



TOWN OF MINTO

DATE: August 8, 2017

REPORT TO: Mayor and Council

FROM: Annilene McRobb, Deputy Clerk

SUBJECT: Exemption to Nomination Endorsements

STRATEGIC PLAN:

Demonstrate Council and Staff leadership by taking primary responsibility for implementing and following the Strategic Plan, while recognizing the roles of community leaders in achieving Plan success.

BACKGROUND

Bill 68, An Act to amend various Acts in relation to municipalities received Royal Assent on May 30, 2017. The Municipal Elections Act had many amendments made to it with the passing of this bill, including the addition of Section 33 that sets out requirements relating to the nomination of a person for an office on a council of a municipality. Under provisions of that section that are not yet in force, the nomination must be endorsed by at least 25 persons. Amendments are made to provide that the requirement, once in force, would not apply in a municipality if the number of electors is less than the prescribed number.

The individuals providing the signatures will each have to sign a declaration stating that they were eligible to vote in the municipality on the day that they signed the endorsement. This will come into force on April 1, 2018. If a candidate files a nomination, and then changes their mind and decides to run for a different office on the same council, they are not required to submit new signatures.

The requirement to submit 25 nomination signatures does not apply to candidates running for school board trustee positions.

COMMENTS

The Clerks Department received correspondence from the Ministry of Municipal Affairs asking for feedback from municipalities as an exemption may be considered for municipalities with less than a prescribed number of electors.

1. Would potential candidates in your municipality have any challenges in fulfilling the requirement to have their nomination endorsed by 25 electors?

Staff does not believe most candidates in the election would have difficulty having their nomination endorsed. In the last election the candidate with the fewest received over 100 votes. Staff does not see any benefit having the nomination form endorsed. If a candidate wishes to pay the fee, dedicate themselves to being elected and follow the rules set out in the Municipal Elections Act the fact that they have (or do not have) 25 signatures is not

relevant. Practically the process adds unnecessary paperwork for candidates getting signatures, and staff reviewing to make sure the signatory is eligible to vote.

2. The Minister of Municipal Affairs has the authority to provide an exemption from the requirement for municipal council candidates to have their nomination endorsed by 25 electors in a municipality with less than the prescribed number of electors. What number of electors in a municipality is the appropriate threshold for the exemption to apply? (See attached correspondence)

If the Province insists on nomination forms being signed by electors the concern is that 25 electors in a Toronto ward or in larger municipalities is a very small part of the electorate as per the following:

- 25 electors are 1.2% of the total votes received by Mayor Bridge in 2014.
- 25 electors are 0.0006% of the total votes received by John Tory in Toronto 2014.

The proposed rules require small rural candidates have a much higher percentage support of the electorate than candidates in smaller municipalities. If John Tory was to have the same percentage of the electorate as Mayor Bridge sign his nomination form he would need over 4,500 signatures. This would be a challenge to achieve with dubious benefit to the election process. Proportionally if 25 electors are needed for a nomination in Toronto, municipalities under 10,000 electors should not require any signatures.

A requirement to approach people for nominations can do nothing but discourage potential candidates, particularly those who may not have “main stream” views.

FINANCIAL CONSIDERATIONS:

There are no financial considerations unless the Province does not exempt smaller municipalities from this requirement.

RECOMMENDATION:

THAT Council receives the Exemption to Nomination Endorsements from the Deputy Clerk and advises the Ministry of Municipal Affairs the Town of Minto does not support the need for signatures on a nomination form, but if it is considered municipalities under 10,000 electors be exempt on the basis that the proportionate requirement for 25 signatures is unfair when compared to larger municipalities.

Annilene McRobb, Deputy Clerk