

ITEM	12
MANAGER'S REPORT NO.	64
COUNCIL MEETING	93/11/01

TO: CITY MANAGER

FROM: CHIEF ELECTION OFFICER

SUBJECT: CORRESPONDENCE FROM STEVE MANCINELLI

PURPOSE: TO RESPOND TO CONCERNS RAISED BY MR. STEVE MANCINELLI WITH RESPECT TO THE DEADLINE FOR FILING NOMINATION PAPERS FOR THE 1993 LOCAL GOVERNMENT ELECTION.

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RECOMMENDATION:

1. THAT this report be received for information purposes.

REPORT

In correspondence appearing elsewhere on the Council agenda Mr. Mancinelli has expressed concerns about the information provided by the Clerk's Department regarding the filing of nomination papers and requests an extension of the deadline for submitting nomination papers to the Chief Election Officer.

The Clerk's office has been unable to determine who Mr. Mancinelli spoke with on October 01, however during the third week of September all staff were provided with calendars denoting specific events during the election process (including nomination deadlines) and made aware of the availability of nomination papers. With respect to the mailing of nomination papers, it is not our preference to mail these documents because if they are not delivered in a timely manner, this may cause some difficulties for the recipient. In the event a potential candidate is unable to pick up papers, we have made arrangements for courier delivery of the documents and have accommodated one individual in this manner. Upon receipt of the documents this individual chose not to run for office.

The Election Legislation requires that notice of the nomination period appear in a newspaper circulating in the Municipality at least six but not more than thirty days before the nomination period begins. To this end substantial advertisements were placed on September 12, 15 and 19 in both local papers. These dates were chosen because the advertisements also include information about the close of the list of electors which occurs on September 28.

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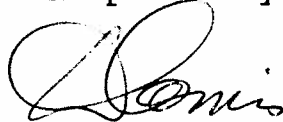
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When Mr. Mancinelli contacted the Clerk's Office at 3:30 p.m. on October 15, he was advised that nominations would close at 4:00 p.m. He arrived in the Department at 3:45 p.m., was provided with a set of nomination papers and told he must have them returned to the Chief Election Officer by 4:00 p.m. Mr. Mancinelli's nomination papers arrived by fax at 4:41 p.m.

Section 69 of Bill 35 establishes the close of nominations to be 4:00 p.m. on the 36th day before general voting day (October 15). There is no provision in the legislation to extend this date under any circumstances or by any authority whatsoever. Mr. Mancinelli was advised of this when he was contacted on Monday, October 18 at which time he was also advised that his nomination papers could not be accepted.

It is unfortunate that Mr. Mancinelli's nomination papers were received after the nomination deadline, however, the Act does not provide any discretionary authority to grant Mr. Mancinelli's request for an extension.

Respectfully submitted,



D. R. Comis  
CHIEF ELECTION OFFICER