

# Staff Report to Trust Council June 2008

## Summary of Elections Administration Recommendations

### Mail Ballots Background

- √ Until Mar 31, 2008, the Local Government Act only permitted local governments in British Columbia to offer mail ballots to disabled electors or to residents of areas that had been declared 'remote' by bylaw
- √ On Mar 31, 2008, royal assent was given to Bill 7, which enables local governments to offer mail ballots to persons who expect to be absent from the municipality / regional district during normal voting opportunities.
- √ The changes introduced by Bill 7 do not permit the use of mail ballots to replace traditional voting opportunities at polling stations, so the use of mail ballots would create an additional voting opportunity with additional costs and staffing needs.
- √ The Islands Trust Council has informally considered the use of mail ballots twice. In September 2006, a 'straw poll' at a Trust Council meeting indicated that approximately half of Trust Council supported the concept of mail ballots and half did not. At its meeting in March 2008, Trust Council indicated by a show of hands that there was not clear support for or against implementation of a mail ballot system. There has been more evident support for the use of mail ballots to serve "remote" islands or portions of islands.
- √ The Islands Trust currently contracts the administration of its elections to Regional Districts within the Islands Trust Area by adopting the procedures bylaws of those Regional Districts.
- √ The Islands Trust has not developed the internal staff capacity or expertise to operate elections on its own. Even for by-elections, the Islands Trust has contracted with experienced individuals to provide Chief Election Officer services. During the general local elections, such individuals are employed by other local governments and are not available to conduct Islands Trust elections. Other local governments have indicated that they are currently having some difficulty in finding individuals who are experienced as Chief Election Officers.
- √ Since royal assent was given to Bill 7, Islands Trust staff have discussed the implications of mail ballots with elections staff from all six relevant Regional Districts.
- √ None of the Regional Districts elections staff contacted are currently planning to offer mail ballots in the 2008 election, with the exception of the Cowichan Valley Regional District which already offers mail ballots to all Area "G" Islands, except Thetis Island. In the last election by voting, one elector took advantage of the mail ballot opportunity in the Islands Trust Area.
- √ The elections staff of the Sunshine Coast Regional District indicate that the Regional District may consider the use of mail ballots for the Islands Trust Area, but have not

yet confirmed that they have the expertise or staff capacity to deliver the service for the 2008 elections.

- √ The elections staff of the Capital Regional District, the Nanaimo Regional District, the Cowichan Valley Regional District and Powell River Regional District do not wish to offer mail ballots for non-residents or those out of jurisdiction on voting day, with some Chief Elections Officers strongly advising against the use of mail ballots.
- √ The elections staff of the Comox Valley Regional District election have not determined an approach to mail ballots but do not wish to be the only Regional District providing the service. They believe Denman and Hornby property non-residents who live on the mainland would be well served by using a Lower Mainland polling station.
- √ All Regional Districts elections staff contacted are willing to consider use of a joint polling station in the Greater Vancouver area to provide greater access for non-resident electors and consider this preferable to the use of mail ballots. There was some reluctance, mostly because of the expectations that could be raised among non-Islands Trust area voters about being able to vote this way.

### Some implications of expanding provisions for mail ballots

Operational	Legal	Electorate
In several areas, inexperienced staff will be administering 2008 elections, increasing the risk of mistakes.	Increased risk of fraud and increased difficulty for scrutineers to verify eligibility of mailed ballots.	Would likely increase voter turn-out, particularly for non-resident property electors.
Lack of time, resources and expertise to understand and plan the new process, develop the necessary bylaws, and train staff to properly administer the process.	Risk of potential legal challenges due to untested legislation, particularly given existing concerns about the security of the process and the eligibility of electors. These concerns may be heightened in Islands Trust elections, given the extremely small electorate.	Reduces the need for electors to travel from remote islands or remote areas of islands (e.g. parts of Gambier) in mid-November.
Lack of knowledge and support from Regional District Boards regarding mail ballots.	Increases risk of spoiled ballots and judicial recounts.	Offers a voting opportunity for people who will be away from the jurisdiction for the entire 10-day election period.
Time frames provided for the election process are insufficient to send/receive mail ballots out of province/country.		Could increase the influence of non-resident electors over local decision-making.
Would eliminate the need for (and cost of) special polling areas such as Richmond and Sidney.		Could improve engagement of non-resident electors.
Requires greater attention to maintenance of voter lists.		Reduces the opportunity for civic engagement at polling places.
		Risk of increased confusion and inconsistency if RD's allow mail-in ballots for their Islands Trust candidates and not RD candidates.

## Mail Ballot Recommendations

- √ That the Islands Trust Council continue to contract with Regional Districts to administer its local elections.
- √ That the Islands Trust encourage Regional Districts to consider declaring some associated islands as remote areas and to offer mail ballots for residents of those areas, following the model used in the Cowichan Valley Regional District.
- √ That the Islands Trust request all Regional Districts to cooperate in the use of joint polling stations in the Greater Vancouver Area and the Greater Victoria Area, with locations based on factors such as concentrations of non-resident property owners, convenient transportation routes and availability of trained elections staff.

## Communications Recommendations

- √ That the Islands Trust continue its practice of providing information on its website about elections but that the practice be amended in the following ways:
  - Provide basic information (i.e. photo and bio) and contacts for candidates who wish to do so.
  - Include a Frequently Asked Questions section that addresses:
    - Important election dates
    - Who is eligible to vote
    - How to register to vote
      - For resident electors
      - For non-resident property electors (with details about problematic situations such as strata-units)
    - When and how to check the voters list
    - How the voters list is created
    - What to do if an elector believes that the name of an ineligible person is on the voters list
    - Why the names of all residents are not on the voters list
    - Links to new Guides for Voters, Candidates and Campaign Organizers
    - Information about changes to election procedures
    - Where to vote, including maps (Google maps?)
    - Where results can be found on election night
  - Provide PDF versions of completed candidate nomination forms (requires amendment to Islands Trust elections procedures bylaw)
  - Provide information about changes to Part 3 of the Local Government Act (re elections).
  - Provide information about subscribing to Islands Trust news releases to get election information and results.
  - Consider a separate subscription service that allows individuals to subscribe to new election information as it is posted.
- √ That the Islands Trust continue its practice of sending an addressed letter to non-resident property owners in BC to advise them of up-coming elections, but that the practice be amended in the following way:

- Coordinate contents with each Regional District to customize it for each Local Trust Area and to include information about voter eligibility, materials required to register as an elector, where to find election notices, information about candidates and information about results (see FAQs above).
- Specific information to be provided to address problematic scenarios such as multiple owners or ownership in association with a corporation.
- Letter to be accompanied by forms for voter registration, if possible.
- Letter to include information about subscribing to Islands Trust news releases to get further election information and results.
- The mailing costs are approximately \$8,000 to reach all non-resident property owners, of whom fewer than 1400 were on 2005 lists of electors in the Islands Trust Area. This means that non-resident property owners represented less than 10% of the total ballots cast in the 2005 election.

Non-resident Electors on 2005 Lists of Electors		
Capital Regional District	1109	Salt Spring 81; Galiano 385; Mayne 164; Saturna 95; North Pender 223; South Pender 75; Piers 33; Smaller Islands (Gossip, Parker, Wise, Acland) 53
Nanaimo Regional District	181	
Comox Valley Regional District	84	Denman –16; Hornby – 68
Powell River Regional District	<10	
Cowichan Regional District	5	
Sunshine Coast Regional District	N/A	

- √ That the Islands Trust develop a new practice of placing its own newspaper advertisements in local island newspapers to advise resident electors of up-coming elections.
- √ That the Islands Trust continue its practice of issuing news releases throughout the elections process and add releases to highlight the following milestones;
  - Opening of nominations and eligibility of electors.
  - After closing of nominations to announce candidates, how to register to vote and voting opportunities (existing practice)
  - Prior to advance polls to remind voters of voting opportunities, materials needed to register as an elector and where to find results after the close of polls.
  - On election night to announce preliminary results (existing practice)
- √ That the Islands Trust place posters on local island bulletin boards from June through Nov 2008 to advise residents and visiting non-resident property owners about up-coming elections and sources of further information.
- √ That the Islands Trust ensure that all election materials and notices prepared by Regional Districts are separate and distinct from Regional District materials and include the Islands Trust logo.

- √ That Regional Districts be asked to confirm the method by which candidates will be advised of election results.
- √ That greater publicity be given to the availability of results on the Islands Trust website and that the notice of election results be given greater prominence on the Islands Trust website (i.e. pop-up box on front page)

## **Lists of Electors Recommendations**

**Background:** Each Regional District chooses its own way of keeping a list of electors. Powell River uses voting day registration only. Nanaimo, Cowichan, Comox Valley and Sunshine Coast use the Provincial Voters List. The Capital Regional District maintains its own list from electors who have previously registered, either in advance or at the polls.

- √ That Islands Trust staff will encourage staff of Regional Districts to up-date lists of electors where they have been identified as problematic, and will assist with verification where possible. Focus area will be the Capital Regional District, including an invitation to their staff to bring the list to some islands for inspection.
- √ That Islands Trust staff request Regional Districts to give particular attention to concerns about multiple owners of strata units.
- √ That the Islands Trust staff develop information materials for its website to advise voters of the opportunity to inspect and challenge lists of registered electors from September 30 to October 10, 2008. (Subsequent elections may have different dates).
- √ That the Islands Trust consider providing additional resources for Regional Districts to assist them in up-dating lists of electors in advance of the election process and during the period when the list of electors can be inspected by the public (Sept. 30 – Oct. 10).
- √ That the Islands Trust staff request each Regional District to ensure that its list of non-resident property electors that is provided to candidates includes a mailing address as required by Sec. 55 of the *Local Government Act*.

## **Polling Stations Recommendations**

- √ That the Islands Trust staff request Regional Districts to give attention to training election staff to address specific issues raised in the Elections Administration Survey.