

Advocacy Update – Letter to the Government on Bill 218

As a follow-up to [last week's Legislative Express](#), we want to update you on our work addressing concerns about Bill 218: *Supporting Ontario's Recovery and Municipal Elections Act, 2020*.

We have heard from members around the Province about the concerning implications of the Bill's proposed measures, particularly related to the change in nomination day. We believe that these concerns are valid and consistent enough to provide a unified message to the government.

On behalf of our members, the following letter was sent to ministers Downey and Clark asking them to reconsider the Bill's proposed amendments:

October 26, 2020

*The Honourable Steve Clark
Ministry of Municipal Affairs and Housing
College Park
777 Bay Street, 17th Fl.
Toronto, ON M5G 2E5*

*The Honourable Doug Downey
Ministry of the Attorney General
McMurtry-Scott Bldg.
720 Bay Street, 11th Fl.
Toronto, ON M7A 2S9*

We are concerned about the proposed amendments brought forward by the Bill – specifically, those in regard to s.31 of the Municipal Elections Act, 1996 (the Act), which would extend the nomination period of municipal elections by moving nomination day back to September from July. We have heard from our members across the province on this issue in the past few days, and we understand many of them have shared their concerns with one or both of your ministries.

As you may be aware, during the last review of the Act, AMCTO advocated to move nomination day to the summer in order to improve the effectiveness of managing and administering municipal elections. This is an area of critical interest for our members who serve their communities as municipal clerks and who act as local election officials under the authority of the Act.

Beyond making the use of alternative voting methods (i.e. voting by mail, internet or telephone voting) more challenging to implement, the nomination day change impacts various components of election administration:

- *Provides less time for clerks to verify and certify nominations for each office. This includes nominations for mayor, councillor (regional councillors in many cases), school board trustees (for multiple boards and in multiple languages in some cases). Verification and certification processes for these nominees are completed to ensure they meet the requirements set out in the Act.*
- *Provides a shorter turnaround time (less than a month between nomination day and election day) to supply vendors with the certified list of candidates and proof final regular ballots, mail ballots, online voter identification letters and so forth.*
- *Compresses time available for logic and accuracy testing which can take a number of days for traditional tabulators or for alternative voting methods. For medium and large municipalities, there are often thousands of ballots needed per office, with a number of ballot face variations to print and test once nominations are finalized.*

Similarly, the marketplace for election-related products and services, including alternative voting providers, is small. As more municipalities look to alternative voting methods to a) offer more options for electors to cast their ballots to increase voter turnout and b) to provide safe, accessible and public health conscious opportunities for all citizens to vote, this becomes a concern as demand for these services increases. A shorter period between nomination day and election day would mean that a small number of vendors must address increased demand to fill orders within a smaller window of time.

It has been acknowledged that municipal and school board elections are complicated in comparison to federal or provincial elections. Reducing the time between election day and nomination day can result in unnecessary complications in the administration of effective election services.

Clerks in smaller municipalities already have limited staffing resources and as a result, often must project manage and lead the delivery of elections while continuing to deliver day-to-day front-line services to their communities. Clerks in medium and larger municipalities need to verify dozens of nominations and certify those nominations for each office – often preparing thousands or tens of thousands of ballots. All of these processes take time – time that is being limited by the proposed Bill. This time is invaluable and has a direct impact on the overall effectiveness of municipal elections.

We strongly encourage you to evaluate the potential consequences a reduced time period between nomination day and election day and kindly request that you reconsider the proposed amendments to s.31 of the Act so that it remains unchanged.

Sincerely,

A handwritten signature in black ink, appearing to read "D. C. O'Leary". The signature is fluid and cursive, with a large loop at the end of the last name.

Robert Tremblay, CMO, AOMC, Dipl.M.A.
President, AMCTO
Chief Administrative Officer, Town of Whitewater Region

While the Bill is expected to **be fast-tracked at Queen's Park** for a third reading by November 16, after a quick review by the Standing Committee on Justice Policy, we hope that ministers Clark and Downey take our members' concerns into consideration.

We have also made a written submission to the Standing Committee that echoes the letter to the ministers requesting the removal of the proposed amendments to s.31 of *the Act* so that it remains unchanged. We will continue to update you on the progress of the Bill, and our advocacy efforts.

In the meantime, please visit our **policy blog** for further information and analysis on the latest legislative news and to read more about our other advocacy initiatives.

For more information or questions please contact:

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