

# **Local Authorities Election Act**

## **Comments and Responses**

### **July 2018**

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

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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”?	