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**REPORT TO ELECTORAL AREA SERVICES COMMITTEE
MEETING OF WEDNESDAY, 4TH MAY, 2011**

SUBJECT MAIL BALLOT VOTING – SALT SPRING ISLAND

ISSUE

The purpose of this report is to outline the requirements, including cost and process, to implement a mail ballot voting system for the 2011 Local Government Elections in the Salt Spring Island Electoral Area only.

BACKGROUND

Section 100 of the *Local Government Act* outlines the provision for mail ballots. Until March 2008, the legislation permitted local governments to only offer mail ballots to electors with a disability or to those living in an area remote from a polling station. The legislation was amended to allow local governments to offer mail ballots to persons who expect to be absent from the municipality/regional district during normal voting opportunities.

At the April 6, 2011 Electoral Area Services Committee, staff was requested to prepare a report outlining the cost and process to implement a mail ballot voting system for the 2011 Local Government Elections in the Salt Spring Island Electoral Area only.

B.C. communities are diverse, and local elections cover everything from large urban and small rural local governments, to school board elections, park boards and other special bodies. Changes to the election process may have different impacts based on the community and its existing process.

The Capital Regional District conducts general local elections for the three Electoral Areas and on behalf of the Islands Trust and School District 64. There are approximately 8800 eligible voters in the Salt Spring Island Electoral Area. Of those 8800, 78 are non-resident property electors, representing less than 1% of the electorate. Polling stations are located in alternate locations to accommodate those that do not live on Salt Spring Island. On Advanced Voting Days, a polling station is located on Salt Spring Island and in Sidney. There are three polling stations on Salt Spring Island on General Voting Day along with an off island location in Richmond to accommodate the non-resident property electors or any other voter who may not be able to attend a polling station on Salt Spring Island.

In addition to non-resident property electors and those with mobility issues, a mail ballot system could benefit those residents that leave the area during the winter months. Legislation changes recommended by the Local Government Elections Task Force include a recommendation to change the timing of the election from the third Saturday in November to the third Saturday in October for the 2014 elections. This change in time may alleviate the problem for those who are typically absent from their residence during election time.

The current budget to administer local government elections for the CRD and its partners is \$120,000. A portion of this, \$45,000, is recovered from the Islands Trust. The following is an analysis of the benefits and challenges associated with implementing a mail ballot voting system for the Capital Regional District's Local Government Election process including an overview of additional costs associated with this initiative.

ALTERNATIVES

1. That staff continue to work with our Islands Trust and School District partners to develop a strategy for a mail ballot system to be implemented for a future Local Government Election;
2. That staff implement a mail ballot system for the CRD Salt Spring Island Electoral Area Director election and, should the Islands Trust and School District #64 agree to participate, for the election of the Islands Trustees and School District #64 Trustee, for the 2011 Local Government Election; or
3. That staff not pursue a mail ballot system as part of the Local Government Election process.

IMPLICATIONS

The following is a summary of the benefits and challenges associated with the mail ballot system:

Benefits

Increased Participation in Local Government Elections:

Voting is an important part of our democratic process and gives voters an opportunity to influence the policies that affect their daily lives. In spite of this, there tends to be a low turnout for local government elections. While the 2008 federal election participation rate was 59.8% and the 2009 provincial election participation rate was 55.17%, the 2008 local election average participation rate was only 27.79%. The voter turnout rate in the Salt Spring Island Electoral Area is higher than the average for local government elections at 37.8% with the overall participation rate for the CRD at 41.02% in 2008.

Allowing a mail ballot for local government elections may encourage those that would otherwise not participate, to vote in the election.

Greater Access to Voting:

Those voters who are unable to attend a polling station on either advanced or general voting day now have an additional opportunity to participate in the voting process. In 2008, the legislation was amended to allow any voter to attend a polling station on advanced voting days without having to make a declaration stating that they would be unavailable on general voting day.

Allowing for mail ballots will assist those with mobility issues that cannot attend a polling station. Although curbside voting is offered at each of the polling stations, it may be difficult for a voter with mobility issues to leave their home and attend a poll.

Challenges

Timing of Election Bylaw Amendments:

Any changes to election bylaws must be in place by August 8, 2011 for the 2011 Local Government Election. In the case of the CRD, any amendments to the Election Bylaw must come before the Board in July. Any amendments to the Islands Trust Election Bylaw must come before their Trust Council in June. This leaves a short period of time for staff to prepare a bylaw amendment and make changes to the process.

Participation of all Partners:

In 2008 the Islands Trust decided to limit mail ballots for the following reasons:

- Consistency – Islands Trust elections are administered by regional districts. When Trust Council adopted its election administration bylaw (June 2008), there was no indication that any regional districts in the Trust Area were going to offer mail ballots;
- Ballot verification – Election staff are unsure whether it will be possible to verify the eligibility of mail ballots in the short time provided;
- Close margins – Smaller islands may have very narrow margins in elections results and questions about the validity of mail ballots could lead to judicial challenges, uncertainties and delays.

We understand that School District 64 has indicated they are not interested in implementing a mail ballot voting system for their portion of the election. This adds some complexity to the system as separate processes must be put in place resulting in additional costs that are outlined below.

Electronic Voting Machines:

Electronic voting machines are currently used for the Salt Spring Island elections. The use of these machines contributes to the accuracy of the count and allows for the results to be made available within ½ hour of the close of polls. In the past, manual counts have been the subject of far more scrutiny. Depending on the number of voters, results will be delayed and may not be made available for several hours. Additional staff will also be required to count the ballots thus resulting in additional staffing costs.

Cost of Ballots:

The cost for ballots in 2008 was approximately \$3700. Because Salt Spring Island uses electronic voting machines, the cost to produce ballots is significantly higher than regular ballots. This cost was shared with the Islands Trust and the School District resulting in an individual cost of approximately \$1218.00. As a comparison, the cost for ballots for the Southern Gulf Islands and the Juan de Fuca Electoral Area Directors was approximately \$400.00. Local Trustee ballots were approximately \$250.00.

Should one or more partner choose not to participate, separate ballots will need to be made up for each election. With the use of the electronic voting machine, it was possible to include all contests on one ballot that could be fed through the machine. Although electronic voting machine ballots tend to be more expensive than regular ballots, this cost was shared by all three partners.

Mailing and Return of Ballots:

Should a mail ballot system be implemented, voters will be required to request a mail ballot. Ballots cannot be printed until one week after the close of nomination period on October 14 to allow for candidates to withdraw. It will take approximately one week for ballots to be printed making them available on October 28 at the earliest. This leaves a three week window for ballot packages to be mailed out and returned to the Chief Election Officer. This could be problematic should the voter be outside of the country during this period. According to the *Local Government Act*, it is the obligation of the person applying to vote by mail ballot to ensure that the mail ballot is received by the Chief Election Officer before the close of polls at 8:00 p.m. on Saturday, November 19.

Since Canada Post does not deliver mail on Saturdays, arrangements will need to be made for mail ballots to be received at a specific location. The CRD offices located at 625 Fisgard could be designated as Election Headquarters for this purpose. Opening up the CRD Building would require additional staff and counters for the ballots resulting in increased costs.

This voting opportunity would also be open to those not currently on the voters list that wish to register. Again, the onus is on the person applying to complete the registration information accurately otherwise their ballot will not be counted.

Mail Ballot Packages:

The cost to mail out each package could range in price as follows:

Domestic	\$2 - \$12 per package
US	\$3 - \$19 per package
Int'l	\$5 - \$38 per package

These prices will vary depending on the size of the ballot and the size of envelopes required. There is no way of knowing at this point how many of the 8800 potential electors will request a mail ballot package therefore it is difficult to estimate a total cost.

Validity of Mail Ballot:

There may be questions raised regarding the validity of the mail ballot. How can election staff be assured that ballot was filled in by the eligible voter? The legislation does leave the onus on the voter who signs a declaration stating that they are eligible to vote in this election.

Previous elections in the electoral areas have proven to be controversial for a variety of reasons. On more than one occasion, the results margin has been very narrow with only 1 or 2 votes separating candidates. A question around the validity of the ballot may increase the potential for a challenge delaying the declaration of official results.

Advertising:

Total advertising costs in 2008 were \$32,000 with \$25,000 associated to the Electoral Area Director election. Ads should be placed in the newspaper advising of this additional voting opportunity. These additional ads, depending on the newspaper in which they are placed can range in price from \$300 to \$5000. It is anticipated that these advertisements will be a one-time only cost although advertisements in future elections will need to be expanded to include information regarding the availability of mail ballots.

Staffing Costs:

It is estimated that staffing costs will increase by approximately \$3500 to allow for additional counters. Staff will need to be at the CRD building on general voting day to receive mail ballots up to the close of the polls at 8:00 p.m. There will also be an additional cost to open and secure the building on that day.

CONCLUSION

The mail ballot process has been implemented in other local governments over the years. As with any additional service, there are additional costs and although it is difficult to get an exact estimate of what the additional costs may be, they could range anywhere from \$1000 to \$13,000. Given the short timeframe for which to implement this new process and the reluctance of the School District and possibly the Islands Trust to participate, it is recommended that staff continue to work with our partners to develop a strategy for a mail ballot system to be implemented for a future Local Government Election.

Voting is an important part of our democratic process and the Electoral Area Services Committee may decide that increasing voter participation and access to voting far outweigh the administrative challenges outlined in the report.

RECOMMENDATION

That staff continue to work with our Islands Trust and School District partners to develop a strategy for a mail ballot system to be implemented for a future Local Government Election.

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