



CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
Office of the City Clerk

TO:	Chair and Members of the Election Compliance Audit Committee
COMMITTEE DATE:	June 16, 2023
SUBJECT/REPORT NO:	Contributors who Appear to have Contravened the Contribution Limits under Section 88.9 of the <i>Municipal Elections Act</i> – Sam Mercanti (FCS23071) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Tammy Reeves, Elections Coordinator, (905) 546-2424 Ext. 3017 Aine Leadbetter, Manager Elections, Print and Mail (905) 546-2424 Ext. 2753
SUBMITTED BY:	Andrea Holland City Clerk Office of the City Clerk
SIGNATURE:	

As per Section 88.34 (1) of the *Municipal Elections Act, 1996* (the 'Act') the Clerk has reviewed the contributions reported on the financial statements submitted by a candidate under section 88.25 to determine whether any contributors appear to have exceeded any of the contribution limits under section 88.9.

As per Section 88.34 (2) of the Act, the Clerk is required to prepare a report identifying each contributor to a candidate for office on a council who appears to have contravened any of the contribution limits under Section 88.9, Maximum contributions to candidates:

- a contributor shall not make contributions exceeding a total of \$1,200 to any one candidate in an election (Section 88.9 (1))
- and a contributor shall not make contributions exceeding a total of \$5,000 to two or more candidates for office on the same council or local board (Section 88.9 (4))

As per Section 88.15 (1) for the purposes of the Act, money, goods and services given to and accepted by a person for his or her election campaign, or given to and accepted by another person who is acting under the direction of the candidate, are contributions.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

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As per the Clerk's review, the following contributor appears to have contravened the maximum contribution to two or more candidates for office on the same council as per Section 88.9 (4) of the Act:

CONTRIBUTOR'S LAST NAME	CONTRIBUTOR'S FIRST NAME	AMOUNT RECEIVED	CANDIDATES NAME
Mercanti	Sam	\$500.00	Sonia Brown
Mercanti	Sam	\$1,000.00	Andrea Horwath
Mercanti	Sam	\$1,000.00	Esther Pauls
Mercanti	Sam	\$200.00	John-Paul Danko
Mercanti	Sam	\$500.00	Maria Pearson
Mercanti	Sam	\$1,000.00	Matt Francis
Mercanti	Sam	\$500.00	Tom Jackson
Mercanti	Sam & Roma	\$500.00	Brad Clark
Mercanti	Sam & Roma	\$500.00	Ted McMeekin
TOTAL CONTRIBUTIONS:		\$5700.00	

The Clerk, as per Section 88.34 (4) of the Act, shall forward each report prepared under Section 88.34 (2) to the compliance audit committee.

As per Section 88.34 (8) of the Act, within 30 days after receiving the report prepared by the Clerk under subsection (4), the compliance audit committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention.

Reasonable notice of the meetings of the compliance audit committee shall be given to the contributor, the applicable candidate(s) and the public (Section 88.34 (9)).

The compliance audit committee's decision with respect to the report and brief written reason(s) for the decision shall be given to the contributor and to the Clerk (Section 88.34 (11)).