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March 31, 2008

Hon. Peter Kilabuk
Speaker
Legislative Assembly of Nunavut
Box 1200
Iqaluit, NU
X0A 0H0

Dear Mr. Kilabuk:

It is again my pleasure to provide the Assembly with my last report during the life of this Assembly on Elections Nunavut activities for the period April 1, 2007 to March 31, 2008.

I look forward to meeting with members of the Management and Services Board to consider this report in detail.

Sincerely yours,

Sandy Kusugak
Chief Electoral Officer

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FOREWORD

As we prepare for the upcoming general election - October 27, 2008, I'd like to take this opportunity to remind Nunavummiut that on election day we will be starting and ending voting at the same simultaneously throughout the territory.

Voting times will be: 8 am – 6 pm Mountain Time
9 am – 7 pm Central Time
10 am – 8 pm Eastern Time

Elections Nunavut has created brochures and guides for potential candidates, financial agents and anyone who might be interested in running a campaign as well as brochures and guides for voters. You can get copies of any of our materials in any of Nunavut's languages by phoning, faxing or e-mailing us. We welcome comment on these materials.

A handwritten signature in cursive script that reads "S. Kusugak".

Sandy Kusugak
Chief Electoral Officer

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Annual Report 2007-2008 Status of Legislation and Regulations

Summary of Amendments to the Nunavut Elections Act

Amendments to the Regulations. Amendments to the Elections Regulations were enacted in 2007 to implement the changes made to the *Nunavut Elections Act* last year.

An amendment to the Tariff of Fees Regulations was enacted in 2007 to provide for a flat rate of \$5,000 for work performed by a returning officer if the candidate is elected by acclamation.

Outstanding Annual Report Recommendation

There is only one recommendation from the Chief Electoral Officer's previous Annual Report outstanding. This recommendation was to provide for a Fixed Election Date. This issue was deferred to the next Legislative Assembly for further consideration by the Management and Services Board and caucus.

Recommendations for Amendments to the NEA

The following is a summary list of the amendments to the *Nunavut Elections Act* currently being proposed.

1. The 2005 Report of the Electoral Boundaries Commission highlighted a problem with the constituency of Hudson Bay. The unique size and location of this constituency means that it will always trigger the need to establish an Electoral Boundaries Commission after every election. Therefore it is recommended that this constituency be excluded from the need for an Electoral Boundaries Commission in the period between the mandatory 10-year review of boundaries and also to exclude it from the calculation of the electoral quotient.
2. The Nunavut register of voters is contained in electronic format (RENU). When we used typewriters, changes to the preliminary voters list could only reasonably be made by appending the list of revisions to the preliminary list thus forming the official list of voters. Computer use has deemed this awkward practice no longer necessary. Therefore it is recommended that the statement of revisions be removed from the Act.

3. The Act provided a procedure involving transfer certificates that was derived from previous legislation. The use of a transfer certificate enables voters who move between constituencies to be removed from the voters list for their former constituency and to be added to the voters list for the constituency to which they are moving. However, in practice this procedure is not used by voters, who instead update their voter information at the polling station in their new constituency. Therefore it is recommended that transfer certificates be removed from the Act.

4. There is a need to make a few minor housekeeping amendments to correct references to oaths and affirmations, forma and typographical errors.

Other Proposed Amendments

The Management and Services Board has recommended that an additional amendment be made to the Act to oblige the Chief Electoral Officer before an election, to inform the public of persons who are ineligible to be candidates in the election because of a failure to file a financial return or because they were expelled from the Legislative Assembly for an offence.

An amendment to the regulations is proposed to the Management and Services Board to support the new provisions in the Act on the electronic transmission of documents and the use of digital signatures.

Other Legislative Projects in Progress

New Plebiscite Act

A new Plebiscite Act is currently being drafted to

- modernize the plebiscite process;
- harmonize the plebiscite process with the election process established in the *Nunavut Elections Act*;
- allow local plebiscites as well as Nunavut-wide ones;
- deal with liquor plebiscites, rather than holding them in accordance with the *Local Authorities Elections Act*, as is the current practice;
- provide for e-democracy initiatives in the future;
- adapt the Act to Nunavut; and
- use plain language.

This initiative flows from Recommendation #4 of the Standing Committee *Ajauqtiit* Review of the Report of the Chief Electoral Officer of Nunavut: *Election of the First Legislative Assembly of Nunavut – 1999: A New Beginning*.

After consultation with municipal councils and focus group review following the general election on October 27, 2008 this Bill will be ready for enactment.

Other Matters for the Attention of the Assembly

Role of Elections Nunavut: The Chief Electoral Officer would like the next Assembly to consider the extent of the role it expects Elections Nunavut to play in the coordination of electoral processes in non-territorial elections.

NEA s.1(2)(f) there should be as much co-ordination as possible with other jurisdictions and levels of government, and among organizations administering elections within Nunavut, to share information and resources, to learn together, to pool and train staff and to deliver better election services to Nunavummiut;

NEA s.189(1) the Chief Electoral Officer shall ...(g) coordinate the electoral process with bodies responsible for other elections elsewhere in Canada;

NEA s.189(2) the Chief Electoral Officer may...(i) cooperate with other jurisdictions and levels of government, and with organizations administering elections in Nunavut, to share information and resources, to learn together, to pool and train staff and to deliver better election services to Nunavummiut;

Annual Report 2007-2008 Administrative Responsibilities

Electoral Boundaries Commission

Support. At the request of the Management and Service Board, Elections Nunavut created an outline and template to support the work of the next Electoral Boundaries Commission.

Co-ordination of the Electoral Process

Liquor Plebiscites. Elections Nunavut conducted six liquor plebiscites on behalf of the Department of Finance, Liquor Management. A variety of questions was asked in the communities of Cambridge Bay, Coral Harbour, Kimmirut, Kugluktuk, Taloyoak, Kugluktuk and Whale Cove.

Electoral support

NTI. The Chief Electoral Officer was contracted to act as Election Commissioner for the March NTI election for President and Vice-President. No complaints were made to the Commissioner.

Saskatchewan Métis Election. Elections Nunavut provided administrative assistance to the Saskatchewan Metis Election in July 2008.

CERL. The acronym CERL stands for the Canadian Election Resource Library. The Library is a document resource to which all federal, provincial and territorial jurisdictions contribute. It is also a forum for discussion and development of best practices. Elections Nunavut continues to use CERL as a research tool and continues to support financially.

Agreements

Vital Statistics. The Chief Electoral Officer signed an agreement with the Registrar General, Vital Statistics Division for the regular provision of death registration data in order to update the Register for Elections Nunavut.

Enforcement Protocol. The Enforcement Protocol has been revised to include the Office of Public Prosecutions as a signatory.

Motor Vehicles Agreement. Due to an administrative obstacle the Chief Electoral Officer has been unable to conclude an agreement with Motor Vehicles for the provision of information that would allow Elections Nunavut to obtain voter data from drivers' licenses.

Conference of Canadian Election Officials. Elections Nunavut was proud to host the Conference of Canadian Election Officials from July 30 to August 3. Delegates from all Canadian jurisdictions and from two international organizations COGEL and IACREOT enjoyed work sessions at the newly opened Nova Hotel and were delighted by the delicious arctic food and evening activities that included a sealskin fashion show and a fishing trip. Participants had a wonderful day in Pangnirtung graciously hosted by the Speaker, the Honourable Peter Kilabuk. The backdrop for our group photo below is so beautiful that some people suspected that it had been created by a software application.



Administrative Enhancements – Election Preparation

Document Revision. Elections Nunavut has recently finished a complete revision of all election documents to ensure the process is straightforward and accessible.

Filing Software for Financial Returns. Elections Nunavut has contracted Elections Manitoba to produce software that will provide candidates and financial agents with an additional option for preparing their financial returns. This project is in the testing stage.

Electronic infrastructure. Elections Nunavut has increased the capacity of the electronic voters' register to enable the production of polling records and other documents required by election officials.

Website. The Elections Nunavut website has been re-designed and will be in operation by early July.

Annual Report 2007-2008 Goals for 2008-2009

ELECTION 08

As October 27 has been declared election day, Elections Nunavut's focus for the coming year is clear.

Campaign financial returns are due on December 27, the end of the post-election period.

Post election the Chief Electoral Officer will conduct reviews with returning officers, poll officials, financial agents and voters to provide a basis for improving electoral administration.

Civics program

The Chief Electoral Officer will initiate discussion with the Department of Education regarding potential contribution of Elections Nunavut to the civics program for Nunavut schools.

Financial Report 2007-2008

Salaries and Wages	\$	346,833.65
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Operating Expenses

Travel & Airfare		68,733.13
Materials & Supplies		30,918.72
Purchased Services		67,623.91
Utilities		165.00
Leases & Contracts		124,713.67
Fees & Payments		11,766.45
Other Expenses		19,026.37
Office Furniture & Equipment		20,472.24
Tangible Assets		2,290.00
Computer Hardware & Software		39,582.10
Liquor Plebiscites Cambridge Bay, Coral Harbour, Kimmirut, Kugluktuk Taloyoak and Whale Cove		<u>28,150.81</u>

Total		\$ 760,276.05
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Income

NTI	\$	4,000.00
Conference registrations		<u>5,412.95</u>

Total revenue to CRF		\$ 9,412.95
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Appendix

Report on Complaints, Investigations and Prosecutions and Results of Prosecutions Under the Nunavut Elections Act since February 16, 2004.

Complaints by CEO	51
RCMP Action:	
No action	5
Investigation no charge	25
Charge	21
Compliance agreements:	
Offered	21
Completed	5
Results of prosecutions:	
Guilty plea	1
Withdrawn	3
Stayed	3
Closed/Unknown	9