

NOTICE OF MOTION**Toronto Election Finance Reform – Toward Implementation of By-laws**

Moved by: Councillor Walker

Seconded by: Councillor Jenkins

SUMMARY:

City Council at its meeting of September 28, 29, 30 and October 1, 2004, adopted as amended, by a vote of 35 to 8, the Toronto Election Finance Review Task Force recommendations package for reform of municipal election campaign finances in the City of Toronto. This package was then forwarded to our Provincial Minister of Municipal Affairs and Housing, the Honourable John Gerretsen, on October 6, 2004.

These reforms were adopted by City Council to improve electoral fiscal transparency and accountability, to reduce the influence of special interests and to eliminate the financial advantages of incumbency.

On October 31, 2005, by a vote of 29 to 3, City Council re-affirmed its support for these reforms by adopting a motion regarding the urgent implementation of the Toronto Election Finance Review Task Force recommendations.

The main recommendations of this reform package are:

1. Prohibit all corporate and union donations to municipal election campaigns.
2. Disallow candidates from transferring financial surpluses from one campaign to the next.
3. Update spending limits and redefine rules with respect to excluded expenses.
4. Require Elections Ontario to be responsible for the monitoring and enforcement of the provisions of the *Municipal Elections Act, 1996*.

As we all know, Minister Gerretsen did not include the permissive legislation City Council needed to implement any of the Toronto Election Finance Review Task Force recommendations until Bill 53, *Stronger City of Toronto for a Stronger Ontario Act, 2006*, which was introduced in the Legislature for First Reading on December 14, 2005 and given Royal Assent on June 12, 2006. Further, the provincial government did not include in Bill 53 the required permissions to implement all the recommendations of the Toronto Election Finance Review Task Force adopted by City Council, except to prohibit corporate and union donations to municipal election campaigns.

For nearly a year and a half, the provincial government held off on passing the needed reforms for the City of Toronto. This prevented City Council from implementing new election campaign finance rules for the 2006 Municipal Election.

Now there is no reason to delay. City Council needs to implement new rules governing municipal election campaign finances as per the Toronto Election Finance Review Task Force recommendations.

RECOMMENDATIONS:

1. City Council reaffirm its decisions of September 28, 29, 30 and October 1, 2004 and October 31, 2005 in support of the recommendations of the Toronto Election Finance Review Task Force (as amended).
2. The City Clerk be directed to report to the April 2007 meeting of the Executive Committee on the current status of election campaign finance reform in the City of Toronto.
3. The City Clerk be directed to report to the April 2007 meeting of the Executive Committee on the current status of negotiations with the provincial government regarding municipal election campaign finance reform.
4. The City Clerk be directed to report to the April 2007 meeting of the Executive Committee on whether the provisions contained in Bill 53, *Stronger City of Toronto for a Stronger Ontario Act, 2006*, are adequate to implement the Toronto Election Finance Review Task Force recommendations adopted by City Council in October 2004 and if not, what in addition is needed to implement the recommendations of the Task Force.
5. The City Clerk be directed to report to the April 2007 meeting of the Executive Committee on a draft by-law, for adoption, which prohibits corporate and union donations to municipal election campaigns in the City of Toronto.

February 5, 2007

According to Chapter 27, Council Procedures:

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| Fiscal Impact Statement provided | |
| Should have Fiscal Impact Statement prior to debate Requires two-thirds to waive requirement if Council wishes to debate | * |
| Should be referred to the Executive Committee Requires two-thirds vote to consider at this meeting | (√) |
| Motion Recommendations are Urgent | |

* Deputy City Manager and Chief Financial Officer to advise