



TOWNSHIP OF NORTH HURON

REPORT

Item No.

REPORT TO: Reeve Vincent and Members of Council
PREPARED BY: Richard AI, Manager of Employee and Business Services/Deputy Clerk
DATE: 17/10/2016
SUBJECT: Bill 181 Municipal Election Modernization Act
ATTACHMENTS: None

RECOMMENDATION:

THAT the Council of the Township of North Huron hereby receive the Manager of Employee and Business Services/Deputy Clerk's report regarding Bill 181, *Municipal Elections Modernization Act, 2016*, for information purposes;

AND FURTHER THAT Council maintain the existing first-past-the-post voting model for the 2018 Municipal Election.

EXECUTIVE SUMMARY

The Ministry of Municipal Affairs and Housing reviews the *Municipal Elections Act, 1996* after each election to determine if it meets the needs of Ontario communities. The latest review of the *Municipal Elections Act, 1996* has resulted in significant changes in the form of the *Municipal Elections Modernization Act, 2016* or Bill 181.

DISCUSSION

The *Municipal Elections Act, 1996* regulates the conduct of municipal and school board elections in Ontario. As a result of Bill 181, *The Municipal Elections Modernization Act, 2016*; various changes to election procedures and timelines must be observed for the upcoming municipal election in 2018. An overview of some of these changes will be discussed.

Ranked ballots

For the 2018 election, municipalities are authorized to use the ranked ballot election model. Ranked ballots allow voters to rank candidates by order of preference, votes are distributed to candidates based on the rankings on the ballots and counting of the votes is carried out in rounds in which at least one candidate will be elected or eliminated in each round.

The use of ranked ballots is perhaps the most discussed change related to Bill 181 and as such many municipalities have already considered the option to use ranked ballots and chosen to maintain the existing first-past-the-post voting model.

There are a number of reasons for this stance, principally the use of ranked ballots is new and the framework is not yet finalized nor has it been tested by any other municipality in Ontario at this point. Financial impacts must be considered including increased costs associated with the requirement for public consultation and education as well as staff time to administer a ranked ballot election. The lack of election equipment that has been tested with the use of ranked ballots is again another variable which could potentially increase the cost of operating a ranked ballot election.

Election calendar and timelines

A number of key dates have changed as listed in the following table

Item	Old Date	New Date
Establishment of forms, policies and procedures for voting, vote counting equipment and alternative voting methods	June 1	January 1
Authorization of a ballot question	June 1	March 1
Opening of nomination period	January 1	May 1
Close of nomination period	Second Friday in September	Fourth Friday in July
Establishment of voting subdivisions	Ministers' letter	March 31
Authorization of alternative voting methods	June 1	May 1
Availability of the voters' list	First Tuesday in September	September 1
Compilation of interim list of changes to the voters' list	10 days following nomination day	Starts September 15 and ends September 25
Authorization of a recount policy	New under Bill 181	May 1
Authorization of a use of corporate resource	New under Bill 181	May 1
Report of candidates in default	New under Bill 181	May 1

Changes to the duties of the Clerk

Bill 181 provides greater administrative discretion and independence to the Clerk as some election related items previously requiring Council approval are now entirely under the Clerk's scope of responsibilities. These items include

- The establishment of advance voting dates, locations and hours;
- The establishment of reduced voting hours for voting places and long-term care facilities;
- The management of the voters' list, including the removal of deceased persons, additions to new electors and amendments to existing electors, as well as, the method by which additions, amendments and deletions are completed.

Election advertising

Candidates will be required to include specific information on their election advertising in order to make it clear who is responsible for the message provided, this applies to all advertising regardless of format or method.

Candidates, or those advertising on their behalf, will need to provide broadcasters and publishers with the name of the candidate, name of the individual or organization taking out the advertisement, and address and telephone number of the individual interacting with the broadcaster or publisher on behalf of the candidate. The broadcaster or publisher must then keep this information along with a copy of the ad and invoice for two years. During the two year period the information must be available to the public for inspection.

Elections accessibility plan and post-election reporting

Prior to voting day, the Clerk is required to prepare an Elections Accessibility Plan and make it available to the public.

In addition, within 90 days following the election the Clerk is required to prepare and make available to the public, a report on the identification, removal and prevention of barriers that affect electors and candidates with disabilities.

Third party involvement in elections

Bill 181 introduces a framework for the registration and financial filing of third party advertisers. There are significant regulations and requirements surrounding third party advertising some examples include; third party advertisers must register with the municipality where they want to advertise, third party advertising must be done independently of the candidates, third party advertisers will have spending limits and most campaign finance rules that apply to candidates also apply to third party advertisers.

Financial statement filing and reporting

The Clerk must now review and report on campaign contributions made to candidates and third party contributors. These reports will be referred to the Compliance Audit Committee to determine if any further action is required.

The Clerk must also prepare and make available to the public a report identifying any candidates or third parties who have failed to comply with the requirement to file a financial statement. Fees apply to candidates failing to meet the prescribed filing deadlines.

Recount policies

In addition to the standard recount circumstances, those being

- Where the counting of ballots resulted in a tie vote;
- Where a municipality, local board or Minister of Municipal Affairs and Housing has passed a resolution to order a recount; or
- Where an electors' request for a recount has been granted by the Superior Court of Justice.

The Clerk now has the authority to adopt a policy by May 1st of the election year to define additional circumstances under which a recount would be conducted. The Clerk has the authority to hold a recount in accordance with the new recount policy.

Candidate endorsements

All candidates wishing to run in a municipal election must now be endorsed by at least 25 eligible electors.

FINANCIAL IMPACT

Although an exact dollar amount cannot be determined at this point, the additional cost required to operate a ranked ballot election has been examined by other municipalities and is estimated to add significant costs to the operation of a municipal election.

FUTURE CONSIDERATIONS

North Huron utilized the vote by mail voting method for the 2014 election, a further report will be brought forward to provide an overview of alternative voting methods for Council's consideration.

RELATIONSHIP TO STRATEGIC PLAN

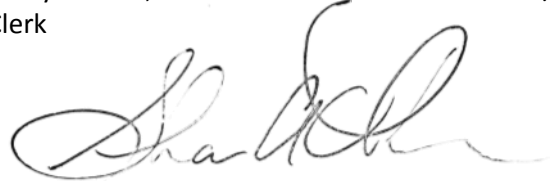
Goal #2 – Our residents are engaged and well informed

Goal #4 – Our administration is fiscally responsible and strives for operational excellence



Richard Al, Manager of Employee and
Business Services / Deputy Clerk

Kathy Adams, Director of Corporate Services /
Clerk



Sharon Chambers, CAO