



**The Institute for Public Sector Accountability**  
*'res ipsa loquitur'*

# **Municipal Electoral Reform**

## **An analysis**

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## Executive Summary

The events in Ward 10, in the City of Calgary, raised many questions which have caused the provincial government to appoint an inspector to investigate possible electoral fraud at the 2004 municipal elections.

To provide a different and independent viewpoint, we have prepared this report, which deals not only with the immediate problems of ballot usage, but also looks at many other issues which we believe are the reasons contributing to the breakdown of the current process. Our report includes:

- An historic background of municipal elections, depicting the evolution of our current council system
- One of the problems which many Canadian cities, provinces, and even the country face is the issue of voter apathy. It is no less important at the municipal level. Many elected officials are sometimes elected with less than 10% of the eligible electorate or in many cases councilors are just acclaimed, which effectively means “reinstated by default”.
- One of the main causes for the lack of participation in the process may be lack of trust in the political process, and this leads into the issue of funding and political donations.
- There has never been any investigation of a system that has grown to involve very large amounts of money obtained and spent in ways that are far from being open and transparent.
- Money now clearly is understood to dominate the election process. It is surely time for a full review of that process with the object of setting rules that will justify public confidence.
- In addition, in municipal elections – at least in Calgary, there is no automatic recount in the case of a winning vote by a small margin. A recount only happens under strict circumstances or under a request for judicial review at a cost which too often deters candidates from getting one.
- It is apparent that many candidates, their auditors and of course members of the public seem to have very little understanding of the Bylaws governing municipal elections. This ignorance can create many problems and prevents a lack of clarity, transparency and accountability in the process.
- The current Ward system in Calgary has outgrown its usefulness, and long since outgrown the original justification for its establishment. It is now destructive to the public interest and a deterrent to good governance and needs review and reform, if not outright abolition.
- In addition we must examine other issues such as salaries, and running for other office while in office. We propose some solutions to these perceived problems.
- To make a balanced assessment of the situation, we also provide a sample of regulations in other jurisdictions, including an appendix dealing with the Bylaws of Calgary and Edmonton for comparison.
- We shall provide, separate from this report, a set of recommendations which we hope will change the system and make democracy credible at the municipal level.

## Introduction

As a result of the problems which occurred during the 2004 municipal election in Calgary, in our opinion it is an appropriate time for an inquiry into municipal governance and the election process in the province of Alberta. While this incident showed that we had a serious problem in the democratic process, we must also look at it as an opportunity to review and reform the existing process, to better reflect the demands of a new political era in Alberta. We believe that it is very fitting that such an examination is undertaken in the province's centennial year, and any change which comes about as result of this enquiry can only bode well for the future.

In the analysis, we examined many of the problems contributing to a perceived degeneration in the democratic process at the municipal level. A perceived voter fraud through the mail-in ballot system is not the only flaw in the existing system. We have, as much as possible, kept this report within the 'Terms of Reference' of the investigation (**see Appendix A**). The report looks at many of the facets of the electoral process and provides solutions based either on existing systems in other jurisdictions or other solutions which have been discussed during our research.

One of the ways to improve representation at the municipal level is to make changes to the electoral process. Municipalities are not only a creation of provincial governments but also of the local arm of Provincial administration and they have no rights of their own except those conferred upon them from time to time by the Province. However, the courts may have expanded these rights in other jurisdictions. While we feel very strongly about this paradigm shift, we are certain that the parties involved will fight it tooth and nail, because our proposal, although not perfect, will challenge the very core of the municipal political system, if not nationally, but at least at the local municipal level. As an inquiry must embrace all issues and possible solutions, we should take this opportunity to challenge all existing procedures to enhance the democratic process. To put the whole issue into its proper context, we need to understand the historical background of our current system.

Mayoralty contests in Calgary were held annually from 1884 to 1923. Mayors began serving a two-year term following a plebiscite in 1923. In 1968, the Municipal Government Act increased the term of office for mayors to three years, starting with the election in 1971.

The number of aldermen and the method of their selection have also changed over the years. From 1884 to 1886, four councilors were selected from the town at large. The term of office for aldermen was three years.

The number of councilors increased in 1894, when Calgary was divided into three wards. Three aldermen, as they were to be called, represented each ward.

In 1906, a fourth ward was created, bringing the number of aldermen to 12. The ward system was dismantled from 1914 to 1960, when aldermen were elected from across the city for two-year terms.

The ward system was re-established in 1960 following a plebiscite. Six wards were established, each represented by two aldermen. Until the 1971 elections we had annual elections for half of Council. In 1976, the number of wards expanded to 14, with one alderman per ward, as it is today.

A major criticism of the current system is that we have created 14 small towns each with their own mayor. This is dividing the city and making it harder, and very much more costly to get city-wide projects completed.

Another problem with one alderman per ward occurs when that person does not do his/her job satisfactorily. An entire ward can then be without proper representation for three years. This may occur when an alderman has aspirations to become Mayor, MLA, or MP. They may trade support for this future goal against doing the best they can to represent current constituents and their concerns.

The role of Mayor is also now in question. With recent changes in the Municipal Government Act, the primary job is to represent the city at functions and act as chairman at council meetings. When the Mayor is not available the task rotates among aldermen as each holds the deputy mayor position for a month. It has been argued, therefore, that a permanent Mayor's position may no longer be necessary and also that it represents too much concentration of power and influence.

## Voter Apathy

The size of municipal councils varies from place to place. For our purposes we shall look at Calgary as the basis for our analysis. The city council is made up of 14 Aldermen and 1 Mayor. The Aldermen are elected on the basis of their representation of a Ward, while the Mayor is elected on the basis of the entire city. Given the increasing electoral apathy that exists in Canada, the turnout for civic elections is getting smaller. In many instances incumbents are acclaimed (reinstated by default), while those who do get elected do so by a process involving less than 40% of the electorate.

Some aldermen in the 2001 election were voted in with less than 15% of the vote and less than 3% of the electorate. The Calgary Mayor was elected by votes amounting to less than 10% of the eligible electorate. Although things changed in 2004, we still have a small voter turnout. If this is democracy, be very aware that we are rapidly reaching the point of autocracy. Incumbents now count on voter apathy and seemingly the power of money to retain their seats.

To prevent the further erosion of the democratic process, we must make changes to the system to ensure greater participation by the electorate and produce better candidates.

## Political Donations

Recently, the cost of campaigning has increased dramatically. Prior to 2001 a respectable aldermanic campaign effort could be made for \$10,000. In the last election, the bar was raised as many contenders spent \$30-\$50,000. However, it appears that some candidates raised far more money over a 3-year period of incumbency than can be justified by election needs.

The last mayoral race also saw a massive increase. In 1998, Ray Clark set a record by spending \$140,000 on his campaign against incumbent Al Duerr. In 2001, Dave Bronconnier reported \$835,000 in campaign costs. His next closest competitor, Bev Longstaff reported \$587,000 in expenses. Richard Magnus spent \$287,000. Hundreds of thousands of dollars more than reported appears to have been raised however.

There is no cap on municipal election spending. There is no requirement that funds collected be specifically spent on campaign expenses. Incumbent officials raise money constantly throughout their term of office which may be unneeded if they are acclaimed or face minimal opposition. As the amounts collected rise this becomes a greater issue of transparency and a greater concern for the integrity of the system. As Rod Sykes, former Calgary Mayor wrote: "Time is a major deterrent now. We use it to discourage competition. We also make money the second major deterrent by raising the cost of election campaigns. Fund raising efforts are now an annual event. How can voters tell a donation from a bribe? How can a newcomer compete? It's not possible." **(See Appendix D)**

One challenge to municipal fund raising is that tax receipts cannot be issued. So what is the main benefit to donors to contribute? We would like to think it was to ensure competent government. But the reality of corporate donations is more likely to elect candidates favorable to their business plan and to curry favor with those candidates.

Developers are the most vulnerable to bad council decisions. Billions of investment dollars are required to build a community, shopping centers, or skyscrapers. One decision can lead to

significant delays or cost overruns. As a result, developers contribute heavily to election expenses. While this is a prudent business decision, the question to Calgarians must be: What does this level of financial involvement buy? For most, they just want their goals and objectives listened to and evaluated. A contribution does not always guarantee agreement. But it does ensure preferred access and that lobbying efforts will be heard.

After the 2004 elections, another aspect of political donations came to light. It has been disclosed that several organizations such as Enmax, The Stampede Board, The Calgary Airport Authority and others, made contributions to elected officials. While the size of the donation may be insignificant, it raises the question as to why the donations were made. More importantly should a company whose shareholders are the citizens and whose affairs are subject to review by Council be allowed to contribute to the election of these reviewers?

More importantly, there is no requirement for any candidate in a municipal election to declare the use of any surplus donations, because the City Clerk has confirmed that these funds are personal and to be used in any way their owner wishes. He or she is not accountable for money that is a 'personal' gift. It appears that any amounts not used for a political campaign can be used in future campaigns. It also leaves the possibility of these funds being used to either finance another candidate's campaign or even be invested in the acquisition of assets. All of this transpires without any scrutiny by the public or any other body. In this case we believe that serious and urgent reform is required.

There is nothing wrong with people, companies, or lobby groups financially supporting candidates of their choice. That is part of our democratic system. But it must be clear and above board. It must also be clear that this in no manner indicates obligation or single mindedness on key issues unless the candidates specifically campaign on that issue. The electorate must know where their leaders stand. It is up to the government to ensure such disclosure is forthcoming and available.

## **Recounts**

While it is getting costlier and costlier to run as a candidate in a municipal election, it is also very costly to challenge the result of an election. Should a candidate lose by a marginal number of votes, he or she must make a request for a recount. However, a recount is not automatically granted unless the number of spoiled ballots is greater than the margin by which the election was won. For example if the losing margin is 136 votes, for a recount to take place the number of spoiled ballots would have to be at least 137. Alternatively the only recourse left to a candidate to have a recount is to call for a judicial review, which may cost thousands of dollars. Hence, presumably the reason why several Aldermen decided to make donations, from their campaign funds, to Diane Danielson to pursue a judicial review in Ward 10.

In our view a better system would be for an automatic recount to take place if the winning margin of votes is within 3%. For those who claim that a recount, under this proposed parameter, would be too costly, our answer is very simple – Is democracy too expensive to protect when the possibility of an error on such a small margin may exist? In our opinion an automatic recount, under the circumstances stated above, would alleviate any additional cynicism of the electoral process that may exist under the current system.

## Constitution and Bylaws

Given that municipalities are a creation of provinces, the rules, regulations of the electoral process are set in the Municipal Government Act, and the Local Authorities Elections Act. Bylaws however are set by individual jurisdiction, as are the rules which govern, among other things, the reporting of campaign donations and expenses and how they are reported.

### Calgary

As of the date of the last municipal election held in 2004, the set of rules under which candidates are obliged to report their contributions and expenses can be found in Bylaw Number 35M94 (**see Appendix B**) which, among other things, provides for the following:

- Definitions
- How and when candidates must file a report of expenses and contributions
- Forms and format for filing the report
- Who can sign the audited report
- Penalties for non-compliance with the Bylaws

### Edmonton

We have also included for information purposes a partial set of Bylaws as adopted by the City of Edmonton. While the said Bylaws contain most if not all of the same requirements as the ones used by Calgary, it is important to note under their section about “Disclosure Statements”, the length to which many fundamental requirements about conflict of interest are required. Specifically to be noted are the disclosures regarding family, business and land interests, and that any unused campaign surplus must be donated to a registered charity. (**see Appendix B**)

The use and adherence to a set of bylaws brings us to some very important issues concerning disclosure and transparency. Given our analysis of many of the reports submitted by the candidates, we have gathered a number of examples included (**see Appendix C**) for further examination by whoever wishes to get to the bottom of the current municipal electoral process. To note, the candidates’ returns are available at City Hall and on the City’s website.

While this report in no way questions the integrity of the signatories to these reports, we question the due diligence being adopted for their acceptance. The reports lack clarity and transparency and in many cases may not be following the letter of the law, as established by the Bylaws. Some issues may be of minor importance, while others may be construed as warranting deeper analysis.

The main questions that our analysis raised are:

- Are the filed reports checked for accuracy and adherence to the bylaws?
- Is there any further audit, undertaken by the City?
- Are all auditors signing the reports qualified, under the bylaws, to do so?
- Should wholly-owned subsidiaries, or organizations affiliated to the City make donations (from public funds) to municipal elections?
- Should donations from one candidate to another be allowed?
- Should donations to candidates by organizations receiving donations from other candidates be allowed?
- Should organizations applying for grants from the City, be allowed to make donations to candidates?
- Could these facts indicate a ‘sham’ bylaw and process where staff are too afraid to protest?

## **Ward system**

In today's system, representation by Alderman is done by ward. The problem is that in the past many councilors have chosen to seek office at a higher level, either at provincial or federal level. When one does so, the person is not required to resign from the current elected position, and it is only if you are actually elected that you have to resign as an alderman. What happens is that during electoral campaigns those who have decided to run leave the issues of their ward and that of the city to council. When and if they get elected either a new election is required or the gap left by the incumbent is taken up by the rest of the Aldermen.

We believe that it is time to change the system to better reflect reality. While the population is growing, it is not desirable to increase the number of political representatives. In Canada, we are already over-governed; we have more elected representatives per capita than most other nations. To ensure that the citizens are provided with adequate representation, we suggest changes to the existing system.

## **Elected Officials**

The true power at City Hall lies with the politicians; at least that is what the process is supposed to be. We maintain that we need qualified people to run City Hall. Politicians who are supposed to make policies and administrators, who are supposed to implement those policies, are sometimes at loggerheads because they have had a role reversal.

Politicians sometimes forget that they should not manage or worse yet micro-manage the affairs of the city, by doing so they lose focus and ignore their true role. Many politicians believe that their job is a full-time one, so much so that last year, in Calgary politicians made sure that the definition be changed to that effect and clearly stated that their job was no longer a part-time one. We sincerely disagree that their job is a full-time one. They have made it so partly because they now can claim better pensions, and mostly because through their micromanagement they have created a situation that leads to spending more time in council.

If politicians agreed to make policies and ensure that the administration did exactly what they were told to do, there would be no need for all the time spent on issues. They should demand the exact information and be able to discuss the merits and vote on the issues to approve or disapprove. Politicians feel that their job is full-time because they make it so. Much of the deliberation in Council is reduced to role-playing for the cameras, and much of the discussion sometimes is more akin to pontification, and most decisions rubber-stamped.

We believe that the process is designed in such a way as to discourage good candidates from entering politics. Watching hours of council deliberation could drive the most patient person to sleep. The drivel of some of the questions asked is sometimes unbearable. Good qualified candidates are not really interested in spending their time reading reams of paper deliberately written by the administration to confuse and distract - this is not good management. The type of politician who should be attracted to this job is not prepared to spend time debating for hours on issues that can be resolved in minutes if properly done. Not only do good people refuse to spend time pontificating in council chambers, they are also reluctant to serve forever with people who seem to be simply filling in time.

## **Running for Office while in Office**

Although we support experienced incumbents to run for other levels of office, we object strongly to them doing it while still in their current office. Far too often we have seen politicians use one job as merely a stepping stone to another higher office.

You cannot effectively represent one set of constituents while campaigning for another position. There is simply too much chance of a conflict of interest occurring. Current rules even allow the person running to remain at full pay while they run. This means that taxpayers are paying for at least part of the other campaign.

Rules must be changed to prevent persons currently holding an elected position from running in another election. If they are truly committed to the process they should resign their seat and campaign honestly on a level playing field.

## **Proposed Solutions**

Our analysis of the current electoral process clearly shows that we have some problems which need to be addressed in earnest. While mail-in ballots was the main issue in Ward 10, we believe that the other issues that we have brought forward are of equal or greater importance. If we are going to reform the system to address one issue, isn't it time to address all issues? In our opinion, The Clark inquiry in the Ward 10 debacle is a great opportunity to address all of the relevant issues, and we provide the following proposed solutions:

### ***Constituency changes***

We advocate changes to increase democracy. One proposed solution that we find has the most merit is to once again reduce the number of wards back to 7 or 8 and have two councilors elected from each. This will allow for two voices in each area, and because they are larger, it will result in a wider focus on city issues. In this case the first and second candidates past the post shall be elected. This system already exists in other jurisdictions and works perfectly well. The idea is that citizens have an alternative to the one alderman system. Having somebody breathing down their neck will force councilors to better represent their constituents.

Alternatively, for those of us who do not want either the Ward system or to be represented by the same politician for over 15 years, we advocate another electoral system. We suggest eliminating the current one elected representative per ward, and propose to divide the municipality into 5 jurisdictions. In this case we will have North West, North East, South West, South East and Inner City constituencies. Each constituency would elect 3 representatives and there would be no separate ballot for a Mayor. If the Mayor has no executive authority and is only Chairman of Council as stated in the Act, then Council should elect its own chairperson. Once the fifteen representatives have been elected, they will choose among themselves a Mayor for a year. If they so wish they could elect four Mayors or a different Mayor each year during their four-year term.

Another solution in use by other jurisdictions is to have one representative per ward and a specific number elected at-Large.

A revised electoral system will not only eliminate the current situation of having incumbents acclaimed or very few candidates running due to the fear of losing to an incumbent, but go a long way in restoring some meaningful democracy at the municipal level.

### ***Limited term of office***

This is a fairly contentious issue as it seems to fly in the face of the democratic process. If an incumbent is the best possible candidate then why can't the electorate return them to office repeatedly?

The valid reason we can purpose is that after a period of time the incumbent becomes part of the government machine. They become part of the problem and not the solution. They have become used to compromising one vote to get another. Politicians should never feel comfortable in their jobs. That is when they start to lose their edge.

Former Calgary Police Chief Brian Sawyer said that about his job: "Five years is too short a time to be Chief of Police but 10 years is too long." In order to be receptive to new ideas and effective in implementing them politicians should never become part of the system they were elected to oversee.

We believe that there is no politician who should serve us longer than necessary. To this effect we suggest that all municipal terms should be extended to four years. Furthermore, politicians should be allowed to serve only two terms in any capacity.

What this means is that a politician would be allowed to serve no more than eight years as a Councilor or Mayor. When you have served for eight years, you must then step down and be replaced. If you were a councilor you can run as Mayor and be elected for another eight years. After a term out of office you may run again for another two terms. By implementing such a law we see two distinct benefits accruing to the citizens. One, we do not get people serving for too long because they become stale and complacent in the process and simply become part of the establishment, and two, it often results in their condescending attitude and arrogance.

### ***Remuneration and pensions***

The issue of remunerations and pensions, in our opinion, is one of the root causes for problems in the system. Since elected officials can set their own remunerations and pensions, albeit under the recommendations of an appointed panel of *experts*, the position of Alderman has become lucrative.

We can attract good, qualified people to the municipal arena by implementing some simple changes. The remuneration and pension issue looms large, because this may be a very important factor in attracting better candidates. The current system of allowing a portion of councilors' salaries to be tax-free is outdated and should be changed. What should happen is very simple. We must increase the salaries of councilors to a level that would attract competent business people to civic duty.

There are those who claim that the more you pay, the better the people you get. As a result they propose that the Mayor and councilors should make \$200,000 and \$150,000 a year respectively, to be adjusted by the cost-of-living index when appropriate. However, the tax-free portion should be eliminated, because politicians should pay taxes just like everybody else. It is too easy to become insulated from the realities faced by their constituents. What is good for the goose should be good for the gander.

However, another side of the argument is that there should be no pay increases. In the past when the position of Alderman was part time, it seems that we used to attract better qualified candidates. Now that the position has been re-classified as a fulltime job, it appears that we do not get qualified candidates, who serve for the sake of convictions and beliefs. Now, due to the larger salaries, perks and pensions, we seem to attract people who may not find a job in the open market. Coupled with the costs of running in an election and the self-awarding of increasingly higher salaries, the incumbents seem to have the upper hand, and they will do almost anything to keep their position for as long as possible.

To further the argument we should consider that elected officials should not be entitled to pensions, which make the taxpayer continuously indebted to them. They should receive severance packages after their term. To properly reward them, politicians should receive a severance package of 2.5 weeks for each year of service. Today many politicians find their way to the private sector after they leave the political arena. If they are so competent, they can find jobs in the private sector and continue their contribution to society in a different manner.

### ***Preferential balloting***

There is no restriction to the number of candidates that might run in a civic election. In Calgary's 2001 election there were a record number of candidates as six wards were without incumbents. As a result many aldermen were elected with just 12-15% of the vote.

This problem is addressed in most federal and provincial nomination meetings by means of employing preferential balloting. When more than three candidates are on the ballot, voters have the choice of voting for candidates in order of preference. After the first round, if no candidate has achieved 50% of the vote, the bottom candidate is dropped and second place choices are considered. The process continues until one candidate has at least 50% plus one of the votes.

## Other Jurisdictions

One of the problems in Canada is that we believe that we have all the answers and that we are ahead of the rest of the world. Recently with cases of election fraud and concerns in such countries like Iraq and Ukraine, Canadians have been very quick to offer their opinions and, quite rightly so their help in certain circumstances. However, when it comes to our own problems we tend to very quickly dismiss them as trivial and of no consequence and ignore the fact that democracy at home is in danger. For this reason we have included some comparisons from other jurisdictions and some of the solutions or constitutions used by other jurisdictions to enhance democracy.

### ***Ontario***

Our search for comparison with different jurisdictions leads us to Ontario, because they have specific rules with regards to campaign donations and more importantly campaign surpluses. **(see Appendix B)**

We found that any campaign surplus exceeding \$500 must be surrendered to the Clerk to be held in trust. Should the surplus not be used in a subsequent election, all monies become the property of the municipality.

We also found specific rules regarding penalties and a well define auditing process for campaign funding, which clearly should be looked at as an example of transparency and accountability

### ***Hawaii***

In recent years Hawaii has been plagued by some electoral problems, just like Calgary. In an editorial of March 9, 2005 the Honolulu Star-Bulletin stated: "After decades of elections tarnished by questionable campaign contributions, Hawaii might be ready for a system that affords candidates an opportunity to run free of private donations and special interest influence, relying only on limited public financing."

The use of public funding is a sword with two edges. Those who support the use of public funding for elections believe that such a system will encourage participation and eliminate influence peddling from private sources. In some jurisdictions it requires matching public funds or relying entirely on public funds. Under such legislation not all candidates are required to participate. If the candidate chooses the option of relying entirely on public funds, they have to limit their expenditures. Some on the other hand may wish to use their own money or private donations so that they can spend as much as they like on their campaign.

### ***Maine and Arizona***

In 2000, the two states of Maine and Arizona implemented the public funding alternative for their elections; at first hand it seems that the system received widespread approval by both candidates and voters.

In Arizona the winning candidate for governor, Janet Napolitano, chose to use public funding and won. In Maine it is reported that candidates participating in the public funding system increased from one-third in the first year of implementation to three-fourths in more recent elections. The increase in the number of candidates is a right step in democracy; however it also increases the tax burden, as costs rises.

While an increase in electoral participation is a step in the right direction, the 'growing cynicism' about democracy is not going to be lessened by public funding. The truth is elected officials would love to have taxpayers fund their campaigns, what an ingenious idea. Those who favor public funding would have us believe that special-interest ties to politicians will be severed.

This is far from the truth because the influence really occurs after the election, when the decision maker is already in office. In reality, while the size of contributions may vary, special interests tend to contribute to many candidates. As stated by Bob Watada : “ In a campaign, special interests tend to give to both sides to cover their bets, or concentrate campaign help on certain friends.”

The use of public funding as a means to ‘clean up’ the electoral process is not a real solution. Political corruption and the possibility of electoral fraud will not be stopped by using taxpayers’ money; it will only increase the tax burden and not discourage influence peddling. Political corruption arises when politicians line their pockets at taxpayers’ expense, whether their campaigns are funded from public or private sources.

## Recommendations

IPSA undertook an extensive look at the current situation which exists in Calgary. In the analysis, we examined many of the problems contributing to a perceived degeneration in the democratic process at the municipal level. Consequently we make recommendations based on an examination of the facets of the existing political environment. As a result we believe that the recommendations are essential to the restoration of democracy and to the improvement of voter participation.

The following recommendations are in no specific order of priority, and we strongly believe that they should all be looked at to properly address the current problems, they are:

- **That the Bylaws be changed to reflect a more transparent means of reporting and declaration of conflict of interest**

The current system based on bylaws set up and approved by Calgary City Council does not provide accountability and transparency. The current bylaw does not include any request for the disclosure of conflict of interest, either personal or business. There is no requirement for disclosure of interests in land and development dealings. In fact there is very little requirement for any disclosure of any sort, especially in instances where influence peddling may become an issue.

- **In view of many seemingly incorrect Election Campaign Funding Returns, we need to strengthen the current rules for reporting, including an audit of the submitted reports to ensure they conform to the contents of the bylaw.**

Our analysis of the returns submitted by the candidates after the 2004 elections showed many inaccuracies and omissions. In several cases the reporting periods were inaccurate. Some of the reports may have been signed by accountants who may no longer be members of a recognized Accounting profession. There may have been illegal donations made by charitable organizations, which seemingly could infringe the laws of taxation under CRA rules.

All of these infractions need to be looked at independently by the City Clerk or the Electoral Office. Once the reports have been filed, there seems to be no independent audit performed by anyone. Candidates owe it to the citizens to run and report on their campaign without any infringement of the bylaw. Furthermore, despite the fact that all returns are in the public domain, to ensure that the procedures are accurately followed, we recommend an independent audit and public report at the end of the electoral process.

- **We must look at electoral reform, including perhaps a cap on spending, and the way that donations are accounted for.**

The current system no longer seems to work. It is therefore proposed to change the electoral system.

One of the problems with today's system is that it is becoming too costly to participate in the electoral process. Money has become the predominant factor in the electoral process. He who has money- gets elected. Moreover, the means by which money is being accumulated by incumbents should be clearly examined.

- **We must investigate the transfer of campaign funds between candidates in the form of donations.**

Our research shows that candidates have made donations to each other and reported these donations as campaign expenditure. This practice although innocent on the face of it, may be the source internal alliances between councilors prior to the election. If this is the case why not allow party politics and make the process more transparent. We recommend that the practice of donations among candidates be stopped.

- **There is an urgent need to put laws into place to stop political contributions by publicly-owned or affiliated organizations.**

The discovery of contributions by Enmax, The Airport Authority and even the Transportation Project Office to several candidates is preposterous. These donations are made from direct or indirect taxpayers' money without any consultation. The management of these organizations made the donations to curry favour with certain candidates, the same candidates who will vote on these organizations budgets, awarding of grants and sometimes executive salaries. Furthermore, although in the grand scheme of things these amounts may be insignificant; in the case of a utility they always come from one source – the utility rates. While a ban on donations from these organizations is recommended, we also believe that it should be illegal for candidates to accept such donations because they are a clear conflict of interest.

- **Investigations of political contributions by charitable organizations should be undertaken and new rules put in place to prevent future occurrences, and criminal proceedings instituted where warranted.**

We found in one case a series of donations (transfers) between candidates and what appears to be a charitable organization. Under the *Income Tax Act* it is clearly stated in the Canada Revenue Agency rule CSP-P02: "A registered charity cannot be involved in partisan political activities. A political activity is considered partisan if it involves direct or indirect support of, or opposition to, a political party or candidate for public office. This rule should not be able to be circumvented by the use of "non-restricted, non-receipted (under \$20) donations" for political donations

- **Any surplus of donations over expenditures should become taxable after the candidate withdraws from public life. Donations for a campaign should not be used to build a tax free nest egg.**

While it is becoming very expensive to run a political campaign, in some cases it appears that it has become quite lucrative to enter the political arena in Calgary. For a new entrant it is very difficult to raise funds, but for incumbents it has become a means of creating surpluses which may be used for other purposes.

Once elected, it seems to be easier to raise money, one because of an increase in profile, and two because special interests like to make donations to cover their bets or concentrate their funding of certain friends. In our opinion the problem arises when the incumbent decides to leave politics.

In the current bylaw and regulations there is no requirement for reporting on surpluses from political campaigns at the end of a political career. Any surplus gathered over the years may be used at the discretion of the incumbent for any purpose he/she wishes. In some cases these surpluses amount to thousands of dollars, which incidentally are not subject to any taxes.

In our opinion if an incumbent decides to enter another level of government, he/she may use the surpluses to fund the new campaign, but in no way should a retiring incumbent be allowed to amass funds over the years and dispose of it without paying any taxes. We recommend that surpluses be put into trust and if not used for further campaigns all monies should either be given to charitable organizations or surrendered to the municipality.

- **We must encourage voter participation**

Voter participation has been dwindling at all levels of the electoral system. With alarming rates people in Canada and around the world are deciding not to take part in the democratic process. Conversely, in countries where the citizens have been subjected to dictatorships or autocratic regimes, once they have been exposed to freedom and allowed to vote freely in a democratic process, these citizens are flocking in droves to exercise their rights.

The problem with voter apathy is the ever decreasing credibility of governments. Too often politicians are being elected by votes totaling less than 25% of the total number of eligible voters. In Calgary in 2001, Mayor Bronconnier's winning number of votes was less than 10% of the total number of eligible voters. Once elected some politician claim that they now possess a mandate and sometimes govern with a sense of arrogance, and appear to thumb their nose at democracy.

To encourage voter participation we must encourage free and open debates. The media must inform the public about all issues – albeit the good and the bad aspects of the incumbents, and all candidates. In the past it seems that the local media has not chosen to publish some information which could have been detrimental to some candidates. There is no longer true investigative journalism, and the result is flimsy reports which do not provide enough information to educate the public.

To promote participation we must educate our youth about the need for participation in the civic process. Too many of our future electors have a dim view of politicians and decide not to participate. We must tell them about all the facts and not let them gather information only from one source, which may or may not give them all the facts.

Like Australia, we could also consider a fine for not voting in an election. Opponents of a fine for not voting will argue that it is too much work and antidemocratic. However, to decide not to vote and then complain about the state of government is not democratic either. To provide politicians with a true mandate we must have more participation and one way to guarantee participation may well be the imposition of a fine for those who do not vote.

- **The ward system must be looked at and serious consideration be given to alternative formats for electing council members and the Mayor.**

Our research showed that the Ward system has become a hindrance rather than a help to democracy. The Ward system has created pockets of influence and virtually given candidates a mantle of 14 individual little mayors. This current situation prevents issues of a city-wide nature to be looked at properly because each ward representatives seems to act in its constituency's favor, thus producing a 'not-in-my-backyard' mentality which makes many city projects either impossible to start or very costly. This system also promotes the possibility of influence peddling and money once again becomes a major factor.

In addition to the Ward system, the election of a Mayor on a separate and at-large ballot becomes totally unnecessary. The Mayor is no more than the chair for Council and since in his/her absence a member of Council is designated to sit in the chair, there is no longer a need for a separately elected Mayor. Instead we propose that the whole system be changed in favor of one or a combination the following alternative proposals:

- The election of 15 at large councilors to represent the whole city. The person with the most votes could be Mayor and the aldermen could be at large or could take the responsibility for the "barking dog and stop sign" issues for an area of the city solely as a means to divide this area of representation. Or,
- The 15 elected councilors, among themselves, would elect a Mayor

- **The introduction of limited terms of office could well be an incentive to increase democratic participation by candidates and voters in future.**

Our study found that many of the problems at City Hall can be attributed to the seemingly endless term limits accorded to the elected candidates. In our opinion the no-term limit situation engenders apathy, arrogance, and a lack of separation between the administration and the political arm.

In addition, being in an incumbent position forever can become the source for the possibility of influence peddling because money becomes the major factor for re-election. In addition the current rules about fund raising and without term limit provide a fertile ground for the accumulation of funds without any taxation.

With a term-limit of no more than 8 years in office for any position, we can enhance the democratic process. Now there is chance to attract new entrants in the public service, instead of having the same representative for terms which may sometimes last as long as 20 years. By rewarding politicians with a severance package, the citizens will no longer have to pay large pensions for as long as the elected officials live.

These recommendations are made based on our study of the City of Calgary recent electoral debacle in Ward 10. We believe that the provincial inspection by Bob Clark is the right forum to discuss these matters and that Albertans should take this opportunity to amend the current municipal electoral practices. While, as Canadians, we always have good advice for other nations, very often we ignore what is happening in our own backyard. With the Adscam inquiry proving to be nothing less than a dark day for Canadian politics; we must not ignore what could possibly be a similar scandal in Calgary. **IPSA** therefore recommends that after a thorough examination of the current process, the Alberta government considers a complete reform of the municipal electoral process. It is only through a complete review of the existing process and the implementation of new rules and regulations that we shall get true democracy

## Conclusions

In our opinion this report was long overdue. The inquiry into possible electoral fraud in Ward 10 has given us the opportunity to review current practices in the municipal process. Our conclusion after looking at many different facets of this problem, as well as studying other jurisdictions, leads us to believe that Calgary is in need of serious reform to enhance public credibility in the system and give more credence in the democratic process.

At the heart of the problem is voter apathy, often created by the ability of incumbents to control the process through the use of cleverly managed fund raising and donations. Participation in municipal elections is becoming less and less democratic, due to the cost escalation in the running of a campaign. Furthermore our analysis shows that much of the surplus from those campaigns can be and is appropriated by the candidate after retirement, or a decision not to seek aldermanic office any more. The function of raising funds for a political campaign seems to have created a means of aldermen gaining tax-free money – in many cases a substantial amount.

Our analysis of the latest reports for the 2004 municipal elections shows many gaps and serious flaws in the process. There is no further checking or auditing of Returns done by a provincially appointed auditor, in fact there is a clear perception of no checking whatsoever taking place upon submission of aldermanic candidate Returns. Therefore in many cases these reports seem to be meaningless since they do not conform to the clear requirements of the Bylaws. There is no overseeing of these reports and unless a private citizen decides to investigate, at his or her costs, no pursuit of accuracy, transparency or accountability is undertaken by anyone. While the Municipal Government Act, and the Local Authorities Elections Act legislate the manner in which municipalities operate, the electoral process is left to individual jurisdictions to set the bylaws for municipal elections, hence the discrepancies. We need provincial consistency.

The recent events in Calgary should not only be viewed as a problem, but rather as an opportunity to dissect, examine and evaluate the current system. We have the chance to make real progress and look towards to a better democratic system, we should seize the day and make the necessary reforms and correct the many problems that exist. The inspection by Bob Clark should be used as an opening to make drastic changes to increase participation and improve the democratic process.

## REFERENCES

1. **Take back City Hall.** Marcel Latouche & Stephen Chapman Ward 8 Press 2004.
2. **The Honolulu Star-Bulletin , Editorial** Wednesday March 9, 2005
3. **Publically funded ‘clean’ campaigns won’t eliminate special interests.** Bob Watada . Honolulu Star-Bulletin Friday March 11, 2005

# APPENDIX A

(Extract)

## **Terms of Reference: Inspection into Ward 10 voting process**

Whereas it is deemed appropriate to carry out an inspection regarding the municipal election conducted in the City of Calgary on October 18, 2004, the municipal election process in the City of Calgary and matters arising therefrom (the "Inspection");

And whereas there is an ongoing investigation by police authorities of alleged contraventions of the *Local Authorities Election Act* and the *Criminal Code*;

And whereas the municipal inspection is to deal with matters not dealt with by the police authorities;

And whereas an inspector has been appointed and shall perform an inspection in accordance with section 571 of the Municipal Government Act (the "Inspector"). Under section 571 an inspector may require the attendance of any officer of the municipality or of any other person whose presence the inspector considers necessary during the course of the inspection, and has the same powers, privileges and immunities as a commissioner under the Public Inquiries Act. Also, when required to do so by an inspector, the chief administrative officer of the municipality must produce for examination and inspection all books and records of the municipality as appropriate.

The Inspector shall inspect the election process and related activities prior to and following the election in the City of Calgary with a specific focus on Ward 10, including:

1. the identification and clarification of irregularities which occurred or which were perceived to have occurred in the election process;
2. the factors contributing to, and circumstances connected with, irregularities or perceived irregularities in the election process;
3. the adequacy of the existing provincial and City of Calgary legislation, regulations, by-laws, rules and standards governing the conduct of elections, insofar as they relate to the election process;
4. the performance of all municipal officials and staff involved in the conduct of the election process;
5. the performance of the IT system and programs used in the conduct of the election process;
6. the steps that can reasonably be taken to reduce or eliminate the risk of recurrence of any irregularities in the election process; and
7. any matters incidental or relating to any of the matters referred to in items 1 to 6.

The Inspector's report shall be released to the public by the Minister of Municipal Affairs.

The Inspector shall refer anything regarding possible criminal or *Local Authorities Election Act* offences discovered in the course of the Inspection to the police authorities. If such evidence is turned over to the police, this shall be noted in the Inspector's report, but only in general terms to ensure that the police investigation will not be inhibited and to ensure that each affected individual's privacy is appropriately protected.

Notwithstanding the foregoing, every witness to the Inspection, in relation to their testimony provided to the Inspector in public or private and documents produced as evidence in the Inspection, shall be afforded the protection of the law including the Canadian Charter of Rights and Freedoms.

The Inspector's report shall address and recommend on the following specific issues, as well as any other matters the Inspector deems appropriate:

1. the factors contributing to, and circumstances connected with, the irregularities which occurred in the City of Calgary's October 18, 2004 election process.
2. the appropriateness of the provisions of the *Local Authorities Election Act* and the Calgary Election Regulation (Alberta Regulation 31/2004), particularly in regards to the following:
  - a. the special ballot provisions for local authority elections;
  - b. the voter identification requirements for local authority elections;
  - c. the returning officer's authority to decide on and deal with alleged contraventions of the Local Authorities Election Act and the Calgary Election Regulation; and
  - d. the provisions that deal with the campaign process, including its fairness and transparency.
3. the appropriateness of the design and operation of City of Calgary website(s) that was used as the vehicle(s) to issue the special ballots, including the security of the system(s);
4. the appropriateness of the training provided to the IT staff who developed the website and of the training provided to the City of Calgary election officials, particularly the staff receiving the requests for special ballots on the website;
5. the appropriateness of the process used by the City of Calgary to cross-reference between the special ballot requests and the voter cards identified in section 2 of the Calgary Election Regulation;
6. the performance of all municipal officials and staff involved in the conduct of the election process and the performance of the IT system and programs used in the election process; and
7. what if any changes are recommended to the Local Authorities Election Act, the Calgary Election Regulation, and the City of Calgary's election policies, procedures, and processes to reduce the risk of irregularities in the election process.

**MUNICIPAL GOVERNMENT ACT: SECTION 571**

571(1) The Minister may require any matter connected with the management, administration or operation of any municipality or any assessment prepared under Part 9 to be inspected

(a) on the Minister's initiative, or

(b) on the request of the council of the municipality.

(2) The Minister may appoint one or more persons as inspectors for the purpose of carrying out inspections under this section.

(3) An inspector

(a) may require the attendance of any officer of the municipality or of any other person whose presence the inspector considers necessary during the course of the inspection, and

(b) has the same powers, privileges and immunities as a commissioner under the Public Inquiries Act.

(4) When required to do so by an inspector, the chief administrative officer of the municipality must produce for examination and inspection all books and records of the municipality.

(5) After the completion of the inspection, the inspector must make a report to the Minister and, if the inspection was made at the request of a council, to the council.

# APPENDIX B

## City of Calgary Partial copy of Bylaws 35M94

### OFFICE CONSOLIDATION BYLAW NUMBER 35M94

Being a Bylaw of The City of Calgary to require the Public Disclosure of Campaign Contributions and Campaign Expenses

(Amended by Bylaw Number 20M98, 30M2003)

**WHEREAS** Calgary City Council believes that candidates should be responsible and accountable to the people of Calgary;

**AND WHEREAS** the public disclosure of campaign finances improves the accountability of candidates to the public;

**AND WHEREAS** the Local Authorities Elections Act, S.A. 1983, Chapter L-27.5 provides that a municipality may by bylaw require that candidates prepare and disclose to the public their campaign contributions and expenses;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. This Bylaw may be cited as "The Municipal Elections Campaign Contributions Bylaw".

2. In this Bylaw:

(a) "campaign" means events or activities in, by, or on behalf of, a candidate for the purpose of promoting the election of the candidate.

(b) "campaign contribution" means any money paid or any donation in kind provided to or for the benefit of a candidate for the purpose of financing a campaign without compensation from the candidate, including revenue raised from a fundraising function by the sale of tickets or otherwise, but does not include volunteer labour.

(c) "campaign expense" means:

(i) money spent or liabilities incurred other than an expense relating to a recount in respect of the election; and

(ii) the fair market value of goods and services donated or provided, by or on behalf of a candidate for the purpose of an election, but does not include volunteer labour.

### Page 2 of Bylaw Number 35M94

(d) "campaign period" means the period of time between consecutive municipal general elections except, where a by-election is held, it means the period of time between the by-election and the preceding municipal general election.

(e) "candidate" means any person who files nomination papers with the Returning Officer of the City of Calgary for any election or by-election for any office of the municipal council.

(f) "City Clerk" means the person appointed by Council to act as the municipal secretary pursuant to the **Municipal Government Act**.

(g) "contributor" means an individual, organization, or corporation providing a campaign contribution.

(h) "donation in kind" means the fair market value of goods and services donated or provided by or on behalf of a candidate during a campaign period for the purpose of an election but does not include volunteer labour or donations from a single contributor with a total accumulated value of \$100.00 or less.

(l) "fundraising function" means events or activities held for the purposes of raising funds for an election campaign of the person by whom or on whose behalf the function is held.

(j) "Returning Officer" means the person appointed by Council to act as Returning Officer pursuant to the **Local Authorities Elections Act**.

3. A candidate shall keep complete and proper accounting records of all campaign contributions received and all campaign expenses incurred during the campaign period.

4. The candidate is responsible of ensuring that:

(a) proper records are kept of all campaign contributions and campaign expenses incurred during the campaign period;

(b) a record is kept of the value of every campaign contribution, whether in the form of money, goods or services, and of the name and address of the contributor;

(c) receipts are issued for every campaign contribution accepted.

5. Candidates shall file with the Returning Officer on or before the first working day of February in the year immediately following the year in which a municipal election is held:

**Page 3 of Bylaw Number 35M94**

(a) a statutory declaration in the form of Schedule "A" to this Bylaw, stating their campaign contributions and campaign expenses; and,

(b) a list, in the form of Schedule "C" to this Bylaw, of:

(i) each contributor whose cumulative campaign contributions exceeds \$100.00; and,

(ii) the amount of each of those contributors campaign contribution; or,

(iii) if no cumulative campaign contribution exceeded \$100.00, a notation to that effect.

(B/L 20M98, 1998 April 27)

6. Candidates whose campaign contributions or campaign expenses for a campaign period exceed \$2,500.00 shall file with the Returning Officer, on or before the first working day of the month of February in the year immediately following the year in which a municipal election is held, a statement of campaign contributions and campaign expenses in the form shown in Schedule "B" to this Bylaw and audited by a recognized professional accountant.

7. REPEALED BY B/L 20M98, 1998 APRIL 27

8. All records of a candidate shall be retained by that candidate for a period of two years following the date on which the financial statements or statutory declarations were required to be filed under this Bylaw.

9. The Returning Officer shall forward to Council for information, a report summarizing campaign contributions and campaign expenses of candidates and all documents filed pursuant to this Bylaw.

10. All documents filed with the Returning Officer pursuant to this Bylaw are public record upon the expiration of the time prescribed by this Bylaw for the filing of same and may on request be inspected at the office of the City Clerk during normal office hours.

11. The Returning Officer shall deliver to each candidate a copy of this Bylaw within forty-eight hours of nomination day.

12. Any candidate who contravenes any section of this Bylaw is guilty of an offense and is liable for a penalty of not more than \$1,000.00.

13. Bylaw 14M92 is hereby repealed.

14. This Bylaw comes into force upon receiving third reading.

**APPENDIX B (cont'd)**

**City of Edmonton Partial copy of BYLAW NO. 10407**

**The Disclosure Bylaw**

Edmonton City Council enacts:

**PURPOSE**

1. The purpose of this Bylaw is to encourage open government by allowing for public review of Campaign Contributions and Campaign Expenses of all Candidates for the office of the Councillor in the City of Edmonton and for the disclosure of Gifts and other information by Councillors.

**DEFINITIONS**

2. In this Bylaw:

**“Campaign Contribution”** means any money, real property, or service (from someone other than the Candidate) that is provided to or for the benefit of a Candidate or the Candidate’s election campaign without fair market value compensation from that Candidate, but does not include any voluntary service performed by an individual for a Candidate, provided no compensation is made for that service from any source;

(S. 1, Bylaw No. 11239, May 21, 1996)

**“Campaign Expense”** means any expense over the amount of \$50 incurred by or on behalf of the Candidate in respect of the Candidate’s election campaign;

**“Candidate”** means a person who runs for election as a Councillor pursuant to the Local Authorities Election Act or any replacement legislation, and whose nomination is filed with the Returning Officer, but does not include any person who is subsequently found to be ineligible as a Candidate;

**“City”** means the City of Edmonton;

<b>“Councillor”</b>	means a member of City Council, including the Mayor and any individual who was a member of City Council for any portion of the year preceding an election;
<b>“Disclosure Statement”</b>	means the Councillor’s statement under section 5 of this Bylaw;
<b>“Election Statement”</b>	means the Candidate’s statement under section 3 of this Bylaw;
<b>“Family”</b>	means the Councillor’s Partner, children, parents, and the Partner’s parents and children;
<b>“Gift”</b>	<p>means a payment, advance, forbearance, or deposit of money, or any thing of value received, unless something of equal or greater value is received by the donor, but does not include:</p> <ul style="list-style-type: none"> <li>(a) a Campaign Contribution otherwise reported as required by this Bylaw;</li> <li>(b) gifts provided to Councillors by the City;</li> <li>(c) food, beverages, mementoes or gifts, or other benefits which are provided to a Councillor as suitable incidents of protocol, including but not limited to: <ul style="list-style-type: none"> <li>(i) those received as a result of performing his or her duties as Council’s appointee to any body or from a body to which Council appoints any of its members;</li> <li>(ii) those received at a function honouring the Councillor or which the Councillor attends in his or her capacity either as a Councillor or as Council’s appointee to any body;</li> <li>(iii) those provided by federal, provincial, local governments, or subdivisions</li> </ul> </li> </ul>

thereof, or by a provincial or national municipal association, or by a foreign government within a foreign country;

- (d) services provided without compensation by individuals volunteering their time;
- (e) a gift from a Councillor's Family member, relative, fiancée or financee, or personal friend and which is not given or received in the capacity of Councillor;
- (f) an inheritance;
- (g) communications to the offices of a Councillor including subscriptions to newspapers and periodicals; or
- (h) passes or tickets for parking, or for entertainment or sporting events.

**“Honorarium”**

means a gratuitous or voluntary payment for services rendered by a Councillor, for which services no remuneration could be demanded or collected at law.

**“Partner”**

means a legal spouse and includes a party to a relationship between two people who are living together on a bona fide domestic basis, but does not include a spouse who is living apart from the other spouse if the spouses have separated pursuant to a written separation agreement or if their support obligations and family property have been dealt with by a court order.

(S.2, Bylaw 12464, February 13, 2001)

**“Statement”**

means any statement required by this Bylaw, including Election Statements, Disclosure Statements, Surplus Statements and any information that section 6 requires about changes to any other Statement.

(S.1, Bylaw No. 11239, May 21, 1996)

**“Surplus Statement”**

means a Statement under section 4 of this Bylaw.

(S.1, Bylaw No. 11239, May 21, 1996)

**“Trust Account”**

means a deposit account (at a bank, treasury branch, credit union or trust corporation) which is only used for the deposit of money under section 4 and interest paid on that money.

**ELECTION STATEMENTS**

3. (1) On or before 4:30 p.m. on the last working day in January following a general municipal election (or on the 100th day following a by-election) each Candidate for that election must file with the City Manager an Election Statement in the form shown in Schedule “A” containing the following information:

(S.17, Bylaw No. 11427, February 4, 1997)

- (a) a list of all Campaign Contributions, as follows:
- (i) an itemized list of all contributions in an amount or value exceeding \$300;
  - (ii) an itemized list of all contributions from the same contributor which in the aggregate exceed the amount or value of \$300 and the name and address of the contributor;
  - (iii) an itemized list of each anonymous contribution received which exceeds the amount or value of \$300; and
  - (iv) a total of all Campaign Contributions made individually in the amount of \$300.00 or less.

(S.3, Bylaw 12464, February 13, 2001)

- (b) an itemized list of all Campaign Expenses as required by Schedule “A”,

except any Campaign Contributions or Campaign Expenses that were listed on any previously filed Election Statement.

(S.1, Bylaw No. 11720, March 17, 1998)

- (2) On or before 4:30 p.m. on the first working day of December in the election year for which the contribution was made, all anonymous

contributions received by the Candidate which individually exceed the amount or value of \$300:

- (a) if the Candidate can establish the contributor's identity, must be returned by the Candidate to the contributor, or
- b) if the candidate cannot establish the contributor's identity, must be paid to the City of Edmonton and delivered to the City Manager for deposit into the City's General Revenue Fund..

(S.2, Bylaw No. 11239, May 21, 1996)

(S.17, Bylaw No. 11427, February 4, 1997)

(S.4, Bylaw 12464, February 13, 2001)

## **TRUST ACCOUNTS**

- 4. Any surplus of total campaign contributions (including contributions in the amount of \$300.00 or less) over Campaign Expenses must be held in a Trust Account to be spent for the Candidate's expenses in a future City by-election or general municipal election. If the Candidate does not use the surplus for election expenses before the next general municipal election:

(S.5, Bylaw 12464, February 13, 2001)

- (a) within sixty days after that election the Candidate must pay the amount held in the Trust Account to a registered Canadian charitable organization as defined in the Income Tax Act (Canada); and
- (b) on or before 4:30 p.m. on the last working day in January following the general municipal election (or on the 100th day following a by-election), the Candidate must file a Surplus Statement with the City Manager indicating the date, amount and recipient or recipients of the surplus.

(S.2, Bylaw No. 11239, May 21, 1996)

(S.17, Bylaw No. 11427, February 4, 1997)

## **DISCLOSURE STATEMENTS**

- 5. On or before 4:30 p.m. on the last working day of January in each year commencing in 1997, each Councillor must file with the City Manager a

completed Disclosure Statement in the form shown in Schedule B containing the following information:

(S.17, Bylaw No. 11427, February 4, 1997)

- (a) the name of each member of the Councillor's Family;
- (b) any corporation, partnership, firm, government, organization, club, service or person in respect of which the Councillor has a pecuniary interest as referred to in section 170 of the Municipal Government Act;
- (c) a list of each Honorarium and Gift received by the Councillor in the preceding calendar year (if the Councillor's term was shorter, for the Councillor's entire term), including its fair market value and the contributor's name, but excluding:
  - (i) Gifts or Honoraria which individually or which in the aggregate from the same contributor, have an amount or value of \$300 or less; and

(S.6, Bylaw 12464, February 13, 2001)

- (ii) any Honorarium provided by reason of being appointed by Council as its representative to any body, or provided by federal, provincial or local governments, or subdivisions thereof, or by a provincial or national municipal association, or by a foreign government, and
  - (iii) any Honorarium received from an entity described in section 5(b), if the entity is disclosed by the Councillor under that section;
- (d) the legal description of all land within or immediately adjacent to City boundaries in which the Councillor or a member of the Councillor's Family have a direct or indirect interest; and
- (e) all contracts involving the City to which the Councillor, or a member of the Councillor's Family, is a party, including contracts in which the Councillor may be indirectly involved as a result of a partnership or other interest in any business or corporation, or as an agent for any corporation, partnership or person.

(S.2, Bylaw No. 11239, May 21, 1996)

## **AMENDMENTS TO STATEMENTS**

6. When there is any change in, or addition to, the information to be provided by the Candidate or Councillor under sections 3 or 5, the Candidate or Councillor must

inform the City Manager in writing of the change or addition in a form acceptable to the City Manager, identifying the changes from the Statement filed, no later than 4:30 p.m. 30 days after the change or addition occurred.

(S.2, Bylaw No. 11239, May 21, 1996)  
(S.17, Bylaw No. 11427, February 4, 1997)

### **CITY MANAGER'S DUTIES**

7. (1) Within 30 days after expiry of the time for filing Disclosure Statements and Election Statements the City Manager must prepare and submit a report to City Council indicating:

(S.17, Bylaw No. 11427, February 4, 1997)

(a) the Election Statements and Disclosure Statements that have been filed,

(b) whether any supplementary statements (Surplus Statements or statements of changes or additions) have been filed, and

(c) the name of any person who failed to file Election Statements and Disclosure Statements as required by this Bylaw.

- (2) The City Manager must keep a register of all Election Statements and Disclosure Statements filed, including notification of alterations or additions received, for 10 years after the date of filing.

(S.2, Bylaw No. 11239, May 21, 1996)  
(S.17, Bylaw No. 11427, February 4, 1997)

### **PUBLIC DOCUMENTS**

8. The Disclosure Statements, Election Statements, Surplus Statements and the report made by the City Manager become public documents only after the report has been submitted to Council.

(S.2, Bylaw No. 11239, May 21, 1996)  
(S.17, Bylaw No. 11427, February 4, 1997)  
(S.7, Bylaw 12464, February 13, 2001)

### **PENALTIES**

9. Any Candidate or Councillor who contravenes a provision of this Bylaw is guilty of an offence and must forfeit and pay a penalty as set out in Schedule "C" of this

Bylaw. Each week or part of a week that a Statement remains unfiled after it is due is a separate offence.

(S.2, Bylaw No. 11239, May 21, 1996)

### **MISCELLANEOUS**

10. (1) Nothing in this Bylaw relieves a Councillor from observing the provisions of the Municipal Government Act relating to the disclosure of pecuniary interest.
- (2) If a deadline for filing a Statement under this Bylaw occurs on a Saturday, Sunday or a City holiday then the deadline will be the next City working day.

(S.2, Bylaw No. 11239, May 21, 1996)

### **REPEAL**

11. Bylaw 9938 (A Bylaw to Require Disclosure by Candidates and Council Members) is repealed.

(NOTE: Consolidation made under Section 69 of the Municipal Government Act, S.A., 1994, c.M-26.1 and Bylaw No. 11427, and printed under the City Manager's authority.)

Bylaw No. 10407, passed by City Council May 26, 1993, has been changed by the following:

Bylaw No. 11239, May 21, 1996

Bylaw No. 11427, February 4, 1997

Bylaw No. 11720, March 17, 1998

Bylaw No. 12464, February 13, 2001

## APPENDIX B (cont'd)

### Ontario Municipal Elections Act 1996

The following is an extract from the Ontario legislation, for our purposes we have include only those parts which refer to the following:

## Surplus and deficit

79. (1) A candidate has a surplus if the total credits, as described in subsection (2), exceed the total debits, as described in subsection (3), and a deficit if the reverse is true. 1996, c. 32, Sched., s. 79 (1).

### Total credits

(2) For the purposes of subsection (1), the total credits are the sum of,

- (a) the candidate's contributions under section 66;
- (b) any amounts equal to or less than \$10 that were donated at fund-raising functions;
- (c) interest earned on campaign accounts;
- (d) revenue from the sale of election materials; and
- (e) any amount released to the candidate under subsection (8). 1996, c. 32, Sched., s. 79 (2).

### Total debits

(3) For the purposes of subsection (1), the total debits are the sum of,

- (a) the candidate's expenses under section 67; and
- (b) any deficit from the candidate's election campaign, if any, at the previous regular election or a subsequent by-election, if that campaign related to an office on the same council or local board as the present campaign. 1996, c. 32, Sched., s. 79 (3).

### Surplus held in trust by clerk

(4) If the candidate's financial statement or supplementary financial statement shows a surplus exceeding \$500 and the election campaign period has ended at the time the statement is filed he or she shall, when the statement is filed, pay the total surplus to the clerk with whom the candidate's nomination was filed, and the clerk shall hold the amount in trust for the candidate. 1996, c. 32, Sched., s. 79 (4).

## Exception

(5) Despite subsection (4), the amount to be paid to the clerk shall be reduced by the amount of any refund under subsection (6); if the reduced amount is \$500 or less, no payment need be made to the clerk under subsection (4). 1996, c. 32, Sched., s. 79 (5).

## Refund

(6) If a candidate who has a surplus or his or her spouse or same-sex partner has made contributions to the election campaign, the candidate may, after the election campaign period ends but before filing the financial statement or supplementary financial statement, as the case may be, refund to himself or herself or to the spouse or same-sex partner, as the case may be, an amount that does not exceed the lesser of,

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection (6) is amended by the Statutes of Ontario, 2005, chapter 5, subsection 46 (9) by striking out “spouse or same-sex partner” in both places where it appears in the portion before clause (a) and substituting in each case “spouse”. See: 2005, c. 5, ss. 46 (9), 74 (2).

(a) the relevant contributions;

(b) the surplus. 1996, c. 32, Sched., s. 79 (6); 1999, c. 6, s. 43 (9).

## Release of amount if campaign recommences

(7) If the candidate’s election campaign period recommences under rule 5 of subsection 68 (1), the clerk shall pay the amount held in trust to the candidate, with interest. 1996, c. 32, Sched., s. 79 (7).

## Release of amount at next regular election

(8) If, in the next regular election or in an earlier by-election, the candidate is nominated for an office on the same council or local board, the clerk shall pay the amount held in trust to the candidate, with interest. 1996, c. 32, Sched., s. 79 (8).

## Amount to become property of municipality or local board

(9) If subsection (8) does not apply, the amount becomes the property of the municipality or local board, as the case may be. 1996, c. 32, Sched., s. 79 (9).

## By-law or resolution under s. 82

(10) Subsection (8) does not apply to an amount that has become the property of the municipality or local board by virtue of a by-law or resolution made under section 82. 1996, c. 32, Sched., s. 79 (10); 2000, c. 5, s. 36; 2002, c. 17, Sched. D, s. 30.

## Additional penalties

**80. (1)** A candidate is subject to the penalties listed in subsection (2), in addition to any other penalty that may be imposed under this Act, if,

(a) he or she fails to file a document as required under section 78 by the relevant date;

(b) a document filed under section 78 shows on its face a surplus, as described in section 79, and the candidate fails to pay the amount required by section 79 to the clerk by the relevant date; or

(c) a document filed under section 78 shows on its face that the candidate has incurred expenses exceeding what is permitted under section 76. 1996, c. 32, Sched., s. 80 (1); 2002, c. 17, Sched. D, s. 31 (1).

## Same

**(2)** The following penalties apply:

1. In the case of the defaults described in clauses (1) (b) and (c),

i. the candidate forfeits any office to which he or she was elected and the office shall be deemed to be vacant,

ii. until the next regular election has taken place, the candidate is ineligible to be elected or appointed to any office to which this Act applies.

2. In the case of the defaults described in clause (1) (a), the candidate is suspended without pay from any office to which he or she was elected until the document is filed and subparagraphs 1 i and ii apply if the candidate has not filed the document within 91 days after the last day the document was required to be filed under section 78. 2002, c. 17, Sched. D, s. 31 (2).

## Notice

**(3)** Within 10 days after a default described in subsection (1), the clerk with whom the candidate's nomination was filed shall send a notice of the default,

(a) to the candidate by registered mail; and

(b) to the relevant council or local board. 2002, c. 17, Sched. D, s. 31 (3).

## Contents of notice

**(3.1)** The notice of default shall set out the penalties for the default, the day the penalties take effect if the default is not eliminated by that day, and, in the case of a

default under clause (1) (a), the right to apply for an extension of the time to file under subsection (6) and the effects of the extension. 2002, c. 17, Sched. D, s. 31 (3).

Same

[\(4\)](#) The notice shall be deemed to have been received on the fifth day after mailing. 1996, c. 32, Sched., s. 80 (4).

Effective date

[\(5\)](#) The penalties take effect on the 12th day after the notice is mailed. 2002, c. 17, Sched. D, s. 31 (4).

Application to court

[\(6\)](#) The candidate may, within 91 days after the last day for filing a document under section 78, apply to the Ontario Court of Justice to extend the time for filing the document under that section and, if the court is satisfied there are mitigating circumstances justifying a later date for filing the document, the court may grant an extension for the minimum period of time necessary for the candidate to file the document. 2002, c. 17, Sched. D, s. 31 (4).

Effect of extension

[\(7\)](#) If an extension for filing a document is granted under subsection (6), despite subsection (2),

(a) the suspension of a candidate under subsection (2) is extended until the earlier of the day the document is filed and the end of the extension; and

(b) the penalties under subparagraphs 1 i and ii of subsection (2) for failing to file the document only apply if the candidate has not filed the document before the end of the extension. 2002, c. 17, Sched. D, s. 31 (4).

Compliance audit

**81. (1)** An elector who is entitled to vote in an election and believes on reasonable grounds that a candidate has contravened a provision of this Act relating to election campaign finances may apply for a compliance audit of the candidate's election campaign finances. 1996, c. 32, Sched., s. 81 (1).

Requirements

[\(2\)](#) The application shall be made to the clerk of the municipality or the secretary of the local board for which the candidate was nominated for office, within 90 days after the later of the filing date, the candidate's last supplementary filing date, if any, or the end of

the candidate's extension for filing granted under subsection 80 (6), if any; it shall be in writing and shall set out the reasons for the elector's belief. 1996, c. 32, Sched., s. 81 (2); 2002, c. 17, Sched. D, s. 32 (1).

#### Decision

[\(3\)](#) Within 30 days after receiving the application, the council or local board, as the case may be, shall consider the application and decide whether it should be granted or rejected. 1996, c. 32, Sched., s. 81 (3).

#### Delegation to committee

[\(3.1\)](#) A council or local board may, before voting day in an election, establish a committee and delegate its powers and functions under subsection (3) alone or under subsections (3), (4), (7), (10) and (11) with respect to applications received under subsection (2) and the council or local board, as the case may be, shall pay all costs in relation to the operation and activities of the committee. 2002, c. 17, Sched. D, s. 32 (2).

#### Powers and limitations

[\(3.2\)](#) A committee established under subsection (3.1),

(a) shall exercise the powers and duties delegated to it under that subsection with respect to all applications received under subsection (2) in relation to the election for which it is established; and

(b) shall not include employees or officers of the municipality or local board, as the case may be, or members of the council or local board, as the case may be. 2002, c. 17, Sched. D, s. 32 (2).

#### Appeal

[\(3.3\)](#) The decision of the council or local board under subsection (3) and of a committee under subsection (3) pursuant to a delegation under subsection (3.1) may be appealed to the Ontario Court of Justice within 15 days after the decision is made and the court may make any decision the council, local board or committee could have made. 2002, c. 17, Sched. D, s. 32 (2).

#### Appointment of auditor

[\(4\)](#) If it is decided to grant the application under subsection (3), the appropriate council or local board shall, by resolution, appoint an auditor to conduct a compliance audit of the candidate's election campaign finances. 2002, c. 17, Sched. D, s. 32 (3).

#### Licensed auditor

(5) Only an auditor who is licensed under the *Public Accountancy Act* may be appointed under subsection (4). 1996, c. 32, Sched., s. 81 (5).

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection (5) is amended by the Statutes of Ontario, 2004, chapter 8, section 46, Table by striking out “*Public Accountancy Act*” and substituting “*Public Accounting Act, 2004*”. See: 2004, c. 8, ss. 46, Table; 51 (2).

#### Duty of auditor

(6) An auditor appointed under subsection (4) shall promptly conduct an audit of the candidate’s election campaign finances to determine whether he or she has complied with the provisions of this Act relating to election campaign finances and prepare a report outlining any apparent contravention by the candidate. 1996, c. 32, Sched., s. 81 (6).

#### Who receives report

(7) The auditor shall submit the report to,

- (a) the candidate;
- (b) the council or local board;
- (c) the clerk with whom the candidate filed his or her nomination; and
- (d) the applicant. 1996, c. 32, Sched., s. 81 (7).

#### Powers of auditor

(8) For the purpose of the audit, the auditor,

- (a) is entitled to have access, at all reasonable hours, to all relevant books, papers, documents or things of the candidate and of the municipality or local board; and
- (b) has the powers of a commission under Part II of the *Public Inquiries Act*, which Part applies to the audit as if it were an inquiry under that Act. 1996, c. 32, Sched., s. 81 (8).

#### Costs

(9) The municipality or local board shall pay the auditor’s costs of performing the audit. 1996, c. 32, Sched., s. 81 (9).

#### Consideration of report, legal proceeding

(10) The council or local board shall consider the report within 30 days after receiving it and may commence a legal proceeding against the candidate for any apparent

contravention of a provision of this Act relating to election campaign finances. 1996, c. 32, Sched., s. 81 (10).

#### Recovery

(11) If the report indicates that there was no apparent contravention and the council or local board finds that there were no reasonable grounds for the application, the council or local board is entitled to recover the auditor's costs from the applicant. 1996, c. 32, Sched., s. 81 (11).

#### Immunity

(12) No action or other proceeding for damages shall be instituted against an auditor appointed under this section for any act done in good faith in the execution or intended execution of the audit or for any alleged neglect or default in its execution in good faith. 1996, c. 32, Sched., s. 81 (12).

#### By-law re contribution rebates

82. (1) A municipality may, by by-law, provide for the payment of rebates to individuals, corporations or trade unions who made contributions to candidates for office on the municipal council. 1996, c. 32, Sched., s. 82 (1); 2002, c. 17, Sched. D, s. 33 (1).

#### Same, resolution

(2) A local board may, by resolution, provide for the payment of rebates to individuals, corporations or trade unions who made contributions to candidates for office on the local board. 1996, c. 32, Sched., s. 82 (2); 2002, c. 17, Sched. D, s. 33 (2).

#### Same

(3) The by-law or resolution shall establish the conditions under which an individual, corporation or trade union is entitled to a rebate. 1996, c. 32, Sched., s. 82 (3); 2002, c. 17, Sched. D, s. 33 (3).

#### Same

(4) The by-law or resolution may provide for the payment of different amounts to different individuals, corporations or trade unions on any basis. 1996, c. 32, Sched., s. 82 (4); 2002, c. 17, Sched. D, s. 33 (4).

#### Same

(5) The by-law or resolution may provide that all or part of the amounts held in trust under section 79 become the property of the municipality or local board, as the case may be. 1996, c. 32, Sched., s. 82 (5).

## Application

**82.1(1)** Subject to subsection (2), the following provisions apply to an individual, corporation or trade union that is registered under section 39.1: section 66, subsection 67 (1), subsection 67 (2) except paragraph 9, subsection 68 (1) except subparagraph 4 ii, subsection 68 (2), sections 69 and 70, subsections 71 (1) and (3), sections 72 to 78, subsections 79 (1) and (2), subsection 79 (3) except clause (b), subsections 79 (4) to (7), section 81 and subsections 92 (1) to (4). 2000, c. 5, s. 38.

# APPENDIX C

## EXAMPLES OF ITEMS OF CONCERN:

The following are some examples, of the more blatant perceived infringements of the disclosure Bylaw 35M94. The names of Aldermen have been removed, however all the information is in the public domain on the City's website. Although not fully extensive, we believe that they provide a basis for the complete examination of all candidates' returns, and possibly lead to the appropriate actions to ensure that the letter of the law is upheld.

### 1. Alderman A

From our analysis of the figures submitted by Alderman A, it seems that he has failed to designate the sources of the \$49,300 which he refers to as "Fundraising Contributions". The notion that this amount somehow miraculously all emanates from sub-\$100 contributions (which would imply over 500 such contributions, even if they were assumed to all be of \$99) is preposterous. The Bylaw is clear in its requirement that all cumulative contributions from a given source over the 3-year period **must be listed**. Alderman A lists \$54,600 as emanating from contributions of over \$100, there are none at all in the \$100-\$200 category, which is plausible; what is implausible is the notion that a further \$49,300 emanated exclusively from sub-\$100 contributions. One is left to surmise that for some reason, Alderman A may have simply not seen any requirement to properly account for the sources of the \$49,300. Thus, the perception may exist of an infringement of the Bylaw here, where the amount of money involved is of very significant magnitude and represents about half of the total quoted as "Total Campaign Period Revenues".

### 2. Alderman B

Based on our understanding of the Bylaws we would also draw your attention to the clear contribution listing requirement of the Bylaw that CUMULATIVE contributions of over \$100 must be listed. Thus, a given contributor name should only ever appear ONCE in the lists. We note, for example, that in Alderman B's submitted lists, a number of donors are stated twice. Given the Bylaw requirement, one is left wondering how many of the unstated contributions of less than \$100 would have represented cumulative amounts of over \$100 and thus be required to be listed, had the presentation been done properly and a proper audit been carried out as per the clear requirements of the Bylaw.

### 3. Alderman C

Under the same premise as the note above concerning Alderman B, we also draw your attention to the requirements of the Bylaw demanding that **cumulative** contributions of over \$100 from a given source over the campaign period must be disclosed. One wonders how many other such separate contributions of under \$100 would represent cumulative contributions of over \$100 and are thus not divulged as required in the lists. These lists fail to account for the rather large figure of some \$18,000 which supposedly represents sub-\$100 donations. The notion that the substantial figure of \$18,000 of donations all emanates from sub-\$100 cumulative donations appears rather fanciful.

Additionally, why, when Alderman C had a surplus from his 2001 Return, did he not use that to offset a significant part of his loan to his campaign fund, instead of presumably charging interest on that amount of his own loan as a political campaign expense under Bylaw definition, which may not be the case?

#### 4. Alderman D

The fact that the figure stated by Alderman D under the heading “Cash donations” is almost exactly that accounted for via his listings of donations of over \$100, together with the fact that he has listed only 3 donations in the \$100-\$200 range, suggests the notion that he may somehow had over seven hundred sub-\$100 donations is simply not credible. Other candidates’ returns suggest that only a tiny percentage of their total ‘Campaign Period Revenues’ emanates from sub-\$100 donations. No other alderman has anything like \$70,000 or 70% of donations in the sub-\$100 category. The concept of ‘Golf Tournaments’ would also offer an explanation for the high figure of \$7,617 for “Food & beverages” associated with such functions. The overriding perception, given the figures, is that Alderman D may not have declared the details of the sources of the \$72,530, which he has designated as ‘Fundraising Contributions’. This disclosure raises more questions than it answers.

#### 5. Alderman E

The Audit Report claims compliance with Bylaw 35M94, yet it is clear from the “Campaign Period” dates quoted on Schedule “B” that neither Alderman E nor her Auditor has familiarized themselves with the simple and clearly-stated requirements of the Bylaw.

The Bylaw determines that the Campaign period ended on **18 October 2004**, not 31 December, 2004, as stated once by Alderman E and twice by the auditor.

The “start date” as far as the Bylaw requirements are concerned was **16 October, 2001**, although, with Alderman E being a new candidate, this error may be excusable; the incorrect “end date” is, however, most certainly **not** correct.

#### 6. Alderman F

The Auditor’s Report clearly states: “The campaign derives revenues from fund raising activities and donations,” Schedule “B” appears to denote only Cash Contributions, so where are the Fundraising Function Revenues and related Cash Donations designated? Bylaw 35M94 **requires** a breakdown between campaign contributions emanating from Cash Donations, Fundraising Functions, Donations in Kind and “Other”, yet there is only one figure quoted (as “Campaign Period Contributions”, which is not even a heading designated in the Bylaw sheet for Schedule “B”).

Also to be noted are the astronomical levels of Food and Beverages costs (\$16,743) and Office Supplies and Administration (\$29,885) which may raise some questions as to the lack of transparency.

ENMAX is a Company wholly-owned by the City of Calgary. We therefore have the scenario of a City-owned entity contributing to, and an Aldermanic candidate accepting a contribution from, a taxpayer-owned, dependent organization. This must surely be considered at best, inappropriate, and it was surely incumbent on a proficient auditor to identify and report accordingly?

Similar comments are appropriate about the contribution listed from the Calgary Stampede, and The Calgary Airport Authority who are also publicly-funded bodies from which the acceptance of any contribution is, surely, equally inappropriate.

## **7. Alderman G**

Under expenditures are listed 2 **donations**, one of \$300 to The Vertigo Theatre Society, and the other one - of \$2000 - to Diane Danielson for help towards the judicial review, the latter having being made outside of the prescribed campaign period end date

## **8. Alderman H**

According to our research and confirmation by the Certified Management Accountants of Alberta, Mr. Garry. W Friesen who is the auditor for Alderman H's campaign is no longer a member of that professional accounting body since December 4, 2002. If this is the case and depending on the definition of 'a recognized professional accountant' under the Bylaw, Mr. Friesen may not be qualified to sign those returns.

## **9. Alderman I**

Under "Campaign Period Expenses" Alderman I clearly listed a 'donation of \$800' to the Ward 10 judicial review, in our opinion there is no basis whereby this donation was a discretionary personal expense of the Alderman's, as it had nothing whatsoever to do with his campaign expenditure.

Given the campaign period clearly acknowledged by Alderman I, and the fact the Ward 10 matter only arose well after 18 October 2004, there is no way that this donation should ever have been considered as being applicable to the Alderman's campaign period.

## **10. Alderman J**

Under donations received by Alderman J it is interesting to note a donation of \$360 from the Vertigo Theatre. Interestingly another Alderman made a donation to the same group. It seems that this could be perceived as some form of money recycling between the campaigns.

## **11. Alderman K**

In his report the dates of his campaign are from January 01, 2003 to October 14, 2004, when they should have been October 16, 2001 to October 18, 2004. Furthermore Alderman K received a contribution of \$200 from Enmax, which he has subsequently proposed to return as he acknowledged that his acceptance of such a donation was inappropriate.

## **APPENDIX D**

Analysis of Statutory declaration of candidates for Municipal Office within the City of Calgary, with campaign expenses and campaign contributions.

A complete individual report for each candidate can be obtained from the City of Calgary.

**Statutory Declaration of Candidates for Municipal Office within the City of Calgary  
with Campaign Expenses and Campaign Contributions**

<b>Name of Candidate</b>	<b>Campaign Contributions</b>	<b>Other Revenues</b>	<b>Total Campaign Revenues</b>	<b>Expenditures</b>	<b>Opening Balance</b>	<b>Closing Balance</b>
Aftergood Margot	300	23,182	23,482	23,482	0	\$0
Bronconnier David	668,356	5,142	673,498	361,187	47,772	\$360,083
Burrows Craig	103,900	77	103,977	55,420	2,548	\$51,105
Byron Francis	500	2,363	2,863	2,863	0	\$0
Ceci Joe	43,275	1,325	44,600	30,689	23,561	\$37,472
Chabot Andre Robert	2,000	0	2,000	2,484	-3,797	-\$4,280
Chamberlain Alan	400	0	400	2,415	0	-\$2,015
Chambers Dave	800	872	1,672	1,672	0	\$0
Chapman Stephen	8,586	6,050	14,636	14,636	0	\$0
Colley-Urquhart Diane	63,034	1,294	64,328	27,373	22,307	\$59,262
Danielson Diane	14,400	0	14,400	12,834	808	\$2,374
Dehaney Raleigh	180	0	180	13,409	0	-\$13,229
Del Re Daniel	2,279	33	2,312	2,312	0	\$0
Erskine Barry	71,800	0	71,800	67,755	2,049	\$6,094
Farrell Druh	55,430	0	55,430	34,695	-2,644	\$18,091
Fetch Oscar	0	61,994	61,994	61,994	0	\$0
Foster Allan	0	857	857	857	0	\$0
Fox-Mellway Linda	58,314	0	58,314	38,684	14,047	\$33,677
Garth William	180	0	180	13,409	0	-\$13,229
Grochowski Anton	120	0	120	120	0	\$0
Hawkesworth Robert	25,900	1,294	27,194	18,904	27,761	\$36,050
Heyman David	26,811	6,731	33,542	32,111	0	\$1,431
Hodges Dale	41,300	2,176	43,476	28,226	54,721	\$69,971
Hunter Allan	8,747	0	8,747	14,353	0	-\$5,606
Jones Ray	101,705	2,006	103,711	84,503	40,126	\$59,334
King Madeleine	59,535	404	59,939	52,687	7,252	\$14,504
Kohut James	0	0	0	0	0	\$0
Krengel Bob	0	0	0	100	0	-\$100
Larocque Helene	26,359	0	26,359	21,680	0	\$4,680
Lowe Gordon	119,564	274	119,838	96,775	3,345	\$26,407
Martin Lynn	13,265	12,178	25,443	25,443	0	\$0
Mciver Richard	31,535	0	31,535	17,437	-11,844	\$2,254

**Statutory Declaration of Candidates for Municipal Office within the City of Calgary  
with Campaign Expenses and Campaign Contributions in dollars**

<b>Name of Candidate</b>	<b>Campaign Contributions</b>	<b>Other Revenues</b>	<b>Total Campaign Revenues</b>	<b>Expenditures</b>	<b>Opening Balance</b>	<b>Closing Balance</b>
Nenshi Naheed	26,866	0	26,866	26,387		<b>479</b>
Pal Michael	1,281	718	1,999	1,999	0	<b>0</b>
Perrault Normand	1,450	1,848	3,298	3,298	0	<b>0</b>
Saby Jonathan	640	260	900	900	0	<b>0</b>
Service douglas	956	0	956	956	0	<b>0</b>
Stevenson Jim	37,551	100	37,651	37,094	0	<b>557</b>
Thoreson Blaine	5,455	0	5,455	5,715	0	<b>-260</b>
Waciak Stan	20	355	375	375	0	<b>0</b>
Weich Russell	2,000	100	2,100	1,830	0	<b>270</b>



Canada is one of the most democratic countries of the world. Its diversity and cultural richness are the basis for our prosperity. However in recent past there have been too many instances of government mismanagement, which if left unchallenged can and will endanger our democratic system.

In the 21<sup>st</sup> century we can no longer manage our public institutions with 20<sup>th</sup> century models. It is time to re-examine the role of government in our society and seek new ways for the delivery of public services. We need more transparency and accountability in the public sector. There is a need for a new vehicle to allow citizens to express their opinions and provide new ideas to maintain our prosperity.

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