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2022-2023



Annual Report 2022-2023

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June 30, 2023

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CLERK OF THE LEGISLATIVE ASSEMBLY
LEGISLATIVE BUILDING, CENTRE BLOCK
P. O. BOX 6000
FREDERICTON, NB
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CANADA**

Dear Mr. Davies,

I have the honour of presenting the Annual Report of Elections New Brunswick for the period April 1, 2022, to March 31, 2023.

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 'Kimberly A. 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 all New Brunswickers.

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

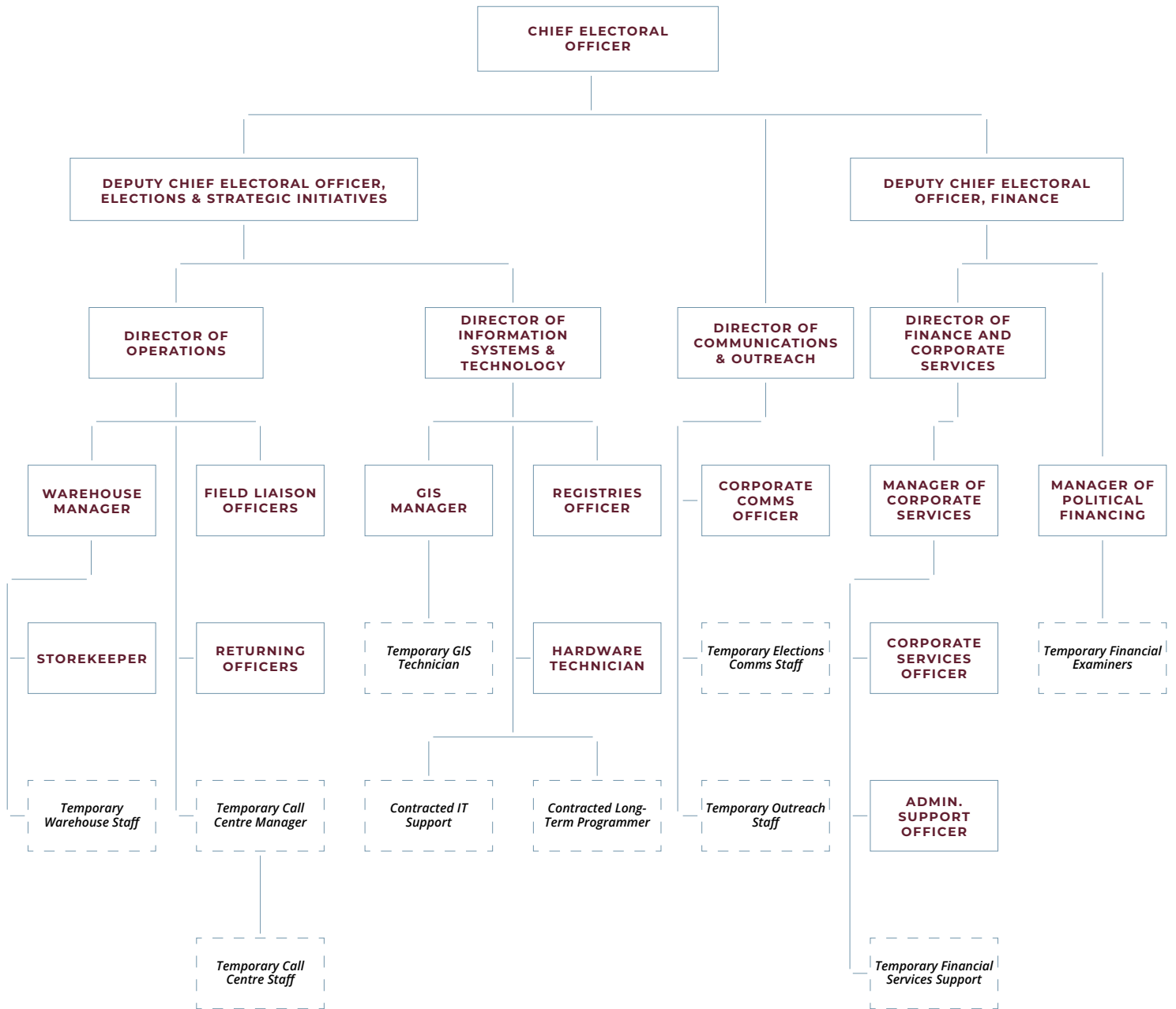


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Message From the Chief Electoral Officer



A handwritten signature in black ink, appearing to read 'Kim Poffenroth'.

Kimberly Poffenroth
CHIEF ELECTORAL OFFICER

This will be the sixth annual report that our office has released since we began publishing them in 2018. It has served as a truly beneficial tool for us as we report on activities over the past fiscal year and hold ourselves accountable to the goals identified in our 10-year strategic plan.

We were able to move forward on numerous goals identified in our strategic plan this fiscal year. Legislation was passed to permit the Chief Electoral Officer to use a merit-based selection process for the appointment of returning officers. In addition, after more than 12 years, the regulation governing payments to election officer was updated. The pay rates for all election workers were increased and are now permanently tied to future increases in the minimum wage.

We also completed the co-location our head office and warehouses in this fiscal year, resulting in immediate workplace and financial efficiencies. As an example, training of municipal returning officers hired for the November 2022 local government elections was conducted onsite using our new training room. This reduced the need for renting meeting rooms, having staff work offsite, installing IT infrastructure, and moving pallets of required equipment to a temporary training location. In our strategic plan, we committed to reviewing the goals set out in the original document in fiscal year 2022-2023. With the assistance of an outside facilitator, that review was initiated in February 2023. New goals and actions were identified that will be included in an updated version of the plan for its remaining four years. This revised strategic plan will be tabled with the Legislative Assembly early in fiscal year 2023-24.

Fiscal year 2022-2023 saw us administering yet another set of elections across the province, this time involving restructured local governments. While these first elections and by-elections did not involve most large urban cities, the widespread nature of these new local entities created by the government made the scale of activities very similar to a province-wide event. We also conducted two provincial by-elections in June 2022 and began preparations for the next provincial general election scheduled for October 21, 2024. I will include more details on election activities in the Electoral Event section of this report.

As we close out another fiscal year, I want to acknowledge the dedicated and professional staff with which I am fortunate enough to work. While it would be easy to rest on our laurels and stick with the processes we know and already have in place, my team is always ready to face unanticipated challenges head-on and embrace innovative ideas that, when implemented, will ultimately deliver a better voting experience for each voter.



Overview

Fiscal year 2022-2023 proved to be another busy year at Elections NB. Along with running two electoral events and starting the planning for a provincial general election in 2024, we packed up our head office and cleared out our two warehouses as we moved everything together into a new co-located facility.

On June 24, 2022, the Lieutenant Governor in Council appointed the six members of an electoral boundaries commission mandated to review the 49 electoral districts prior to the next provincial general election. While the commission operates independently from Elections NB, our office provided geography and communication support to the commission.

Fine-tuning of our organizational restructuring continued in this fiscal year, with a new Warehouse Manager and a Manager of Political Financing joining the team. Duties were also realigned amongst Corporate Services and Political Financing staff to meet changing workload pressures.

As will be evident when reading the section on activities related to our strategic goals later in this report, in fiscal year 2022-2023, we were successful in completing a number of action items set out in our *Strategic Plan 2018-2027*. New action items, added to our updated *Strategic Plan 2.0* following a review conducted in February 2023, will be made public when the plan is published early in the next fiscal year.





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 board 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 2022-2023, Elections NB received funding of \$12,699,000.

During the fiscal year, Elections New Brunswick received additional funding of \$69,000 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 \$12,768,000.

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

Program	Budget	Expenditures	Surplus (Deficit)	Notes
Administration and Coordination				
Administration	2,035,000	1,936,327	98,673	(1)
Annual Payments to Political Parties	668,000	668,000		(2)
One-time Occupancy Costs	510,000	47,000	463,000	(3)
	3,213,000	2,651,327	561,673	
Infrastructure				
Elections Infrastructure	1,936,000	2,544,187	(608,187)	(4)
Information Technology "Cloud" Transformation	250,000	10,000	240,000	(5)
	2,186,000	2,554,187	(368,187)	
Municipal Elections				
May 2021 Municipal General Elections		5,172	(5,172)	(6)
Nov 2022 Local Government Elections	6,909,000	4,920,883	1,988,117	(7)
Feb 2023 Local Government By-Elections		59,593	(59,593)	(8)
May 2023 Local Government By-Elections	60,000		60,000	(9)
	6,969,000	4,985,648	1,983,352	
Provincial Elections				
Sep 2020 Provincial General Election		398	(398)	(10)
Jun 2022 Provincial By-Elections 9 & 11, Direct Costs	302,000	338,968	(36,968)	(11)
Jun 2022 Provincial By-Elections 9 & 11, Candidates' Reimbursements of Election Expenses	98,000	82,949	15,051	(12)
Apr 2023 Provincial By-Elections 3, 5 & 17, Direct Costs		114,032	(114,032)	(13)
Oct 2024 Provincial General Election		1,800	(1,800)	(14)
	400,000	538,147	(138,147)	
Total	12,768,000	10,729,309	2,038,691	

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. One-time funding was provided to cover the annual operating costs of the new office and warehouse facility constructed for Elections New Brunswick (\$463,000). This funding was permanently transferred to the Department of Transportation and Infrastructure. One-time funding of \$47,000 was also provided to cover the residual lease costs to September 2022 of our former office location.
4. Elections infrastructure is used for both municipal and provincial elections and includes equipment that must be maintained between elections, such as tabulation machines, personal computers and tablets. New printers, projectors and telephone systems were also purchased for use in returning offices.
5. Funding was provided to begin transforming our information technology systems from local to “Cloud” server platforms; however, a change in strategy occurred following the hiring of our new Director of Information Systems and Technology. As a result, the funds remained largely unexpended.
6. An invoice for rental of a 2021 municipal returning office was late being paid.
7. Direct costs incurred for the November 2022 local government elections 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 these elections were less than the funding originally provided because local elections were not required in the major cities in the Province.
8. Direct costs of \$59,593 were incurred for the local government by-election held in February 2023 for the local government of Valley Waters.
9. Funding was originally requested to prepare for local government by-elections to be held in the spring of 2023; however, given that province-wide local government elections were held in November 2022, the Chief Electoral Officer decided to defer holding local government by-elections until October 2023.
10. One payment to a poll worker from the 2020 provincial general election was re-issued.
11. Provincial by-elections were held on June 20, 2022, in the electoral districts of 9-Miramichi Bay-Neguac and 11-Southwest Miramichi-Bay du Vin. Direct costs were 12% greater than the funding received.
12. Total reimbursements for the election expenses of eligible candidates were 15% less than the funding received.
13. Direct costs were incurred in this fiscal year for the April 24, 2023, provincial by-elections to be held in the electoral districts of 3-Restigouche-Chaleur, 5-Bathurst East-Nepisiguit-Saint-Isidore and 17-Dieppe.
14. A direct cost has already been incurred in preparation for the October 2024 provincial general election.

Electoral Events

On May 13, 2022, Writs of Election were issued for by-elections to be held in the electoral districts of Miramichi Bay-Neguac and Southwest Miramichi-Bay du Vin on Monday, June 20, 2022. The two seats had been vacant since mid-August 2021, when the elected representatives of the two electoral districts resigned to offer as candidates in the federal election.

At the close of nominations, the Progressive Conservative Party of New Brunswick, the Liberal Party, the Parti Vert N.B. Green Party and the People's Alliance of New Brunswick each had candidates nominated in both electoral districts. An independent candidate also ran in Miramichi Bay-Neguac.

A combined total of 23,297 electors were eligible to vote in the two electoral districts. At the close of polls on June 20, 2022, a total of 9,970 ballots were cast, representing a voter participation rate of 43%.

As mentioned in our previous annual report, the New Brunswick Government introduced legislation which required Elections NB to conduct first elections and by-elections on November 28, 2022. These elections would elect mayors and councillors for 58 restructured local government entities and board members for 12 newly created rural districts.

The creation of these new local governments and rural districts involved making complex changes to the boundaries that make up these new entities. Our Geography Unit worked closely with staff at the Department of Environment and Local Government who designed the boundaries of these local governments as well as wards where they were required. Significant delays in obtaining the finalized geography, including last minute corrections to a regulation had a negative downstream impact on our ability to create polling divisions to which electors would be assigned and to make changes to needed IT systems. It also delayed decisions respecting staffing requirements for each municipal electoral region, and the resource requirements for opening returning offices and polling stations for the elections.

The elections took place on November 28, 2022. In total, 82,982 voters cast ballots across New Brunswick. Overall voter turnout in restructured areas with an election was 36%.



In December 2022, government passed additional legislation correcting another error in the council composition of one of the new local governments and mandating Elections NB to hold by-elections on February 13, 2023, to fill vacancies in two wards in the local government of Valley Waters.

In early March 2023, we turned our focus to preparations for the next provincial general election, scheduled to be held on October 21, 2024. A series of meetings were conducted with staff at which the tasks and timelines specific to their operational roles were identified, itemized, and deadlines for completion established.

On March 23, 2023, Writs of Election were issued for by-elections to fill vacancies in three provincial electoral districts: Dieppe; Bathurst East-Nepisiguit-Saint Isidore; and Restigouche-Chaleur. Legislation was passed in June 2022 that gave the authority to the Chief Electoral Officer to appoint returning officers, and as such she had already appointed and trained three provincial returning officers well ahead of an anticipated election call. Because of this, returning offices were secured and telecommunications were installed without delay. Election Day is scheduled for Monday, April 24, 2023.

Corporate Services

In fiscal year 2022-2023, staff within the Corporate Services Section transitioned to a new government-wide Enterprise Resource Planning (ERP) system. Training modules for the payment of invoices and for financial reporting were completed.

The former Director of Political Financing moved to the position of Director of Finance and Corporate Services, assuming day-to-day oversight of corporate services including budgeting, procurement, accounts payable and payroll.

Reporting to the Deputy Chief Electoral Officer, Finance, the Corporate Services Section consists of four permanent employees.

Political Financing

As reported in the 2021-2022 annual report, the Chief Electoral Officer cancelled the registration of the People's Alliance of New Brunswick political party and its registered district associations, effective March 31, 2022. All assets of the party and its associations were remitted to Elections New Brunswick and applied to the outstanding liabilities of the party. In accordance with section 30 of the *Political Process Financing Act*, the remaining balance of \$104,644 was transferred to the Minister of Finance and Treasury Board for deposit to the Consolidated Fund of the Province.

On May 31, 2022, the Chief Electoral Officer approved the re-registration of the People's Alliance of New Brunswick, who had elected a new leader, and reinstated payment of its annual allowance.

In the fiscal year covered by this report, staff examined the financial returns of nomination contestants, candidates, political parties and one registered third party who participated in provincial by-elections held in June 2022 in the electoral districts of Miramichi Bay-Neguac and Southwest Miramichi-Bay du Vin.

Staff also examined the financial returns of the four contestants who ran in August 2022 for the leadership of the Liberal Party.

Finally, annual financial returns of registered political parties and registered district associations continue to be examined in the ordinary course of business.

Reporting to the Deputy Chief Electoral Officer, Finance, the Political Financing Unit consists of one permanent employee.

Information Systems & Technology and Geography

The Information Systems and Technology Section (IS&T) is responsible for the development, implementation and maintenance of technology and all other automated systems at our head office and in returning offices.

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.

REGISTRIES OFFICER

Reporting to the Director of IS&T, the Registries Officer manages 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.

HARDWARE TECHNICIAN

Reporting to the Director of IS&T, the Hardware Technician is responsible for the maintenance, repair and upgrading of all IT systems and hardware used by Elections New Brunswick. This includes desktop computers, laptops, printers, scanners, iPads and other devices.

During the year, the Information Systems Officer worked on multiple projects to ensure that Elections New Brunswick's hardware infrastructure remained reliable and up to date. One significant project was upgrading the organization's fleet of laptops to improve performance and security, followed by a second project to replace returning office telecommunications with a Voice Over Internet (VOIP) system. The Hardware Technician also worked with the Director to implement new security measures to protect against cyber threats and delivered training to field officers to support the November 2022 local government elections.

GEOGRAPHY

Reporting to the Director of IS&T, the Geography unit consisted of two Geographic Information Systems Technicians. It 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 fiscal year 2022-2023, the unit worked on multiple projects. It continued with the time sensitive task of creating polling divisions to reflect the new local government boundaries in anticipation of the November 2022 local government elections. It then coordinated with the Registries Officer to ensure that voters were assigned their correct polling locations.

In addition, the unit provided geography support to the Electoral Boundaries and Representation Commission as it reviewed and redrew the boundaries of New Brunswick's 49 electoral districts.

During the November 2022 local government elections, a Geographic Information Systems Technician managed a team of election call centre support staff and in the months following, transitioned to the role of Operations Officer.

Reporting to the Deputy Chief Electoral Officer, Elections and Strategic Initiatives, the Information Systems and Technology Section is comprised of four permanent employees and two contracted staff.

Operations

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

During fiscal year 2022-2023, significant planning went into the logistics of moving Elections NB's head office and material from two warehouses into a new co-located facility built specifically for our needs. The Director of Operations led a moving committee, comprised of staff from different sections of the office, that provided input on certain design aspects of the new building, as well as coordinating the physical move of employees and their individual offices. The move took place in July 2022.

Reporting to the Deputy Chief Electoral Officer, Elections and Strategic Initiatives, the Operations Section is comprised 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.

In fiscal year 2022-2023, the section provided communications support to the Electoral Boundaries and Representation Commission, which was established by the government in June 2022. After two rounds of public hearings, the Commission tabled its final report on March 13, 2023, with an Amended Final Report, responding to objections, expected to be tabled the following month.

The Communications and Outreach Section consists of two permanent employees.

Activities Related to Strategic Goals

As referenced in the Chief Electoral Officer's message earlier in this report, a review of our *Strategic Plan 2018-2027* was undertaken at the end of the fiscal year. An updated strategic plan will be released in the next fiscal year, which will reflect actions that are considered completed or have been removed.

1. ENCOURAGE VOTER ENGAGEMENT

- a. In February 2023, senior management of Elections NB endorsed the establishment of a more formal consultative process to proactively address potential barriers or challenges in advance of future elections. A term of reference was drafted for the creation of the Consultation Committee on Election Accessibility. It will serve as a forum to facilitate ongoing sharing of information between Elections NB and organizations representing electors who may require supports in accessing or navigating the electoral process. In mid-March 2023, the Chief Electoral Officer sent letters to nine external agencies inviting them to participate on the committee with a date for the first meeting expected to be held in mid-May 2023.
- b. In response to a recommendation contained in the *May 2021 Local Elections: Electoral Modifications and Post-Election Recommendations*, the first steps have been taken to initiate a dialogue with New Brunswick's Indigenous communities. The objective is to determine their interest in establishing a program to enhance election services offered in First Nation communities in future provincial and municipal elections. Elections NB is working with staff at the New Brunswick Department of Aboriginal Affairs, Initiative Management Branch, to ensure we use the best process and practices for initiating contact with First Nation leaders. The intent is to create a First Nations' consultation committee.

2. IMPROVE SERVICES TO POLITICAL PARTIES

An online candidate portal designed to provide candidates a copy of the list of electors at the start of an election and near "real time" access to electors struck off after having voted was deployed for two provincial by-elections held in June 2022.

3. INCREASE EFFICIENCY AND EFFECTIVENESS OF ELECTORAL PROCESSES

- a. The November 2022 local government elections were the first electoral event held after legislation was passed granting authority to the Chief Electoral Officer to hire provincial and municipal returning officers. A three-person committee was established to conduct a merit-based competition to hire the 17 returning officers for this election. Interviews for the positions were held in April 2022, and the successful candidates were notified in early May 2022.
- b. Elections NB continues to pursue additional legislative amendments to modernize its electoral legislation (*Elections Act, Political Process Financing Act, Municipal Elections Act*). In mid-March 2023, based on a recommendation made by the Executive Council Office, the Chief Electoral Officer submitted a briefing note highlighting and prioritizing other legislative amendments for the executive branch to consider for the fall 2023 session of the New Brunswick Legislative Assembly.
- c. As referenced earlier in this report, Elections NB began the transition to a government-wide web-based system for the payment of invoices.

4. INCREASE EMPLOYEE SATISFACTION

- a. A number of employees at Elections NB continued to participate on sub-committees and best practice groups of the Secretariat for Electoral Coordination (SEC). The Chief Electoral Officer was named co-chair of the SEC steering committee this year as well.
- b. Three employees of Elections NB participated as delegates at the 2022 conference of The Council on Government Ethics Laws (COGEL) held in Montréal, Québec. The international conference featured panel discussions and presentations covering election-related topics such as election disinformation, systemic challenges to democracy, and campaign financing. This was Elections NB's first time attending a COGEL conference.
- c. In June 2022, Elections NB was proud to have one of its employees receive a prestigious award recognizing his contribution to public administration over his career. Deputy Chief Electoral Officer, David Owens, was selected as the 2022 recipient of the *Donald G. Denison Award for Public Administration* in New Brunswick.
- d. Eight Elections NB employees received Certificates of Appreciation for their respective years of service with the Province of New Brunswick.
- e. An action falling under the goal to increase employee satisfaction was to conduct employee satisfaction surveys. Given the small size of Elections NB's staff, it was determined it would be challenging to anonymize feedback provided. In April 2022, the Chief Electoral Officer conducted skip-level interviews of all non-management employees to obtain feedback.



Deputy Chief Electoral Officer, David Owens, was selected as the 2022 recipient of the Donald G. Denison Award for Public Administration in New Brunswick.

5. IMPROVE WORKPLACE EFFICIENCY AND EFFECTIVENESS

- a. In June 2022, staff at Elections NB moved into its new headquarters located on Fredericton's northside. The co-location of the head office and two warehouses into a new building paid immediate dividends. Along with an obvious elevation in staff morale, the facility, built to our specifications, offered immediate efficiencies.

6. INCREASE ORGANIZATIONAL RESILIENCE

- a. As part of the off-site meetings held in February 2023 to update Elections NB's strategic plan, the facilitator led discussions with staff on the steps being taken to address the retirement of key personnel and the processes that should be considered in documenting any succession plan for an employee.
- b. An important element of risk management is having a well-documented inventory of the hardware and software required by each member of staff to carry out their respective duties. In February 2023, the Elections NB's Operations Officer started a project of meeting with each employee to document the hardware and software they are currently using and require to effectively execute their duties and responsibilities.

Looking Forward

Well before this fiscal year ended, we had already turned our attention to the extensive planning that is required to prepare for the next provincial general election scheduled for October 21, 2024. In late February, the Deputy Chief Electoral Officer, Elections and Strategic Initiatives, organized a series of staff briefings to identify pre-election activities that will need to be done, who is responsible for each task and the timelines for the completion of each task.

While the majority of the contemplated organizational restructuring has been completed, we continue to look forward to additional opportunities that will allow us to deliver on our mandate and vision.

An emerging challenge that is expected to require increased attention by all election management bodies, including in smaller jurisdictions like ours, is the need to reinforce the core values of integrity, innovation and professionalism which are essential to maintaining public confidence in the electoral processes for which we are responsible.

