31,880)	(6)
Nov 2022 Local Elections	-	55,893	(55,893)	(7)
Sub-total	5,294,685	5,190,847	103,838	-
Provincial Elections				
2020 Provincial General Election	-	47,274	(47,274)	(8)
June 2022 PED #9 and #11 By-Elections	-	6,634	(6,634)	(9)
Sub-total	-	53,908	(53,908)	-
Total	9,423,092	9,270,075	153,017	-

*Notes on following page.

NOTES

- (1) The Administration program reflects the cost to operate the head office and principal warehouse of Elections New Brunswick. There was a moderate surplus due to vacancies among the permanent employees of the office.
- (2) An appropriation is authorized annually by the Legislature for annual payments to political parties (*Political Process Financing Act*, s.32). This funding supports the operations of provincially-registered political parties and reimburses their annual audit fees up to a maximum amount calculated under the Act.
- (3) On July 15, 2022, the Lieutenant-Governor in Council appointed six members to the Electoral Boundaries and Representation Commission which will review the boundaries of the provincial electoral districts. To support the work of the Commission, Elections New Brunswick received funding to acquire software allowing for a more efficient integration of our geographic and elector databases.
- (4) Elections infrastructure is used at both municipal and provincial elections and includes equipment that must be maintained between elections, such as tabulation machines, computer hardware, and other information technology equipment and systems.
- (5) Direct costs, as opposed to infrastructure costs, incurred for the May 2021 municipal general election are reported at \$4.9 million. Direct costs include remuneration for returning office staff and poll workers, rental of returning offices and polling stations, printing of manuals and ballots, pre-election and voter information card mail-outs, personal protective equipment and supplies, etc. Costs for this election were also incurred during the previous two fiscal years. A full accounting of the cost of this event is available in the report of the Municipal Electoral Officer found on our website.
- (6) Direct costs for municipal by-elections held in November 2021 were predictably higher than the historical amount of funding provided in our annual base budget.
- (7) In preparation for the local government elections scheduled for November 28, 2022, Elections New Brunswick began updating its geographic data and register of electors and began an assessment of the accessibility of polling stations throughout the province.
- (8) Elections New Brunswick concluded its examination of candidates' electoral financial returns from the 2020 provincial general election. This included reimbursing any remaining eligible candidates for their election expenses.
- (9) Some direct costs were incurred in anticipation of the provincial by-elections to be held in the electoral districts of #9-Miramichi Bay-Neguac and #11-Southwest Miramichi-Bay du Vin. These by-elections were held on June 20, 2022.

Electoral Events

As discussed in the Message from the Chief Electoral Officer, fiscal year 2021-2022 began with the conduct of the May 10, 2021, municipal general elections. These elections were originally scheduled for May 2020 but were postponed due to the COVID-19 pandemic, breaking the usual two-year cycle between major electoral events.

As the COVID-19 pandemic was still very much a concern as the elections approached, legislation – *An Act Respecting Municipal General Elections* in 2021 – was enacted on March 19, 2021. This legislation set out a clear process to be followed by the Chief Electoral Officer if a public health region were to enter a lockdown during the election period.

On April 11, 2021, exactly a month before Election Day, that exact situation occurred in the Edmundston-Madawaska region following a spike in COVID-19 cases. This situation put Elections New Brunswick in the position of having to delay reporting election results for the entire province, as required by the legislation, until electors affected by the lockdown had the opportunity to vote. The lockdown was lifted 16 days later, and May 25, 2021, was established as Election Day for the electors in the formerly locked down region. As a result, reporting of election results for the entire province occurred that night.

By-elections were then held in November 2021 to fill council vacancies in nine municipalities. At the close of nominations, by-elections were only required to be held in three municipalities, with candidates being elected by acclamation in four municipalities, and three other positions were left vacant with no candidates offering.

Later in November, the New Brunswick Government released a white paper proposing a reduction in the number of local government entities. The current 104 local governments and 236 local service districts would be reduced to 77 local governments and 12 rural districts. While not directly involved in the reform process, Elections New Brunswick was called upon to provide support from our Geography Unit to ensure the boundaries of the new proposed entities captured all eligible electors living in the area.

The white paper was followed by legislation, *An Act Respecting Local Governance Reform*, being enacted on December 17, 2021. As previously mentioned, this legislation required Elections New Brunswick to conduct first elections and by-elections in November 2022. This legislation also restored the two-year cycle between province-wide provincial and local government electoral events.



Political Financing

The Political Financing Section monitors compliance with the *Political Process Financing Act* by all registered political entities. This section consists of two permanent employees.

After receiving a signed application for cancellation dated March 29, 2022, from the leader of the People's Alliance of New Brunswick, the Chief Electoral Officer, in accordance with the *Elections Act*, cancelled the registrations of this political party and its registered district associations. The cancellations were effective March 31, 2022.

When a political party ceases to be registered under the *Elections Act*, there are a number of implications under the *Political Process Financing Act*. All assets held by the party and its associations at the time of the cancellation of registrations, including real and personal property, are to be immediately remitted to the Supervisor of Political Financing. All assets remitted to the Supervisor will be applied toward outstanding debts of the party and its associations, and any surplus will be paid into the Consolidated Fund of the Province of New Brunswick. Further details on this process will be reported in the 2022 annual report of the Supervisor of Political Financing.

Information Systems and Technology

The newly created Information Systems and Technology (IS&T) Section is responsible for the development, implementation and maintenance of technology and all other automated systems in our central office and in returning offices. The IS&T Section also includes the Geography Unit.

2021-2022 saw many changes in this section, including the creation of two new positions – Director of Information Systems and Technology and Registries Officer.

- The Director of IS&T oversees all matters related to deployment, installation, testing and support of communications equipment, computer hardware, software, and other technologies. The Director of IS&T is also responsible for cybersecurity training and awareness.
- Reporting to the Director of IS&T, the Registries Officer oversees matters related to the New Brunswick Voter Information System (NBVIS). NBVIS is a database system containing the name, gender, civic address and mailing address of all registered electors in New Brunswick. In accordance with the *Elections Act* and the *Municipal Elections Act*, the Registries Officer uses the information in the registry of electors to create lists of electors at the beginning of each electoral event that are required to enable voting and are used by candidates for campaigning purposes.

GEOGRAPHY

Reporting to the Director of IS&T, the Geography Unit is responsible for ensuring that every civic address that falls within the boundaries of an electoral district or local government is correctly associated to a polling division, placed into both advance and ordinary poll clusters and then assigned to a polling station. This data then feeds the New Brunswick Voter Information System (NBVIS), which allows Elections New Brunswick to send voter information cards during an election to inform electors of the locations where they are eligible to vote.

During the fiscal year 2021-2022, the Geography Unit worked on multiple projects. One significant project was testing and working with a geoprocessing tool to streamline the integration of map data from the geography system to the voter information system.

The Geography Unit also began creating polling divisions that reflected the new local government boundaries in anticipation of the November 2022 local government elections. Two temporary GIS technicians were brought in to assist with this project.

The Information Systems and Technology Section is composed of four permanent employees.

Operations

With the guidance of senior management, the Director of Operations coordinates all procurement and warehousing activities for Elections New Brunswick. The Director of Operations also oversees the delivery of training programs to all returning officers, as well as the day-to-day conduct of electoral events.

Elections New Brunswick's headquarters is located in Fredericton and, in the fiscal year covered in this report, operated out of three buildings: one office and two warehouses where materials and supplies used during elections are stored, assembled and maintained. Construction of a new building that will co-locate Elections New Brunswick's offices and warehouses began during the fiscal year, and the move to the new facility is expected to occur at the beginning of the next fiscal year.

The Operations Section is composed of three permanent employees.

Communications and Outreach

The Communications and Outreach Section is responsible for the development and monitoring of external communications using a variety of media platforms. This section is also responsible for the development and implementation of different outreach activities designated for targeted groups of electors, such as disabled voters, students, military and seniors.

The Communications and Outreach Section undertook a rebranding exercise this past year. Working with a local designer, several concepts were developed and presented for consideration. Staff of Elections New Brunswick were invited to provide feedback and rank their preferred concept. An informal focus group of communication specialists was also asked to provide feedback, with the majority favouring the logo that was ultimately chosen.

The selected logo clearly articulates our business and the province in which we operate. The check mark, a symbol of affirmation that is also often used to mark a ballot, serves as the French accent, making our new logo truly bilingual.

The rebranding exercise also included updating Elections New Brunswick's website with the new logo and colour scheme. As existing stocks of printed materials used in elections are consumed, replacement materials will incorporate the new logo.



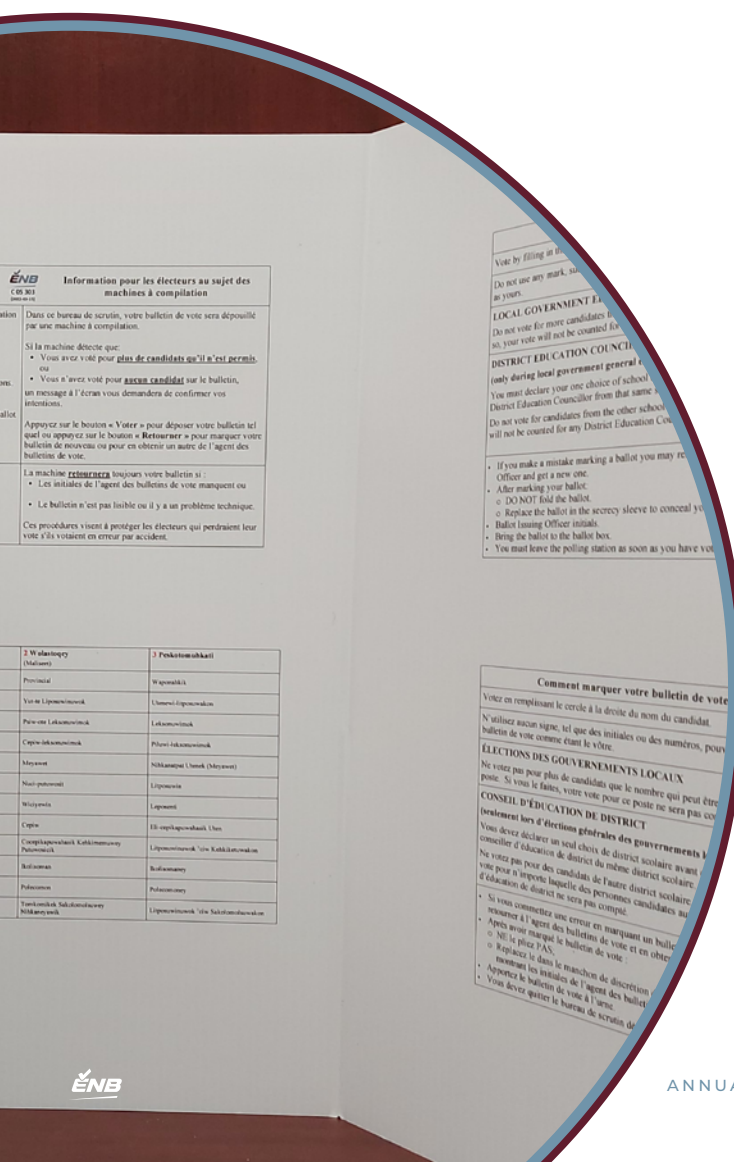
The Communications and Community Outreach Section consists of two permanent employees.

Activities Related to Strategic Goals

1. ENCOURAGE VOTER ENGAGEMENT

a. In autumn 2021, Elections New Brunswick was notified of a resolution passed by the Union of Municipalities of New Brunswick requesting that the province's three indigenous languages be included on the ballots at municipal elections. After determining there was not enough real estate on the ballots to accommodate adding the languages of the province's three First Nation communities in addition to New Brunswick's two official languages, we looked for another possible solution. The decision was made to include the same voting instructions found on the ballots in the three indigenous languages spoken in New Brunswick (Mi'kmaq, Maliseet and Passamaquoddy) on the privacy screens set up at every polling station.

b. We moved closer to providing electors with the option to "vote anywhere" by implementing our new strike-off system during the May 2021 municipal general elections. This new system saw the netbook computers replaced with Poll Pads. These iPads, equipped with custom software, allow for real-time synchronization of strike-off information to a central database and replace many of the previously paper-based and error prone processes at the polls.



c. Following the May 2021 municipal general elections, we commissioned a post-election survey to help us determine if we succeeded in administering a safe and secure election. Of the 203 respondents, 99% answered that they felt somewhat or very safe voting during the election. In this post-election survey, the respondents were also asked if they considered Elections New Brunswick a trusted source of information, to which 93% answered positively.

2. IMPROVE SERVICES TO POLITICAL PARTIES

- a. The implementation of the Poll Pad technology during the May 2021 municipal general elections also allowed for the deployment of an online candidate portal. During elections, accounts are created for candidates who request access to the list of electors during an election. These accounts allow candidates to not only access the list of electors for the contest in which they are running as a candidate, but also to access the list of electors who have voted at polling stations in near-real-time. The online candidate portal replaces the old process which required candidates to send volunteers to each polling station to request a “bingo sheet”, a paper-based list of those electors having voted. The online candidate portal will be used during the upcoming provincial by-elections.

3. INCREASE EFFICIENCY AND EFFECTIVENESS OF ELECTORAL PROCESSES

- a. Following the May 10, 2021 municipal general elections, the Chief Electoral Officer submitted a report to the New Brunswick Legislature entitled, *Electoral Modifications and Post-Election Recommendations*. This report detailed modifications made to the voting and results reporting process in accordance with *An Act Respecting Municipal General Elections* in 2021. The report also included recommendations for improvements to the electoral process based on lessons learned during the event, the second province-wide election held during the COVID-19 pandemic.
- b. On March 29, 2022, legislation was introduced in the Legislative Assembly of New Brunswick which would give the Chief Electoral Officer the authority to select and appoint provincial and municipal returning officers (Bill 100, *An Act Respecting the Appointment Process*, 1st sess., 60th Leg., New Brunswick, 2022). Upon Bill 100 receiving Royal Assent, Elections New Brunswick will become the final election management body in Canada to be given control over the recruitment of these key election officers. Recommendations calling for this change were included in the Chief Electoral Officer’s 2019 report, *Modernizing New Brunswick’s Electoral Legislation*, and two subsequent post-election reports.

4. INCREASE EMPLOYEE SATISFACTION

- a. This year, Elections New Brunswick was able to devote time to its structural reorganization and made significant advances in implementing key components of the restructuring (see organizational chart).
 - i. Corporate finance responsibilities were shifted from the Director of Operations to the Deputy Chief Electoral Officer, Finance.
 - ii. The vacant Senior Financial Examiner position was filled by an internal shift, and the title was modified to Director of Political Financing.
 - iii. The position of Director of Information Systems and Technology was created, following the retirement of a senior staff member. The creation and filling of this position allowed for the transfer of many IT related activities from the Deputy Chief Electoral Officer, Elections and Strategic Initiatives.
 - iv. Another retirement provided an opportunity to create the new position of Registries Officer. This position assumed responsibility for managing the register of electors.
- b. When the request for proposals for Elections New Brunswick's new home resulted in a new construction being the successful proposal, each employee of Elections New Brunswick was given an opportunity to provide feedback on the floor plan and technical and interior designs. A number of valuable suggestions were incorporated to permit an effective workspace, and, with the assistance of an interior design firm, colours and materials were selected that were modern and durable.

5. IMPROVE WORKPLACE EFFICIENCY AND EFFECTIVENESS

- a. An important objective for improving Elections New Brunswick's workplace efficiency was to co-locate its head office and two warehouses. As mentioned in the Operations section of this report, construction began in the summer of 2021, with the move scheduled for summer 2022.
- b. An outside agency was engaged to lead a review of our file management needs and was expected to provide recommendations for a potential file management system in the next fiscal year.

6. INCREASE ORGANIZATIONAL RESILIENCE

- a. Three Elections New Brunswick employees participated on three separate sub-committees of the Secretariat for Electoral Coordination over the past year. One on-going sub-committee is examining best practices among election management bodies to address the increased demand for vote-by-mail following the COVID-19 pandemic. A second sub-committee worked to identify and facilitate the sharing of existing tools and resources that election management bodies use to improve services to electors with disabilities across Canada. Following this sub-committee's work, a compendium was created to detail services provided across the country by different election management bodies. The third sub-committee is working to prepare findings on challenges with telecommunication providers. In May 2022, the representatives on this sub committee will gather virtually to participate in a roundtable. Elections New Brunswick's Deputy Chief Electoral Officer, Elections and Strategic Initiatives, will be a co-chair for this roundtable.
- b. Elections New Brunswick entered into a collaborative partnership with Elections Nova Scotia that will see Elections Nova Scotia share a software application it developed for use by its returning officers to evaluate the accessibility of polling stations. Elections Nova Scotia helped to modify the application to Elections New Brunswick's polling geography and loaned us the tablets and measuring tools used by its returning officers to collect data required in the assessment process.



Looking Forward

The fiscal year 2021-2022 ended with Elections New Brunswick preparing for the June 20, 2022, provincial by-elections in Miramichi Bay-Neguac and Southwest Miramichi-Bay du Vin. These by-elections were called to fill vacancies that occurred in August 2021, when two members of the New Brunswick Legislative Assembly resigned their seats to run in the federal election.

The Geography Unit is working with the Department of Environment and Local Government in preparation for the November 2022 local government elections. Preparing for these elections will occupy our staff for the majority of the next fiscal year.

With the next provincial general election not scheduled to occur until October 2024, we anticipate there will be more time and opportunities for us to focus on other strategic initiatives through 2023.

With construction of our new building underway, planning for the logistics of moving all our operations under one roof at a new location will also begin.