



INFORMATION REPORT

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	September 23, 2020
SUBJECT/REPORT NO:	2022 Municipal Election Voters' List (FCS20080)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Andrea Coyne, Manager, Elections and Print/Mail
SUBMITTED BY:	Andrea Holland, City Clerk
SIGNATURE:	

COUNCIL DIRECTION

Not applicable.

EXECUTIVE SUMMARY

- The *Municipal Elections Act* provides authority to the Municipal Property Assessment Corporation (MPAC) to maintain owner and occupancy information in order to produce the preliminary list of electors, from which the municipality creates the final voters' list for municipal elections.
- All Ontario municipalities continue to deal with the challenges caused by the inaccuracies in the voters' list.
- In Oct 2019, the Minister of Municipal Affairs and Housing proposed legislation amendments to combine the municipal and provincial voters' lists, to be managed by Elections Ontario.
- To date, no legislation has been tabled to effect the change in responsibility. Further delay may impact the success of this transition for the 2022 municipal election.

INFORMATION

Background

The *Municipal Elections Act, 1996* (the *MEA*), as amended, provides authority to the Municipal Property Assessment Corporation (MPAC), to maintain owner and occupancy information in order to produce the preliminary list of electors, from which the municipality creates the final voters' list for municipal elections. MPAC maintains public information in non-election years through regular updates applied to the property assessment database, land titles/land registry changes, and mailing address changes. Since 2010, MPAC's enumeration methods have changed. They are no longer conducting enumeration through mass mail out or by physically attending buildings. Continued improvements to the accuracy of the data are sought through new initiatives,

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such as MPAC's online registration process, voter lookup tool, and a multi-faceted outreach campaign.

All Ontario municipalities are challenged with inaccuracies in the voters' list. As outlined in the information report to Council at the General Issues Committee meeting of December 4, 2019 (Report CL19011), for the 2018 municipal election, City Clerk's staff used all available means, within legislated parameters, to cleanse the data received from MPAC (preliminary list of electors) to produce the final voters' list. In addition, MPAC's voter look-up site was actively promoted from April to September, through a direct link on the City's website and in both social and traditional media.

Despite greater collaboration election after election between municipalities and MPAC, it was made clear at the General Issues Committee meeting of September 9, 2019 (Report CL19-016) that there are major issues with the accuracy of the information received for municipalities to create a final voters' list, and that this issue must be addressed by the next regular election (2022).

At the September 11, 2019 Council meeting, the following recommendations were approved:

That the City Clerk be authorized and directed to draft a letter, for the Mayor's signature, to the Minister of Finance and the Minister of Municipal Affairs and Housing requesting the government amend legislation to require rental property owners to provide tenant information, for election purposes only, to the Municipal Property Assessment Corporation; and,

That the City Clerk look at developing a Communications Strategy directed to residents to check that they are on the Voters List and if not, add themselves to the Voters List, prior to the next Municipal Election.

Partnership with Elections Ontario

In Oct 2019, the Minister of Municipal Affairs and Housing announced measures to make Ontario Municipalities stronger. Among these recommendations was a proposal to amend the legislation to combine the municipal and provincial voters' lists. If passed, this recommendation would harmonize the development of a single list of electors for use in both provincial and municipal elections, managed by Elections Ontario.

Since this announcement, there has been no further public information provided, and no legislation tabled to effect the change in responsibility. Due to the COVID-19 pandemic, many provincial initiatives and projects have been stopped or delayed. Municipalities have not been advised as to whether this project is moving forward; however, MPAC representatives indicate that over the coming months, they will work with the province, Elections Ontario, and other stakeholders to transition the enumeration responsibility. In the interim, MPAC will continue to maintain data, should there be an election before the transition is complete. As of special note, while writing this report, staff observed and have confirmed with MPAC representatives that voterlookup.ca is currently inactive.

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Transition of Responsibility: Next steps

Introduction and passing of a bill to provide Elections Ontario the authority to take over the responsibility of the voters' list is required before any transition can occur. If a bill is introduced and passed, minor changes to the *MEA* to support the change in authority of the voters' list will be required. Should there be no immediacy in introducing the necessary bill, it is unlikely that the partnership project will be implemented in time for the 2022 municipal election. AMCTO, on behalf of all Ontario municipalities, has been working with stakeholders to urge the Ministry to prioritize this partnership, as it would enable municipalities to produce the most accurate voters' list possible.

At the 2020 AMO Conference, AMCTO President Rob Tremblay delegated with the Honourable Steve Clark, Minister of Municipal Affairs and Housing. The Minister expressed his continued commitment to the Elections Ontario takeover of the voters' list, and welcomes ideas for moving it forward; however, he did not commit to a timeline for implementation. Minister Clark highlighted that AMCTO has been a valuable partner, that the Ministry remains committed to the work, and acknowledged that change is long overdue.

Communication Strategy and Consultation: Next steps

Once authority over the voters' list is established, a Communication Strategy for the 2022 municipal election will be developed in collaboration by City Clerk's staff and Communications. The strategy will aim to educate eligible electors to check that they are accurately listed on the voters' list, and will be built on a foundation of technology, partnership, and education. Outreach will be targeted to tenants of rental properties, and employ location-based advertising. Relevant consultation with internal and external stakeholders will occur, including collaboration with the multi-stakeholder Elections Working Group (comprised of over 50 members, representing approximately 30 municipalities). Concerns surrounding the accuracy of the voters' list, particularly as it relates to tenants, is shared by all Ontario municipalities, particularly those in the Greater Toronto and Hamilton Area. Prioritization in passing of legislation to move authority of the voters' list is critical in order to accurately develop outreach and communication plans.

Municipal elections are a vital part of the democratic process. We all must work collaboratively to maintain electoral integrity and trust in the democratic system. Regardless of who holds the authority of the voters' list data, City Clerk's staff will work with its partners to improve the accuracy of the voters' list.

Staff will report back to Council with any significant updates related to the passing of a bill, and any significant decisions made regarding the authority over the municipal voters' list. Once it is known who will hold the authority over the voters' list, staff will establish a thorough and accurate strategy.

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ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Not applicable.

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