

AAMDC Input into the Local Authorities Election Act (LAEA)

June 2016



Partners in Advocacy & Business

Prepared by the Alberta Association of Municipal Districts and Counties
2016

Local Authorities Election Act

In April 2016, the AAMDC surveyed its membership regarding the Local Authorities Election Act (LAEA) to gather feedback and identify any significant issues or concerns ahead of the municipal elections to held across Alberta in the fall of 2017.

The AAMDC received 55 responses to the survey of which 50% were from individual councillors, 40% were from administration, and 10% were from councils as a whole.

When asked whether the LAEA required minor changes, major changes, or no changes, 54% indicated minor changes, 42% indicated no change, and 2% indicated major changes.

When asked specifically if they supported a ban on corporate or union donations in municipal elections, 69% responded ‘Yes’, 5% responded ‘No’, and 26% responded ‘Unsure’.

The following table includes comments raised by AAMDC members though are not adopted positions of the AAMDC.

AAMDC MEMBER COMMENTS FROM 2016 SURVEY AND 2011 COMMITTEE
Candidate Nominations
Provide a definition for what a ‘nickname’ is when a candidate fills out their nomination papers and clarify if they are appropriate to use. Candidates should be able to use their nickname in campaigning provided that they have given their full legal name at the time of registration and identified their nickname. The nickname must be a reasonable name that they are often referred to as.
A person should be ineligible to run for office if they are engaged in legal action against the body they are running to be elected for.
Returning Officers and Election Officials
Support the development of in-person or online training for returning officers and their alternates to ensure consistency in their interpretation of the LAEA and their operations as returning officers.
Review municipal election forms, materials, and training to ensure alignment with the LAEA.
Clarify the requirement and process for designating alternate returning officers
Remove the term “official agent” from the LAEA.
Campaign Finance
Review the administrative campaign finance rules outlined in section 147 of the LAEA to identify efficiencies while maintaining transparency and accountability.
Amend the LAEA to require an affidavit from candidates stating that they have not exceeded the limits under the campaign finance and fundraising sections of the LAEA.

Prohibit corporate and union contributions to municipal candidates and enable tax credits for contributions to local government candidates from other sources, provided that there are no onerous financial and administrative burdens placed on municipalities.
Amend the LAEA to allow municipalities over a certain population (eg. 25,000) to set additional municipal bylaws regarding campaign and campaign contributions.
Voting and the Voting Process
Amend the section 77.1 to expand those eligible for special ballots to include those without transportation to polling stations but to be used as the discretion of the returning officer.
Align identification rules for voters with provincial and federal legislation.
Provide greater clarity in legislation or guidelines to identify 'place of residence' and residency for voter eligibility.
Require municipalities to provide notice of the location of polling stations in local media and online at least ten days prior to the election date
Provide greater clarity for voting day advertising and sign location near polling stations.
Align identification and proof of residency with provincial and federal standards for elections.
Create a prescribed form to fulfill section 69(1) of the LAEA to identify scrutineers at voting stations.
The exception for a presiding deputy to carry out section 90(1) is contradictory to section 101 in regards to allowing the viewing of objected to voter registers after the ballot box is sealed. The ability to "make a copy" of the register is not possible at an individual voting station. It is recommended in the LAEA90(2) that "make a copy" is replaced with "separate out" and revise legislation to make it clear that voter registries are not sealed in the ballot box.
Review the LAEA in its entirety to deal with current technological uses especially section 55 (secrecy of vote), section 56 (maintenance of secrecy), section 150 (offence).
Review the LAEA to allow for the option to create a voters list at the discretion of the municipalities.
Other
Review opportunities to adopt electronic voting at the discretion of the municipality while ensuring anonymity and security.