



Neighbourhoods *for a*
Sustainable Vancouver

Submission to British Columbia Ministry of Community, Sport and Cultural
Development

On the White Paper on Local Government Elections Reform (Sept. & Nov. 2013)

From Neighbourhoods for a Sustainable Vancouver (NSV)
January 31, 2014

By email localgovelectionreform@gov.bc.ca

PROPOSED MUNICIPAL ELECTION CAMPAIGN FINANCE “REFORMS” A TROJAN HORSE THAT WILL WEAKEN DEMOCRACY

Neighbourhoods for a Sustainable Vancouver (NSV) continues to be disappointed by and largely opposed to many of the so-called “reforms” put forward by the provincial government in its White Paper on Local Government Elections Reform.

The main points of our submission are:

1. Please retain the three year terms of civic office. Do not change to four years
2. Proposed "Reforms" do nothing to restrain corrupting influence of “big money” on municipal politics.
3. Some "key changes" will actually hurt grassroots campaigning and free speech.
4. Please do not allow Vancouver City Council to make its own rules for election campaign finance. NSV believes that the current City administration is too compromised by systemic conflict of interest to be entrusted with this responsibility.
5. Expense limits are not enough. Caps are also needed on campaign contributions – in the 2014 civic election.

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On the White Paper on Local Government Elections Reform

Please retain the three year terms of civic office. Do not change to four years.

We are concerned that the cosmetic changes to campaign finance rules include a “Trojan horse” in the form of a possible shift from the current three years to four-year terms of office, which would weaken accountability and democracy.

Notably, despite a clear balance of public feedback opposed to an extended election cycle, the Elections Task Force recommended that the term of office for local officials be extended from three to four years. Although the September 2013 White Paper draft makes clear that “the provincial government has agreed not to change the term of office”, it is also clear that this position was predicated on a resolution passed by the UBCM in 2010 “to retain a three year term of office”.

Significantly, however, the UBCM reversed that position at its 2013 Annual Conference, supporting a resolution tabled by the Lower Mainland Local Government Association despite recommendation by the UBCM Resolutions Committee to “not endorse”. During the consultation on the initial draft on the White Paper it was presumed that the Province would remain committed to its position not to approve the 4-year term as set out in the White Paper. We are therefore very concerned that the province is instead considering acting on the UBCM’s more recent resolution that requests “the provincial government to increase the interval between civic elections from three years to four years.” This is a self-serving response by incumbent officials—not the voters they represent.

A 2010 survey by ThinkCity (in connection with the Elections Task Force) found that of 3,689 respondents, nearly 63% were in favour of retaining the three-year election cycle and 14% felt that it should be reduced to two years. Only 24% supported an extended four-year cycle. In a submission to the Task Force, the Canadian Taxpayers Federation observed that a four-year cycle would mean “voters lose out as their local politicians become less accountable”, “less democracy at a time when citizens of British Columbia need more” and “that politicians who may have lost the support of their citizens will hold the reins of power for even longer”. Indeed, rather than saving money, four-year terms could end up costing taxpayers even more because incumbent officials who have to face voters frequently to renew their mandates tend to be more circumspect in regard to fiscal oversight and budgeting decisions.

For all of the reasons that unlimited campaign contributions are undermining public confidence in local governance, an extended election cycle would only compound the problem. It is becoming ever more obvious to voters in neighbourhoods across Vancouver that our elected representatives are out of touch with public opinion and unwilling to listen. The election cycle is the only remaining control the public has over elected representatives. It is currently too long rather than too short, and should probably revert to the former two-year cycle, which provided much greater accountability. As for claims that elections are expensive, NSV's view is that there is no better way to spend tax dollars in a democracy.

Proposed "Reforms" do nothing to restrain corrupting influence of "big money" on municipal politics.

According to the White Paper, proposed changes "are the most significant in nearly two decades". While this may well be true, it is a sad statement, because the proposed package of minor adjustments, stemming from work of the Local Government Elections Task Force established in 2009, includes absolutely nothing to restrain the corrupting influence of "big money" on municipal politics.

Instead of practical and progressive measures to reign in the unlimited campaign contributions that are undermining the democratic foundations of accountable civic governance, the proposed "reforms" amount in many respects to a regressive attack on grassroots political organizing and free speech.

Some "key changes" will actually hurt grassroots campaigning and free speech.

For example, "key changes," as identified by the Province, include a blanket ban on anonymous campaign contributions. That is nothing but counterproductive in the absence of a reasonable cap on single donor contributions. As it stands, it would only discourage legitimate donations of less than \$50. Related recording and disclosure requirements would impose a considerable administrative burden on electoral organizations like NSV that count on grassroots financial support and do not solicit or accept contributions from vested interests, such as the development and gaming industries.

Similarly, new rules would require sponsors of any and all campaign advertising to register with BC Elections, file formal disclosure statements and include sponsorship information on any advertisement. NSV fails to see that additional regulations on campaign advertising, including by third parties, would have any positive effect in the absence of a reasonable cap on campaign financing, and is concerned that lack of an exemption for low-cost, non-commercial advertising could stifle grassroots campaigning and limit free speech.

New regulations would also apply to political advertising related to referenda, plebiscites and other ballot initiatives (“assent voting”) conducted, either integral to or outside the regular election period. Again, a lack of appropriate exemptions could unreasonably impede free speech and popular democracy.

Please do not allow Vancouver City Council to make its own rules for election campaign finance.

In general, the so-called “reforms” could pose significant challenges to real democracy while failing to address the root cause of a growing disconnect between Vancouver’s elected officials and the public that elects them. The Province has pledged to enact separate campaign finance legislation in advance of 2017 civic elections, and the Union of BC Municipalities (UBCM) has supported changes to the Vancouver Charter “to allow Vancouver to make rules for election campaign finance that place greater limits on campaign spending and contributions”. However, NSV believes that the current City administration is too compromised by systemic conflict of interest to be entrusted with this responsibility.

Expense limits are not enough. Caps are also needed on campaign contributions – in the 2014 civic election.

In particular, the final report of the Elections Task Force concludes that “expense limits are expected to be more effective than contribution limits in promoting accessibility” because “they do not limit the democratic discourse and the variety of voices that can be heard in an election”. Spending caps alone are ineffective precisely because they fail to level the playing field.

For this reason, it is NSV’s view that sensible caps on campaign contributions, together with spending limits, must be an integral part of progressive campaign finance reform, and we encourage Victoria to reconsider this key element of the Task Force recommendations. In our view, there is nothing to prevent the Province from implementing an interim contribution limit(s) in advance of 2014 civic election period that would effectively cap the use of funds contributed by any given donor to the interim limit(s), with any net balance refundable to the donor.

Further review and stakeholder consultation in regard to appropriately revised contribution and expense limits could be undertaken as planned, leading to inclusion of associated provisions in separate campaign finance legislation adopted prior to the 2017 election period. That is assuming civic elections will be held in 2017, and NSV believes that uncertainty around a Task Force recommendation to extend the election cycle represents another major problem.

And, finally, in view of uncertainty regarding the Province's stated position on retaining the current three-year election cycle, NSV is respectfully requesting that this issue be clarified and that the comment period be appropriately extended specifically on this issue since there now is a possibility that the government intends to reconsider its initial position while most of the public are unaware of this change.

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TO THE PUBLIC: Neighbourhoods for a Sustainable Vancouver encourages the public to review the White Paper on Local Government Elections Reform and to provide feedback at the following link: <http://www.cscd.gov.bc.ca/LocalGovtElectionReform/> . And after the January 31, 2014 deadline, please talk to your Member of Legislative Assembly and tell them what you think.

ABOUT NSV: Neighbourhoods for a Sustainable Vancouver is a citywide grassroots network of neighbourhoods with roots going back to 2007. In the November 2011 civic election, NSV ran a mayoral candidate and four council candidates for Vancouver City Council, based on Neighbourhood-based Real Democracy, Sustainability, and Vancouver-based Solutions. A major pillar was campaign finance reform. We believe regulators of land use policy should not be funded by those they regulate. Today we continue actively monitoring the situation in Vancouver, sharing information, providing support for neighbourhoods and citizens, networking, engaging in analysis and writing, and more.

Past correspondence on **Election Reform**

- [City Recommendations for Election – March 23, 2010](#)
- [Electoral Reform Council – March 25, 2010](#)
- [LGETF – March 12 Agenda](#)
- [LGETF – March 12 Key Questions](#)
- [Motion Election Reform – March 2010](#)
- [Province Election Reform – April 2010](#)
- [NSV to Council Election Finance Reform Motion B3 31-Jan-2012](#)
- [Provincial Election Reform - October, 2013](#)