



March 3, 2020

Honourable Kaycee Madu
Minister of Municipal Affairs
132 Legislature Building
10800-97 Street
Edmonton, Alberta T5K 2B5

Dear Minister Madu:

AUMA has serious concerns about proposals to amend the *Local Authorities Election Act* (LAEA) so soon after changes were adopted in 2018 and so close to the upcoming local elections.

Our concerns are heightened by the commitment in the throne speech to introduce a recall act that would include the ability to remove municipal councilors, mayors and school board trustees between elections. This gives the impression that decisions have already been made about topics which are currently part of the LAEA consultations.

We support the need for continuous improvement. However, this is best accomplished by engaging municipalities and voters in a review directly following the 2021 elections to provide the opportunity to more meaningfully seek solutions to well defined challenges. It also provides the opportunity to develop change management resources to ensure amendments are well understood and successfully implemented in the subsequent election.

Principles

Instead of rushing through changes based on a limited consultation, we propose that the province engage municipalities and voters in assessing the outcome of the next election to ensure the following principles are achieved:

- Democratic - Elections enable local citizens to select representatives who make decisions in order to create and sustain safe and viable communities.
- Locally Focused – Local elections are dedicated to addressing locally defined needs and issues.
- Inclusive - Every eligible person can participate as a voter, contributor or candidate with minimal barriers (e.g. financial).
- Fair -Each candidate has an even playing field regardless of whether they are an incumbent, a returning, or a first-time candidate.
- Enforceable – Authority for ensuring election rules are followed is clearly established.
- Scalable – election rules are applicable and adaptable to local authorities of all sizes.
- Transparent – Election rules and processes are easy to access and understand, and voters have access to interim disclosure statements candidates and third-party advertisers before the elections.
- Nonpartisan - Candidates are elected to represent and be accountable to municipal residents, not a political party.

Transparent

If the province is intent on pushing forward, the changes should adhere to the above mentioned principles. For example, to improve transparency candidates should be required to disclose

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contributions and expenses ahead of the election. Similar provisions should be introduced for third-party advertisers that also requires disclosure of directors.

Inclusive

Overall, it is essential that the influence of corporations, unions, political parties and other special interests be mitigated through maintaining limits on campaign contributions in order to maximize the ability of local voters to exercise their democratic rights.

Nonpartisan

AUMA understands that candidates for municipal office may have affiliations with provincial or federal political parties or other organizations. However, there is a significant difference between having affiliations and being beholden to a party or group. Given the scale of provincial and federal governments, political parties are a necessity. In contrast, municipalities are the level of government closest to the people, enabling more direct accountability between councillors and citizens they represent.

The MGA clearly states in Part 5, Division 3 that councillors have the statutory duty to: “consider the welfare and interests of the municipality as a whole and to bring to council’s attention anything that would promote the welfare or interests of the municipality”. Councillors are expected to place the community’s interests above all else – each member of council is a spokesperson for the entire community – not themselves or any individual group.

Furthermore, in order to efficiently and effectively deliver services to businesses and residents, councils must work collaboratively with the province and neighboring municipalities. Council members also have roles on quasi-judicial and utility/service delivery boards. Any changes to the LAEA that increases the role of partisanship would undermine the ability councils to effectively fulfill these roles.

Engagement and Change Management

Again, instead of rushing ahead with changes to legislation that has a fundamental impact on local democracy, the province should engage municipalities and citizens in monitoring the next local election in order to inform a meaningful review of the Act afterwards.

In the meantime, there are opportunities for the province to partner with municipal associations including AUMA and RMA to strengthen the election process. For example, with the support of Municipal Affairs, AUMA and RMA already provide elected officials training. This training could be leveraged to provide potential candidates access to online courses that provide information on the roles and responsibilities of councilors. Municipal Affairs and municipalities also provide information to voters on the election process to ensure it is understood by all.

As with so many other issues, partnership between municipalities and the province is essential to serving the best interests of Albertans.

If you would like to discuss this matter further, please feel free to contact me by email at president@auma.ca or my cell phone at (403) 363-9224.

Sincerely,



Barry Morishita
AUMA President

cc: Al Kemmere, President, Rural Municipalities of Alberta