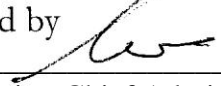
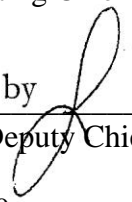


Item No. 10.1.3
Halifax Regional Council
November 23, 2010

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by 
Wayne Anstey, Acting Chief Administrative Officer

Original Signed by 
Mike Labrecque, Deputy Chief Administrative Officer

DATE: November 12, 2010

SUBJECT: Proposed amendments to the *Municipal Elections Act*

ORIGIN

This report originates from Staff.

RECOMMENDATION

It is recommended that Halifax Regional Council approve that the recommended amendment to the *Municipal Elections Act* be forwarded to the Province of Nova Scotia for consideration.

BACKGROUND

In 2008, amendments were made to the *Municipal Elections Act*, R.S.N.S. 1989, c. 300 to permit Nova Scotia municipalities to authorize, by by-law, the use of alternative voting, including voting electronically and by phone.

In the 2008 municipal election, HRM made use of electronic voting during advanced polls. The *Municipal Elections Act* currently requires that voters must be given the option to vote in person for advanced polls, even where electronic voting is in place.

During the 2008 Municipal and School Board Elections, HRM used electronic voting during a poll carried out in advance of the in-person polls. This meant that electronic voting was conducted almost a full two weeks in advance of ordinary polling day. During the 2009 District 6 Special Election, in-person and electronic voting was conducted at the same time. This pilot project enabled election staff to consider the cost and resources required to conduct an election in that manner.

DISCUSSION

The proposed amendment would permit Council, by by-law, to make more choices regarding the conduct of advance polling either by electronic voting only, potentially eliminating the need for in-person advanced polls and retaining in-person voting on ordinary polling day, or by a combination of electronic and in-person advanced polls.

It is the position of HRM election staff that voters would not be disadvantaged by increasing the options, accessibility and length of voting time available for advanced polls. If advanced polls were conducted through electronic voting only, voters would continue to be able to cast in-person ballots on ordinary polling days if they so desire. Voters not able to cast in-person ballots on ordinary polling day but not wanting to vote electronically would continue to be able to vote by proxy.

In addition, there are considerable budget implications for running both in-person and electronic voting concurrently at each advanced polling station. Based on the pilot conducted during the 2009 District 6 Special Election, the cost per polling station was determined to be approximately \$12,000-\$15,000 including equipment, technical support and training. Given the size and geography of HRM the combined in-person and electronic voting option for 23 advanced polling locations (one per district) would result in an additional cost of approximately \$300,000 - \$350,000 in addition to the \$160,000 hard costs required to rent and staff the 23 in-person advanced polls.

If the legislated requirement for advanced in-person polls were to be eliminated, it would result in savings in two (2) areas:

- An estimated \$350,000 in cost avoidance by not having the additional equipment costs required to run electronic and in-person advanced polls at the same time.
- An estimated \$160,000 in direct savings for the rental and staffing of in-person advanced polls.

The proposed amendments would enable Council, by by-law, to make that determination on an election by election basis as financial and voter considerations evolve.

If the amendments are recommended by Regional Council, they must still be adopted by the Legislature. In the event the amendments are not made to the *Municipal Elections Act*, election staff will bring forward options and budget implications for conducting advanced polls that meet the requirements set out under the *Act*.

Proposed amendment:

That section 146A(6) of the *Municipal Elections Act* be amended as follows:

Notwithstanding subsection (5), where a by-law provides for voting **by** electronic means, the by-law must permit voting by non-electronic means at a polling station, ~~including an advance poll~~ **on ordinary polling day**.

BUDGET IMPLICATIONS

There is no current budget impact. By being able to conduct electronic advanced polls only, there would be a direct cost saving of approximately \$160,000 to the 2012 elections budget and cost avoidance of approximately \$350,000.

The projected balance for the Election Reserve (Q313) as of March 31, 2011 is \$987,957.

The 2011/12 reserve contribution is expected to be \$400K, which would bring the Reserve balance at March 31, 2012 to \$1,387,957. Any special elections in the next 2 years will reduce the balance available.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

Advanced Electronic voting options has met with broad and growing acceptance with HRM voters. In the 2008 Municipal and School Board Elections 28.4 % of voters cast their ballots in the three (3) days of advanced electronic voting.

In the 2009 District 6 Special Election, where electronic voting was more broadly available over the entire voting period, 74.2% of all voters cast their ballots electronically.

ALTERNATIVES

1. For Regional Council not to recommend the proposed amendment to the *Municipal Elections Act*.

ATTACHMENTS

None

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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Report Approved by: _____
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