

Review of Draft Changes to The Local Government Election Act

ISSUE

In the fall sitting of Saskatchewan's Legislative Assembly, the Acting Minister of Government Relations introduced a bill to amend various provisions of *The Local Government Election Act (LGEA)*. The bill represents the culmination of a stakeholder review process following the previous local election cycle. The LGEA impacts the City of Saskatoon because it legislates all requirements for municipal elections. As a result, what key provisions does the bill amend and what key provisions remain unchanged?

BACKGROUND

The last municipal election for the City of Saskatoon was held in November of 2020. Following this election, the Ministry of Government Relations, as usual, undertook a review of the LGEA. The City, along with other municipalities, and organizations such as SUMA, SARM, and the Saskatchewan Association of City Clerks were invited to provide input prior to draft legislation being tabled in the legislature

The City of Saskatoon provided feedback in several areas, including the following:

- Changing of the municipal election date to provide a gap between provincial and municipal elections, and to lessen the likelihood of inclement weather effecting election day.
- Clarification on ability to create a voters list utilizing data from other orders of government, and better defining enumeration.
- Discretion for emergency election date changes due to inclement weather or other unforeseen circumstances.
- Overall modernization to reflect changing technology and voter habits.

Following consultations, Ministry officials received further instructions from the Government and drafted amendments to the existing LGEA. On November 17, 2022, the Acting Minister of Government Relations introduced Bill 105, An Act to amend *The Local Government Election Act, 2015*, codifying the proposed amendments to the Act.

CURRENT STATUS

Bill 105 is currently at second reading while the Legislative Assembly stands adjourned to March 6, 2023. Once the assembly resumes, Bill 105 will be subject to debate at second reading. Subsequently, the Bill will be reviewed by the Legislature's Standing Committee on Intergovernmental Affairs and Justice. Any amendments to the Bill may

be done in Committee prior to proceeding to Third Reading. Because it is specified bill, Bill 105 must be passed before the spring sitting adjourns in May 2023. Once Bill 105 is passed by the Legislature and receives Royal Assent, the amendments to the LGEA will come into force on January 1, 2024.

DISCUSSION/ANALYSIS

While most of the changes requested by the City were made, the most notable exception is the requested municipal election date change. The date of the 2024 municipal election, based on the LGEA will be November 13, 2024, which is 15 days following the anticipated provincial election, held on October 28, 2024.

Potential issues arising with this election date have been reported to GPC and Council previously, including June of 2021, when direction was provided for a letter (attached) to be provided to the Province from the Mayor's Office. Municipal stakeholders, including, SUMA and its City Mayors' Caucus have joined the City in advocating for a change to the 2024 legislated local government election date.

Despite that, Bill 105 does propose some key amendments that will enhance the municipal election process, such as:

- Requests of the City to confirm the ability to utilize existing data from other levels of government to populate a potential voter's list
- Providing emergency powers for the returning officer to change election dates in specific situations.

FINANCIAL IMPLICATIONS

Financial implications of most of the proposed legislative changes are negligible, with two notable exceptions. First, utilization of a voter's list will come at a cost, however, this may be able to be partially offset by associated savings in other election areas. Information on potential use of a voter's list and options will be reported to Council for decision in a future report once details are better known. Second, financial implications of municipal and provincial election period overlap include increased cost to both orders of government as the proximity limits sharing of resources, both with election hardware and election workers.

NEXT STEPS

Although Bill 105 is before the Legislative Assembly, should Council wish to provide formal feedback to the Province on any of the proposed legislative changes, communication can be provided keeping in mind the process laid out under the "Current Status" section above.

APPENDICES

1. Bill 105, The Local Government Election Amendment Act, 2022

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2. June, 2020 Correspondence

Report Approval

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