

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2010 April 06

FROM: DEPUTY CITY CLERK

SUBJECT: LOCAL GOVERNMENT ELECTIONS TASK FORCE

PURPOSE: To provide the Local Government Elections Task Force with Council's position on electoral issues.

RECOMMENDATION:

1. **THAT** this report be forwarded to the Local Government Elections Task Force as the City of Burnaby's official submission related to the current review of B.C.'s local government electoral process.

REPORT

On 2010 March 03, Council met to discuss issues under consideration by the Local Government Elections Task Force and to establish the position of Council in relation to these matters. The Terms of Reference for the task force states that it will consider specific issues related to local government elections under the following topics:

- campaign finance, including contribution/spending disclosure and limits and tax credits
- enforcement processes and outcomes
- role of the chief elector officer (B.C.) in local government elections
- election cycle (term of office)
- corporate vote
- other agreed upon matters (e.g. matters raised in UBCM resolutions such as candidate eligibility of volunteers).

The task force is inviting input on the matters listed above in the form of written comments, feedback through the website as well as face-to-face input, as feasible, from local governments, representative groups and the public. A synopsis of Council's position on these issues follows.

Campaign Finance**Campaign Financing**

- Council supports the concepts of disclosure and accountability for both campaign contributions and expenses.
- Council supports increasing the accountability of the current disclosure regulations by:

- shortening the required time frame for filing expenditure reports to 60 days (from the current requirement of within 120 days after general voting day);
 - setting an official time frame for which campaign contributions must be calculated (i.e. 10 months prior to the election); and
 - requiring the disclosure of third party advertising and so called parallel or “other voting” campaigns.
- Council also supports the concept of an increased role for the Chief Electoral Officer in reviewing the reports and disclosure documents to ensure their validity and compliance with regulations.
 - Council does not support limits on expenditures or contributions.

Public Financing

- Council supports the concept that local government elections should be publicly financed through tax deductions similar to provincial and federal elections. Tax deductions should be by way of income tax rebates and not property tax based as the majority of citizens do not directly pay property tax.

Enforcement Processes and Outcomes and the Role of the Chief Elector Officer (B.C.) in Local Government Elections

- Staff provided an example of a contravention of the *Local Government Act*, specifically Section 152.1 **Prohibition against certain election advertising on general voting day**. Burnaby’s election staff notified the Minister of Community Development and Local Government Department of the contravention and in response a letter from the Director of the Ministry was received stating “...I appreciate your intention to inform the Minister of this situation even though it is the courts who adjudicate alleged contraventions of the election provisions of the *Local Government Act*. Often the public brings these matters to the attention of the police so that the matter can be investigated...”.
- Council supports the view that the Chief Elector Officer should have the ability to enforce the *Local Government Act* as the members of Council believe there is a need for oversight and to have one single agency responsible for local government elections.

Election Cycle (Term of Office)

- Council supports the UBCM policy to move to a four year election cycle.
- Council proposes the task force consider moving the date of the election to the third Saturday in October as this is currently the practice in many other provinces. Council reasons the October date would lessen the time of the campaign (which traditionally starts after Labour Day) thus saving money as well as providing better weather and therefore increased voter participation.

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Corporate Vote

- Council is strongly opposed to restoring the corporate vote. Prior to the corporate vote being discontinued in 1993, Council supported the UBCM's position to eliminate the corporate vote. In addition, Council would like the concept "one person one vote" to be extended to non-resident property owners, in that regardless of whether you own property in other jurisdictions, you should only be allowed to vote once in one municipality.

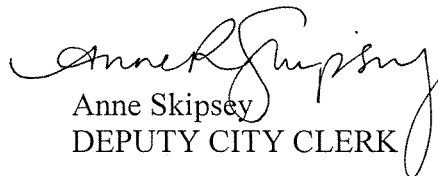
Other Issues

- Council also considered the issue that cities bear the cost of conducting the election of other bodies, such as school trustees. Council supports the concept that the province should reimburse cities for the cost of conducting the election of Boards of Education and other similar bodies.

Council is concerned much of the attention in the media and elsewhere arises from election issues in the City of Vancouver. The vast majority of local government elections are not overly costly or subject to the same controversy generated in the province's largest city. Burnaby, as BC's third largest city, had total campaign expenditures of approximately \$500,000 in the last election, less than \$3 per person. The members of Council are concerned the province may bring forward rules and regulations which will make it much more difficult for persons to participate in the democratic process. Therefore, Council would urge the task force not to try to fix something which is not broken; there is not a problem outside of the City of Vancouver in the diverse communities around the province.

The task force is seeking written input by 2010 April 15. The recommendations of the task force are to be presented to the Province and UBCM no later than 2010 May 30, in time for approved legislative changes to be implemented for the 2011 local government elections.

Respectfully submitted,


Anne Skipsey
DEPUTY CITY CLERK

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Copy: Deputy City Manager