

Special Committee on Local Elections Expense Limits



DECEMBER 2014



December 15, 2014

To the Honourable
Legislative Assembly of the
Province of British Columbia

Honourable Members:

I have the honour to present herewith the First Report of the Special Committee on Local Elections
Expense Limits.

Respectfully submitted on behalf of the Committee,

Jackie Tegart, MLA
Chair

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Composition of the Committee

Members

Jackie Tegart, MLA	Chair	Fraser-Nicola
Selina Robinson, MLA	Deputy Chair	Coquitlam-Maillardville
Mike Bernier, MLA		Peace River South
Gary Holman, MLA		Saanich North and the Islands
Marvin Hunt, MLA		Surrey-Panorama
Jenny Wai Ching Kwan, MLA		Vancouver-Mount Pleasant
Linda Reimer, MLA		Port Moody-Coquitlam
Sam Sullivan, MLA		Vancouver-False Creek

Committee Staff

Kate Ryan-Lloyd, Deputy Clerk and Clerk of Committees
Susan Sourial, Committee Clerk
Ron Wall, Manager, Committee Research Services
Helen Morrison, Committee Research Analyst
Aaron Ellingsen, Committee Researcher

Terms of Reference

On October 9, 2014, the Legislative Assembly agreed that a Special Committee on Local Elections Expense Limits be appointed:

- 1) In Phase 1 – Examine, inquire into and make recommendations to the Legislative Assembly by December 15, 2014¹ on:
 - a. Principles for the relationship between elector organizations and their endorsed candidates with respect to expense limits, including how elector organizations and endorsed candidates share accountability for expense limits, with consideration for fairness between independent candidates and candidates endorsed by elector organizations.
 - b. Principles for establishing expense limits for third party advertisers, including whether there should be an overarching, cumulative limit on third party spending such as exists in provincial general elections.

The above recommendations to the Legislative Assembly shall inform the preparation of legislation to implement an expense limits system in local elections.

- 2) In Phase 2 – Examine, inquire into and make recommendations to the Legislative Assembly by June 12, 2015 on expense limit amounts for candidates, including, but not limited to, the general relationship between limits for the various offices, and for third party advertisers in local elections.

For Phase 2, the Special Committee shall specifically consider spending data from the 2014 local elections and other comparative information in making the above recommendations.

For both phases, the Special Committee shall undertake the above examinations with due regard for the following:

- *The Report of the Local Government Elections Task Force*, including principles (May 2010);
- *The Expense Limits in Local Elections – Summary Report on Expense Limits Engagement* (May 2014);
- *The Local Elections Campaign Financing Act, 2014*, including its application to elections for mayors, councillors, electoral area directors, Islands Trust trustees, parks board commissioners and boards of education trustees;
- The expense limits model approved by Government in July 2014, which is to have provincially-set limits for candidates and third party advertisers in local elections, with limits

¹ As agreed on November 18, 2014.

to be set using a flat-rate amount for jurisdictions under 10,000 people and a per capita formula for those over 10,000 and third party limits as a percentage of a candidate's limit in the jurisdiction where the third party is advertising; and

- The nature of local elections and the differences between local and provincial election systems.

The Special Committee shall limit its consideration of campaign finance topics to forming recommendations on expense limits for local elections.

The Special Committee shall have the powers of a Select Standing Committee and in addition is empowered to:

- Appoint of their number one or more subcommittees and to refer to such subcommittees any of the matters referred to the Committee;
- Sit during a period in which the House is adjourned, during the recess after prorogation until the next following Session and during any sitting of the House;
- Conduct consultations by any means the Committee considers appropriate;
- Adjourn from place to place as may be convenient; and
- Retain personnel as required to assist the Committee.

The Special Committee shall report to the House on the above dates, or as soon as possible, and shall deposit the original of its reports with the Clerk of the Legislative Assembly during a period of adjournment and upon resumption of the sittings of the House, the Chair shall present all reports to the Legislative Assembly.

Executive Summary

In October 2014, the Legislative Assembly appointed an all-party Special Committee on Local Elections Expense Limits with a two-part mandate: first, to examine and make recommendations on principles for local election expense limits; and, second, to examine and make recommendations by June 12, 2015 on expense limit amounts for candidates and third party advertisers. The Committee was initially asked to complete the first part of its mandate by November 27, 2014, but given the Fall 2014 local elections this timeline was subsequently extended by the Legislative Assembly to December 15, 2014.

The Committee began its work by establishing a public consultation process to secure input from British Columbians. British Columbians were invited to provide the Committee with their views through an oral presentation at a public hearing or written submissions. An online questionnaire was developed by the Committee to seek views on priorities for principles on local elections expense limits. Invitations were sent to the Union of BC Municipalities (UBCM), local area organizations and candidates, public interest advocacy organizations, individuals who are also third party advertisers, and academic experts. Following the local elections held in British Columbia on November 15, 2014, the Committee invited also those candidates registered with CivicInfo BC to participate in the work of the Committee.

Public hearings were held in Vancouver, Surrey and Victoria before and after the Fall 2014 local elections. The Committee heard evidence from individual British Columbians, candidates, elector organizations, and other stakeholders. In total, there were 916 public hearing presentations, written submissions, and online questionnaire responses. Overall, there was recognition of the importance of local elections laws for good governance of communities across the province, and a need for further reforms to establish expense limits for local elections. The public consultations provided evidence of broad support from individuals and organizations for electoral finance reform. They also provided an opportunity to engage with the public on principles that would guide that reform and largely focused on the principles of fairness, neutrality, transparency and accountability, although the precise definition of these principles varied among some of the presenters.

In their presentations and submissions, stakeholders and citizens also expressed views on other local elections issues that were beyond the mandate of the Committee, including the need for contribution limits, public financing, and changes to disclosure requirements.

The Committee concluded its deliberations by recommending that fairness, neutrality, transparency and accountability be principles which may inform the development of legislation on expense limits for candidates, elector organizations, and third party advertisers. In relation to the principle of neutrality, the Committee concluded that an approach of no separate additional expense limits for elector organizations was desirable. The Committee also recommended that third party advertising be included in an expense limits framework, with an overarching, cumulative limit as exists in provincial elections.

The Committee will continue its work in 2015 with the examination and development of recommendations on expense limit amounts for candidates, elector organizations, and third party advertisers. The Committee will complete its work and make recommendations to the Legislative Assembly by June 12, 2015.

The Statutory Context

Provincial governments have exclusive jurisdiction to make laws in relation to municipal institutions (or local governments) within a province.² In British Columbia, local governments include municipalities, regional districts, Islands Trust, the Vancouver Park Board, improvement districts and school districts. There are over 1,660 elected positions in over 250 local government bodies. In the Fall 2014 local elections, over 3,300 candidates ran for these offices.

Local elections across the province reflect tremendous diversity with respect to community size, campaigns, elector organizations, and candidate participants.

- Community population varies from approximately 100 to over 600,000 (for the city of Vancouver).
- Some elector organizations and candidates choose to run campaigns with modest expenses, while others choose to undertake larger campaigns with expensive advertisements. Organizations and candidates in smaller communities tend to run less costly campaigns than those in larger communities, but there are significant exceptions. Rural school districts tend to have a lower overall population and are much larger in size when compared to their urban counterparts; the Conseil scolaire francophone covers the entire province and has seven wards.
- There is also significant diversity in terms of the participants in local government elections. There is a spectrum of elector organizations in BC which endorse candidates for local governments in some electoral districts. The key characteristic of an elector organization is that the elector organization's endorsement appears on the ballot beside endorsed candidates' names. Elector organizations may be well-established organizations that handle all campaign financing activities for their endorsed candidates or they may be loose coalitions of individuals that only come together during a single election period.

The statutory framework for local government in BC has evolved in recent decades. In 1996, a multi-year modernization of municipal legislation was launched, leading to major revisions of the *Local Government Act*³. Later, in 2003, the *Community Charter*⁴ was adopted, according enhanced status and roles to local government as an order of government within the province. In relation to the conduct of local elections, British Columbia's statutory framework included the *Local Government Act*, the *Community Charter*, the *Vancouver Charter*⁵, and the *School Act*⁶.

In 2009, a joint provincial-UBCM Local Government Elections Task Force was formed to recommend improvements to the local government elections process. The following year, the Task Force recommended that a new separate Act be established to deal with campaign finance

² *Constitution Act, 1867*, RSC 1985, Appendix II, No. 5, section 92(8).

³ *Local Government Act* [RSBC 1996] chapter 323.

⁴ *Community Charter* [SBC 2003] chapter 26.

⁵ *Vancouver Charter* [SBC 1953] chapter 55.

⁶ *School Act* [RSBC 1996] chapter 412.

rules. This would ensure accountability, enhance transparency and disclosure obligations, increase accessibility for campaign participants, strengthen compliance and enforcement roles for Elections BC, and expand education and advice for participants and citizens.

In 2013, government launched public consultations regarding implementation of these recommendations (with the exception of expense limits) through a White Paper and draft legislation.

In May 2014, the Legislative Assembly adopted the *Local Elections Campaign Financing Act*⁷. The Act provides disclosure requirements for candidates, elector organizations and third party advertisers that are enforced by Elections BC. Although the *Local Elections Campaign Financing Act* does not yet include expense limits, it was drafted to contain a foundation of core concepts for expense limits.

These core concepts are reflected in the following provisions of the *Local Elections Campaign Financing Act*:

- the election campaign of a candidate is a campaign undertaken for or on behalf of a candidate to promote the election of the candidate;
- the election campaign of an elector organization is a campaign to promote the elector organization or the election of a candidate endorsed by the elector organization;
- election advertising is transmission to the public of a communication that promotes or opposes the election of a candidate or an elector organization;
- the campaign period is the start of the calendar year during which a general local election is held until the end of the election proceedings period;
- the election proceedings period begins on the 46th day before general voting day and ends at the close of general voting;
- third party advertising is election advertising, other than election advertising that is sponsored by a candidate or an elector organization;
- issue advertising is a communication respecting an issue of public policy that is not specifically related to any candidate or elector organization;
- directed advertising is third party advertising that is not issue advertising (i.e., specifically related to a candidate or elector organization);
- an election expense is the value of property or services used in an election campaign during the campaign period for the election; and
- an election proceedings period expense is the value of property or services used during the election proceedings period for the election such that this value is an election expense.

⁷ *Local Elections Campaign Financing Act* [SBC 2014], chapter 18

Recommendations made by the Special Committee on Local Elections Expense Limits could build on the framework of the *Local Elections Campaign Financing Act* by informing the development of amendments with respect to local elections expense limits.

The statutory framework for local elections expense limits is influenced by significant court decisions respecting the need for equality and fairness in election laws. In 2004, the Supreme Court of Canada found that while election expense limits in federal legislation for third party advertisers infringed on the freedom of political expression guaranteed under the *Charter of Rights and Freedoms*, the federal limits were justified by being proportional to the broader policy goal of creating a level playing field for all participants in the electoral process. In 2012, the BC Court of Appeal considered the constitutionality of limitations in the provincial *Election Act* on third party advertising during a 40 day pre-campaign period (in addition to limitations in the 28 day campaign period). The Court found that the restrictions unjustly interfered with the right of political expression guaranteed by the *Charter*, and were not shown to be demonstrably justified in respect of the pre-campaign period: they did not minimally impair the freedom of expression.

The Consultation Process

On October 9, 2014, the Legislative Assembly appointed the Special Committee on Local Elections Expense Limits with a two-part mandate: first, to examine and make recommendations on principles on local election expense limits; and, second, to examine and make recommendations by June 12, 2015 on expense limit amounts for candidates and third party advertisers. The Legislative Assembly extended the deadline for the first part of this mandate from November 27, 2014 to December 15, 2014, given the Fall 2014 local elections campaign.

Although the Committee's public consultation process was somewhat truncated because of time constraints, an extension of the timeline for receiving written submissions and the scheduling of additional public hearings resulted in an effective process.

Planning, Organization, and Technical Briefings

The Committee met on October 15, 2014 to plan and organize its work for the first part of its mandate, and to receive an initial technical briefing from Ministry of Community, Sport and Cultural Development officials. The Committee received further technical briefings from officials of the Ministry of Community, Sport and Cultural Development, the Ministry of Education, and Elections BC on October 22, 2014. Additional materials were provided by officials on November 4, 7, 12, and 28, 2014.

Consultation Methods

The Committee established a range of methods to collect public input on local elections expense limits. On October 27, 2014, the Committee issued a province-wide media release announcing the opening of public consultations, including public hearings, written, audio, and video submissions, and an online questionnaire. A Committee webpage (<http://www.leg.bc.ca/cmt/leel>) was launched, with information on how to participate in the public consultations. The Committee also used social media to engage British Columbians in its work.

Invitations to participate in the Committee's public consultations were sent to stakeholders, including UBCM, local area organizations, public interest advocacy organizations, individuals who are also third party advertisers, and academic experts. All Members of the Legislative Assembly were provided with information in order to broaden the Committee's invitation to interested stakeholders and citizens in Members' constituencies.

Following the close of local elections on November 15, 2014, candidates who ran for a variety of local offices who provided their contact information to CivicInfo BC were invited to participate in the Committee process. Advertisements were also placed in 13 community newspapers throughout the province inviting the public to register to make a presentation, make a written submission, or respond to the online questionnaire.

Public Hearing Presentations

Two public hearings in Victoria scheduled for October 29, 2014 and November 5, 2014 were rescheduled due to a lack of pre-registered presenters. Public hearings were held in Vancouver on November 7 and 8, 2014. Following the Legislative Assembly's extension of the Committee's deadline from November 27, 2014 to December 15, 2014, additional public hearings were held in Victoria and Surrey. Presentations by way of a conference call were also an available option. In total, the Committee heard 24 public hearing presentations, from elector organizations, candidates, advocacy organizations, individuals, and an academic expert. The names of all presenters are listed in Appendix A.

Written Submissions

The original deadline for receiving written submissions was November 21, 2014. Following the Legislative Assembly's extension of the Committee's report deadline to December 15, 2014, the deadline for written submissions was extended to December 5, 2014. In total, 83 written submissions were received through the online submission form on the Committee's website. In addition, the Committee was able to formally process as written submissions 537 form letters received via a third party website. The names of all individuals and organizations that made a written submission are listed in Appendix A.

Online Questionnaire Responses

The Committee website included an online questionnaire seeking the views of British Columbians on principles for local elections expense limits in order of priority. Respondents were also asked to provide suggestions or comments regarding expense limits for elector organizations and third party advertisers in local elections. 272 responses were received to the online questionnaire. The names of the respondents are listed in Appendix A.

Meeting Schedule

October 15, 2014	Election of Chair and Deputy Chair Briefing by the Ministry of Community, Sport and Cultural Development
October 22, 2014	Briefings by the Ministry of Community, Sport and Cultural Development, the Ministry of Education and Elections BC
November 7, 2014	Public hearing
November 8, 2014	Public hearing

November 19, 2014	Organizational meeting
November 26, 2014	Public hearing
November 29, 2014	Public hearing
December 5, 2014	Deliberations
December 10, 2014	Deliberations Consideration of draft report
December 15, 2014	Adoption of report

Technical Briefings

On October 15, 2014, officials from the Ministry of Community, Sport and Cultural Development presented background information to the Committee regarding the conduct of local elections and significant milestones in work on campaign finance in BC from a local elections perspective. The Committee was informed that a second phase of that work is expense limits and it is intended that amendments and regulations building on the *Local Elections Campaign Financing Act* platform will be in place for the 2018 local elections.

Ministry officials discussed the scope and scale of spending in local elections and presented a chart of campaign expense data from province-wide local elections in 2011. Trends identified were that overall spending is fairly low, that there are outliers in spending, and that elector organizations do not exist in most communities in the province. However, where elector organizations are involved, there is a correlation between the existence of elector organizations and fairly high spending levels. Another finding from disclosure statements is that a significant amount of self-financing appears to happen in local elections.

Ministry officials also discussed the recommendations made by the Local Government Elections Task Force with respect to local elections expense limits. The Task Force heard significant public support for expense limits that was echoed in further consultations on expense limits by the Ministry. The Ministry indicated that government has selected an expense limits model which is intended to achieve simplicity and flexibility.

In an additional briefing on October 22, 2014, ministry officials discussed the role of elector organizations in local elections and options on how to treat them in terms of expense limits. In particular, the Ministry presented a spectrum of possible policy choices around an objective of neutrality regarding the choice to join with or form an elector organization. The Committee was also briefed on differences between the *Election Act*⁸ and the *Local Elections Campaign Financing Act*.

Officials from the Ministry of Education and Elections BC also met with the Committee on October 22, 2014. The Ministry of Education discussed the complexity of school trustee elections, including the special case of the Conseil scolaire francophone.

Elections BC explained its mandate as an independent office of the Legislature responsible for promoting compliance with provincial expense limits and enforcing them. Elections BC informed the Committee that there have been challenges with enforcing expense limits, including attribution of expenses to a candidate or a political party. There was an exchange with Members following the presentation from Elections BC about how such challenges will be compounded in relation to the attribution of expenses for local elections because many elector organizations run candidates in more than one jurisdiction. Likewise, candidates can run in multiple jurisdictions. Jurisdiction limits for

⁸ *Election Act* [RSBC 1996] c. 106

third-party advertisers could also be problematic if the advertising is directed advertising related to a candidate or elector organization that runs in more than one jurisdiction.

In addition to technical briefings, the Ministry framed the issues for the Committee in a series of four background papers. In a paper entitled *Expense Limits in BC Local Elections*, the Ministry identified the following key considerations for the Committee:

- Candidates and third party advertisers would be subject to expense limits;
- Elector organizations would not get expense limits over and above candidates' limits;
- Expense limits need to work for all communities;
- Expense limits would be sensitive to population size;
- Expense limits would also apply in all local elections, including boards of education, regional district electoral areas, etc.;
- The Province would set expense limits; and
- Elections BC would enforce the limits as part of its role in enforcing campaign finance rules in local government elections.⁹

That paper also elaborated on government's expense limits model which is mentioned in the Committee's Terms of Reference and provided context for the Committee's work. In July 2014, government decided that expense limits be set using a flat rate amount for jurisdictions under 10,000 in population, and a per capita approach for jurisdictions of 10,000 or more people. Third party limits would be proportional to (e.g., a percentage of) a candidate's limit in the jurisdiction where the third party is advertising.¹⁰

For communities with a population under 10,000 where generally spending is fairly low, a simple flat-rate formula could be established that would act as an upper limit or ceiling. Communities and jurisdictions over 10,000 would be set with a population-based limit.

⁹ Ministry of Community, Sport and Cultural Development Background Paper, *Expense Limits in BC Local Elections*, p. 2.

¹⁰ *Ibid.*, p. 4.

Public Consultation Results

The Committee's public consultation process during Fall 2014 focused on identifying principles for local elections expense limits in relation to:

- The relationship between elector organizations and their endorsed candidates with respect to expense limits, including how elector organizations and endorsed candidates share accountability for expense limits, with consideration for fairness between independent candidates and candidates endorsed by elector organizations; and
- Third party advertisers, including whether there should be an overarching, cumulative limit on third party spending such as exists in provincial general elections.

The Committee heard a strong message of support by elector organizations, candidates and individual British Columbians for effective and principles-based local elections laws. Evidence provided through public meeting presentations, written submissions, and online questionnaire responses affirmed the importance of effective elections laws for building and sustaining public trust and confidence in the local elections process.

The public consultation submissions recognized a range of principles as being valuable for local elections laws and expense limits regulation. Fairness, neutrality, transparency, accountability, civic engagement, and administrative ease were noted as significant principles, with an emphasis on fairness, neutrality, transparency, and accountability. The public consultations also revealed support for including third party advertising in a local elections expense limit framework.

Virtually all participants in the consultation process saw expense limits as being important because of their perception that there is a correlation between how much money a candidate spends and whether or not s/he is elected.

The Committee received public submissions from larger and smaller communities on this issue. As Bruce Milne, the re-elected mayor of a small community, said succinctly, "spending makes a difference."

Principle of Fairness

The Committee consistently heard that expense limits are a matter of fairness. Although articulated in different ways, the principle of fairness was mentioned by most participants in the Committee's consultation process. This was often expressed as the need to maintain a level playing field for all candidates so that well-financed candidates do not have an unfair advantage. As stated by a representative of RITE Richmond, "It creates an uneven playing field as to how much we want money to determine the outcome of elections, versus issues and policies of the candidates who are running." Craig Henschel of Burnaby-New Westminster Voter Equality spoke about the need to have expense limits low enough so that there is a "competitive race." In the words of George Knox, "Everybody should have an equal chance." Brenda Locke, a candidate in the recent local elections,

pointed out that “There is not a level playing field when incumbent candidates have full access to all of city resources because they are active during the writ period.”

In its written submission to the Committee, the Burnaby First Coalition Society mentioned the need to create fairness and to level the playing field for future elections. The Live Langley Electorate Association indicated that expense limits will level the playing field for all participants and encourage them to engage voters through the discussion of issues instead of just advertising. In the colourful language of a written submission from Brett Rakuson, “A candidate should not be able to bury their opponents by overwhelming the electorate with glitz and cash.”

Members asked several presenters about the principle of fairness in terms of equal access or equal opportunity. As stated by one Member, anyone should be able to access and participate in forming local government. Ellen Woodsworth from Women Transforming Cities International Society also spoke to the need to ensure there is the full diversity of people in our population who have access to public office. In her written submission, Cairine Green urged the Committee to “develop and implement campaign spending limits so that no one, regardless of age, gender, heritage, background or economic status, is prevented from participating in local elections simply because they may not have access to unlimited campaign funding.”

Principle of Neutrality

The Committee heard the principle of neutrality reflected in a number of submissions. Neutrality refers to how independent candidates are treated relative to endorsed candidates and elector organizations. In essence, it means they are treated in such a way that there is no advantage for candidates to run independently or with elector organizations.

RITE Richmond submitted that individuals, elector organizations and third party advertisers should carry the same expense limits. Dr. Patrick Smith agreed that if there are elector organizations or third party advertisers that are identified with that candidate, that should come under the same limit as well. Dr. Smith noted, however, that it becomes potentially problematic when third party advertisers are not specifically associated with a candidate. The Green Party of Vancouver and the Cedar Party were of the view that independent candidates should have a greater expense limit. Kerry Morris, a candidate in the recent local elections, expressed a similar view – “If they look like a slate and they act like a slate, then I think there should be a campaign limit that is lesser than an individual or independent, because there are synergies which arrive as a result of cooperative advertising.”

Hazen Colbert, a candidate in the recent local elections, went further by saying that if someone uses their own money and their own resources, their expense limit could be set at a different level. Grant Rice, another candidate, stated that the cap limit for candidates that are part of an elector organization should be lower than the sum of the total in order to “discourage people from joining teams together for the sake of raising a lot of money, as opposed to sharing ideology.”

The principle of neutrality, along with fairness and transparency, was identified as one of the top three priorities by respondents to the online questionnaire.

Principle of Transparency

The principle of transparency was identified as one of the top three priorities by respondents to the online questionnaire. Transparency was cited as being integral to the prime objective of strengthening and championing democracy, and was emphasized by Craig Henschel of Burnaby-New Westminster Voter Equality and by Dr. Patrick Smith. The Non-Partisan Association stated, “Voters deserve to know who is paying for campaigns designed to influence them.” In his written submission, Cliff Boldt said that, “between an elector organization and a candidate, the relationship must be transparent and clearly understood by the electorate.”

Principle of Accountability

The principle of accountability would be the basis for separate expense limits for candidates, elector organizations and third party advertisers such that each would be accountable for their own spending. Bruce Milne spoke about the surprising number of third party advertisers in his small community and pointed out to the Committee that third party advertisers are an independent voice and are not controlled by the candidate. This suggests they should have their own expense limit that is distinct from an expense limit of the candidate or elector organization. Mr. Milne commented, however, that this creates a bit of unfairness in that third party advertisers will almost always be endorsing somebody. As previously noted, the Committee also heard the contrary view that elector organizations or third party advertisers that are identified with that candidate should come under the same limit.

As the basis for its submission, UBCM pointed to the principles that guided the Local Government Elections Task Force. With respect to third party advertisers, UBCM President Councillor Sav Dhaliwal noted the desire of the Task Force to enhance accountability provisions.

Third Party Advertisers

During the Committee’s public consultations, evidence presented by numerous participants supported the need to include third party advertising in a local elections expense limits framework, as is already the case with respect to provincial elections.

An academic expert, an elector organization, and individual British Columbians stated that an overall limit was required on third party advertising expense limits. The Non-Partisan Association indicated that “you need to be keeping a total dollar amount in mind that you don't want these third parties to go over. ... You need to set very strict limits and be very cautious of the level and involvement of these third parties.”

Other Electoral Finance Reform Measures

Many participants submitted that there are other electoral finance reform measures, in addition to expense limits, that should be implemented by government. The Committee heard strong support for the imposition of contribution limits, including a ban on corporate and union donations and a limit on the amount that can be donated by an individual. Vision Vancouver and the Coalition of Progressive Electors were among those advocating contribution limits in their presentations. Vision Vancouver noted that the single largest donation at any level of government in Canada was made by one corporation during the 2011 election (\$960,000). Many written submissions were also in favour of contribution limits, including one from Vicki Huntington, MLA, and the form letter. Contribution limits were seen as important in terms of fairness among candidates but also for other reasons, such as the need to avoid perceived undue influence and potential conflicts of interest.

Another suggested reform measure was public financing that would include contributions by individuals being tax deductible. The Coalition of Progressive Electors noted that a tax credit or rebate system helps to encourage involvement in municipal voting. Others suggested funding for elector organizations.

Several participants expressed the view in their written submissions that changes should be made to disclosure requirements, such as removing exclusions for donations under \$100, periodic reporting between elections and streamlined requirements for smaller campaigns.

Dr. Patrick Smith suggested that expense limits could be less regulated or under-regulated for those municipalities where there are low levels of spending by candidates, elector organizations and third party advertisers.

Online Questionnaire Results

The responses to the Committee website's online questionnaire on principles and priorities for local elections expense limits are similar to the key principles identified in the public meeting presentations and written submissions.

The online questionnaire results are summarized below.

1) What principles do you recommend for expense limits in relation to elector organizations and their endorsed candidates (% of total responses):

	1st Priority	2nd Priority	3rd Priority
Fairness (how expense limits impacting elector organizations, candidates, voters and third party advertisers are fair)	22	21	13
Neutrality (create a level playing field for endorsed candidates and independent candidates with a neutral effect on decisions to run as either endorsed or independent)	26	14	12
Accountability (candidates and elector organizations are each accountable for their own spending)	6	17	19
Citizen engagement (strengthens the level of interest in the election and stimulates public dialogue on election issues)	6	8	14
Transparency (expense limits are applied and calculated is clear and made public)	20	21	19
Consistency with the rules in provincial elections	4	5	7
Flexibility (make sense in both smaller and larger communities)	3	2	8
Administrative ease (workability; are not unduly burdensome for third party advertisers)	2	5	1
Other (need for contribution limits/bans of corporate and union spending; affordability; simplicity; honesty; reporting of third party endorsements; disclosure of expenses before election day; disclosure of funding from outside area; restore faith in election system; need to change provincial contribution and transparency rules; avoid corruption)	11	7	7

2) What principles do you recommend for expense limits for third party advertisers (% of total responses):

	1st Priority	2nd Priority	3rd Priority
Fairness (how expense limits impacting third party advertisers, voters, candidates and elector organizations are fair)	31	27	15
Citizen engagement (strengthens the level of interest in the election and stimulates public dialogue on election issues)	10	16	30
Transparency (how expense limits are applied and calculated is clear and made public)	37	30	14
Consistency with the rules in provincial elections	6	8	17
Flexibility (make sense in both smaller and larger communities)	2	4	8
Administrative ease (workability; are not unduly burdensome for third party advertisers)	1	3	2
Other (limit spending to within area; do not allow third party funding; stop third party influence on parties and candidates; low limit so campaigns cannot be dominated by voices with money; require disclosure of third party advertising intent/identity/connection to elector organizations or candidates at outset; full disclosure before election day of third party funding sources and amounts; stringency; education; honesty; accountability)	13	12	14

Conclusions

The Committee expressed its appreciation for the many public submissions presented during its Fall 2014 consultations. The evidence from individual British Columbians, candidates, elector organizations and other stakeholders provided important input into the Committee's deliberations on principles for local elections expense limits. Members were also grateful for the ongoing technical support and assistance provided to the Committee by officials from the Ministry of Community, Sport and Cultural Development.

Committee Members affirmed the value of a principles-based approach to local elections expense limits, which reflected the views of participants in the public consultations as well as their own experiences in serving in local government offices prior to being elected as Members of the Legislative Assembly.

The submissions to the Committee supported fairness, neutrality, transparency and accountability as principles for the development of local elections expense limits, although there were variations among the public submissions in how to operationalize these principles,

In the view of Committee Members, these principles could provide a basis for the development of local elections expense limits provisions.

Accordingly, the Committee recommends the principles of fairness, neutrality, transparency and accountability for informing the development of legislation on expense limits for elector organizations, candidates, and third party advertisers.

Fairness

"I think everybody should be treated fairly. I don't care whether you're running for the school board, for mayor or for council. Everybody should have an equal chance." George Knox, Victoria Public Hearing presentation

Members agreed with the results of the public consultations which showed support for the principle that expense limits impacting candidates, elector organizations, third party advertisers, and voters should provide fairness and equal opportunities to participate in local elections.

Members affirmed the principle of fairness and accessibility as meaning a "level playing field" for all participants, and the concept that a participant cannot simply purchase the election by excessive spending. In terms of fairness between independent candidates and candidates endorsed by elector organizations, Members acknowledged that specific limits will be discussed in the next phase of the Committee's work.

In addition, Members noted that the principle of fairness and accessibility supports the recruitment of strong candidates to seek office in local government.

Members concluded that the principle of fairness is the most important baseline for local elections expense limits.

Neutrality

“Perhaps the key question to consider in respect of expense limits and elector organizations is: should neutrality - regarding the choice to join with or form an elector organization, and regarding how independent candidates are treated relative to elector organizations - be a central objective of the expense limits policy framework?” Ministry of Community, Sport and Cultural Development Background Paper, *Elector Organizations in BC Local Elections*

The Committee’s public consultations provided evidence of support for the principle of neutrality, although there were differences on the role and application of limits to elector organizations. As background, elector organizations play a role, particularly in larger communities, where they can serve to facilitate communication across a large population, cross-community recognition and to make candidates’ positions on issues clearer to voters where it is prohibitively expensive for an individual. In addition, the Committee recognized that an elector organization slate often included individual candidates from a broad cultural representation of many aspects of the community. On the other hand, independent candidates expressed concern during the public consultations that expense limit systems should not provide undue advantage to elector organizations.

There could be a number of approaches that would either encourage or discourage elector organizations and have an impact on accessibility for independent candidates. These choices range from elector organizations having an additional expense limit separate from candidates, thereby providing an advantage for elector organizations and possibly encouraging their formation; to no separate additional limit for elector organizations; to higher expense limits for independent candidates. Background material submitted by the Ministry of Community, Sport and Cultural Development provided the Committee with technical details on the spectrum of choices. These are presented in a table which is attached as Appendix C.

Members agreed that neutrality should be a key principle in the election expense limits framework, and supported designing a framework to support this principle. On balance, Members concluded that a middle approach of no separate additional expense limit for elector organizations was desirable for meeting the interests of communities across the province, including larger cities where elector organizations tend to have the most significant role. Such an approach would provide flexibility and balance for independent and endorsed candidates.

No separate additional expense limit for elector organizations would result in an outcome where elector organizations and endorsed candidates decide how they will share candidate limits. Under this system, elector organizations and endorsed candidates would agree what portion of each candidate’s limits the elector organization is responsible for. As an additional measure to promote neutrality, the maximum an elector organization would be able to spend would be the value of the combined total of what its endorsed candidates have signed over to the elector organization.

Transparency

“The prime objective should be to strengthen and champion democracy. Within that is to maximize voter turnout to ensure that there is fairness and equity and transparency.” Green Party of Vancouver, Vancouver Public Hearing presentation

Transparency has been described as a hallmark of democratic elections to be preserved and promoted. The public consultations revealed substantial support for an expense limits system reflecting the principle of transparency. This was particularly evident in responses to the online questionnaire.

Transparency involves having clearly established and defined expense limits that are known and enforced. It promotes honesty, fairness, and public confidence in the local elections process because the rules are publicly available to voters, as are the expenditures reported by candidates, elector organizations and third party advertisers. Transparency provides assurance to voters that local elections are conducted in a controlled and open environment.

Members concluded that transparency should be a key principle in a local elections expense limits framework. This would build on the broader electoral law system, and would contribute to public trust and confidence in the local elections process and elected local government leaders.

Accountability

“I also firmly believe in accountability, openness and transparency in dealing with election financing.” Brenda Locke, Surrey Public Hearing presentation

As the 2010 report of the Local Government Elections Task Force noted, elections involve many participants, and each has roles and responsibilities for which they need to be accountable. At the local elections level, accountability involves making candidates, elector organizations, and third party advertisers responsible for tracking and reporting their own spending. Provincial election rules provide for such accountability, and establishing local elections rules to reflect accountability would enable consistency between both levels of government.

Members supported a system of elections expense limits where candidates, elector organizations, and third party advertisers must each be accountable for tracking, monitoring and reporting their own spending.

Accountability and transparency go hand in hand and transparency is one of the ways in which accountability is demonstrated. Under the *Local Elections Campaign Financing Act*, candidates and elector organizations may be disqualified until after the next election for failing to file a disclosure statement of election expenses; a third party advertiser may be prohibited from sponsoring third party advertising during that period.

Members concluded that accountability should be a fundamental principle in the design of a local elections expense limits system.

Third Party Advertisers

“By making third parties subject to an expense limit, it would reduce the likelihood of candidates and elector organizations reallocating spending to third parties as a way to ‘work around’ the expense limit rules.” UBCM written submission

The public consultations affirmed that third party advertising must be incorporated in a local elections expense limits framework. The *Local Elections Campaign Financing Act* provisions for third party advertising definitions and reporting requirements provide a foundation for additional provisions extending statutory coverage to third party advertising expense limits. This would be consistent with recommendations in the provincial-UBCM Task Force report to apply expense limits to third party advertisers. Members noted that this would ensure that third party advertisers could not be used to circumvent candidate expense limits, and would support the principles of fairness, transparency, and accountability.

Provincial expense rules under the *Election Act* set an overarching cumulative limit on third party advertisers. The total value of election advertising during the campaign period must not exceed \$3000 in relation to a single electoral district, and \$150,000 overall.¹¹ In order to achieve consistency with provincial election rules, there could also be an overall cumulative limit for third party advertisers in local elections rules.

Members concluded that third party advertising, including the concept of an overarching, cumulative limit as exists for provincial elections, should be included in local elections expense limits.

Other Issues

Committee Members also noted that the public consultations had raised issues that were beyond the Committee’s mandate. These issues included contribution limits, public financing, changes to disclosure requirements, and different standards depending on the level of spending in a community.

Next Steps

The Committee looks forward to continuing its work in 2015. The second phase of its mandate with respect to the examination and recommendation of local elections expense limits will be completed by June 12, 2015. The Committee will build on the results of its Fall 2014 public consultations with the receipt of forthcoming detailed information on the Fall 2014 local elections and additional public engagement in carrying out the second phase of its work.

¹¹ *Election Act* [RSBC 1996] chapter 106, section 235.1(1).

Recommendation

The Committee recommends to the Legislative Assembly that the provincial government develop legislation on local elections expense limits for candidates, elector organizations, and third party advertisers based on the principles of fairness, neutrality, transparency, and accountability, and that third party advertising, with the concept of an overarching, cumulative limit as exists for provincial elections, be included in the local elections expense limit framework.

Appendix A: Public Submissions

Public Hearing Witnesses

Allen, John (29-Nov-14 Surrey)
BC Freedom of Information and Privacy Association,
Vincent Gogolek (7-Nov-14 Vancouver)
Burnaby New Westminster Citizens for Voting Equality,
Craig Henschel (8-Nov-14 Vancouver)
Cedar Party, Nicholas Chernen (7-Nov-14 Vancouver)
Civic Non-Partisan Association (NPA), Jason King, Patrick
O'Connor (29-Nov-14 Surrey)
Coalition of Progressive Electors, Sarah Beuhler (7-Nov-14
Vancouver)
Colbert, Hazen (29-Nov-14 Surrey)
Diano, Enrico (29-Nov-14 Surrey)
Green Party of Vancouver, Jonathan Whistler (7-Nov-14
Vancouver)
Gung, Sylvia (29-Nov-14 Surrey)
Heilman, Joe (29-Nov-14 Surrey)
Horn, Mike (26-Nov-14 Victoria)

Knox, George (26-Nov-14 Victoria)
Locke, Brenda (29-Nov-14 Surrey)
Milne, Bruce (26-Nov-14 Victoria)
Morris, Kerry (29-Nov-14 Surrey)
Neighbourhoods for a Sustainable Vancouver, Terry
Martin, Stephen Bohus, Randy Helten (7-Nov-14
Vancouver)
Oh, Serena (29-Nov-14 Surrey)
Rice, Grant (29-Nov-14 Surrey)
RITE Richmond, Norm Goldstein (8-Nov-14 Vancouver)
Russow, Joan (26-Nov-14 Victoria)
Smith, Dr. Patrick (8-Nov-14 Vancouver)
Vision Vancouver, Stepan Vdovine, Andrea Reimer (7-Nov-
14 Vancouver)
Women Transforming Cities International Society, Ellen
Woodsworth (7-Nov-14 Vancouver)

Written Submissions

Bob Aitken	Laura Avery	Sophie Bennett	Sean Brophy
Pari Alaei	Gary Baker	Franco Benvenuti	Dianne Burditt
Stephanie Alaina	Jane Baker	T Bethune	Thomas Burlington
Maisaloon Al-Ashkar	Chris Barber	Donald Betts	Burnaby First Coalition
David Alexander	Peter Barber	R Bikadoroff	Society, Daren Hancott
BJ Allan	Dorothy Barkley	Brian Bileski	Sarah Burwood
Mike Allan	Karen Barnaby	Thomas Birch	Lauren Byrne
J. Allen	Lynda Barrer	Trevor Bird	Wm. Cackett
Paul Ambeau	Don Barthel	Ian Birkett	Hank Cameron
Jane Anastod	Fred Bass	Michelle Bjornson	Lynne Campbell
Graham Anderson	Mark Battersby	Karianne Blank	Paddy Campbell
Kathryn Anderson	Maggie Baynham	Jessica Block	Stacy Campbell
Rosemarie Andreas	BC School Trustees	Paul Bogaert	John Cannon
Robert Andrew	Association, Teresa	Ted Bois	Joanne Canow
Colin Angel	Rezansoff	Cliff Boldt	Dave Cardwell
Robert Angus	Don Beall	Iona Bonamis	Brett Carels
M. Apz	Gilles Beaudin	Leigh Bowie	Danita Carriere
Larissa Ardis	John Bechhoefer	Ainaz Bozorgzadeh	Rob Caruk
D Armstrong	Claire Marie Belanger	Les Braden	Remi Caudron
Vince Arvidson	Celena Benndorf	Duncan Bray	Peter Cawsey
Brent Ash	Paul Bennett	Helen Brennek	Mark Cernigoj

David Chaney	Bea Edelstein	Ann Gonçalves	Jan Howarth
Lisa Chang	Elizabeth Effa	Adolfo Gonzalez	Monica Hromada
Deanna Chattaway	Colette Elbl	Mary Gradnitzer	Lina Hsu
Ming Huey Chen	Sara Elder	Sara Graefe	Janet Hudgins
Lorraine Chisholm	Brownwyn Elko	Karen Gram	Denis Hughes
Robert Chomiak	KC Emerson	Danielle Grant	Marsha Huie
Carole Christopher	Neil England	Evan Gray	Fleurie Hunter
Joyce Clarke	Michael English	Victoria Gray	Vicki Huntington
Joy Clifton	Courtenay Ennis	Cairine Green	Kent Hurl
Richard Cline	Lynda Erickson	Rick Green	Judith Ince
Mary Cobb	Marc Erickson	Tom Green	IntegrityBC, Dermod Travis
Graham Coffeng	Fernando Este	Barry Growe	Ben Isitt
Peter Colenbrander	Fair Voting BC, Antony	Peter Gumplinger	Lauren Issacson
Chad Colgur	Hodgson	Karen Hallett	Murray Jackson
Dan Collins	Ben Fair	Linda Hancott	Elodie Jaquet
Sean Conley	Joshua Falcioni	JK Hannah-Beall	Marion Jamieson
Jen Cook	Rosemarie Farrell	Rachel Harriman	Laura Janara
Judith Copithorne	Trina Ferguson	Matthew Hartney	M Jansen
Margaret Coutts	Lynette Fiddler	Thomas Hasek	Mavaddat Javid
Paul Craik	Kimball Finigan	Howard Hawthorne	Ervin Jay
Alan Creighton-Kelly	Shane Finley	Heather Hay	Carol Jerde
Merle Crombie	Sarah FioRito	John Hay	Colleen Johnson
Rachel Cruse	John FitzGibbon	Kinga Hay	Faune Johnson
Renato da Silva Pereira	Peggy Flanagan	Sandra Haylett	Sherese Johnson
Anna d'Archangelo	Dave Fleming	Linda Heese	William Johnston
Kate Dauphinee	James Foort	Santiago Henderson	Deborah Jones
Bonnie Davis	Ron Ford	David Hendrickson	Veronica Jorna
Shirley Dawkins	Chris Fowles	DJ Hendrickson	Joel Joyner
Gordon Day	Barb Fraser	Jane Henry	Lawrence Justrabo
K Dent	David Fraser	Craig Henschel	Devorah Kahn
Toby Dent	Lee Fraser	Dianne Henshaw	Kimiyo Kamimura
Faye Diamond	Patricia Fraser	Adrianna Hepper	Michelle Katerberg
Ken Diamond	Mark Freeman	Patricia Hernandez	Linda Kearns
Robert Dierker	Alexander Frei	Ryan Herriot	Stephen Keary
Mike Dinsmore	Theresa Fresco	Debra Herst	Laurie Keddie
Cole Dion	Stan Gabriel	Annie Hess	Ann Kemp
Angelica Dixon	Michael Galloway	Liane Hewitt	Claire Kennedy
Jonas Dodd	Jonathan Gardner	Jane Heyman	Gavin Kennedy
Sylvia Dodd	Karen Garry	Margaret and Robert	Gaik Beng Khoo
Ken Dodds	Luke Gebre	Heywood	Leanne Killer
Dom Domic	Michael Geilen	Keith Higgins	Sean King
Grant Douglas	Neale George	John Hill	W John Kirkness
Janice Douglas	Suzanne Gessner	Christine Ho	Robert Knott
Bill Dovhey	David Gibson	Linda Hockley	Monika Koernig
Ken Dressen	Ty Gilbertson	Linda Hoffman	Raquel Kolof
Elizabeth Dunn	Joseph Gilling	Albert Hoglund	Kim Kondra
Rob Easton	Stephen Gills	Jen Holden	Freya Kristensen
Tatiana Easton	Angela Gleeson	Troy Horton	Cinderela Kruk
Janice Ebenstiner	Fiona Gold	Angela How	Pia Kuni

Nick Kvenich	Bridget Mackenzie	Ruth Meta	Gino Pastorino
Mitchell Kwak	Andy MacKinnon	London Metcalfe	Jamie Pate
Andrew Lachkovis	Shauna MacKinnon	Pauline Meugens	Manny Patel
Joyce Lachkovis	Dave MacLeod	David Meyers	Ricardo Patino
Audrey Jane Lafferriere	Diane MacQueen	Adam Millard	Lea Paulson
Stephen Lakowski	Erin Macri	Tom Milne	Quynne Paxa
Alex Lanchici	Mickey Macri	David Mitchell	Rod Paynter
Patricia Lane	Cameron Magnus	David Mivasair	Lauri Pearce
Andrew Larigakis	Mark Mahovlich	Robyn Monk	Susan Pelland
Erin LaRocque	Christian Malcom	Pam Moodie	Lauren Penner
Cody Laschowski	Louise Mangan	Thomas Moody	Matthew Penner
Jean Lawrence	Adolf Manz	Michael Moore	Scott Perrie
Laura Leach	Dawn Maracle	Nancy Moore	Lee Pesochin
Leadnow.ca, Jamie Biggar	Erin Michelle Marci	Graham Mowatt	Deanna Peters
Brian Ledrew	Michael Marcoux	Hunter Moyes	Devan Pettersson
Jerome Lee	Roseanna Marsh	JoAnn Mulhern	Bill Piggot
Ken Lee	Marguerite Marshall	Thelma Mulholland	Jenny Podlecki
Melissa Lee	Carollyne Martell	Armand Munteanu	Rob Poirier
Cory Legasse	Jesse Martyn	Bill Murdoch	Mike Polowick
Shereen Legault	Sarah Martz	Gordon Murphy	Carol Polsky
Nick Lenoire	Melody Mason	Margaret Murphy	Stephen Pond
Andrew Leo	Sonia Massaro	Mary Ann Mutter	Denis Prelogov
Heather Leung	Wendy Massing	Neighbourhoods for a	Jeremy Price
Christopher Levenson	Craig Matsu-Pissot	Sustainable Vancouver,	Shelley Punko
Stephanie Lines	Guy Matthews	Stephen Bohus	Juniper Quin
Karen Linkovsky	Irmgard Matthes	Sandra Nelson	Angela Raber
Kent Lins	Jennifer Max	Molly Newman	Diane Rae
Ursula Litzcke	Michael McCarthy	Wendy Nichols	Brett Rakuson
Joey Liu	David McCormick	Carly Nicholson	Alex Ramirez
Live Langley Electorate	Jordan McCuaig	Dennis Nicoll	Christina Ray
Association, Ashish	William McCutcheon	Susan Nicoll	Donald Read
Kapoor	Liz McDowell	Kalli Niedoba	Philip Resnick
Rebecca Llewellyn	Cheryl McEachern	Jeffrey Nieuwenburg	Marianne Rev
Chris Lockhart	Brenda McEwen	Shannen O'Brian	Egor Revenko
Augusta Lokhorst	Scott McFadyen	Mary O'Donovan	Rodger Ricker
Justin Loveless	Betty McGill	Roberta Olenick	Judith Rimes
Jean Lubin	Marysia McGilvray	John Oman	Beth Ringdahl
Senning Luk	Frank McGreal	Erin O'Melinn	Dave Riopel
Erin Lumley	Reta McKay	OneCity Vancouver, Scott	Mark Riser
Gary Lund	Linda McKroyk	Colbourne	Jylah Ritmeester
Sequoia Lundy	Louise McLaughin	Terry O'Neill	Alejandro Rivas
Michele Lyle	Cameron McLean	Marie Orth-Pallavicini	Celeste Roberts
Bhavana Lymworth	Bill McLennan	Kenia Ovalle	Marta Robertson-Smyth
Jane MacDermot	Jeanne McLennan	Maria Teresa Palomino	John Robinson
Robert Macdermot	Michael McMorris Murray	Ron Parachoniak	Nancy Robleer
Renee Macdonald	Sacha Medine	Kévin Paré	Thomas Robson
Jelizabeth Macdougall	Tria Medrano	Kyle Parent	John Rogers
Jim Macguigan	Rebecca Megyesi	Susan Parker	Shannon Romanyshyn
Alana MacHattie	George Meier	Diana Partucci	Sharon Romero

Elizabeth Ross	Deb Sherrard	Sharon Straathof	Erik Watson-Hurthig
Josey Ross	Michael Shindler	Alyssa Stryker	David Webb
Megan Ross	Jason Sie	Kate Sugden	Susan Weber
Massimo Rossetti	Richard Siegenthaler	Steve Summers	John Weiss
Pat Row	Rachel Sigmund	Justin Sutherland	Gregory West
Trina Rowles	Shelley Sim	Adrian Swanston	Jennifer Weterings
Cory Roy	Hillary Simandl	Navid Tabatabai	Cheryl Wharton
Florence Roy	Pamela Simms	Taz Takahashi	Randall White
Catherine Russel	Marten Sims	Sarena Talbot	Mary Lou Whittaker
Robert Russel	Chris Singer	Chris Tataryn	Jane Whittick
Susan Russel	Kim Siren	Alison Therriault	Christianne Wilhelmson
Lynn Russell	Aiden Sisler	Dave Thomas	Nicole Wilkins
Margaret Sachs	Renate Sitch	Anne Thompson	Keith Wilkinson
Stephen Sanborn	Madeline Sloan	Ralph Thornton	Douglas Williams
Brad Sanderson	Noralyn Smiley	Corinne Thorsell	David Wilson
Zal Saper	Deming Smith	Mark Tibando	Marina Winterbottom
Ken Saraf	Kevin Smith	Margaret Tidswell	Anne Wise
Kent Saunders	Mar Smith	Charles Tseng	Amanda Wolchak
Tomie Savoie	Jordan Soet	Valerie Turner	Troy Wolfe
Karen Sawatzky	Garyden Solman	Nick Tyzio	Robert Matthew Wolferstan
Elaine Schell	Jeff Solomon	Union of British Columbia	Marianne Wong
Emlyn Scherk	Jenna Somek	Municipalities, Sav	Jennifer Woo
Arlene Schimmelpfennig	Eduardo Sousa	Dhaliwal	Edith Wood
Lynette Schlichting	Norman Speckmaier	Dani Vachon	Jason Wood
Andrea Schnarr	Natalie Speckmaier	T.E. Vadney	Ellen Woodsworth
Allen Schofield	Charmaine Spencer	Evelyn Vallillee	Rosanne Wozny
Lorys Schouela	Nicole Spencer	Julie van de Valk	Andrew Wright
Karri Schuermans	Jill Spicer	Aymara Varas	Ian Wright
Abby Schwartz	Mike Sprackett	Village of Cumberland,	Tanya Wulff
Val Scott	Timothy Stark	Leslie Baird	Dean Wutke
Helena Seiferling	Virginia Stark	Kate Vincent	Peter Wylie
Barb Selvage	Lisa Stary	Michel Vles	Dorothy Yada
David Seymore	Scott Stephens	Raynard von Hahn	Stewart Yee
Michael Shandrick	Luke Stern	Roy Wadia	Lucinda Yeung
Michael Shannon	Justin Stevens	David Walker	Judson Young
Cameron Shay	Lindsay Stevenson	Larry Walker	Hannah Zalmanowitz
Ian Sheffield	Alistair Stewart	Itay Wand	Dan Zubkoff
Shridhar Shekhar	Michael Stewart	Helen Ward	
Anita Shen	Edward Stillinger	Harry Warren	
John Shepherd	Rasmus Storjohann	Peggy Watkins	

Online Questionnaire Responses

Nathan Abato	Anne-Marie Dekker	Kevin Hiebert	Christopher Lowe
Richard Abgrall	Maureen Delandreville	Twyla Hildebrand	Colin Lowe
Crey Ackerson	Cory Delves	Bill Holmes	Geoffrey Lowe
John Allen	Catherine Denny	Peter Holuboff	Michael Lowe
Megumi Anderson	Eric Depenau	Kimberlee Howland	Tom Lukaszek
Larissa Ardis	Adam DeVries	Michael Hughes	Sequoia Lundy
Marvin Ballantyne	Lorraine Dick	Dustin Hutton-Alcorn	Marsali MacIver
Dean Barbour	Jerome Dickey	Janet Ingram-Johnson	Chrystal Mackinnon
Jane Barroll	Diana Dilworth	Kelly Izzard	Angela Majewski
Glenda Bartosh	District of Sparwood,	Deb Jack	Ali Mallakin
Zahara Baugh	Hungry Baytaluke	Helen Jackson	Zshu-Zshu Mark
Delia Becker	Philip Dunlop	Sharon Jackson	Wendy Massing
Kerry Bennington	Rob Easton	Andrew Jakubeit	Brian Mathae
Tyler Blair	Zak Eburne-Stoodley	Katie Janyk	Linda Matties
Victoria Blinkhorn	James Elford	Neal Jennings	Sue Maxwell
Cliff Boldt	Hillary Elliott	Colleen Johnson	Naomi Mcaleer
Mathew Bond	Kate Ellison	Lee Ann Johnson	Michael McCarthy
John Borkyto	Steven Elves	Barry Jones	Scott McFadyen
Les Braden	Susan Epp	Jamie Kawano	Terry McFadyen
Christopher Brayshaw	Kyla Epstein	Paul Keenleyside	Lawrence McGillivray
Darcy Broatch	Fernando Este	Trish Kelly	Alex McGowan
Linda Brown	Donald (Lauren) Exter	Jennifer Kennett	Bill McIntosh
Ron Bruce	Helen Fathers	Peter Kent	Grant McLachlan
Frank Bucholtz	Marguerite Ford	Peter Kerek	Jason McLaren
Joan Bunn	Ron Ford	Pat Kermeen	Marianne McLean
Dianne Burdit	Steve Forseth	Ken Kim	Cathleen McMahan
Lynne Campbell	Edward Foster	Erin Knudsen	Linda McMullan
Mac Campbell	Penny Gambell	Paul Kevin Koehler	Doug McPhee
Bill Carruthers	Samantha Gambling	Eugene Kolesnikov	Anthony Mehnert
Catherine Cartwright	Rob Gay	Walt Krahn	Darlene Mercer
Larry Casper	Cyndi Gerlach	Vladimir Krasnogor	Rebecca Mersereau
Brad Cavanagh	Lee Gildemeester	Kenneth Kratschmar	Sarah Miller
Colin Chan	Linda Gillan	Nicholas Lauga	Onni Milne
Bob Chandler	Fred Girling	Renee le Nobel	Cathy Mitchell
Helen Hee Soon Chang	Mary Giuliano	Jonathon Leathers	David Mivasair
Simon Chicoine	Ann Grant	Simonne LeBlanc	Matthew Miyagawa
Jennifer Chiu	Mary Gray	Louise Leclair	Greg Moore
Bruce D. Christensen	Rick Green	Robert Lee	Susan Murphy
Trisha Clark	Garry Greene	Nick Lenoire	Michael Myhre
Tom Clement	Joel Gregg	Patricia Lessard	Fatidjah Nestman
Michael Cober	Sylvia Gung	Bruce Letendre	Amanda Nichol
James Crosty	Jan Halvarson	Olga Liberchuk	George Nielsen
John Culter	Colleen Hardwick	Adele Liu	Linda Nielsen
Michael Dailly	Bill Harper	Martin Livesey	Coco Nuvuk
James Daniels	Dorothy Hartshorne	Mary-Ann Livesey	Serena Oh
Natasha Davidson	Tanja Hasler	Alexa Loo	Geoff Orr
Joanne de Lure	Nancy Heckman	Jan Lovewell	Nathan Pachal

Gilles Parizeau	Gavin Ross	Luke Stack	Linda Werner
Lisa Pasin	Timothy Rud	Wayne Stetski	Jennifer Weterings
Sonya Paterson	Miriam Sabzevari	Elizabeth Stewart	Erik Whiteway
Rod Paynter	Rosalind Sadowski	Rudy Storteboom	Ian Wickett
Eric Pedersen	Ian Sas	Linda Stromberg	Lois Wilkinson
Glen Pederson	Emlyn Scherk	Shaun Sweeney	Antje Wilson
Francesca Percival	Diana Schroeder	Navid Tabatabai	Brian Wilson
Kirsten Peterson	David Screech	Robert Taylor	Randy Wilson
Pat Petrala	Kanwal Sidhu	Charles Thomas	Ryan Witmeyer
Bob Phillips	Al Siebring	Andrew Thompson	Harm Woldring
Amber Pikula	Sigrid Singleton	Christine Thompson	Women Transforming Cities
Maureen Pinkney	Jillian Skeet	Gordon Thrift	International Society,
Jan Prins	SLRD, Mickey Macri	Myrt Turner	Ellen Woodsworth
Brett Rakuson	Joseph Small	Nick Tyzio	Ellen Woodsworth
Karen Ranalletta	James Smith	Ekaterina Ungvitskaya	Dorothy Yada
Heidi Rast	Kevin Smith	Tony Valente	John Yano
Blair Redlin	Kim Smith	Andy Van Ruyven	Henry Jiun-Hsien Yao
George Reynard	Kristen Smith	Alyshia Vogt	Mei Lin Yeoell
Thomas Robson	Amanda Smith-Weston	Kris von Schalburg	Edward Yewchin
Barbara Roden	Gerald Sommers	Roy Wadia	Esther Yuen
Susan Roline	Rolf Soth	Micah Waskow	Robert Zandee
Martin Rooney	Anne Spencer	Caroline Waters	

Appendix B: Information and Documents

The following information and documents are available on the Legislative Assembly website at: www.leg.bc.ca/cmt/leel

Wednesday, October 15, 2014 Meeting Documents

- Presentation: Technical Briefing – Expense Limits in BC Local Elections; Ministry of Community, Sport and Cultural Development
- Additional Meeting Document: Local Government Elections – General Overview; Ministry of Community, Sport and Cultural Development
- Additional Meeting Document: Expense Limits in BC Local Elections; Ministry of Community, Sport and Cultural Development
- Additional Meeting Document: Elector Organizations in BC Local Elections; Ministry of Community, Sport and Cultural Development
- Additional Meeting Document: Third Party Advertising in BC Local Elections; Ministry of Community, Sport and Cultural Development

Wednesday, October 22, 2014 Meeting Documents

- Presentation: Technical Briefing – Elector Organizations and Third Party Advertisers; Ministry of Community, Sport and Cultural Development
- Presentation: School Trustee Elections; Ministry of Education
- Additional Meeting Document: School Trustee Elections – General Overview; Ministry of Education
- Presentation: Presentation to the Special Committee on Local Elections Expense Limits; Elections BC

Legislation

- *Local Elections Campaign Financing Act* [SBC 2014] Chapter 18

Related Resources

- Local Government Elections Task Force Report (May 2010)
- White Paper on Local Government Elections Reform (Fall 2013)
- Expense Limits in Local Elections – Summary Report on Expense Limits Engagement (May 2014)
- Elections BC: Local Elections Campaign Financing

Appendix C: Background on Expense Limit Neutrality

Spectrum of Choices – Principles and Objectives for Elector Organizations

Preferred principles or objectives			
<ul style="list-style-type: none"> • Avoid incentives to form, run with EO • Emphasize <i>accessibility</i> for independent candidates • Reflect that EOs may have an inherent advantage through pooling expenses 	<ul style="list-style-type: none"> • Balance for independent and endorsed candidates • Emphasize EO <i>accountability</i> • Simpler, though less flexible, legislation 	<ul style="list-style-type: none"> • Balance for independent and endorsed candidates • Emphasize <i>flexibility</i> in candidate-EO campaign financing relationship • Reflect different practices of existing EOs 	<ul style="list-style-type: none"> • Treat EOs more like provincial political parties in respect of expense limits • Support potential role of EOs in voter awareness • Less emphasis on promoting accessibility for independent candidates
Approach – how could the desired outcome be supported?			
<p>Higher expense limits for independent candidates than for EOs and their endorsed candidates.</p> <p>The outcome would largely be achieved through choice of numbers rather than design of the policy framework rules.</p>	<p>No separate, additional limit for elector organizations.</p> <p>Endorsed candidates “sign over” 100% of their limit to the endorsing EO as a condition of running with the endorsement of an EO. (Similar to the approach in Quebec).</p> <p>Essentially, candidates and EOs campaign spending would no longer be legally separated once a candidate is endorsed by an EO. The EO would be responsible for the expense limit.</p> <p>As an additional measure to promote neutrality around the decision to run with an elector organization or not, the maximum an EO would be able to spend is the value of the combined total limits of its endorsed candidates.</p>	<p>No separate, additional limit for elector organizations.</p> <p>EOs and endorsed candidates decide how they will share the candidates’ limits. EOs and endorsed candidates agree what portion of each candidate’s limits the EO is responsible for (e.g. candidate could “sign over” anywhere from 0% to 100% of the candidate’s limit). Potentially different candidates endorsed by EOs could make different arrangements with the EO (e.g. one candidate signs over 50% of his limit, while another signs over 75% of her limit).</p> <p>As an additional measure to promote neutrality around the decision to run with an elector organization or not, the maximum an EO would be able to spend is the value of the combined total of what its endorsed candidates have signed over to the EO.</p>	<p>EOs get a separate limit, in addition to each endorsed candidate having his or her own expense limit.</p> <p>Candidates and EOs are each accountable for not overspending their respective limits.</p> <p>Would need to determine what the limits for candidates, and for EOs, would be (e.g. should EOs in a particular community have the same limit, regardless of how many candidates they endorse; should EOs in different communities have different limits connected to the size of the council which varies in communities of different sizes).</p>

Advantages			
<ul style="list-style-type: none"> • May make independent candidates more competitive • No impact on elections in the vast majority of communities that do not have EOs 	<ul style="list-style-type: none"> • Some EOs already operate this way by policy (i.e. control all fundraising & spending; endorsed candidates are not responsible for campaign financing) • Fits with Task Force guidance (neutrality principle) • Less complex lines of accountability between candidates and EOs in respect of avoiding overspending • Possibly less complex legislative drafting required if not enabling full flexibility between candidates and EOs (as under other neutrality approach) 	<ul style="list-style-type: none"> • Reflects diversity of current policy and practice of EOs (some EOs share responsibility for fundraising & spending with candidates) • Fits with Task Force guidance (neutrality principle) • Allows EOs flexibility similar to what informally-affiliated candidates would have – candidates and EOs can incur election expenses, if they have decided to share responsibility for their agreed-to portions of the candidates' spending limits 	<ul style="list-style-type: none"> • EOs may achieve efficiencies, and make it more affordable for candidates to run when supported by an EO • EOs may improve voters ability to differentiate amongst candidates; separate, additional limits • EOs may like this approach • Allows flexibility – candidates and EOs can incur election expenses and manage their separate limits
Disadvantages			
<ul style="list-style-type: none"> • Disadvantages elector organizations • Possible incentive toward slates (informal cooperation/affiliation, with no endorsement appearing on ballot); arguably less transparent than EOs • Not consistent with Task Force guidance • May be unworkable for practical reasons 	<ul style="list-style-type: none"> • Less flexible – some EOs will have to change their practices in respect of the campaign finance relationship with endorsed candidates • If an EO overspends but candidates benefit by being elected, should candidates be held accountable in any way? Would de-registering and/or fining the EO be adequate penalties? 	<ul style="list-style-type: none"> • Complex drafting and administration – essentially involves EOs and candidates setting up their own sub-limits (agreements as to who is responsible for spending which portion of the candidate(s)' overall limit) • Higher potential for confusion, inadvertent errors with shared responsibility for limits 	<ul style="list-style-type: none"> • Disadvantages independent candidates • Not consistent with Task Force guidance • Less consistency across communities (those with and without EOs) • Harder to set third party limits as being proportional to candidate limits – need to determine what to do for third party advertisers in communities that have EOs versus communities that do not, since a separate, additional limit for EOs means the EOs and their endorsed candidates together have a larger expense limit

Secondary policy questions and design considerations			
<ul style="list-style-type: none"> • Many practical and timing issues – important to communicate spending limits well before elections; however, candidates considering running may not yet have decided if they will run independently or seek EO endorsement (and under this outcome and approach, would materially impact how much candidates get to spend) 	<ul style="list-style-type: none"> • To promote neutrality between independent and endorsed candidates, a rule would be required to establish that an elector organization cannot spend more than the value of one individual candidate's limit on any given candidate (i.e. prevent endorsing "straw" candidates for the sake of having a obtaining a higher expense limit that can be used to the advantage of a particular candidate) • Need transparency, accountability rules for situations such as when candidates who were already fundraising and spending for their own personal campaigns decide to run with an EO • Should candidates be penalized if their endorsing elector organization overspends its limit (especially if the candidates benefitted from the overspending)? 	<ul style="list-style-type: none"> • To promote neutrality between independent and endorsed candidates, a rule would be required to establish that an elector organization cannot spend more than the value of one individual candidate's limit on any given candidate (i.e. prevent endorsing "straw" candidates for the sake of having a obtaining a higher expense limit that can be used to the advantage of a particular candidate) • Complex shared accountability – to prevent loopholes, would need rules for how candidates and EOs agree to share the limit (e.g. requirement to sign an agreement outlining which entity will spend what proportion of the candidate spending limit – this would essentially establish "sub-limits") • Should there be penalties for deviating from the sub-limit agreements? 	<ul style="list-style-type: none"> • How to choose limits for EOs? • Would need legislated rules for when spending counts toward the EO's limit versus a candidate's limit (including possibly rules to prevent an EO from endorsing 'straw' candidates – e.g. endorsing multiple candidates with intention of only meaningfully supporting/spending in relation to one or only a few of the endorsed candidates) • Rules to separate EO spending versus candidate spending (e.g. if it names a candidate, expense attributed to the candidate limit) • Should candidates be penalized if their endorsing elector organization overspends its limit?

Source: Ministry of Community, Sport and Cultural Services Background Paper, *Elector Organizations in BC Local Elections*.

