



Each year the AMM follows the action at the Provincial Legislature closely, as this is often where major decisions are made that impact municipalities. This year was no different as a couple of key pieces of legislation were introduced.

Bill 16 – The Police Services Act

In April 2009 the Province introduced a new Police Services Act on the heels of some limited municipal consultation. The bill proposed a number of changes including the creation of a new provincial police commission that would be made up of members of the public and provide advice to the Provincial Government on policing regulations, standards and emerging issues. It would also help train municipal police boards and maintain a list of civilians to monitor certain major police investigations. The bill also creates a new Independent Investigation Unit mandated to investigate incidents involving police use of force, incidents resulting in serious injury to members of the public as a result of contact with police, and other incidents or allegations against police where there is a public interest in independent investigations.

Of greatest interest for the AMM is the requirement in Bill 16 for all municipalities with their own police force to establish a police board. The bill gives these boards the mandate to hire the police chief as well as the rest of the police force, set the direction of the municipal police force and take on supervisory responsibilities. Police boards will be charged with the duties of establishing priorities and objectives for the police service, and must monitor the police chief to ensure compliance of community needs and values.

The AMM expressed concern that taking responsibility for policing out of the hands of the elected council and putting it into the control of an appointed board would not improve transparency or accountability, which is the intent of the bill.

Update: While some amendments were made to the bill the major issues raised by AMM were not changed. The bill received 3rd reading on October 5, 2009 and Royal Assent on October 8, 2009.

Bill 4 – The Community Revitalization Tax Increment Financing Act

Bill 4 was another bill watched closely by the AMM. Originally introduced in the previous session of the Legislature the bill was tweaked and reintroduced on November 26, 2008. This bill offers municipalities another tool to promote and attract investment in their communities. Bill 4 provides new tools to promote community economic

development by moving the incremental education tax that would have been paid into a new community revitalization fund whose purpose is to revitalize communities, encourage economic development, enhance social and cultural development, and preserve heritage projects.

The AMM was pleased to see amendments included from the original bill that will strengthen municipal control over where the funds will be spent, as grants from the fund will only be used for a purpose agreed to by the municipality. The bill also includes a system of accountability and transparency in how the fund is administered.

Update: Bill 4 received Royal Assent on October 8, 2009.

Bill 35 – The Municipal Conflict of Interest and Campaign Financing Act

The AMM has also supported greater transparency in government and is therefore supportive of much of what is included in Bill 35. Greater transparency in election financing and expenditures makes sense. So too does strengthening some of the conflict of interest provisions. What the AMM cannot support however is creating disincentives to participation in the democratic process and changing the rules in the middle of a municipal mandate.

Bill 35 requires municipalities to develop election financing schemes that will establish campaign periods, contribution and spending limits, and reporting requirements among other things. The bill also requires municipalities to develop conflict of interest code of conduct policies for employees.

Where the AMM has real concerns is with the requirement for elected officials to make their financial disclosure statements public after November 2009. The AMM is not in support of changing the current process as we are not aware of any case where a citizen was denied the right to question whether an elected official was in conflict or any case where a CAO did not provide truthful information. We are also very concerned with the proposition of changing the rules in the middle of the current municipal mandate.

Update: The AMM was very disappointed that despite commitments to make changes to Bill 35, the final version of the bill passed by the Legislature failed to amend the proposed rules for financial disclosure statements. Bill 35 received Royal Assent on October 8, 2009.

