

Proposed amendments include implications on elections administration

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November 2, 2020

## Advocacy Update – Letter to the Government on Bill 218

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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 dark ink, appearing to read 'Robert Tremblay', with a stylized flourish at the end.

**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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Orders and Notices  
Paper

No. 200

Feuilleton et Avis

N° 200

1<sup>st</sup> Session  
42<sup>nd</sup> Parliament

Tuesday  
October 27, 2020

1<sup>re</sup> session  
42<sup>e</sup> législature

Mardi  
27 octobre 2020

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**TODAY'S BUSINESS****9:00 A.M.****PRAYERS****ORDERS OF THE DAY**

**G222.** Second Reading of Bill 222, An Act to amend various Acts in respect of transportation-related matters. Hon. Ms. Mulroney. **PRINTED.**

**10:15 A.M.****MORNING ROUTINE**

Members' Statements

Introduction of Visitors

Question Period

Deferred Votes

Motion for closure on Second Reading of Bill 218, An Act to enact the Supporting Ontario's Recovery Act, 2020 respecting certain proceedings relating to the coronavirus (COVID-19), to amend the Municipal Elections Act, 1996 and to revoke a regulation.

Recess

**TRAVAUX DU JOUR****9 H****PRIÈRES****ORDRE DU JOUR**

**G222.** Deuxième lecture du projet de loi 222, Loi modifiant diverses lois à l'égard de questions relatives au transport. L'hon. M<sup>me</sup> Mulroney. **IMPRIMÉ.**

**10 H 15****AFFAIRES DU MATIN**

Déclarations des députées et députés

Présentation des visiteuses et visiteurs

Période de questions

Votes différés

Pause

**3:00 P.M.****AFTERNOON ROUTINE**

Introduction of Visitors

Reports by Committees

Introduction of Bills

Statements by the Ministry and Responses

Motions

Petitions

**15 H****AFFAIRES DE L'APRÈS-MIDI**

Présentation des visiteuses et visiteurs

Rapports de comités

Dépôt de projets de loi

Déclarations ministérielles et réponses

Motions

Pétitions

**ORDERS OF THE DAY****Government Notice of Motion Number 92**

Mr. Calandra — That, pursuant to Standing Order 50 and notwithstanding any other Standing Order or special Order of the House relating to Bill 218, An Act to enact the Supporting Ontario's Recovery Act, 2020 respecting certain proceedings relating to the coronavirus (COVID-19), to amend the Municipal Elections Act, 1996 and to revoke a regulation;

**ORDRE DU JOUR**

**Avis de motions émanant du gouvernement numéro 92**

*Today's business continues on next page*

*Suite des travaux du jour à la page suivante*

That the Standing Committee on Justice Policy be authorized to meet on Wednesday, November 4, 2020 from 9:00 a.m. to 10:00 a.m. to receive a 15-minute opening statement on the Bill by the Attorney General, followed by 45 minutes of question and answer divided into three rounds of 6 minutes for the Government Members, three rounds of 6 minutes for the Official Opposition Members, and two rounds of 4.5 minutes for the independent Member; and

That the Committee be authorized to meet on Wednesday, November 4, 2020 from 1:00 p.m. to 6:00 p.m. for the purpose of public hearings; and

That the Clerk of the Standing Committee on Justice Policy, in consultation with the Committee Chair, be authorized to arrange the following with regard to the Bill:

- That the deadline for requests to appear be 5:00 p.m. on Friday, October 30, 2020; and
- That the Clerk of the Committee provide a list of all interested presenters to each member of the Sub-committee and their designate following the deadline for requests to appear; and
- That each member of the Sub-committee or their designate provide the Clerk of the Committee with a prioritized list of presenters to be scheduled, chosen from the list of all interested presenters, by 10:00 a.m. on Monday, November 2, 2020; and
- That witnesses shall be scheduled in groups of three for each one-hour time slot, with each presenter allotted 7 minutes for an opening statement followed by 39 minutes of questioning for all three witnesses, divided into two rounds of 7.5 minutes for the Government Members, two rounds of 7.5 minutes for the Official Opposition Members, and two rounds of 4.5 minutes for the independent Member; and
- That the deadline for written submissions be 7:00 p.m. on Wednesday, November 4, 2020; and
- That the deadline for filing amendments to the Bill with the Clerk of the Committee shall be 5:00 p.m. on Thursday, November 5, 2020; and

That the Committee be authorized to meet on Monday, November 9, 2020 from 9:00 a.m. until 12:00 noon and 1:00 p.m. until 6:00 p.m. for the purpose of clause-by-clause consideration of the Bill; and

That on Monday, November 9, 2020 at 3:30 p.m., those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the Committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the Bill and any amendments thereto; and at this time, the Chair shall allow one 20-minute waiting period, if requested by a member of the Committee, pursuant to Standing Order 132(a); and

That the Committee shall report the Bill to the House no later than Monday, November 16, 2020 and if the Committee fails to report the Bill on that day, the Bill shall be deemed passed by the Committee and shall be deemed reported to and received by the House; and

That upon receiving the report of the Standing Committee on Justice Policy, the Speaker shall put the question for adoption of the report forthwith, and at such time the Bill shall be ordered for Third Reading, which Order may be called the same day; and

That, when the Order for Third Reading of Bill 218 is called, two hours and thirty minutes of debate shall be allotted to the Third Reading stage of the Bill, with 60 minutes allotted to the Government Members, 60 minutes allotted to the Official Opposition Members, and 30 minutes allotted to the independent Members as a group; and at the end of this time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the Bill without further debate or amendment; and

That except in the case of a recorded division arising from morning Orders of the Day, pursuant to Standing Order 10(c), no deferral of the Third Reading vote on the Bill shall be permitted.