

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

**ISC: UNRESTRICTED  
IGA2018-0865  
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## **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.

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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.

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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