

**D.2.d.**

**Action Item  
September 6, 2017**

To: Board of Trustees  
From: C. Lewis, Superintendent of Schools  
**Subject: Election 2017 – Special Ballots**  
Originator: J. Karén, Assistant Superintendent – Business Services

### **RECOMMENDATION**

That the Board of Trustees, accordance with Local Authorities Election Act s. 77.1, approve the acceptance of applications for special ballots in person or in writing, only.

### **REPORT**

#### **Background:**

The Division recognizes the need to provide electors with opportunity to vote, even though they are temporarily away from their residence, or unable to utilize either the regular or advance poll.

Under s.77 of the Local Authorities Election Act, voters can apply to have a special ballot issued, which can be mailed into the Division, and be counted on Election Day.

While the act allows for many options for electors to send in applications, Administration, recognizing that unintentional handling problems can occur. To mitigate this risk, Administration is recommending restricting the methods of application to in person, or in writing (excluding email.)

#### **Context of the Recommendation:**

The Local Authorities Election Act makes the following provisions for Voting by a Special Ballot

- 77.1(1) An elector who is unable to vote at an advance vote or at the voting station on election day because of
- (a) physical incapacity,
  - (b) absence from the local jurisdiction, or
  - (c) being a returning officer, deputy returning officer, constable, candidate, official agent or scrutineer who may be located on election day at a voting station other than that for the elector's place of residence

may apply to vote by special ballot.

- (2) An elected authority may, by resolution passed prior to nomination day, provide for special ballots and provide that the application for special ballots may be made by any one or more of the following methods:
- (a) in writing;
  - (b) by telephone;
  - (c) by telecopier;
  - (d) in person;
  - (e) by e-mail.
- (2.1) If an elected authority has made a resolution described in subsection (2), an elector may apply to the returning officer of the elector's local jurisdiction for a special ballot, by a method provided for in the resolution, at any time between the day after the day when the resolution is passed to provide for special ballots and the closing of voting stations on election day.
- (2.2) Repealed 2012 c5 s114.
- (2.3) If an elected authority passes a resolution described in subsection (2), the elected authority must notify the Minister of the resolution by nomination day.
- (2.4) An application for a special ballot must include the following:
- (a) first and last name of the elector;
  - (b) municipal address of the residence of the elector;
  - (c) school elector status, if the elector is voting for a school board trustee;
  - (d) mailing address to which the special ballot is to be sent;
  - (e) contact telephone number;
  - (f) contact e-mail address, if the elector is unavailable by telephone;
  - (g) reason why a special ballot is requested.
- (3) On receipt of an application under this section, if the elected authority by resolution before nomination day provides for special ballots, the returning officer or deputy must
- (a) enter in the special ballot elector register:
    - (i) the elector's name and the elector's place of residence, and
    - (ii) the name and number of the voting subdivision for the elector's place of residence,and
  - (b) cause the appropriate forms to be provided to the applicant.
- (4) The returning officer must, on request, make available to any candidate or a candidate's official agent or scrutineer in the voting station the names and addresses of those electors in the voting station who have applied for and been provided with the appropriate forms under this section.

**Conclusion:**

Special ballots allow electors who are unable to participate in traditional voting polls the opportunity to vote in general elections.

**APPLICATION FOR SPECIAL BALLOT**  
s. 77.1 Voting by Special Ballot  
Local Authorities Election Act, Chapter L-21 RSA 2000

**Complete one application for EACH elector.  
Please Print Clearly.**

Surname \_\_\_\_\_ Given Name(s) \_\_\_\_\_  
[Must match ID to be submitted with ballot]

Civic or Rural Municipal Address \_\_\_\_\_

School Elector Status \_\_\_\_\_

Mailing Address for Special Ballot \_\_\_\_\_

Contact telephone Number(s) \_\_\_\_\_

\_\_\_\_\_

Alternate Contact information  
(if unavailable by telephone) \_\_\_\_\_

\_\_\_\_\_

Reason for the Special Ballot Request

I acknowledge that Special Ballots are mailed to voters and handled by Canada Post.

\_\_\_\_\_  
Elector Signature

\_\_\_\_\_  
Date

For Office Use Only

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