



TO: Committee of the Whole
FROM: Jennifer Taylor, Chief Administrative Officer
DATE: June 12, 2020
RE: **General Election 2020**

BACKGROUND:

The Local Government Elections Act, 2015 specifies items that Council is required to determine and items that Council has discretionary authority to determine.

ADMINISTRATIVE RECOMMENDATION(S):

Administration would like to review the list with Council to get direction so that we may prepare accordingly.

ATTACHMENT:

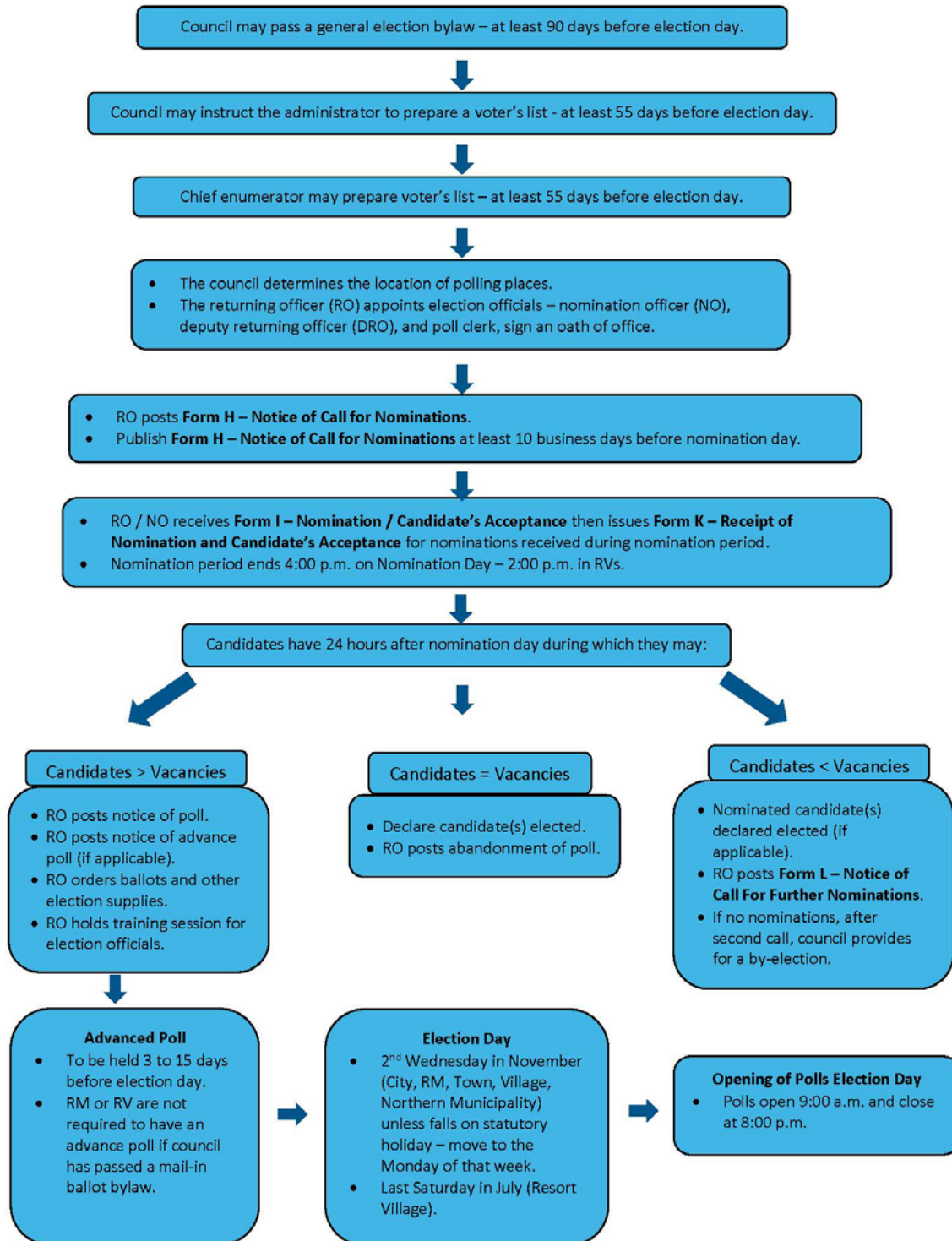
Local Government Election Guide – pages 4-6

Local Government Election Guide

For Saskatchewan Municipalities

Effective 1 January 2020

Process– Prior to Election Day Flow Chart



3. Council Duties - S. 24, 33, 52, 83, 92

Council is legislatively required to determine certain matters regarding a forthcoming election or by-election. Council shall:

- set the remuneration to be paid to EOs;
- pay all or the municipality's share of the costs incurred in holding the election;
- direct the RO to establish an advance poll or a mail-in-ballot system in a RM or RV in accordance with the general election bylaw;
- set the date for a by-election; and
- name one or more polling places within Saskatchewan for each division in a RM.

Council Powers - S. 9.1, 34, 47, 55

Council has discretionary authority to act respecting certain aspects of the election. Council may (legislative deadlines apply):

At least **180 days** before a general election: (S. 80 MA, S. 54 CA, S. 99 NMA)

- pass a bylaw to change the size of council in an urban municipality or a northern municipality (does not apply to by-elections).

At least **90 days** before election day:

- appoint a person other than the administrator as the RO;
- pass a general election bylaw if council determines other methods for providing notice instead of newspaper; and
- pass a Criminal Record Check bylaw. (S. 89.1 MA, S. 63.1 CA, S. 104 NMA)

At least **60 days** before a general election:

- pass a bylaw to require disclosure of campaign contributions and expenses, and/or to establish election campaign limits.

At least **55 days** before a general election:

- pass a bylaw to specify that the names on the ballots be arranged in random order or rotational order; and
- provide for enumeration of voters and the preparation of a voter's list.

Council may (no specific legislated deadline):

- pass a bylaw to use vote counting machines;
- provide for a mail-in ballot voting system, by bylaw;
- establish a polling place in a hospital, personal care facility, or other similar institution;
- provide for homebound voting;
- direct the RO to establish one or more advance polls in a RM or RV;
- provide for one or more polling places located outside of the resort village in a resort village; and
- appoint another person to act in the capacity of the RO if the RO is unable to perform his/her duties.

Quick Tip:

A best practice is to include all items in your general election bylaw for the required 90 days' notice.

General Election Bylaw - s. 9.1

Council may establish a general election bylaw. If council chooses, they can combine all election-related bylaws into one. The general election bylaw must be passed at least 90 days before the general election. Items council may include in the general election bylaw are:

- methods for providing public notice (required to be in the general election bylaw);
- disclosure of campaign contributions and finances;
- addition of the candidate's occupation to the nomination paper and ballot;
- rules for the deposit required with nomination papers in an urban municipality with a population over 20,000;
- use of voting machines, voting recorder, optical scanning vote tabulators or other similar devices;
- form of ballots;
- establishment of advance polls or mail-in-ballot for RM and RV;
- distribution and authorization of advertisements;
- naming one or more polling place within Saskatchewan for each division;
- procedures for homebound voting;
- preparation of voter's list; and
- setting the remuneration paid to each EO.

Polling Places (RM) - s. 24

The council of a RM shall name one or more polling places within Saskatchewan for each division.

Criteria for Polling Areas and Places - s. 25

One polling place may be used as the polling place for two or more polling areas. Polling areas must be established and polling places must be named in such a way that:

- all polling areas contain an equal number of voters;
- each voter may vote at one polling place on all matters on which he/she is entitled to vote;
- there is at least one polling place situated within or close to each polling area;
- a polling place is located, if possible, in a place allowing convenient access to persons who have a disability;
- a polling place is located in each municipality (if practical); and
- if wards are established, each polling area is within only one ward.

Inaccessible Polling Place – s. 124

Whenever possible, the polling place should be accessible for people with a physical disability or limited mobility. "Curbside voting" applies to situations where the voter is immediately outside the polling place, however, he/she cannot access the polling place because of a physical disability or limited mobility.

The voter can make a request to the DRO to take their vote at some other location in order to make it accessible (e.g. from their parked vehicle outside the polling place). The request may be verbal or written.