



## AGENDA

### INTERGOVERNMENTAL AFFAIRS COMMITTEE

July 26, 2018, 9:30 AM

LEGAL TRADITIONS COMMITTEE ROOM

#### Members

Mayor N. Nenshi  
Councillor G-C. Carra, Vice-Chair  
Councillor P. Demong  
Councillor J. Farkas  
Councillor J. Gondek  
Councillor R. Jones  
Councillor J. Magliocca

1. CALL TO ORDER
2. OPENING REMARKS
3. CONFIRMATION OF AGENDA
4. CONFIRMATION OF MINUTES
  - 4.1 Minutes of the Regular Meeting of the Intergovernmental Affairs Committee, 2018 June 27
5. POSTPONED REPORTS  
*(including related/supplemental reports)*  
None
6. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES
  - 6.1 Alberta Urban Municipalities Association (AUMA) (Verbal), IGA2018-0862
  - 6.2 Alberta Urban Municipalities Association (AUMA) and City of Calgary Matters of Mutual Interest (Verbal), IGA2018-0878
  - 6.3 Federation of Canadian Municipalities (FCM) (Verbal), IGA2018-0871
  - 6.4 Calgary Regional Partnership (CRP) Board Meeting (Verbal), IGA2018-0872
  - 6.5 Calgary Metropolitan Region Board (CMRB) (Verbal), IGA2018-0873

- 6.6 Calgary Metropolitan Region Board (CMRB) - Land Use Committee (Verbal), IGA2018-0874
- 6.7 Calgary Metropolitan Region Board (CMRB) - Intermunicipal Servicing Committee (Verbal), IGA2018-0876
- 6.8 Intermunicipal Committees (IMC) (Verbal), IGA2018-0877
- 6.9 Calgary Metropolitan Region Board (CMRB) Update, IGA2018-0846
- 6.10 Local Authorities Election Act Review, IGA2018-0865
- 6.11 2018 Local Authorities Election Act Returning Officer Review, IGA2018-0941

7. ITEMS DIRECTLY TO COMMITTEE

7.1 REFERRED REPORTS  
None

7.2 NOTICE(S) OF MOTION  
None

8. URGENT BUSINESS

9. CONFIDENTIAL ITEMS

9.1 ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

9.1.1 City Charter Update (Verbal), IGA2018-0938  
Held confidential subject to Sections 21, 23, 24 and 25 of *FOIP*.

9.2 URGENT BUSINESS

10. ADJOURNMENT



## MINUTES

### INTERGOVERNMENTAL AFFAIRS COMMITTEE

**June 27, 2018, 9:30 AM**

#### **LEGAL TRADITIONS COMMITTEE ROOM**

**PRESENT:** Mayor N. Nenshi, Chair  
Councillor G-C. Carra, Vice-Chair  
Councillor P. Demong  
Councillor J. Farkas  
Councillor J. Gondek  
Councillor J. Magliocca

**ALSO PRESENT:** Deputy City Manager B. Stevens  
General Manager D. Duckworth  
City Clerk L. Kennedy  
Acting City Clerk J. Lord Charest  
Legislative Assistant L. McDougall

1. **CALL TO ORDER**

Mayor Nenshi called the Meeting to order at 9:36 a.m.

2. **OPENING REMARKS**

Mayor Nenshi provided opening remarks at today's meeting.

Mayor Nenshi introduced Greg Clark (AP), Member of the Legislative Assembly for Calgary-Elbow, present at today's meeting.

Councillor Farkas introduced members of the Lakeview Community Association present at today's meeting.

3. CONFIRMATION OF AGENDA

**Moved by** Councillor Demong

That the Agenda for today's meeting be amended by bringing forward the following Items, to be dealt with immediately following Confirmation of the Minutes:

Item 6.7 Presentation by Chair - Calgary Metropolitan Region Board (Verbal), IGA2018-0823; and

Item 6.8 Response to Councillor Farkas's Administrative Inquiry at the 2018 February 28 Strategic Meeting of Council, IGA2018-0833

**MOTION CARRIED**

**Moved by** Councillor Carra

That the Agenda for the 2018 June 27 Regular Meeting of the Intergovernmental Affairs Committee be confirmed, **as amended**.

**MOTION CARRIED**

4. CONFIRMATION OF MINUTES

4.1 Minutes of the Regular Meeting of the Intergovernmental Affairs Committee held 2018 May 17

**Moved by** Councillor Carra

That the Minutes of the Intergovernmental Affairs Committee held on 2018 May 17 be confirmed.

**MOTION CARRIED**

5. POSTPONED REPORTS

(None)

6. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

6.1 Alberta Urban Municipalities Association (AUMA) (Verbal), IGA2018-0730

**Moved by** Councillor Demong

That with respect to Report IGA2018-0730, the following be approved:

That the Intergovernmental Affairs Committee receive the Alberta Urban Municipalities Association (AUMA) Verbal Report for information.

**MOTION CARRIED**

6.2 Federation of Canadian Municipalities (FCM) (Verbal), IGA2018-0731

Councillor Magliocca's speaking notes was distributed with respect to Report IGA1018-0731.

**Moved by** Councillor Magliocca

That Item 6.2, Federation of Canadian Municipalities (Verbal) Report IGA2018-0731, be postponed to the Closed Meeting portion of today's Agenda.

**MOTION CARRIED**

Administration in attendance during the Closed Meeting discussions with respect to Report IGA2018-0731:

Clerks: J. Lord Charest, L. McDougall; Observers: B. Stevens, D. Duckworth, M. Surgenor-Sands, R. Spackman, D. Corbin, A. McIntyre, J. Clarke.

**Moved by** Councillor Magliocca

That with respect to Report IGA2018-0731, the following be approved, **after amendment**:

That the Intergovernmental Affairs Committee:

1. Receives Verbal Report IGA2018-0731 for Information; and
2. **Direct that the closed meeting discussions remain confidential pursuant to Sections 21 and 24 of the *Freedom of Information and Protection of Privacy Act*.**

**MOTION CARRIED**

6.3 Calgary Metropolitan Region Board (CMRB) (Verbal) , IGA2018-0732

**Moved by** Councillor Carra

That with respect to Report IGA2018-0732, the following be approved:

That the Intergovernmental Affairs Committee receive the Calgary Metropolitan Region Board (CMRB) Verbal Report for information.

**MOTION CARRIED**

- 6.4 Calgary Metropolitan Region Board (CMRB) - Land Use Committee (Verbal), IGA2018-0733

**Moved by** Councillor Carra

That with respect to Report IGA2018-0733, the following be approved:

That the Intergovernmental Affairs Committee receive the Calgary Metropolitan Region Board (CMRB) - Land Use Committee Verbal Report for information.

**MOTION CARRIED**

- 6.5 Calgary Metropolitan Region Board (CMRB) - Intermunicipal Servicing Committee (Verbal), IGA2018-0734

**Moved by** Councillor Carra

That with respect to Report IGA2018-0734, the following be approved:

That the Intergovernmental Affairs Committee receive the Calgary Metropolitan Region Board (CMRB) - Intermunicipal Servicing Committee Verbal Report for information.

**MOTION CARRIED**

- 6.6 Intermunicipal Committees (IMC) (Verbal), IGA2018-0735

**Moved by** Councillor Gondek

That with respect to Report IGA2018-0735, the following be approved:

That the Intergovernmental Affairs Committee receive the Intermunicipal Committees (IMC) Verbal Report for information.

**MOTION CARRIED**

- 6.7 Presentation by Chair - Calgary Metropolitan Region Board (Verbal), IGA2018-0823

Mayor Nenshi introduced Chris Sheard, Interim Board Chair of the Calgary Metropolitan Region Board, present at today's meeting with respect to Report IGA2018-0823.

**Moved by** Councillor Carra

That with respect to Report IGA2018-0823, the following be approved:

That the Intergovernmental Affairs Committee receive the Presentation by Chair - Calgary Metropolitan Region Board Verbal Report for information.

**MOTION CARRIED**

6.8 Response to Councillor Farkas's Administrative Inquiry at the 2018 February 28 Strategic Meeting of Council, IGA2018-0833

A document packet submitted by Councillor Farkas, provided by the Lakeview Community Association, was received for the Corporate Record with respect to Report IGA2018-0833.

**Moved by** Councillor Farkas

That with respect to Report IGA2018-0833, the following be approved:

That the Intergovernmental Affairs Committee receive the Response to Councillor Farkas's at the 2018 February 28 Strategic Meeting of Council Report for information.

**MOTION CARRIED**

6.9 Conversation Regarding Electoral and Democratic Reform, IGA2018-0558

A letter, Re: Municipal Campaign Finance Reform, dated 2017 December 22, by Mayor Naheed K. Nenshi, was distributed with respect to Report IGA2018-0558.

**Moved by** Councillor Carra

That with respect to Report IGA2018-0558, the following be approved:

That the Intergovernmental Affairs Committee directs Administration to:

1. Compile consensus positions for potential amendments to the Local Authorities Elections Act (LAEA), the Municipal Government Act, and other legislative instruments as identified in the verbal discussion related to this item; and
2. Bring forward a report to the Intergovernmental Affairs Committee on the identified consensus positions and potential amendments to the Local Authorities Elections Act following commencement of a review of the LAEA by the Government of Alberta.

**MOTION CARRIED**

6.10 CFD Medical Response Business Model, IGA2018-0830

A PowerPoint presentation entitled " The Calgary Fire Department Medical Response Business Model", dated 2018 June 27, was distributed with respect to Report IGA2018-0830.

**Moved by** Councillor Demong

That with respect to Report IGA2018-0830, the following be approved, **after amendment**:

That the Intergovernmental Affairs Committee:

1. Receives this report and attachments for Information; and
2. **Recommends that** Council continues to advocate, with Administration, through the various orders of government, for The City of Calgary to be compensated for responding to emergency medical calls that are within the jurisdiction of Alberta Health Services.

**MOTION CARRIED**

7. ITEMS DIRECTLY TO COMMITTEE

7.1 REFERRED REPORTS

(None)

7.2 NOTICE(S) OF MOTION

(None)

8. URGENT BUSINESS

(None)

9. CONFIDENTIAL ITEMS

9.1 ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

9.1/1 The City of Calgary Regional Water Licence Update, IGA2018-0828

Pursuant to Section 6(1) of Procedure Bylaw 35M2017, Section 78(2)(a) was suspended, by general consent, to allow Committee to complete the remainder of the Agenda, prior to the scheduled 12:00 noon Recess.

Attachments 1 and 2 contained in Report IGA2018-0828, were released as public documents, by general consent.



Distributions with respect to Report IGA2018-0828:

- A PowerPoint Presentation entitled "City of Calgary Water License Update", dated 2018 June 27; and
- A Confidential PowerPoint Presentation which shall remain confidential pursuant to Sections 23 and 24 of the *Freedom of Information and Protection of Privacy Act*.

**Moved by** Councillor Demong

That pursuant to Sections 21, 23 and 24 of the *Freedom of Information and Protection of Privacy Act*, the Intergovernmental Affairs Committee now move into Closed Meeting, at 12:12 p.m., to consider confidential matters with respect to the following Items:

Item 6.2 Federation of Canadian Municipalities (FCM), Verbal, IGA2018-0731

Item 9.1.1. The City of Calgary Regional Water Licence Update, IGA2018-0828

**MOTION CARRIED**

Committee moved into Public Meeting at 12:43 p.m. with Mayor Nenshi in the Chair.

**Moved by** Councillor Demong

That Committee rise and report.

**MOTION CARRIED**

### **REVISED MATERIALS**

9.1.1.1 Revised Cover Report for Report IGA2018-0828

Administration in attendance during the Closed Meeting discussions with respect to Report IGA2018-0828:

Clerks: J. Lord Charest, L. McDougall. Advice: D. Duckworth, R. Spackman, C. Bowen; Observers: B. Stevens, M. Surgenor-Sands, D. Corbin, A. McIntyre, J. Clarke, S. Alexander, N. Harckham, S. Cheng, N. Kuzmal, N. Zoldack, D. Shearer, R. Dueck, Lindsay Kline-Wiz, H. Sandhu; Legal: D. Mercer.

**Moved by Councillor Demong**

That with respect to Report IGA2018-0828, the following be approved, **after amendment**:

That the Intergovernmental Affairs Committee recommends that Council:

1. Provide support through representation on Calgary Municipal Region Board (CMRB) for the development of a regional water supply plan that aligns with the servicing and growth plans;
2. Direct Administration to report back to the Intergovernmental Affairs Committee on the Drought Risk and Vulnerability Assessment; and
3. **Direct that the confidential PowerPoint presentation and the confidential discussions with respect to Report IGA2018-0828 remain confidential pursuant to Sections 23 and 24 of the *Freedom of Information and Protection of Privacy Act*.**

**MOTION CARRIED**

9.2 URGENT BUSINESS  
(None)

10. ADJOURNMENT

**Moved by Councillor Gondek**

That this meeting adjourn at 12:46 p.m.

**MOTION CARRIED**

THE FOLLOWING ITEM WAS FORWARDED TO THE 2018 JULY 30 COMBINED MEETING OF COUNCIL:

CONSENT

CFD Medical Response Business Model, IGA2018-0830

The City of Calgary Regional Water Licence Update, IGA2018-0828

The next Regular Meeting of the Intergovernmental Affairs Committee is scheduled from 2018 July at 9:30 a.m.

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CHAIR

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ACTING CITY CLERK

UNCONFIRMED



**Deputy City Manager's Office Report to  
Intergovernmental Affairs Committee  
2018 July 26**

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## **Calgary Metropolitan Region Board (CMRB) Update**

### **EXECUTIVE SUMMARY**

The Calgary Metropolitan Region Board (CMRB) is a mandatory growth board established through the Municipal Government Act (MGA) and the Calgary Metropolitan Region Board Regulation (The Regulation). Council previously appointed Mayor Nenshi (Primary) and Councillor Carra (Alternate) as representatives to the CMRB Board. The CMRB Board had established three elected official Committees and on 22 June 2018 the Board voted to establish a fourth Committee focused on advocacy. The purpose of this report is to nominate a City of Calgary (The City) elected official and alternate to represent The City at the CMRB Advocacy Committee and to bolster elected official representation to the Land Use and Intermunicipal Servicing Committees by nominating Committee alternates.

### **ADMINISTRATION RECOMMENDATION:**

That the Intergovernmental Affairs Committee recommend that Council:

1. Appoint a Council representative and alternate to the newly formed Calgary Metropolitan Region Board Advocacy Committee, set to expire at the 2018 Organizational Meeting of Council; and
2. Appoint a Council alternate to the Calgary Metropolitan Region Board Land Use Committee, and the Intermunicipal Servicing Committee, set to expire at the 2018 Organizational Meeting of Council.

### **PREVIOUS COUNCIL DIRECTION / POLICY**

On 2017 December 11 (C2017-1164) Council appointed the Mayor as The City of Calgary's representative, and Councillor Carra as alternate, to the Calgary Metropolitan Region Board for a term effective 2018 January 01 and set to expire at the 2018 Organizational Meeting of Council.

On 2016 March 03 (IGA2016-0160) Council approved The City of Calgary Submission to Minister of Municipal Affairs-Growth Management Board for the Calgary Region.

On 2016 January 14 in-camera verbal report (IGA2016-0048), IGA was provided an overview of preliminary City positions relative to the Growth Management Board development.

### **BACKGROUND**

#### **Growth Management Board and the Calgary Metropolitan Region Board**

In September 2015, the Minister of Municipal Affairs announced that the Province would move forward with a mandatory growth management board for the Calgary Metropolitan Region.

Section 708.02(1.1) of the MGA provides that the Lieutenant Governor in Council, on the recommendation of the Minister, establish a growth management board for the Calgary Metropolitan Region and determine the membership of the board.

The Regulation (Attachment 1) was granted Royal Assent on 2017 October 26 and came into force on 2018 January 1. The City is one of 10 municipal members identified as a mandatory member.

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Intergovernmental Affairs Committee  
2018 July 26**

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## **Calgary Metropolitan Region Board (CMRB) Update**

On 2017 December 11, Mayor Nenshi was nominated by Council as The City representative at the Board with Councillor Carra as alternate. Decisions of the Board must be supported through a Double Majority governance model where The City support is necessary for decisions to be passed. Where a representative is not present for a vote of the Board, the representative is deemed to have voted in the affirmative. (Section 5(2) & (3) of The Regulation)

### **CMRB Board and Committee Representation**

There are four elected official committees of the CMRB. The Terms of Reference for these Committees are contained within Attachments 2 and 3. The four Committees and their representation is summarized in the table below:

<b>Board/Committee</b>	<b>Council Representative</b>	<b>Council Alternate</b>
Calgary Metropolitan Region Board	Mayor Nenshi	Councillor Carra
Land Use Committee	Councillor Carra	None
Intermunicipal Servicing Committee	Councillor Carra	None
Governance Committee	n/a – Calgary representation not required	n/a – Calgary representation not required
Advocacy Committee (new)	None	None

## **INVESTIGATION: ALTERNATIVES AND ANALYSIS**

### **Nominating Council Alternates for Committees**

Since the establishment of the CMRB on 2018 January 1, three elected official committees of the CMRB were created (Land Use, Servicing and Governance). In accordance with the Land Use Committee and Intermunicipal Servicing Committee's Terms of References (Attachment 2), there are no requirements for meeting quorum, and decisions are determined by a simple majority. The CMRB Committees are not decision making bodies but make recommendations to the CMRB Board.

It is important for the CMRB Committees to be sufficiently represented to ensure that the interests of The City are articulated and to influence the matters and decisions that are referred to the Board for decision.

### **Advocacy Committee**

On 2018 June 22, the Board voted to approve the creation of a fourth elected official committee (Advocacy Committee). This Committee is intended to guide the development of educational and outreach strategies to advance the goals of the region, particularly as these strategies pertain to intergovernmental relations with the Government of Alberta and the Government of Canada. In accordance with the Advocacy Committee Terms of Reference (Attachment 3),

Deputy City Manager's Office Report to  
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## **Calgary Metropolitan Region Board (CMRB) Update**

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decisions will be determined by a simple majority. Recommendations of the Committee will be referred to the Board for final decision.

Representation on the Advocacy Committee allows The City to influence advocacy recommendations to the Board and to coordinate regional advocacy with The City's own advocacy efforts.

### **Stakeholder Engagement, Research and Communication**

N/A

### **Strategic Alignment**

The Municipal Development Plan states in Policy 1.3.2 and Policy 5.C.5 that The City is aligned with the aspirations of the Calgary Regional Partnership and the Calgary Metropolitan Plan.

The Triple Bottom Line Policy Framework (Oct 2011) under the heading Smart Growth Framework states that "The City works with its regional partners to ensure that growth is managed effectively to achieve the goal of long-term urban sustainability."

### **Social, Environmental, Economic (External)**

#### **Financial Capacity**

##### ***Current and Future Operating Budget:***

Additional staff resources required to support the Advocacy Committee will be absorbed through current resources on the Intergovernmental & Corporate Strategy Team

##### ***Current and Future Capital Budget:***

There are no capital budget impacts associated with this report.

### **Risk Assessment**

There are no significant risks associated with the recommendations in this report. Council representation on the committees, along with bolstered support from Council alternates, will increase opportunities for The City's interests to be better reflected in the region and for City advocacy to be coordinated with the Region.

### **REASON(S) FOR RECOMMENDATION(S):**

Two Council elected officials are recommended to represent The City at the CMRB Advocacy Committee (Representative and Alternate). Representation on this Committee will ensure that City interests are reflected and coordinated with The City's substantial advocacy efforts. In addition, Council alternates for the Land Use Committee and Intermunicipal Servicing Committee are recommended to provide continuity and support and to consistently influence Committee recommendations to the CMRB Board.

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### **Calgary Metropolitan Region Board (CMRB) Update**

#### **ATTACHMENT(S)**

1. Calgary Metropolitan Region Board Regulation;
2. Terms of References for Governance Committee, Land Use Committee, Intermunicipal Servicing Committee;
3. Draft Terms of Reference for Advocacy Committee





Province of Alberta

## MUNICIPAL GOVERNMENT ACT

# **CALGARY METROPOLITAN REGION BOARD REGULATION**

### **Alberta Regulation 190/2017**

#### **Extract**

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### **Note**

All persons making use of this document are reminded that it has no legislative sanction. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

(no amdt)

**ALBERTA REGULATION 190/2017**

**Municipal Government Act**

**CALGARY METROPOLITAN  
REGION BOARD REGULATION**

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Schedule

### **Definitions**

**1** In this Regulation,

- (a) “Act” means the *Municipal Government Act*;
- (b) “Board” means the Calgary Metropolitan Region Board established by section 2;
- (c) “Calgary Metropolitan Region” means the lands lying within the boundaries of the participating municipalities;
- (d) “Framework” means the Regional Evaluation Framework, including any amendments to the Framework, approved by the Minister under section 12;
- (e) “Growth Plan” means an integrated growth management plan for the Calgary Metropolitan Region, including any amendments to that plan, approved by the Minister under section 708.1 of the Act;
- (f) “Minister” means the Minister responsible for the Act;
- (g) “participating municipality” means a municipality listed in the Schedule;
- (h) “recreation corridor” means a corridor with varying width where one or more trail recreation activities occur;
- (i) “representative” means a person appointed by a participating municipality under section 708.04 of the Act or designated under section 2(4) of this Regulation;
- (j) “Servicing Plan” means a plan to provide services referred to in section 16 on a regional basis;
- (k) “statutory plan” means
  - (i) a statutory plan as defined in section 616(dd) of the Act, or

- (ii) an amendment to a statutory plan referred to in subclause (i).

## **Part 1**

### **Calgary Metropolitan Region Board**

#### **Establishment of Board**

- 2(1)** The Calgary Metropolitan Region Board is established in accordance with section 708.02(1.1) of the Act.
- (2)** Each participating municipality may appoint a person to act in the representative's place in the event of the representative's temporary absence or temporary inability to act.
- (3)** A representative appointed under section 708.04 of the Act and subsection 2(2) must be a councillor of the participating municipality that is appointing the representative.
- (4)** Until a participating municipality appoints a representative under section 708.04 of the Act, the chief elected official of the participating municipality is designated as that municipality's representative.
- (5)** If the representative of a participating municipality is unable to attend a meeting of the Board, the Board, on the request of the participating municipality, may provide for an alternative method of representation for the participating municipality at that meeting.
- (6)** Representatives appointed under section 708.04 of the Act are expected to represent the perspectives of their respective municipality during Board deliberations, but have a duty to act in the best interests of the Board when taking actions or making decisions.

#### **Mandate of Board**

- 3(1)** The Board shall
- (a) strive towards consensus regarding matters before the Board,
  - (b) promote the long term sustainability of the Calgary Metropolitan Region,
  - (c) ensure environmentally responsible land-use planning, growth management and efficient use of land,
  - (d) develop policies regarding the coordination of regional infrastructure investment and service delivery,

- (e) promote the economic well-being and competitiveness of the Calgary Metropolitan Region,
- (f) develop policies outlining how the Board shall engage the public on the Growth Plan and the Servicing Plan, and
- (g) be limited in its mandate and role to those powers given to the Board under the Act and this Regulation.

**(2)** In fulfilling its mandate, the Board shall further

- (a) prepare a Growth Plan,
- (b) prepare a Servicing Plan,
- (c) advise and make recommendations to the Minister regarding the implementation of the Growth Plan and the Servicing Plan,
- (d) facilitate the resolution of issues arising from the preparation and implementation of the Growth Plan and the Servicing Plan, and
- (e) develop and implement policies for the sharing of costs for regional projects of the Calgary Metropolitan Region.

**Chair of Board**

- 4(1)** Representatives appointed under section 708.04 of the Act or designated by section 2(4) shall elect from among them a Chair of the Board.
- (2)** Despite subsection (1), the Minister may by order appoint an interim Chair of the Board.
- (3)** If the Minister appoints an interim Chair, the term of the Chair elected under subsection (1) commences on the day after the expiry of the term of the interim Chair.
- (4)** The interim Chair does not have voting rights.
- (5)** The representatives appointed under section 708.04 of the Act or designated by section 2(4) may appoint a Chair that is not a representative appointed under section 708.04 of the Act or designated by section 2(4) in accordance with policies established by the Board.
- (6)** A Chair appointed under section 4(5) does not have voting rights.

**Voting rights of representatives**

**5(1)** Subject to section 708.03(2) of the Act and section 4(4) and (6) of this Regulation, each representative has one vote.

**(2)** If a decision of the Board is to be made by a vote, the decision must be supported by not fewer than 2/3 of the representatives from participating municipalities that collectively have at least 2/3 of the population in the Calgary Metropolitan Region.

**(3)** Subject to section 2(5), if a representative is not present for a vote of the Board, or abstains from voting, the representative is deemed to have voted in the affirmative.

**Power and duties of Board**

**6** The Board may

- (a) develop policies allowing for the participation of non-members,
- (b) requisition participating municipalities for operating costs related to the operations of the Board, and
- (c) carry out any other functions and duties as the Minister directs.

## **Part 2**

### **Preparation of Calgary Metropolitan Region Growth Plan**

**Preparation of Growth Plan**

**7(1)** The Board shall, within 3 years from the coming into force of this Regulation, prepare and submit to the Minister a proposed Calgary Metropolitan Region Growth Plan.

**(2)** The Board shall review the Growth Plan every 10 years, or earlier as determined by the Board, unless otherwise ordered by the Minister under section 708.24(2) of the Act.

**Objectives of Growth Plan**

**8** The objectives of the Growth Plan are

- (a) to promote an integrated and strategic approach to planning for future growth in the Calgary Metropolitan Region,
- (b) to identify the overall development pattern and key future infrastructure investments that would

- (i) best complement existing infrastructure, services and land uses in the Calgary Metropolitan Region,
  - (ii) best complement the desired scale of development and community visions across the Calgary Metropolitan Region,
  - (iii) best address efficient and cost effective growth and development, and
  - (iv) maximize benefits to the Calgary Metropolitan Region,
- (c) to coordinate decisions in the Calgary Metropolitan Region to sustain economic growth and ensure strong communities and a healthy environment, and
  - (d) to promote the social, environmental and economic well-being and competitiveness of the Calgary Metropolitan Region.

**Contents of Growth Plan**

**9(1)** Except as otherwise specified by the Minister, a proposed Growth Plan must contain a comprehensive, integrated regional land-use plan for the Calgary Metropolitan Region that includes the following:

- (a) population and employment projections;
- (b) the identification of
  - (i) growth areas,
  - (ii) land supply for residential, commercial and industrial purposes,
  - (iii) agricultural lands,
  - (iv) density of development,
  - (v) the development and location of infrastructure, and
  - (vi) corridors for recreation, transportation, energy transmission, utilities and intermunicipal transit;
- (c) policies regarding the planning for corridors for recreation, transportation, energy transmission, utilities and intermunicipal transit;
- (d) policies regarding environmentally sensitive areas;



- (e) policies regarding the coordination of infrastructure planning and development among the participating municipalities;
- (f) policies that address new settlement areas;
- (g) policies that address the intensification of existing settlement areas;
- (h) policies regarding the conservation of agricultural lands;
- (i) specific actions to be taken by the participating municipalities to implement the Growth Plan.

(2) In preparing a proposed Growth Plan, the Board may also have regard to any matter relating to the physical, social or economic development of the Calgary Metropolitan Region.

#### **Limitation of Plan**

**10** Despite anything to the contrary in this Regulation, the Growth Plan is of no effect to the extent it directs the Government of Alberta to expend funds, to commit to funding arrangements or to undertake particular actions or adopt particular policies or programs.

## **Part 3**

### **Approval of Statutory Plans**

#### **Application of Part**

**11** This Part applies to a statutory plan only after a Regional Evaluation Framework is approved by the Minister under section 12.

#### **Regional Evaluation Framework**

**12(1)** The Board shall prepare and submit to the Minister a Regional Evaluation Framework containing

- (a) criteria to be used to determine whether a statutory plan must be submitted for approval under section 13(1),
- (b) procedures for submitting statutory plans for approval under section 13(1), and
- (c) the criteria and procedures to be followed by the Board for the objective evaluation and approval of statutory plans in relation to the Growth Plan and the Servicing Plan.

- (2) The Minister may, by order, approve, reject or amend a Framework.
- (3) The Framework has no effect until it is approved by the Minister.
- (4) If the Board fails to provide a Framework, the Minister may, by order, establish a Framework.
- (5) Subject to subsections (3) and (4), if the Minister establishes or approves a Framework, the Minister shall provide a copy of it to each participating municipality.
- (6) The Framework is not a regulation within the meaning of the *Regulations Act*.

#### **Approval of statutory plan**

- 13(1)** Statutory plans to be adopted by a participating municipality that meet the criteria set out in the Framework must be submitted to the Board for approval.
- (2) In accordance with the Framework, the Board may approve or reject a statutory plan.
- (3) A statutory plan referred to in subsection (1) has no effect unless it is approved by the Board under subsection (2).
- (4) Subject to an appeal or dispute resolution mechanism established under section 708.23(1) of the Act or as otherwise provided in the Framework, a participating municipality has no right to a hearing before the Board in respect of its approval or rejection of a statutory plan.
- (5) Subject to section 708.23(1) of the Act, a decision of the Board under this section is final and not subject to appeal.
- (6) This section applies only to statutory plans to be adopted by a participating municipality after the establishment of the Framework.

### **Part 4 Preparation of Calgary Metropolitan Region Servicing Plan**

#### **Servicing Plan**

- 14(1)** The Board shall, within 3 years of the establishment of the Board, prepare a Metropolitan Region Servicing Plan for the Calgary Metropolitan Region and file a copy with the Minister.

(2) The Board shall review the Servicing Plan every 5 years.

#### **Objectives of Servicing Plan**

**15** The objectives of the Servicing Plan are as follows:

- (a) to identify the services required to support the goals of, and to implement, the Growth Plan;
- (b) to support the optimization of shared services to enhance use of ratepayer dollars;
- (c) to facilitate orderly, economical and environmentally responsible growth in the Calgary Metropolitan Region.

#### **Contents of Servicing Plan**

**16** The Servicing Plan must

- (a) list the servicing required to support the development outlined in the Growth Plan, which may include
  - (i) transportation, including regional transit,
  - (ii) water, waste water and storm water,
  - (iii) solid waste,
  - (iv) emergency services, and
  - (v) any other services, identified by the board which benefit residents in more than one of the municipalities that are parties to the Servicing Plan,
- (b) for services to be provided on an intermunicipal basis, outline how each service will be
  - (i) intermunicipally delivered, including which municipality will lead delivery of the service, and
  - (ii) intermunicipally funded,
- (c) set the timeframe for implementing services to be provided on an intermunicipal basis,
- (d) contain any other matters necessary to support the growth plan, and
- (e) contain any other matter the Minister considers appropriate.

## **Part 5 General Matters**

### **Transitional**

**17** Sections 708.13 and 708.14 of the Act do not apply to statutory plans adopted, bylaws made, resolutions passed or municipal agreements entered into by a participating municipality before the coming into force of this Regulation.

### **Regulation review**

**18** This Regulation shall be reviewed every 5 years.

### **Coming into force**

**19** This Regulation comes into force on January 1, 2018.

## **Schedule Participating Municipalities**

- (a) City of Airdrie;
- (b) City of Calgary;
- (c) City of Chestermere;
- (d) Town of Cochrane;
- (e) Town of High River;
- (f) Town of Okotoks;
- (g) Town of Strathmore;
- (h) Rocky View County;
- (i) Municipal District of Foothills;
- (j) That portion of Wheatland County described as follows:

Starting at the southeast corner of section 21, township 23, range 24; Then westerly until the southwestern corner of section 19, township 23, range 26; Then northerly until the northwestern corner of section 31, township 24, range 26; Then easterly until the northeastern corner of section 33, township 24, range 24; Then southerly to the point of commencement. All west of the fourth meridian

Approximate area: 87 000 acres

Includes all of:

Township 23, Range 24  
Sections 28-33, 19-21

Township 23, Range 25  
Sections 19-36

Township 23, Range 26  
Sections 19-36

Township 24, Range 24  
Sections 4-9, 16-21, 28-33

Township 24, Range 25  
All sections


Township 24, Range 26  
All sections

All west of the fourth meridian







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## Agenda Item #4b

# **Terms of Reference Governance Committee**

### **Authority**

The Governance Committee is established by the Board and reports to the Board through the Committee Chair. The Committee Chair shall provide leadership to the Committee members in fulfilling the mandate set out in these Terms of Reference.

### **Purpose**

The purpose of the Governance Committee ("the Committee") is to provide a focus on governance that will enhance the Board's performance.

### **1. Responsibilities of the Governance Committee**

The Governance Committee shall oversee, and provide advice and direction, to the Board in three primary areas:

- i. Board governance and operations
- ii. Finance
- iii. Human Resources.

As well, the Committee will be responsible for such other matters as may be assigned to them from time to time. The Committee Chair shall work with the Chief Officer and the Board Chair in planning Committee meetings and agendas.

### **2. Governance Duties**

With assistance from the Board Chair and the Chief Officer, the Committee shall review and recommend to the Board:

- a. Policies and procedures by which the Board operates
- b. Roles and responsibilities for the Board Chair and Chief Officer
- c. The Terms of Reference for all standing committees.

### **3. Finance Duties**

With assistance from the Board Chair and the Chief Officer, the Committee shall monitor the financial affairs of the Board, including the preparation of financial statements and annual audits, and shall make such reports and recommendations to the Board as it considers appropriate.

#### **4. Human Resources**

With assistance from the Board Chair and the Chief Officer, the Committee will monitor and provide direction regarding the Board's human resources policies and practices. In the event of a need to recruit a Chief Officer, the Committee will oversee the recruitment process, and will make a recommendation to the Board for appointment.

#### **5. Committee Membership**

The Committee will be comprised of 3 Board members selected by the Board. The Chair will be an "ex officio" member of the Committee.

**Terms of Reference  
Land Use Committee****Authority**

The Land Use Committee is established by the Board and reports to the Board through the Committee Chair. The Committee Chair shall provide leadership to the Committee members in fulfilling the mandate set out in these Terms of Reference.

**Goals**

To guide the preparation of a Growth Plan for review and approval by the Calgary Metropolitan Region Board. The Growth Plan must contain a comprehensive, integrated regional land-use plan for the Calgary Metropolitan Region. The Growth Plan must be submitted to the Minister of Municipal Affairs no later than January 1, 2021.

**Objectives of the Growth Plan**

The objectives of the Growth Plan, as stated in Section 8 of the Calgary Region Board Regulation (AR 190/2017), are:

- (a) to promote an integrated and strategic approach to planning for future growth in the Calgary Metropolitan Region,
- (b) to identify the overall development pattern and key future infrastructure investments that would
  - (i) best complement existing infrastructure, services and land uses in the Calgary Metropolitan Region,
  - (ii) best complement the desired scale of development and community visions across the Calgary Metropolitan Region,
  - (iii) best address efficient and cost effective growth and development, and
  - (iv) maximize benefits to the Calgary Metropolitan Region,

(c) to coordinate decisions in the Calgary Metropolitan Region to sustain economic growth and ensure strong communities and a healthy environment, and

(d) to promote the social, environmental and economic well-being and competitiveness of the Calgary Metropolitan Region

### **Scope/Contents of the Growth Plan**

As defined in Section 9 of the Calgary Metropolitan Region Regulation (AR 190/2017), a Growth Plan must include the following:

- (a) population and employment projections;
- (b) the identification of
  - (i) growth areas,
  - (ii) land supply for residential, commercial and industrial purposes,
  - (iii) agricultural lands,
  - (iv) density of development,
  - (v) the development and location of infrastructure, and
  - (vi) corridors for recreation, transportation, energy transmission, utilities and intermunicipal transit;
- (c) policies regarding the planning for corridors for recreation, transportation, energy transmission, utilities and intermunicipal transit;
- (d) policies regarding environmentally sensitive areas;
- (e) policies regarding the coordination of infrastructure planning and development among the participating municipalities;
- (f) policies that address new settlement areas;
- (g) policies that address the intensification of existing settlement areas;

(h) policies regarding the conservation of agricultural lands;

(i) specific actions to be taken by the participating municipalities to implement the Growth Plan.

The Committee may also consider other aspects with regard to any matter relating to the physical, social or economic development of the Calgary Metropolitan Region, if it feels this will enhance the Growth Plan, recognizing the deadline given by the Regulation.

### **Resources and Budget**

The Committee will be supported by the Chief Officer and the Project Manager – Land Use of the CMRB. Additional resources required to conduct studies, create service inventories, etc. will be made available to the committee as necessary.

### **Governance**

Voting Structure: Decisions of the Committee will be determined by a simple majority

Quorum: There is no requirement for quorum. The Committee will follow the standard set out for the Board in Section 5 (3) of the Regulation

“...if a representative is not present for a vote of the Board, or abstains from voting, the representative is deemed to have voted in the affirmative”

## **Terms of Reference Intermunicipal Servicing Committee**

### **Authority**

The Intermunicipal Servicing Committee is established by the Board and reports to the Board through the Committee Chair. The Committee Chair shall provide leadership to the Committee members in fulfilling the mandate set out in these Terms of Reference.

### **Goals**

To guide the preparation of a Servicing Plan for recommendation to, and approval by, the Calgary Metropolitan Region Board. The Servicing Plan must be submitted to the Minister of Municipal Affairs within 3 years of the establishment of the Board.

### **Objectives of the Servicing Plan**

The objectives of the Servicing Plan as outlined in Section 15 of the Calgary Metropolitan Region Board Regulation (AR 190/17) are as follows:

- (a) to identify the services required to support the goals of, and to implement, the Growth Plan;
- (b) to support the optimization of shared services to enhance use of ratepayer dollars;
- (c) to facilitate orderly, economical and environmentally responsible growth in the Calgary Metropolitan Region.

### **Contents of the Servicing Plan**

As defined in Section 16 of the Calgary Metropolitan Region Board Regulation (AR 190/2017), the Servicing Plan must include the following:

- (a) list the servicing required to support the development outlined in the Growth Plan, which may include
  - (i) transportation, including regional transit,
  - (ii) water, waste water and storm water,

- (iii) solid waste,
- (iv) emergency services, and
- (v) any other services, identified by the board which benefit residents in more than one of the municipalities that are parties to the Servicing Plan,
  - (b) for services to be provided on an intermunicipal basis, outline how each service will be
    - (i) intermunicipally delivered, including which municipality will lead delivery of the service, and
    - (ii) intermunicipally funded,
  - (c) set the timeframe for implementing services to be provided on an intermunicipal basis,
  - (d) contain any other matters necessary to support the growth plan, and
  - (e) contain any other matter the Minister considers appropriate.

## **Resources and Budget**

The Committee will be supported by the Chief Officer and the Project Manager – Services of the CMRB. Additional resources required to conduct studies, create service inventories, etc. will be made available to the committee.

## **Governance**

**Voting Structure:** Decisions of the Committee will be determined by a simple majority.

**Quorum:** There is no requirement for quorum. The Committee will follow the standard set out for the Board in Section 5 (3) of the Regulation

“...if a representative is not present for a vote of the Board, or abstains from voting, the representative is deemed to have voted in the affirmative.”







## **Terms of Reference Advocacy Committee**

### **Goals**

To guide the development of educational and outreach strategies which will advance the goals of the region, particularly as these strategies pertain to intergovernmental relations with the Governments of Alberta and Canada.

### **Mandate**

To oversee the:

- (a) Identification of issues which are regionally important and, upon which, member municipalities can agree on a common position
- (b) Development of educational and outreach strategies to advance the goals of the Calgary Metropolitan Region
- (c) Execution of these strategies, which may require active involvement from Members of the Board.

### **Resources and Budget**

The Committee will be supported by the Chief Officer of the CMRB. Additional resources required to conduct studies, create service inventories, etc. will be made available to the committee.

### **Governance**

**Voting Structure:** Decisions of the Committee will be determined by a simple majority with each member holding a single vote.

**Decisions:** Decisions of the Committee will form the basis for recommendations to the Board, which will make the final decision on all matters.

Agenda Item #8

## 2. Background

The Capital Region Board had the Advocacy and Monitoring Committee, whose mandate included:

- *Oversee, monitor and report on the Board's progress in education, communications, advocacy and relationship building as set out in its approved advocacy and communications plan*
  - o Policy Advice - Formulate and recommend any positions and responses to provincial and federal issues (legislative, policy and program) affecting the CRB*
  - o Intergovernmental Relations and Advocacy - Inform and provide recommendations regarding legislative, policy and program issues and opportunities affecting the Board's mandate and priorities to key federal and provincial government departments.*

The Committee approved the "Three-Year Advocacy and Communications Strategic Plan 2016-2019" which outlined the approach to advance the Region's policy and program priorities.

This Committee has since been dissolved and the Advocacy function has been incorporated into the duties of the Board's Executive Committee.

## 3. Recommendation

CMRB Administration recommends that the Board create an Advocacy Committee as outlined in the attached Terms of Reference.

**Deputy City Manager's Office Report to  
Intergovernmental Affairs Committee  
2018 July 26**

**ISC: UNRESTRICTED  
IGA2018-0865  
Page 1 of 3**

## **Local Authorities Election Act Review**

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### **EXECUTIVE SUMMARY**

The Government of Alberta (GoA) intends to amend the Local Authorities Election Act (LAEA) late in the Fall session of the legislature. Accordingly, a discussion guide to engage stakeholders on potential technical amendments to the LAEA was released in late June. The deadline to submit any comments about the proposed amendments is 2018 July 31.

This report represents the political view and summarizes issues that members of Council have identified regarding potential LAEA amendments. Should Council wish to collectively advance any of these as position statements to the GoA, it may do so through an amended recommendation to this report. Alternatively, individual members of Council may respond to the GoA's online discussion guide.

A report that outlines the Returning Officer's comments on the procedural aspects of the potential amendments is also on this agenda.

#### **ADMINISTRATION RECOMMENDATION:**

The Intergovernmental Affairs Committee recommends that:

1. This Report be forwarded to the 2018 July 30 meeting of Council as an item of Urgent Business; and
2. Council receive this Report for information.

### **PREVIOUS COUNCIL DIRECTION / POLICY**

On 2018 June 28, Intergovernmental Affairs Committee directed Administration to:

1. Compile consensus positions for potential amendments to the Local Authorities Elections Act (LAEA), the Municipal Government Act, and other legislative instruments as identified in the verbal discussion related to this item; and
2. Bring forward a report to the Intergovernmental Affairs Committee on the identified consensus positions and potential amendments to the Local Authorities Elections Act following commencement of a review of the LAEA by the Government of Alberta.

During the Regular Meeting of Council 2018 January 29, Council debated Notice of Motion C2018-0081 "Setting Mayoral and Term Limits". Council, in its Motion Arising amended this Notice of Motion and referred the amended notice to the Intergovernmental Affairs Committee.

### **BACKGROUND**

The Local Authorities Election Act (LAEA) establishes the framework for local authority (cities, towns, villages, specialized municipalities, school boards, for example) elections in the province. The Act was amended in 2009 and 2012. In 2016, Alberta Municipal Affairs considered several additional changes to the LAEA including campaign finance, accessibility and administrative changes. Amendments were not pursued due to the upcoming 2017 election.

## **Local Authorities Election Act Review**

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The Government of Alberta (GoA) recently announced its intent to amend the LAEA late in the Fall session of the legislature. The GoA's objective is to improve the fairness of campaign practices and make the electoral process more efficient. Accordingly, on 2018 June 22 the GoA released a Discussion Guide to engage Albertans and stakeholders on identifying potential amendments to the LAEA.

On 2018 June 27, the IGA Committee agreed that Council will respond to the GoA with its position on amending the LAEA. The deadline to make this submission is 2018 July 31.

It is important to note that Administration conducted this review as a part of its government relation function and as such, takes no position with respect to the LAEA or other issues arising in relation to how a current or future member of Calgary's City Council is or will be elected.

### **INVESTIGATION: ALTERNATIVES AND ANALYSIS**

Calgary City Council has the opportunity to advance its position to the GoA on potential LAEA amendments including, but not limited to, campaign contributions and finance disclosure, campaign expenses, third party advertising, and other issues.

Due to the limited time frame to respond to this issue in advance of the fall session of the Legislature, the GoA's potential LAEA amendments focus on technical issues only. Larger issues of democratic reform are not within the scope of this review.

Administration gathered information about the LAEA review and other election-related issues through comments at IGA committee and discussions with members of Council.

Recurring themes included:

- Increase transparency – donors, donation amounts, etc.
- Leveling the playing field – introduce rules to address the incumbent advantage, particularly financial advantage
- Enforcement – amendments to the LAEA are unlikely to make a difference unless the Act can be enforced

Attachment 1 was developed from the GoA's June discussion paper and lists potential LAEA amendments. Where Administration identified a Council member's opinion in response to a potential amendment, it was noted in the table.

However, due to the variations on similar themes, and a small sample size because of the compressed timeframe to gather comments, none of these statements can be considered consensus position statements of Council without further discussion.

Council may wish to discuss these possible position statements and direct Administration, through an amended recommendation to this report, to advance any or all of these statements, or any additional position statements to the GoA on behalf of Calgary City Council. Alternatively, if consensus cannot be reached by Council, members of Council may respond to the discussion guide online, as individuals.

## **Local Authorities Election Act Review**

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### **Stakeholder Engagement, Research and Communication**

Members of Council were invited to participate in workshops to discuss the GoA's proposed amendments, as well as any other election-related issues that arise. One on one sessions with individual Council members were also offered.

### **Strategic Alignment**

A report outlining the Returning Officer's comments on the procedural aspects of the potential amendments is also on this agenda.

Improvements to the municipal election process are complementary to Administration's recent efforts to increase voter accessibility and turnout in municipal elections.

### **Social, Environmental, Economic (External)**

Improvements to the municipal election process may increase voter turnout and strengthen Calgary's democratic institutions.

### **Financial Capacity**

#### ***Current and Future Operating Budget:***

There are no operating budget implications associated with advancing a position on these items to the Government of Alberta. If changes to the LAEA are implemented, there may be impacts on the operating budget. These will be examined once the ultimate scope of changes is known.

#### ***Current and Future Capital Budget:***

There are no capital budget implications associated with advancing a position on these items to the Government of Alberta.

### **Risk Assessment**

If Council does not submit their responses to potential LAEA amendments, either collectively or individually, their thoughts and ideas cannot be considered in the amendments.

### **REASON(S) FOR RECOMMENDATION(S):**

The Attachment contains number of statements that respond to possible technical amendments to the LAEA. Due to the compressed timeline to gather comments, these statements cannot be considered consensus positions of Council. Should Council wish to advance any of these statements, or others, to the GoA, this could be achieved through an amended recommendation to this report. Alternatively, members of Council may respond to the GoA's online discussion guide as individuals.

### **ATTACHMENT(S)**

1. Local Authorities Election Act Comments and Responses



**Local Authorities Election Act**  
**Comments and Responses**  
**July 2018**

Developed in response to the [Discussion Guide](#) posted by Municipal Affairs on June 20, 2018

**1.0 – Campaign Contributions and Finance Disclosures ..... 2**

**2.0 – Campaign Expenses ..... 3**

**3.0 – Third Party Advertising ..... 4**

**4.0 – School Board Trustee Elections..... 5**

**5.0 - Campaign Finance General Clarifying and Technical Amendments..... 5**

**6.0 – Advanced Votes ..... 6**

**7.0 – Residency Requirements ..... 6**

**8.0 – Voter Identification..... 6**

**9.0 – Substitute Returning Officers..... 7**

**10.0 – Nomination Day and Nomination Papers ..... 7**

**11.0 – Election Campaign Advertising and Voting Stations..... 8**

**12.0 – Candidate List ..... 8**

**13.0 – Special Ballots..... 9**

**14.0 – Additional Items for Consideration ..... 9**

1.0 – Campaign Contributions and Finance Disclosures		
#	Question	Comment / Response
1.1	Candidates who fund their own election campaigns should be required to disclose their campaign finances, regardless of amount of money funded.	
1.2	All municipal election candidates, including self-funded campaigns should be required to open a campaign bank account.	
1.3	Unions and corporations should not be allowed to donate to municipal election campaigns.	Unions and Corporations should be allowed to donate to municipal election campaigns for transparency. If union or corporate donations are not allowed to donate to municipal election campaigns, these entities would find other ways to donate that may be less transparent, i.e., funnel money to individuals to donate.
1.4	Donations from fundraising functions should be subject to contribution limits.	Donations from fundraising functions should be subject to contribution limits. For example, it is currently possible for one person to buy an unlimited number of function tickets, which effectively circumvents election contribution limits.
1.5	Fundraising functions should be defined the same as fundraising functions in provincial elections	
1.6	The dollar values and percentages for ticket sales, considered to be a contribution, should be the same as in provincial elections.	
1.7	Annual individual contribution limits should be the same as the individual limits for provincial elections at \$4,000.	<ul style="list-style-type: none"> <li>Reducing the annual individual contribution limits from \$5000 to \$4000 per person, per year, per candidate is a negligible reduction that can still result in an incumbent raising \$16,000 (vs \$20,000) from one donor over a 4 year campaign cycle.</li> <li>A smaller donation amount limit over the four year election cycle may attract a wider range of donors.</li> </ul>
1.8	The contribution limit for municipal elections should be applied “per donor, per year”.	<p>Yearly limits give a financial advantage to incumbents who fundraise over four years. To reduce this financial advantage, the LAEA should:</p> <ul style="list-style-type: none"> <li>Apply a donation limit per donor over 4 year election cycle</li> <li>or</li> <li>Allow donations only in the calendar year of a general election.</li> </ul>
1.9	Do you have anything to add regarding campaign accounts, disclosure statements, contribution limits or banning	<p>To improve transparency of donations:</p> <ul style="list-style-type: none"> <li>candidates should be required to disclose names of donors and donation amounts, by category, prior to election day.</li> </ul>



	corporate and union donations?	<ul style="list-style-type: none"> <li>• candidates should be required to provide detailed statements of campaign expenses</li> <li>• additional clarity is needed to quantify, track and record “in kind” donations (free / discounted for items and services offered, i.e. room rentals, printing, etc.)</li> </ul> <p>Incentives to encourage smaller candidate donations, such as tax receipts, tax credits, etc., should be considered.</p>
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2.0 – Campaign Expenses		
#	Question	Comment / Response
2.1	All prospective candidates should be required to register before they spend campaign funds or accepting campaign contributions.	
2.2	Municipalities should be required to set campaign spending limits.	Municipalities are unlikely to set their own rules for campaign spending limits
2.3	Do you have anything to add regarding candidate registration or campaign spending limits?	There should be a maximum expenditure per candidate during a campaign. For example, this could be based on number of residents, and could be different for Council vs Mayoral candidates.

3.0 – Third Party Advertising		
#	Question	Comment / Response
3.1	The <i>Local Authorities Election Act</i> should include rules on third-party advertising.	The Local Authorities Election Act should include rules on third party advertising. Third party advertising is not transparent and effectively circumvents campaign fundraising and disclosure rules.
3.2	If the answer to question 3.1 was Agree or Strongly Agree, the rules for third-party advertising should align those used in the <i>Election Finances and Contributions Disclosure Act</i> for Alberta provincial elections (including definition of third-party advertiser, registration, spending limits, receipts, and reporting).	
3.3	If the answer to question 3.1 was Disagree or Strongly Disagree, please explain.	
3.4	Do you have anything to add about third-party advertising?	<p>Third party advertising is not transparent and effectively circumvents campaign fundraising and disclosure rules. Changes to the LAEA should increase transparency, as follows:</p> <ul style="list-style-type: none"> <li>• Limit size and timing of donations used for political advertising</li> <li>• Disclose donors and amounts donated at regular intervals during the municipal campaign and afterwards</li> <li>• Require registration of third party political interest groups with the province / municipality</li> <li>• Disclose names of organizers, staff and directors</li> <li>• Disclose expenses incurred during the municipal campaign</li> <li>• Impose financial penalties for not complying with donation and disclosure rules</li> </ul>
3.5	Do you have alternate suggestions to address third-party advertising?	

4.0 – School Board Trustee Elections		
#	Question	Comment / Response
4.1	School board trustee candidates should be subject to the same campaign finance and disclosure rules as municipal candidates.	
4.2	Do you have anything to add about the application of campaign finance and disclosure requirement to school board trustee candidates?	

5.0 - Campaign Finance General Clarifying and Technical Amendments		
#	Question	Comment / Response
5.1	Do you have any additional comments/suggestions regarding campaign surpluses specifically, surpluses donated to the municipality?	All campaign surpluses should be donated to the municipality or registered charity after the election so that candidates all start at zero in the next election.
5.2	Do you have any additional comments/suggestions regarding campaign surpluses, generally?	
5.3	Do you have any additional comments/suggestions regarding the definition of campaign “expenses”?	
5.4	Do you have any additional comments/suggestions regarding campaign expense reporting?	
5.5	Do you have any additional comments/suggestions regarding candidate registration during municipal elections?	
5.6	Do you have anything to add about campaign finance and disclosure?	<p>The LAEA should include:</p> <ul style="list-style-type: none"> <li>• stronger rules about disclosure and</li> <li>• an audit process</li> </ul>

6.0 – Advanced Votes		
#	Question	Comment / Response
6.1	Municipalities greater than 5,000 should be required to hold an advance vote(s).	
6.2	Small municipalities (under 5,000) should have the option to hold an advance vote(s).	
6.3	Do you have anything to add about the proposed changes to the rules for advanced votes?	

7.0 – Residency Requirements		
#	Question	Comment / Response
7.1	An elector should not need to reside in Alberta for six months before Election Day to be eligible to vote in elections under the <i>LAEA</i> .	
7.2	Do you have anything to add about residency requirements?	

8.0 – Voter Identification		
#	Question	Comment / Response
8.1	Are there any additional forms of voter identification that should be accepted on Election Day?  Please explain or provide your comments.	
8.2	An elector who has shown appropriate identification and signed the required statement should be able to vouch for another elector, regardless of the list of electors.	
8.3	Do you have anything to add about voter identification or the proposed changes to vouching?	

9.0 – Substitute Returning Officers		
#	Question	Comment / Response
9.1	The council/board (e.g. council or board of trustees), rather than the Mayor/Reeve/Board Chair, should appoint a substitute returning officer if the returning officer is unable to fulfill their duties.	
9.2	Do you have anything to add about the proposed changes to substitute returning officer appointments?	

10.0 – Nomination Day and Nomination Papers		
#	Question	Comment / Response
10.1	Returning officers should be able to refuse nomination papers that are not sworn/affirmed by a potential candidate.	
10.2	Do you have anything to add about nomination day?	

11.0 – Election Campaign Advertising and Voting Stations		
#	Question	Comment / Response
11.1	<p>Please choose one of the following. Campaign activities should be prohibited:</p> <ul style="list-style-type: none"> <li>- Within 25m of a facility used as a voting station</li> <li>- Within 50m of a facility used as a voting station</li> <li>- Within 100m of a facility used as a voting station</li> <li>- On the property surrounding the building used as a voting station</li> </ul> <p>Please explain or provide your comments.</p>	
11.2	The returning officer should have the authority to enforce campaign advertising at voting stations.	
11.3	Do you have anything to add about campaigning at voting stations?	

12.0 – Candidate List		
#	Question	Comment / Response
12.1	Municipalities should be required to release a list of candidates immediately after the time limit for withdrawal of nominations has passed.	
12.2	Do you have anything to add about posting information during an election?	

13.0 – Special Ballots		
#	Question	Comment / Response
13.1	The Minister of Municipal Affairs should not appoint special ballot advisors.	
13.2	The Returning Officer should have the authority to accept or reject a special ballot.	
13.3	Municipalities should not have to notify the Minister of the use of special ballots.	
13.4	Do you have anything to add about the proposal or alternative suggestions?	

14.0 – Additional Items for Consideration		
#	Question	Comment / Response
14.1	Do you have anything to add about the regulations under the <i>Local Authorities Election Act</i> ?	
14.2	Municipalities should have the authority to create rules regarding the use of cell phones in voting stations.	
14.3	Do you have anything to add about the use of cell phones in voting stations?	
14.4	Do you have anything to add about the definitions of “candidate” and “campaign period”?	





Returning Officer's Report to  
Intergovernmental Affairs Committee  
2018 July 26

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## **2018 Local Authorities Election Act Returning Officer Review**

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### **EXECUTIVE SUMMARY**

This report presents the Returning Officer's proposed response to the Local Authorities Election Act (LAEA) Discussion Guide distributed by Municipal Affairs on 20 June 2018 for response by 31 July 2018. The discussion guide was distributed to all Alberta municipalities and proposes a number of proposed LAEA changes.

The Returning Officer reviewed the proposed changes from the point of view of administering elections and election-related issues.

#### **ADMINISTRATION RECOMMENDATION:**

That the Intergovernmental Affairs Committee forward this Report as an item of Urgent Business to the 2018 July 30 Combined Meeting of Council, for approval of the Returning Officer's responses as set out in Attachment 1.

### **PREVIOUS COUNCIL DIRECTION / POLICY**

None.

### **BACKGROUND**

The LAEA establishes the framework for how the City of Calgary conducts its elections. Beginning in 2009, Alberta Municipal Affairs reviewed the LAEA several times, resulting in: changes in municipal election finance and campaign disclosure (Part 5.1); increasing the term of council from three to four years; defining voter identification; and requiring candidates to register with the municipality before accepting campaign contributions.

Municipal Affairs is currently conducting a review of the LAEA in preparation for the next general election, which will occur in October 2021. The deadline to submit comments on the proposed LAEA changes is 31 July 2018.

### **INVESTIGATION: ALTERNATIVES AND ANALYSIS**

The Returning Officer's comments on the proposed changes are set out in Attachment 1.

Additional comments from the Returning Officer on the election processes would include:

#### *Educating the Voter on Non-Compliance*

Municipal Affairs recommends a number of increased accountabilities within the proposed changes including campaign finance disclosure (i.e., contribution and spending limits). These accountabilities impact candidates, voters and the Returning Officer's processes. Voters may perceive there to be penalties or enforcement mechanisms, when in fact there are not any in place. For example, in lowering the individual contribution limits, the review and challenge of the limits presented in a candidate disclosure remains the responsibility of the voter through the courts.

Currently, both the LAEA and the proposed changes place the onus on the voter or candidate to challenge perceived infractions within sections of the LAEA. The Returning Officer recommends the Province review this process and investigate the development of voter education tools to ensure they are aware of the mechanisms by which they may challenge the election process.

**Returning Officer's Report to  
Intergovernmental Affairs Committee  
2018 July 26**

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## **2018 Local Authorities Election Act Returning Officer Review**

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### *Calgary Election Regulation*

The current provincial *Calgary Election Regulation* allows the Returning Officer to modify certain election processes that are set out in the LAEA. The *Calgary Election Regulation* recognizes that Calgary, with its population, faces a unique set of challenges in the conduct of its election. For example, the Regulation gives the Returning Officer the ability to have the blind voter template available during the advance vote. The Returning Officer recommends that prior to repealing the regulations, as described in the discussion guide, that all provisions of the Calgary Election Regulation be incorporated into the LAEA itself.

### *Greater Consideration Given to Enhancing Voter Eligibility Requirements*

Currently, the LAEA (section 47(1)) stipulates that a person is eligible to vote if the person is at least 18 years of age, a Canadian Citizen, has resided in Alberta for 6 consecutive months prior to election day and is residing in the local jurisdiction on election day. The proposed change would remove the six-month Alberta residency requirement. The Returning Officer would recommend Municipal Affairs consider reviewing other eligibility requirements (age and citizenship) with a view to increasing voter participation.

The Returning Officer would recommend that any changes to the LAEA not be enacted until 1 January 2019 to avoid confusion as the City will be holding the Vote of the Electors (Olympics Plebiscite) in Fall 2018.

### **Stakeholder Engagement, Research and Communication**

The Returning Officer consulted with the Chief Electoral Officer of Elections Alberta and the City of Edmonton. The City of Calgary and the City of Edmonton comments to the proposed LAEA changes are substantially aligned.

### **Strategic Alignment**

This report aligns with Council's priority of a well-run city: "Calgary's government is open, responsive, accountable and transparent, delivering excellent services at a fair price."

### **Social, Environmental, Economic (External)**

None.

### **Financial Capacity**

Unknown.

### **Risk Assessment**

Elections Calgary has a long-standing reputation of delivering elections in compliance with legislation. Opportunities to improve a voter's democratic right to vote and the processes to administer the vote should be reviewed and considered with the ultimate objective of increasing voter confidence in their democratic institutions.

Returning Officer's Report to  
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## **2018 Local Authorities Election Act Returning Officer Review**

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### **REASON(S) FOR RECOMMENDATION:**

The *Local Authorities Election Act* governs how elections are conducted at the City. This report is intended to seek Council's approval of the Returning Officer's recommendations of the potential impact changes that the LAEA may have for The City, voters and candidates.

### **ATTACHMENT**

1. Attachment 1 – Local Authorities Election Act Calgary Returning Officer Submission
2. Attachment 2 – Local Authorities Election Act Discussion Guide



### Campaign Contributions and Finance Disclosures

Topic	Current Status	For Consideration	Calgary Returning Officer Comments
Disclosure Statements	The <i>Local Authorities Election Act</i> does not require candidates who fund their own campaigns and spend less than \$10,000 to provide disclosure statements.	Require financial disclosure statements from candidates who fund their own municipal campaigns.	The Returning Officer agrees.
Campaign Bank Account	The <i>Local Authorities Election Act</i> does not require campaign bank accounts to be opened until a threshold of \$5,000 has been collected.	Require all candidates to open a campaign bank account.	The Returning Officer agrees.
Contribution Limit	The <i>Local Authorities Election Act</i> sets contribution limits by donors at \$5,000 per year to a candidate and self-funded candidates at \$10,000 per campaign period.	Reduce municipal election contribution limit to \$4,000 per donor, per year.	The Returning Officer agrees. Start the next campaign period January 1, 2022 to avoid confusion for candidates currently fundraising.
Contribution Limit	The <i>Local Authorities Election Act</i> sets contribution limits by donors at \$5,000 per year to a candidate and self-funded candidates at \$10,000 per campaign period.	"Per donor, per year" means that an individual may donate a total of \$4,000 per year, regardless of how many candidates an individual donates to.	The Returning Officer disagrees. Currently, the Returning Officer does not have the authority to review contribution limits of individuals who donate to candidates outside of Calgary. There are no mechanisms to compare individual contributions across the province.
Contribution Limit	The <i>Local Authorities Election Act</i> sets contribution limits by donors at \$5,000 per year to a candidate and self-funded candidates at \$10,000 per campaign period.	Apply the \$4000 annual limit on municipal election campaign contributions to candidates who are self-funding.	The Returning Officer agrees.

### Campaign Expenses

Topic	Current Status	For Consideration	Calgary Returning Officer Comments
Candidate Registration	A candidate must register prior to accepting campaign contributions; however, there is no registration requirement for individuals who intend to finance their campaign entirely from their own funds.	Require all candidates, including those who finance their own campaign to register prior to incurring campaign expenses or accepting contributions.	The Returning Officer agrees and would recommend having the candidate declare what office they are running for to provide greater transparency to the electors.

<b>Campaign Spending Limits</b>	The Act does not impose spending limits on candidates running in municipal elections.	Require municipalities to establish limits on campaign spending.	The Returning Officer disagrees. Municipalities should be enabled to set limits through municipal bylaws as an option, rather than a requirement. The Returning Officer recommends audit measures or penalties similar to Elections Alberta.
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### Third Party Advertising

Topic	Current Status	For Consideration	Calgary Returning Officer Comments
<b>Third Party Advertising</b>	The <i>Local Authorities Election Act</i> does not address third-party advertising.	Align third-party advertising requirements (including definition of third-party advertiser, registration, spending limits, receipts, and reporting) with the Alberta <i>Election Finances and Contributions Disclosure Act</i> .	The Returning Officer agrees. However, the Returning Officer would recommend enabling the municipality to set its own bylaws for compliance, maximum and minimum spending limits, time limits and alignment with the municipality election signage bylaw.

### School Board Trustee Elections

Topic	Current Status	For Consideration	Calgary Returning Officer Comments
<b>School Board Trustee Elections</b>	School boards may pass a bylaw requiring campaign disclosure.	Apply the Election Finance and Disclosure rules of the <i>Local Authorities Election Act</i> to school board trustee elections, including: <ul style="list-style-type: none"> <li>• Campaign finance disclosure</li> <li>• Union and Corporate donations</li> <li>• Contribution and spending limits</li> </ul>	Calgary school boards already have passed bylaws to require disclosure on expenditures and fundraising. The Returning Officer recommends that passage of a bylaw being optional.

### Campaign Finance General Clarifying and Technical Amendments

Current Status	For Consideration	Rationale	Calgary Returning Officer Comments
<b>Donating Campaign Surplus</b> Confusion exists regarding whether all candidates can donate their campaign surplus or only the candidates that have been elected.	Clarify that all candidates who do not run in the next general election can donate their campaign surplus to the municipality.	The intent is to provide former candidates the option of donating their campaign surplus to the municipality instead of a registered charity. The wording of the current provision implies that only elected candidates can do so.	The Returning Officer agrees.

<p><b>Campaign Surplus</b> A candidate must turn over surplus funds to the custody of the municipality</p>	<p>Clarify the process by identifying: How the funds must be kept in trust (one account versus separate accounts); The interest rate or how to determine the interest rate; and When the surplus funds must be released to candidates by the municipality.</p>	<p>Addresses concerns from elected officials and candidates over access to funds during campaign periods.  Addresses concerns from municipalities over additional administrative requirements.</p>	<p>The Returning Officer recommends that funds be released to candidates within 30 days of registration of intent to run not on nomination day.</p>
<p><b>Election Expenditure Reports</b> A candidate who received campaign contributions or funded their own campaign with an amount exceeding \$10,000 must file a statement that itemizes campaign contributions, and identifies the total amount of revenue and expenses. It is not required that the expenses identified be itemized or categorized in the report</p>	<p>Require candidates who received campaign contributions <u>or</u> funded their own campaign to file a statement that itemizes campaign contributions, and identifies the total amount of revenue and expenses by category.</p>	<p>Requiring a self-funded candidate to report expenses by category would further increase transparency and accountability of candidates.</p>	<p>The Returning Officer agrees.</p>
<p><b>Candidate Registration Forms</b> Form 3A – Registration of Notice of Intent is not prescribed by the LAEA.</p>	<p>Amend the regulations to prescribe Form 3A – Registration of Notice of Intent in support of the new requirement for candidates to register with the municipality prior to accepting campaign contributions.</p>	<p>Consequential to the proposed amendment that would require all candidates to register.</p>	<p>The Returning Officer agrees.</p>

## Voter Eligibility & Accessibility

### Advance Votes

Topic	Current	For Consideration	Calgary Returning Officer Comments
<p>Populations over 5,000</p>	<p>Municipalities may, but are not required to, conduct an advance vote.</p>	<p>Require advance votes for municipalities with a population over 5,000. Municipalities less than 5,000 will be enabled to choose to hold an advance vote through a resolution of council allowing for the Returning Officer to establish dates, times and location of the advance vote(s).</p>	<p>The Returning Officer agrees.</p>

Notification of Advance Vote	The <i>Local Authorities Election Act</i> requires notification of an advance vote in accordance with the notification for election day but does not provide that the two can be included together in the same advertisement.	Allow for the notice of advance vote to be included in the notice of Election Day	The Returning Officer agrees.
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#### Residency Requirements

Topic	Current Status	For Consideration	Calgary Returning Officer Comments
Residency Requirements	An elector must be a resident of Alberta for six months prior to election day and a resident of the municipality on election day.	Remove six month Alberta residency requirement.	The Returning Officer agrees.

#### Voter Identification

Topic	Current Status	For Consideration	Calgary Returning Officer Comments
Identification Requirements	Electors are required to provide one piece of identification with name and address. This can either be government issued identification or one piece of approved identification from the Chief Electoral Officer of Alberta under the <i>Election Act</i> .	Create a list of authorized identification that is independent from the list provided by Elections Alberta.  Extend authority of the Minister to expand the list of acceptable identification to meet needs of municipalities.	The Returning Officer recommends leaving identification requirements as-is. Electors have been educated on the new identification requirements that were changed in 2012. Further changes will cause confusion.
Vouching	Vouching can only occur if an elector's name appears on a list of electors. If this is the case, the elector may vouch for another person who does not appear on the list of electors.	Expand vouching provisions to include the ability of an elector who has shown appropriate identification to vouch for another elector.	The Returning Officer agrees.

#### **Accountability & Transparency**

##### Substitute Returning Officers

Topic	Current Status	For Consideration	Calgary Returning Officer Comments
Substitute Returning Officers	The Mayor/Reeve/Board Chair may appoint a substitute returning officer.	Require the council/board to appoint a substitute returning officer.	The Returning Officer agrees. .



### Nomination Day and Nomination Papers

Topic	Current Status	For Consideration	Calgary Returning Officer Comments
Nomination papers	Returning officers can only refuse papers if they have not been signed by the required number of electors or if they are not accompanied by a deposit, if established by bylaw.	Allow returning officers to refuse nomination papers if the paper is not sworn/affirmed.	The Returning Officer agrees.

### Election Campaign Advertising at Voting Stations

Topic	Current	For Consideration	Calgary Returning Officer Comments
Campaign Advertising Rules	The Act prohibits campaign activities such as canvassing or soliciting votes in a building where a voting station is located, but not in the surrounding area, such as a parking lot.	Establish a distance around the voting station where campaign activities are not permitted.	The Returning Officer recommends it be defined as the perimeter of the property or as defined by the Returning Officer through the placement of signage.
Enforcement of Election Campaign Advertising at Voting Stations	The Act authorizes the returning officer and/or deputies to remove campaign materials if displayed within a voting station, but does not extend outside of the voting station.	Establish provisions that allow the returning officer to request persons engaged in campaign activities in the voting station or within 100m of the of the voting station to leave;	The Returning Officer disagrees.

### Candidate List

Topic	Current Status	For Consideration	Calgary Returning Officer Comments
Public Posting of Candidate List	Municipalities and School Boards are not required to post a list of candidates following the period for withdrawal after nomination day.	Require municipality to release or make public a list of candidates immediately after the time limit for withdrawal of nominations has passed.	The Returning Officer recommends that this be specified as an online (website) list and not defined as a prescribed form within the forms Regulation.

### Special Ballots

Topic	Current Status	For Consideration	Calgary Returning Officer Comments
Review of Special Ballots	The minister is required to appoint special ballot advisors to review questionable special ballots	Remove the requirement for special ballot advisors, as well as the requirement to notify the Minister of the use of special ballots.	The Returning Officer agrees.

<b>Returning Officer Responsibility</b>	The Minister of Municipal Affairs appoints special ballot advisors who may accept or reject a special ballot in instances where the local returning officer feels unable to make a determination.	Expand authority for the returning officer to accept or reject a special ballot, in accordance with the provisions of the <i>Local Authorities Election Act</i> , rather than requiring the Minister to appoint a special ballot advisor to make a determination.	The Returning Officer agrees.
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#### Additional Items for Consideration

<b>Current Status</b>	<b>For Consideration</b>	<b>Rationale</b>	<b>Calgary Returning Officer Comments</b>
<b>Election Regulations</b> Regulations currently exist that outline specific processes for Calgary, Edmonton and Red Deer. The modified voting procedure allows for ministerial power and bylaws to adjust certain processes in the Local Authorities Election Act.	Repeal the modified voting procedure regulation, ballot box regulation, City of Edmonton Regulation, City of Calgary Regulation, and City of Red Deer Regulation and incorporate provisions into the <i>Local Authorities Election Act</i> .	Reduces regulatory burden on municipalities and reduces complications. Regulated procedures would benefit any large election process and will be of value to other municipalities.	The Returning Officer recommends that parallel regulated changes should be included before regulations are eliminated.
<b>Cell Phone Use</b> Local Authorities Election Act does not address the use of cell phones in voting stations.	Allow municipalities to create rules regarding the use of cell phones, such as restricting voice calls, photography or social media, while in the voting station.	Provides flexibility to municipalities to determine their specific needs for regulating the use of cellphones.	The Returning Officer recommends that "cell phones" is too narrow and needs to be broadened to include other forms of image producing electronic devices.
<b>Definition of "Candidate" and "Campaign Period"</b> Local Authorities Election Act does not clearly define when a person officially becomes a candidate. The definition of "campaign period" does not align with the definition of "candidate."	Amend the definition of "candidate" to mean an individual who has filed a registration of notice under section 147.21.  Amend the definition of "campaign period" to be January 1 in the year of a general election to December 31 in the year of a general election. In the case of a by-election, beginning when the vacancy occurred to 180 days following the date of the by-election.	Ensures consistency with definitions to eliminate confusion and increase clarity.	The Returning Officer agrees.

# Local Authorities Election Act Discussion Guide

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## Local Authorities Election Act

What is the *Local Authorities Election Act*?

The *Local Authorities Election Act* (LAEA) establishes the framework for local authority (cities, towns, villages, specialized municipalities, school boards, for example) elections in the province. Métis Settlements and Irrigation Districts also rely on the LAEA to conduct their elections.

## Why is Alberta reviewing the *Local Authorities Election Act*?

In 2009, changes to improve accountability and transparency were added to the Act through a private member's bill. This included sections on municipal election finance and contribution disclosure (Part 5.1 - Municipal Election Finance and Contribution Disclosure). Further changes to the Act were made in 2012 that increased the term of council from three to four years, added minimum requirements for voter identification, and required candidates to register with the municipality before accepting campaign contributions.

Since the 2013 elections, citizens, candidates, municipalities and municipal associations have continued to ask for a number of changes to improve fairness in campaign practices and to clarify and improve the consistency of the legislation. In 2016, Alberta Municipal Affairs considered a number of potential changes including campaign finance, accessibility and additional administrative changes to strengthen readability. Due to the proximity of the 2017 election, amendments were not pursued to ensure returning officers and potential candidates had enough time to plan and execute the election.

After the 2017 elections, the ministry continued to receive feedback requesting amendments to the Act. In order to address stakeholder concerns, Alberta Municipal Affairs is conducting a review of the Act before the next general election, which will occur in October 2021.

In addition, there have been recent amendments to the legislation governing provincial elections, the *Election Act* and the *Election Finances and Contributions Disclosure Act*. This provides the opportunity to review the legislation and determine where, if applicable, there is alignment with provincial elections.

## What is included in this discussion guide?

On the following pages you will find:

- a brief discussion and description of emerging topics and how the Act could be amended to address them; and
- a listing of proposed general technical amendments.

Emerging issues were identified through the 2016 limited-scope review, during and immediately following the 2017 municipal general election, and in recent amendments to the *Elections Act* and *Election Finances and Contributions Disclosure Act*.

This discussion paper will be available for Albertans' feedback until July 31, 2018.

## WHAT DO YOU THINK? SHARE YOUR INPUT.

Please share your views and perspectives on policy items affecting municipal elections by completing this discussion paper. When you have completed your response, please submit your input to the Government of Alberta at:

ma.lgsmail@gov.ab.ca

Or via regular mail to:

Alberta Municipal Affairs  
17<sup>th</sup> Floor, Commerce Place  
10155-102 Street  
Edmonton, AB, T5J 4L4  
Fax: 780-420-1016

All input is valuable. The Government of Alberta will consider all feedback when developing draft amendments. Thank you for your input.

### **FOIP Notice**

Your personal information is being collected for the purpose of gathering input on provincial legislation governing municipal elections, which will be used to develop recommendations concerning this legislation. The collection of personal information is authorized under section 33(c) of the *Freedom of Information and Protection of Privacy Act* and will be managed in accordance with the privacy provisions in the Act. If you have questions about the collection of your personal information, please contact:

LaRae Ellis, Senior Election Advisor  
Alberta Municipal Affairs  
780-638-3056  
[larae.ellis@gov.ab.ca](mailto:larae.ellis@gov.ab.ca)

Please identify the stakeholder group(s) you represent [Select one or more that apply]:

- |  |  |
|--|--|
| <input type="checkbox"/> Municipality          | <input type="checkbox"/> Elected Official    |
| <input type="checkbox"/> School Division       | <input type="checkbox"/> Returning Officer   |
| <input type="checkbox"/> Irrigation District   | <input type="checkbox"/> Individual Albertan |
| <input type="checkbox"/> Metis Settlement      | <input type="checkbox"/> Other _____         |
| <input type="checkbox"/> Municipal Association |  |

If you selected "Individual Albertan" above, please answer the following questions:

Please indicate your gender:

- ☐ Male  
☐ Female  
☐ Other  
☐ Prefer not to say



Please select your age category:

- ☐ 18-24
- ☐ 25-34
- ☐ 35-44
- ☐ 45-54
- ☐ 55-64
- ☐ 65 and over
- ☐ Prefer not to answer

Which best describes the area of Alberta where you live?

- ☐ Calgary and region
- ☐ Edmonton and region
- ☐ Central Alberta
- ☐ Southern Alberta
- ☐ Northern Alberta

Which best describes the municipality that you live in?

- ☐ City larger than 20,000
- ☐ Summer Village, Village, Town, or City with less than 20,000
- ☐ County or Municipal District
- ☐ Metis Settlement
- ☐ Special Area/Improvement District
- ☐ School Division
- ☐ Irrigation District

**Discussion Topic:**  
Campaign Finance  
&  
Contribution Disclosure

# 1. Campaign Contributions and Finance Disclosures

## Background:

### 1.1 Campaign Bank Accounts and Disclosure Statements

The *Local Authorities Election Act* does not require a candidate to open a separate campaign bank account until he/she has collected at least \$5,000 in donations. In addition, the Act does not require candidates who do not receive contributions and spend less than \$10,000 of personal funds to open a bank account at a financial institution separate from their personal funds.

Concerns have been raised about candidates who are not required to open a bank account or file disclosure statements at the conclusion of the campaign. In the absence of a filed report, a municipality, specifically the returning officer and electors, may be guessing whether the candidate is compliant with the disclosure requirements or if they are self-funded.

### 1.2 Corporate and Union Donations

The *Local Authorities Election Act* allows corporations, trade unions, employee organizations, and any other persons, resident in Alberta, to contribute to municipal election campaigns.

Amendments to the *Election Act* in Bill 1: *An Act to Renew Democracy in Alberta* (June 2015) prohibited contributions from corporations, trade unions, and employee organizations to candidates in provincial elections.

Provinces such as British Columbia and Ontario do not permit corporations and unions to contribute to campaigns. Saskatchewan permits municipal discretion through local bylaws, and Manitoba permits individuals only to make campaign contributions.

Clarification may be required to ensure that the donation portion of ticket sales for fundraising events are also subject to contribution restrictions and limits. The Alberta *Election Finances and Contributions Disclosure Act* defines a fundraising function and establishes the dollar value and percentages of the contribution on ticket purchases for fundraising events:

- If the individual charge is \$50 or less, it is not considered a contribution unless the person who pays the charge specifically requests that it be considered a contribution; if this is the case, half of the amount is allowed for expenses and half is considered to be a contribution.
- If the individual charge is more than \$50 but not more than \$100, \$25 is allowed for expenses and the balance is considered to be a contribution.
- If the individual charge is more than \$100, 25% of the amount is allowed for expenses and the balance is considered to be a contribution.
- Alternatively, the contribution value may be calculated simply by calculating the difference between the price of the ticket and the market value of what the ticket entitles the individual to obtain.

### 1.3 Contribution Limit

The *Local Authorities Election Act* currently limits the amount an individual can contribute per year to \$5,000

to each candidate. If contributions were made to a candidate in each year, this could equate to \$20,000 per four-year campaign period for any one candidate.

Since the current limit applies on a per-candidate basis, a contributor could annually donate \$5,000 to numerous candidates in the same election, or to candidates running in other municipal elections.

Campaign contributions are vital to election campaigns, as they provide candidates with the means to inform the public of their intentions in running for office. However, limits are often recommended to support a level playing field among candidates and to reduce the potential influence contributors may have on a candidate. Some stakeholders have expressed support for aligning municipal campaign limits with the limits established for provincial elections, while others have expressed concern that establishing any specific dollar amount is unlikely to work for all sizes of municipalities.

Recent amendments made in 2016 to the *Election Act*, which governs provincial elections, included lowering contribution limits to \$4,000.

### Discussion:

Topic	Current Status	For Consideration
<b>Disclosure Statements</b>	The <i>Local Authorities Election Act</i> does not require candidates who fund their own campaigns and spend less than \$10,000 to provide disclosure statements.	Require financial disclosure statements from candidates who fund their own municipal campaigns.
<b>Campaign Bank Account</b>	The <i>Local Authorities Election Act</i> does not require campaign bank accounts to be opened until a threshold of \$5,000 has been collected.	Require all candidates to open a campaign bank account.
<b>Corporate and Union Donations</b>	Permits corporate and union donations, subject to contribution limits, provided they are not a “prohibited organization” under the Act.  “Prohibited organization” – municipality, municipally controlled corporation, non-profit organization (received grants, real property or personal property since the last general election from the municipality), a Provincial corporation, Metis Settlement, School Board, a public post-secondary institution, any corporation that does not carry out business in Alberta, any organization designated by the Lieutenant Governor in Council as a prohibited organization.	Ban corporate and union donations to allow only individual residents in Alberta to make campaign contributions in a municipal election.  Make the donation portion of fundraising contributions subject to the general contribution restrictions and limits, to align with the <i>Alberta Election Finances and Contributions Disclosure Act</i> .
<b>Contribution Limit</b>	The <i>Local Authorities Election Act</i> sets contribution limits by donors at \$5,000 per year to a candidate and self-funded candidates at \$10,000 per campaign period.	Reduce municipal election contribution limit to \$4,000 per donor, per year.  “Per donor, per year” means that an individual may donate a total of \$4,000 per year, regardless of how many candidates an individual

Topic	Current Status	For Consideration
		<p>donates to.</p> <p>Also, apply the \$4,000 annual limit on municipal election campaign contributions to candidates who are self-funding.</p>

## Discussion Questions:

- 1.1. Candidates who fund their own election campaigns should be required to disclose their campaign finances, regardless of amount of money funded.

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

- 1.2. All municipal election candidates, including self-funded campaigns should be required to open a campaign bank account.

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

- 1.3. Unions and corporations should not be allowed to donate to municipal election campaigns.

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

- 1.4. Donations from fundraising functions should be subject to contribution limits.

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

- 1.5. Fundraising functions should be defined the same as fundraising functions in provincial elections.

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

- 1.6. The dollar values and percentages for ticket sales, considered to be a contribution, should be the same as in provincial elections

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

- 1.7. Annual individual contribution limits should be the same as the individual limits for provincial elections at \$4,000.

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

- 1.8. The contribution limit for municipal elections should be applied “per donor, per year”.

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

- 1.9. Do you have anything to add regarding campaign accounts, disclosure statements, contribution limits or banning corporate and union donations?

[Click here to enter text.](#)

## 2. Campaign Expenses

### Background:

#### 2.1 Candidate Registration

Candidate registration with the municipality is required to ensure campaign finance rules apply consistently, and to ensure accountability from individuals who collect contributions and incur expenses for the purposes of an election campaign.

Candidates who are not self-funded must register prior to accepting campaign contributions. There is currently no registration requirement for individuals who intend to finance their campaign entirely from their own funds. With the proposed change to require financial disclosures for these campaigns, registration of all candidates would ensure broad accountability for submitting financial disclosures after each election.

#### 2.2. Campaign Spending Limits

The *Local Authorities Election Act* does not impose spending limits in local elections. Spending limits are sometimes used to ensure that the cost of running a campaign does not deter candidates from filing nomination papers, and to ensure that all candidates are on a level playing field.

### Discussion:

Topic	Current Status	For Consideration
<b>Candidate Registration</b>	A candidate must register prior to accepting campaign contributions; however, there is no registration requirement for individuals who intend to finance their campaign entirely from their own funds.	Require all candidates, including those who finance their own campaign to register prior to incurring campaign expenses or accepting contributions.
<b>Campaign Spending Limits</b>	The Act does not impose spending limits on candidates running in municipal elections.	Require municipalities to establish limits on campaign spending.

### Discussion Questions:

2.1 All prospective candidates should be required to register before they spend campaign funds or accepting campaign contributions.

[Click here to select level of support.](#)

[Please explain or provide your comments:](#)

[Click here to enter text.](#)

2.2 Municipalities should be required to set campaign spending limits.

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

2.3 Do you have anything to add regarding candidate registration or campaign spending limits?

[Click here to enter text.](#)



### 3. Third Party Advertising

#### Background:

Advertising by parties not directly involved in the election, or “third-party advertising” is not addressed in the *Local Authorities Election Act*. The *Election Finances and Contributions Disclosure Act*, which applies to provincial elections, has rules and procedures regarding third-party advertisers. It also defines third-party advertisers, loans as they relate to third-party advertising, anonymous and unauthorized contributions, allowable expenses, and the identification of third parties on advertising.

In 2016, the government reviewed the limits and requirements for third-party advertising in the *Election Act*. The most recent amendments to the *Election Finances and Contributions Disclosure* further clarify limits on advertising spending, restrict third-party activities, and prohibit collusion between third parties and candidates.

Provincial elections in Alberta are subject to third-party advertising rules and three provinces address third-party advertising in municipal elections (British Columbia, Ontario, and Quebec).

Province	Current Status
<b>Alberta (provincial elections)</b>	<ul style="list-style-type: none"> <li>• Defines a “third party” as any person, corporation or group that is not a registered party, constituency association, candidate, nomination or leadership contestant.</li> <li>• Differentiates between “political advertising” and “election advertising”.</li> <li>• Requires third party registration with Elections Alberta if the third party has, or plans to incur, expenses of at least \$1,000 for election advertising; or the third party has accepted or plans to accept, at least \$1,000 in election advertising contributions.</li> <li>• Requires a chief financial officer for the third party advertiser to incur expenses and/or accept contributions.</li> <li>• Sets out the definition of “election advertising”, “contribution”, “advertising expense” and “expense”.</li> <li>• Enacts a third party spending limit of \$150,000 in the aggregate between December 1 in the year before the election, and the day before the writ is issued. In addition, no third party shall spend over \$3,000 to promote or oppose the election of one or more registered candidates in a single electoral division during the same time period.</li> <li>• Enacts a third party spending limit of \$150,000 in the aggregate between the day the writ is issued and the end of polling day</li> <li>• Requires official contribution receipts be issued to contributors.</li> <li>• Requires regular reports, including financial information and lists of contributors be filed with Elections Alberta.</li> </ul>
<b>British Columbia (municipal elections)</b>	<ul style="list-style-type: none"> <li>• Enacted a third-party financing framework in 2014.</li> <li>• Defines third-party advertising as “election advertising other than election advertising conducted by a candidate or an elector organization as part of their election campaign” and individuals and organizations that conduct third-party advertising as “third party sponsors.”</li> <li>• Recognizes two types of third-party advertising: direct and indirect.</li> <li>• Third-party sponsors are required to register, value the advertising, and file disclosure statements to Elections BC.</li> </ul>

<b>Ontario (municipal elections)</b>	<ul style="list-style-type: none"> <li>Enacted a framework for third-party advertising that will come into effect April 1, 2018, to be in place for the 2018 municipal election.</li> <li>Eligibility of third-party advertisers is defined.</li> <li>Requires third-party advertisers to register with the clerk of the municipality.</li> <li>Time and expense limits for advertisers are calculated using a prescribed formula.</li> <li>Formula can vary based on the number of electors.</li> <li>The calculations must be completed by the clerk no later than September 25th in the year of the election.</li> <li>Provisions outline mandatory and prohibited information for broadcasters.</li> </ul>
<b>Quebec (municipal elections)</b>	<ul style="list-style-type: none"> <li>Does not allow third-party advertising during municipal elections.</li> </ul>

## Discussion:

Topic	Current Status	For Consideration
<b>Third Party Advertising</b>	The <i>Local Authorities Election Act</i> does not address third-party advertising.	Align third-party advertising requirements (including definition of third-party advertiser, registration, spending limits, receipts, and reporting) with the <i>Alberta Election Finances and Contributions Disclosure Act</i> .

## Discussion Questions:

3.1 The *Local Authorities Election Act* should include rules on third-party advertising.

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

3.2 If the answer to question 3.1 was Agree or Strongly Agree, the rules for third-party advertising should align those used in the *Election Finances and Contributions Disclosure Act* for Alberta provincial elections (including definition of third-party advertiser, registration, spending limits, receipts, and reporting).

[Click here to select level of support.](#)

Please explain or provide your comments

[Click here to enter text.](#)

3.3 If the answer to question 3.1 was Disagree or Strongly Disagree, please explain.

[Click here to enter text.](#)

3.4 Do you have anything to add about third-party advertising?

[Click here to enter text.](#)

3.5 Do you have alternate suggestions to address third-party advertising?

[Click here to enter text.](#)

## 4. School Board Trustee Elections

### Background:

School boards are enabled to establish campaign finance and disclosure rules by bylaw.

The requirements in the *Local Authorities Election Act* pertaining to election finance and disclosure do not currently apply to school board trustee candidates.

Applying the election finance and disclosure requirements to school board trustee elections would ensure all candidates, whether school trustee candidates or municipal candidates, comply with campaign finance rules. It would establish consistency between requirements for municipal and school board elections and provide greater transparency in school board trustee elections.

The addition of campaign finance and disclosure requirements in school board elections would create additional administrative requirements and associated liabilities for candidates running for trustee of a school board.

### Discussion:

Topic	Current Status	For Consideration
<b>School Board Trustee Elections</b>	School boards may pass a bylaw requiring campaign disclosure.	<p>Apply the Election Finance and Disclosure rules of the <i>Local Authorities Election Act</i> to school board trustee elections, including:</p> <ul style="list-style-type: none"> <li>• Campaign finance disclosure</li> <li>• Union and Corporate donations</li> <li>• Contribution and spending limits</li> </ul>

### Discussion Questions:

4.1 School board trustee candidates should be subject to the same campaign finance and disclosure rules as municipal candidates.

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

4.2 Do you have anything to add about the application of campaign finance and disclosure requirement to school board trustee candidates?

[Click here to enter text.](#)

## 5. Campaign Finance General Clarifying and Technical Amendments

### Discussion:

Current Status	For Consideration	Rationale
<b>Donating Campaign Surplus</b>  Confusion exists regarding whether all candidates can donate their campaign surplus or only the candidates that have been elected.	Clarify that all candidates who do not run in the next general election can donate their campaign surplus to the municipality.	The intent is to provide former candidates the option of donating their campaign surplus to the municipality instead of a registered charity. The wording of the current provision implies that only elected candidates can do so.
<b>Campaign Surplus</b>  A candidate must turn over surplus funds to the custody of the municipality.	Clarify the process by identifying:  How the funds must be kept in trust (one account versus separate accounts);  The interest rate or how to determine the interest rate; and  When the surplus funds must be released to candidates by the municipality.	Addresses concerns from elected officials and candidates over access to funds during campaign periods.  Addresses concerns from municipalities over additional administrative requirements.
<b>Election Expenses</b>  The legislation is vague about what is permitted as an election expense.	Align definition of “campaign expense” with the Alberta <i>Election Finances and Contributions Disclosure Act</i> (which includes the following campaign expenses: the production of advertising or promotional material, the distribution, broadcast, or publication of advertising or promotional material in any media or by any other means during a “campaign period” including by the use of a capital asset, the payment of remuneration and expenses to or on behalf of a person for the person’s services as a chief financial officer or in any other capacity, securing a meeting place, or the conduct of election surveys or other surveys or research during a campaign period).	It is currently unclear whether an allowable election expense includes hiring of staff.  Current legislation can be widely interpreted to include such items as haircuts or clothing.  Many questions are received from candidates, electors, and municipal administrators.
<b>Election Expenditure Reports</b>  A candidate who received	Require candidates who received campaign contributions <u>or</u> funded their own campaign to file a statement that itemizes campaign contributions, and	Requiring a self-funded candidate to report expenses by category would further increase transparency and

Current Status	For Consideration	Rationale
<p>campaign contributions or funded their own campaign with an amount exceeding \$10,000 must file a statement that itemizes campaign contributions, and identifies the total amount of revenue and expenses.</p> <p>It is not required that the expenses identified be itemized or categorized in the report.</p>	<p>identifies the total amount of revenue and expenses by category.</p>	<p>accountability of candidates.</p>
<p><b>Candidate Registration Forms</b></p> <p>Form 3A – Registration of Notice of Intent is not prescribed by the <i>LAEA</i>.</p>	<p>Amend the regulations to prescribe Form 3A – Registration of Notice of Intent in support of the new requirement for candidates to register with the municipality prior to accepting campaign contributions.</p>	<p>Consequential to the proposed amendment that would require all candidates to register.</p>

## Discussion Questions:

5.1 Do you have any additional comments/suggestions regarding campaign surpluses specifically, surpluses donated to the municipality?

[Click here to enter text.](#)

5.2 Do you have any additional comments/suggestions regarding campaign surpluses, generally?

[Click here to enter text.](#)

5.3 Do you have any additional comments/suggestions regarding the definition of campaign “expenses”?

[Click here to enter text.](#)

5.4 Do you have any additional comments/suggestions regarding campaign expense reporting?

[Click here to enter text.](#)

5.5 Do you have any additional comments/suggestions regarding candidate registration during municipal elections?

[Click here to enter text.](#)

5.6 Do you have anything to add about campaign finance and disclosure?

[Click here to enter text.](#)

# Discussion Topic:

## Voter Eligibility & Accessibility

## 6. Advance Votes

### Background:

Many local authorities in Alberta provide additional opportunities for electors to cast their vote in an election before general Election Day. The *Local Authorities Election Act* allows for a municipal council or school board to pass a resolution allowing an advance vote.

The legislation does not require a municipality or school board to conduct an advance vote. Electors have contacted Municipal Affairs and local jurisdictions, expressing that they feel disenfranchised when additional opportunities to vote are unavailable.

### Discussion:

Topic	Current	For Consideration
Populations over 5,000	Municipalities may, but are not required to, conduct an advance vote.	Require advance votes for municipalities with a population over 5,000.  Municipalities less than 5,000 will be enabled to choose to hold an advance vote through a resolution of council allowing for the Returning Officer to establish dates, times and location of the advance vote(s).
Notification of Advance Vote	The <i>Local Authorities Election Act</i> requires notification of an advance vote in accordance with the notification for election day but does not provide that the two can be included together in the same advertisement.	Allow for the notice of advance vote to be included in the notice of Election Day

### Discussion Questions:

6.1 Municipalities greater than 5,000 should be required to hold an advance vote(s).

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

6.2 Small municipalities (under 5,000) should have the option to hold an advance vote(s).

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

6.3 Do you have anything to add about the proposed changes to the rules for advance votes?



[Click here to enter text.](#)

## 7. Residency Requirements

### Background:

#### 7.1 Residency Requirement

The *Local Authorities Election Act* sets out that to be eligible to vote in a municipal election, an elector must be a resident of Alberta for the six consecutive months immediately preceding Election Day and must be a resident of the municipality on election day.

Recent amendments to the Alberta *Elections Act* removed the requirement for Alberta residency six months before Election Day. Amending the residency requirements in the *Local Authority Election Act* to align with these recent amendments would alleviate possible confusion by electors.

### Discussion:

Topic	Current Status	For Consideration
<b>Residency Requirements</b>	An elector must be a resident of Alberta for six months prior to election day and a resident of the municipality on election day.	Remove six month Alberta residency requirement.

### Discussion Questions:

7.1 An elector should not need to reside in Alberta for six months before Election Day to be eligible to vote in elections under the *LAEA*.

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

7.2 Do you have anything to add about residency requirements?

[Click here to enter text.](#)

## 8. Voter Identification

### Background:

#### 8.1 Identification Requirements

The *Local Authorities Election Act* requires identification that proves both name and current residence. This has posed challenges for many electors whose identification reflects a post office box rather than the street address of their residence, in addition to residents who may not have a permanent address, or identification as required under the act.

A complete list of acceptable identification can be found here:

<http://www.elections.ab.ca/wp-content/uploads/Authorized-Identification-Poster.pdf>

#### 8.2 Vouching

If the municipality or school board has prepared a list of electors (voters list), an individual without identification may be permitted to vote if another person whose name appears on the list of electors vouches for them. However, very few municipalities or school boards prepare a list of electors, so this option is rarely available.

The matter of identification is pressing as it is a source of confusion for both voters and returning officers. Potential amendments may minimize the instances of disenfranchising electors in the event they do not have an acceptable identification as prescribed.

### Discussion:

Topic	Current Status	For Consideration
Identification Requirements	Electors are required to provide one piece of identification with name and address. This can either be government issued identification or one piece of approved identification from the Chief Electoral Officer of Alberta under the <i>Election Act</i> .	Create a list of authorized identification that is independent from the list provided by Elections Alberta.  Extend authority of the Minister to expand the list of acceptable identification to meet needs of municipalities.
Vouching	Vouching can only occur if an elector's name appears on a list of electors. If this is the case, the elector may vouch for another person who does not appear on the list of electors.	Expand vouching provisions to include the ability of an elector who has shown appropriate identification to vouch for another elector.

## Discussion Questions:

8.1 Are there any additional forms of voter identification that should be accepted on Election Day?

[Click here to enter text.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

8.2 An elector who has shown appropriate identification and signed the required statement should be able to vouch for another elector, regardless of the list of electors.

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

8.3 Do you have anything to add about voter identification or the proposed changes to vouching?

[Click here to enter text.](#)

**Discussion Topic:**  
Accountability  
&  
Transparency

## 9. Substitute Returning Officers

### Background:

The *Local Authorities Election Act* authorizes a council or board of trustees to appoint a returning officer. If a returning officer is appointed, but is unable to fulfill their duties, the Mayor, Reeve, or Board Chair may appoint a substitute returning officer.

Some stakeholders argue that this is an inappropriate power for a chief elected official to have during an election and that, given the entire elected authority appointed the initial returning officer, the entire elected authority should appoint a substitute returning officer.

### Discussion:

Topic	Current Status	For Consideration
<b>Substitute Returning Officers</b>	The Mayor/Reeve/Board Chair may appoint a substitute returning officer.	Require the council/board to appoint a substitute returning officer.

### Discussion Questions:

9.1 The council/board (e.g., council or board of trustees), rather than the Mayor/Reeve/Board Chair, should appoint a substitute returning officer if the returning officer is unable to fulfill their duties.

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

9.2 Do you have anything to add about the proposed changes to substitute returning officer appointments?

[Click here to enter text.](#)

## 10. Nomination Day and Nomination Papers

### Background:

The *Local Authorities Election Act* sets out that if a nomination paper has not been signed by the required number of eligible electors or if it is not accompanied by a deposit (if required by bylaw) the returning officer must refuse to accept the nomination paper.

Provisions do not allow the returning officer to refuse a nomination paper if it has not been sworn/affirmed by a candidate. The candidate's nomination paper includes a statement of candidate's acceptance, which includes a statement regarding the candidate accepting the office if elected, and confirmation that the candidate has read and understands the sections of the *Local Authorities Election Act* as they relate to eligibility and ineligibility.

Instances have arisen in previous elections of individuals not swearing/affirming nomination papers. In such instances, it is difficult to know if the candidate actually intended to run for office, or if the candidate has read and understands the requirements of the Act relating to eligibility. Some stakeholders have suggested that the inability for the returning officer to refuse a nomination paper leads to confusion of the role and responsibilities of the returning officer as it relates to the enforcement of the legislative requirements of the *Local Authorities Election Act*.

### Discussion:

Topic	Current Status	For Consideration
<b>Nomination papers</b>	Returning officers can only refuse papers if they have not been signed by the required number of electors or if they are not accompanied by a deposit, if established by bylaw.	Allow returning officers to refuse nomination papers if the paper is not sworn/affirmed.

### Discussion Questions:

10.1 Returning officers should be able to refuse nomination papers that are not sworn/affirmed by a potential candidate.

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

10.2 Do you have anything to add about nomination day?

[Click here to enter text.](#)

## 11. Election Campaign Advertising at Voting Stations

### Background:

The *Local Authorities Election Act* prohibits campaign activities, such as canvassing or soliciting votes where a voting station is located, but not in the surrounding area, such as a parking lot. The Act also prohibits the display and distribution of campaign material inside the building where a voting station is located, or on the outside of a voting station.

The *Election Act* establishes that no person may display election materials (except those required to be posted by the returning officer) on the inside or on the outside of a building used for a polling station, or distribute within a building used for a polling place, or within the boundaries of the land on which the building is located. If election advertising is present, the returning officer may remove it or instruct a deputy to remove it and neither the returning officer or deputy are liable for trespass or damages resulting from the removal.

### Discussion:

Topic	Current	For Consideration
<b>Campaign Advertising Rules</b>	The Act prohibits campaign activities such as canvassing or soliciting votes in a building where a voting station is located, but not in the surrounding area, such as a parking lot.	Establish a distance around the voting station where campaign activities are not permitted.
<b>Enforcement of Election Campaign Advertising at Voting Stations</b>	The Act authorizes the returning officer and/or deputies to remove campaign materials if displayed within a voting station, but does not extend outside of the voting station.	Establish provisions that allow the returning officer to request persons engaged in campaign activities in the voting station or within 100m of the of the voting station to leave;

### Discussion Questions:

11.1 Please choose one of the following. Campaign activities should be prohibited:

Choose one of the following.

Please explain or provide your comments:

[Click here to enter text.](#)

11.2 The returning officer should have the authority to enforce campaign advertising at voting stations.

[Click here to select level of support.](#)



Please explain or provide your comments:

[Click here to enter text.](#)

11.3 Do you have anything to add about campaigning at voting stations?

[Click here to enter text.](#)

## 12. Candidate List

### Background:

The *Local Authorities Election Act* does not require municipalities to make public a list of candidates for an election following nomination day.. Municipalities are required to send names of candidates to the provincial government once the deadline for withdrawal has passed (24 hours after the close of nominations, 48 hours for summer villages). The province posts the names of municipal candidates who have filed nomination papers online for public information. Municipalities are required to release post-vote information.

### Discussion:

Topic	Current Status	For Consideration
<b>Public Posting of Candidate List</b>	Municipalities and School Boards are not required to post a list of candidates following the period for withdrawal after nomination day.	Require municipality to release or make public a list of candidates immediately after the time limit for withdrawal of nominations has passed.

### Discussion Questions:

12.1 Municipalities should be required to release a list of candidates immediately after the time limit for withdrawal of nominations has passed.

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

12.2 Do you have anything to add about posting information during an election?

[Click here to enter text.](#)

## 13. Special Ballots

### Background:

The *Local Authorities Election Act* enables municipalities to allow for special ballots based on the unique needs of each municipality. Municipalities must also advise the Minister of the use of special ballots (mail in ballots).

Applications for special ballots must be made available to the public the day after a council decides to use special ballots. Of the 342 municipalities in Alberta, between 15 and 20 municipalities used special ballots during the 2017 municipal election.

A provision exists in the *Local Authorities Election Act* that requires the minister to appoint special ballot advisors to review questionable special ballots. This is inconsistent with the returning officer's responsibility for all other ballots and is impractical.

### Discussion:

Topic	Current Status	For Consideration
<b>Review of Special Ballots</b>	The minister is required to appoint special ballot advisors to review questionable special ballots	Remove the requirement for special ballot advisors, as well as the requirement to notify the Minister of the use of special ballots.
<b>Returning Officer Responsibility</b>	The Minister of Municipal Affairs appoints special ballot advisors who may accept or reject a special ballot in instances where the local returning officer feels unable to make a determination.	Expand authority for the returning officer to accept or reject a special ballot, in accordance with the provisions of the <i>Local Authorities Election Act</i> , rather than requiring the Minister to appoint a special ballot advisor to make a determination.

### Discussion Questions:

13.1 The Minister of Municipal Affairs should not appoint special ballot advisors.

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

13.2 The Returning Officer should have the authority to accept or reject a special ballot.

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

13.3 Municipalities should not have to notify the Minister of the use of special ballots.

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

13.3 Do you have anything to add about the proposal or alternate suggestions?

[Click here to enter text.](#)

## 14. Additional Items for Consideration

### Discussion:

Current Status	For Consideration	Rationale
<b>Election Regulations</b>  Regulations currently exist that outline specific processes for Calgary, Edmonton and Red Deer. The modified voting procedure allows for ministerial power and bylaws to adjust certain processes in the <i>Local Authorities Election Act</i> .	Repeal the modified voting procedure regulation, ballot box regulation, City of Edmonton Regulation, City of Calgary Regulation, and City of Red Deer Regulation and incorporate provisions into the <i>Local Authorities Election Act</i> .	Reduces regulatory burden on municipalities and reduces complications.  Regulated procedures would benefit any large election process and will be of value to other municipalities.
<b>Cell Phone Use</b>  <i>Local Authorities Election Act</i> does not address the use of cell phones in voting stations.	Allow municipalities to create rules regarding the use of cell phones, such as restricting voice calls, photography or social media, while in the voting station.	Provides flexibility to municipalities to determine their specific needs for regulating the use of cellphones.
<b>Definition of “Candidate” and “Campaign Period”</b>  <i>Local Authorities Election Act</i> does not clearly define when a person officially becomes a candidate. The definition of “campaign period” does not align with the definition of “candidate.”	Amend the definition of “candidate” to mean an individual who has filed a registration of notice under section 147.21.  Amend the definition of “campaign period” to be January 1 in the year of a general election to December 31 in the year of a general election. In the case of a by-election, beginning when the vacancy occurred to 180 days following the date of the by-election.	Ensures consistency with definitions to eliminate confusion and increase clarity.

### Discussion Questions:

14.1 Do you have anything to add about the regulations under the *Local Authorities Election Act*?

[Click here to enter text.](#)

14.2 Municipalities should have the authority to create rules regarding the use of cell phones in voting stations.

[Click here to select level of support.](#)

Please explain or provide your comments:

[Click here to enter text.](#)

14.3 Do you have anything to add about the use of cell phones in voting stations?

[Click here to enter text.](#)

14.4 Do you have anything to add about the definitions of “candidate” and “campaign period”?

[Click here to enter text.](#)

14.5 Do you have any other comments or suggestions to add regarding the proposed changes to the *Local Authorities Election Act*?

[Click here to enter text.](#)