



July 13, 2022

The Honourable Randy Weekes
Speaker of the Legislative Assembly
Chair, Board of Internal Economy
Room 129, Legislative Drive
Regina, SK S4S 0B3

Dear Mr. Speaker:

Enclosed with this letter you will find a copy of three CEO Orders submitted in accordance with section 5.1 of *The Election Act, 1996* (the Act). That section of the Act allows the Chief Electoral Officer to direct the use of an “alternate procedure, equipment or technology” during the administration of a by-election.

The enclosed directives authorize the following:

- **Vote by Mail:** A centralized Vote by Mail process consistent with the process Elections Saskatchewan followed during Saskatchewan’s 29th General Election, held on October 26, 2020;
- **New voting record:** The use of a new voting record at voting locations that combines the existing voters list and poll book into one document that also includes a unique ID barcode for each voter; and
- **Elimination of poll clerk:** The elimination of the poll clerk election official position.

While the legal specifics and details are covered for each within the directives, I wanted to provide some informal background for you and for other members of the Board of Internal Economy. Each of the three pilots introduced above is discussed in more detail below. It is important to note that these pilot projects will only be implemented should I be instructed to issue a writ of election at least four weeks after the submission of these CEO Orders.

ELECTIONS SASKATCHEWAN

#301 – 3303 Hillside Street
Regina, Saskatchewan
Canada S4S 6W9

Telephone: 306.787.4000
Toll Free: 1.877.958.8683
Fax: 306.787.4052

Email: info@elections.sk.ca
Web: elections.sk.ca



The primary purpose of all the pilots described in this letter is preparing to offer a substantially modernized voting process during our 2024 election. While my Volume IV report containing recommendations for legislative reform may be issued in advance of the pending by-election, the pilots proposed within are consistent with the vision and recommendations found in that document. The upcoming by-election is a key opportunity for Elections Saskatchewan to learn what works, and what doesn't work as it prepares for a general election in 2024. And the limited scale of a by-election allows this to take place while still ensuring the integrity and security of the event.

CEO Order 2022-001 – Vote by Mail

Elections Saskatchewan relied on a modified form of absentee voting, branded as "Vote by Mail" in our last general election. During that event, the volume of Vote by Mail voters increased to roughly 56,500 from 4,400 in 2016. The centralized process, which was designed in the few months between the onset of COVID-19 in the province (mid-March 2022) and the opening of the VBM application period (mid-August 2022) proved to be more efficient and more convenient for voters than the system described in legislation.

For background, during the last general election, I was able to make modifications to the provisions our Act using the authority found in section 7 due to the presence of COVID-19. Those modifications were also captured in CEO Orders and were shared with stakeholders and publicly posted to our website. The process that I am directing be used in the upcoming by-election will be very similar to that followed in October 2020, but the authority to modify the Act will come from section 5.2 rather than section 7.

In addition to the process changes, the existing absentee instructions, contained in section 88 of the Act will not be in force for this by-election, including the ability for voters to cast an absentee ballot in person at the returning office. This has always been a little used voting opportunity that increases costs and returning office staffing requirements. Any voters who attend the returning office and ask to vote in this manner will be assisted with applying to Vote by Mail or offered information on other in-person voting opportunities.

CEO Order 2022-002 – Voting Record

By legislation, our election officials are currently required to work from two separate documents while administering voting – a voters list where voters are struck from and a poll book where the name of each voter is recorded, along with other information. The process described in our Act is cumbersome and inefficient and involves a significant amount of writing, which slows down the voting process and results in errors.

We will be piloting a new "voting record" which will combine the voters list with the poll book into one document. Election officials will no longer need to write a voter's name into the poll book after they vote. In addition, this voting record will include a bar code that will be scanned after polling day voting is complete. This will allow us to create a fully electronic



list of who has voted and provide it to candidates and registered political parties. The Voting Record will also increase the integrity of the process as it will be much simpler and faster to ensure that no one can vote in person and by mail, a process that has traditionally been administratively burdensome for election management bodies. For this by-election, the Voting Record will be used only at by-election day voting locations.

CEO Order 2022-003 – Elimination of Poll Clerk Position

Traditionally, the poll clerk has been one of two election officials present at every voting station in the province (along with the deputy returning officer, or DRO). With the transition to a voting record (described above) as well as modifications to the advance voting process (described below), there is no longer a need for two election officials to be present at each station. The primary task of the poll clerk, writing down the name and address of every voter, will no longer need to take place.

The introduction of technology (and for this by-election, the use of the Voting Record) will allow elections to be administered with fewer workers. This will help to alleviate a consistent pressure point for election management bodies, that being the recruitment of a small army of short-term workers. The same work that once took two people can now be accomplished by one. Voting will be monitored during this by-election to see average voting times, and these will be compared against average voting times from the last general election. In addition, a second election official (e.g., information officer, supervisory deputy returning officer, etc.) will be assigned to observe ballot counting. The transition from a two-worker model to a one-worker model has recently been implemented in other jurisdictions, including the most recent Canadian general election. By piloting this during a by-election, we will gain valuable information on how best to move forward.

Advance Voting Modifications

In addition to the modifications that I am directing take place using the authority found in section 5.1, we will also be using section 135.1 to modify the existing advance voting processes. Section 135.1(2) allows the Chief Electoral Officer to direct the use of electronic poll books at advance polls and to modify the voting processes where necessary to allow for this change. While section 135.1 does not have the same requirements to inform stakeholders as section 5.1, I will nevertheless be in active contact with the Chief Official Agents of our registered political parties on our plans in this area. For clarity, I am not authorizing the use of vote counting equipment for this by-election. Preparations for testing and implementing the use of ballot tabulators would require more time than we have to prepare for the upcoming by-election.



Section 135.1 does not require the same advance notice (four weeks before the issuance of a writ) as section 5.1 does. However, my office would not be prepared to move ahead with these changes to the advance voting process unless the writ of election is issued at least four weeks after the submission of these CEO Orders. If the writ of election is issued before that date, we will follow the traditional advance voting instructions offered in the Act.

In accordance with subsection 5.1(4) of the Act, I am also providing a copy of the enclosed Orders to the province's registered political parties and making a copy available on our website. Should you, or members of the Board of Internal Economy have questions, I would be happy to provide more information.

Sincerely,

A handwritten signature in blue ink that reads "Michael D. Boda". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Michael D. Boda, D.Phil., Ph.D.
Chief Electoral Officer
Province of Saskatchewan

cc: Members of the Board of Internal Economy

A large, stylized, grey 'X' mark located in the bottom right corner of the page. It is composed of two thick, curved lines that intersect in the middle.