

# DECISION/DIRECTION NOTE

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<b>Title:</b>	<b>Addition</b> - Panel to Review Election Processes including Finance By-Law
<b>Date Prepared:</b>	July 17, 2019
<b>Report To:</b>	Committee of the Whole
<b>Councillor and Role:</b>	Mayor Danny Breen – Governance & Strategic Directions
<b>Ward:</b>	N/A

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## **Decision/Direction Required:**

Seeking Council's approval for an additional item from the Report of the Citizens' Assembly for Stronger Elections (CASE) to be added to the list of items to be reviewed by the external panel.

## **Discussion – Background and Current Status:**

A decision note to have Council approve the establishment of an external panel to review and provide recommendations to Council on the CASE study was discussed at the Committee of the Whole Meeting (COTW) held July 10, 2019 (a copy is attached). It was subsequently identified that the decision note referenced did not contain one additional recommendation from the report that requires analysis, as follows:

- **Enfranchisement**

- a) Resolve to allow permanent residents to vote if and when the province has made the necessary legislative changes.
- b) Lobby the Provincial Government to amend the necessary legislation to grant permanent residents the right to vote in municipal elections.

## **Key Considerations/Implications:**

1. Budget/Financial Implications:
  - N/A to the City, though applicable to municipal candidates

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**Addition** - Panel to Review Election Processes including Finance By-Law

2. Partners or Other Stakeholders:
  - Elections NL
  - Province of Newfoundland and Labrador
  - Candidates
  - Electorate
3. Alignment with Strategic Directions/Adopted Plans: N/A
4. Legal or Policy Implications:
  - City of St. John's Act
  - Municipal Elections Act
  - Election Finance By-Law
  - Code of Ethics By-Law
5. Privacy Implications: N/A
6. Engagement and Communications Considerations:
  - Engagement exercise led by City Clerk with support from Organizational Performance and Strategy Division
7. Human Resource Implications: N/A
8. Procurement Implications: N/A
9. Information Technology Implications: N/A
10. Other Implications: N/A

**Recommendation:**

It is recommended that Council approve an additional item from the Report of the Citizens' Assembly for Stronger Elections (CASE) be added to the list of items to be reviewed by the external panel.

**Prepared/Approved by:** Elaine Henley, City Clerk

**Attachments:** Decision Note dated July 5, 2019 re: Panel to Review Election Processes including Finance By-Law

# DECISION/DIRECTION NOTE

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**Title:** Panel to Review Election Processes including Finance By-Law

**Date Prepared:** July 5, 2019

**Report To:** Committee of the Whole

**Councillor & Role:** Mayor Danny Breen – Governance & Strategic Directions

**Ward:** N/A

**Decision/Direction Required:** Seeking Council's direction in relation to the Report of the Citizens' Assembly for Stronger Elections (CASE).

## **Discussion – Background and Current Status:**

Council during its Regular Meeting of July 23, 2018 recommended the establishment of an external panel to review and provide recommendations to Council on the CASE Study. Subsequently, Council, during its Regular Meeting of October 9, 2019 approved the implementation of a city led public engagement process instead of the originally proposed external panel. At that time, it was also agreed that Council's composition be reviewed and that the existing internal sub-committee on election reform remain in place to consult on the proposed engagement process.

The full CASE study is linked [here](#). The internal sub-committee reviewed all recommendations and determined that the following require further analysis by Council:

1. Campaign Finance
  - a) Reduce expenditure caps based on the real need of campaigns, the effect on barriers for new candidates, and the relationship with voter engagement.
  - b) Ban corporate and union donations based on public trust concerns, and barriers for new candidates.
  - c) Amend the necessary by-laws to reduce timeline for disclosure of campaign contributions to allow greater transparency of donors.
  - d) Amend the necessary by-laws to require disclosure of expenditures in addition to contributions to improve transparency and public trust.
2. Council Structure
  - a) Further study the current and other potential council structures (i.e. ward and/or at-large councillors) and the method of determining the roles mayor and deputy mayor to determine the best fit for your community.

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### 3. Electoral Systems

- a) Increase proportionality, reduce strategic voting and promote a more equitable democratic process by adopting a ranked ballot for the municipal electoral system.

### 4. Voting Method

- a) Conduct an independent review to determine whether the mail-in-ballot system met the objective of increasing accessibility, improving and diversifying voter turnout and providing cost savings.

### 5. Enfranchisement

- a) Lobby the Provincial Government to amend the necessary legislation to change the voting day to enfranchise student voters.

Further background information from outside sources may be useful before proceeding to assist Council with making their decision. One option is to engage a four-person panel composed of people in the community with expertise and experience in this area to provide comments to Council on the items noted above from the CASE submission. Following that Council would then decide what further action, if any would be taken.

### **Key Considerations/Implications:**

#### **1. Budget/Financial Implications**

- N/A to the City, though applicable to municipal candidates

#### **2. Partners or Other Stakeholders**

- Elections NL
- Province of Newfoundland and Labrador
- Candidates
- Electorate

#### **3. Alignment with Strategic Directions/Adopted Plans N/A**

#### **4. Legal or Policy Implications**

- City of St. John's Act
- Municipal Elections Act
- Election Finance By-Law
- Code of Ethics By-Law

#### **5. Privacy Implications N/A**



## **6. Engagement and Communications Considerations**

- Engagement exercise led by City Clerk with support from Organizational Performance and Strategy Division

## **7. Human Resource Implications N/A**

## **8. Procurement Implications N/A**

## **9. Information Technology Implications N/A**

## **10. Other Implications N/A**

### **Recommendation:**

It is recommended that rather than implementing a public engagement plan, Council appoint a four-person panel to consider the CASE submission and present their commentary to Council. The report could then be used for Council to determine its next steps. The following four individuals are proposed to comprise the Panel and they provide a comprehensive cross section of expertise in the academic, administrative and political areas:

- Ross Reid: former Canadian politician who most recently served as the Chief of Staff to Newfoundland and Labrador Premiers Kathy Dunderdale and Tom Marshall. Reid is a former Progressive Conservative member of Parliament who served as the Minister of Fisheries and Oceans and Minister for the Atlantic Canada Opportunities Agency under Prime Minister Kim Campbell;
- Dr. Amanda Bittner: studies elections and voting in Canada. She has published research on voter turnout, immigration, as well as the impact of social cleavages and political sophistication on political attitudes. She is currently working on projects in a number of areas, including voters' attitudes about immigration; the influence of gender on public opinion and voting; and Canadian parties and elections.
- Marie Ryan: Partner at Goss Gilroy Inc. Management Consultants and tireless advocate for social justice in the community, former councillor and deputy mayor. She is an advocate for inclusive citizenship and development of the housing and homelessness support services sector. She is the recipient of the Queen's Diamond Jubilee Medal and the Order of Newfoundland and Labrador
- Dr. Steven Tomblin: is a full professor in the Department of Political Science and Medicine (Community Health) at Memorial University of Newfoundland. In addition to administrative service in the political science department, Tomblin has served as the Principal Investigator for the Atlantic Regional Training Centre.

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**Prepared by:** Karen Chafe, Supervisor – Office of the City Clerk

**Approved by:** Elaine Henley, City Clerk

**Attachments:** None

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