


2022 General Municipal Election

AMM Spring Convention
April 2022

Presentation Overview


- ▶ The Municipal Statutes Amendment Act
 - ▶ Key dates and deadlines
 - ▶ Campaign Finance
 - ▶ Election Resources Available
 - ▶ Responsibilities of Elected Officials
 - ▶ Council Code of Conduct
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The Municipal Statutes Amendment Act

- ▶ This Bill amended eight Acts respecting municipal elections and governance in Manitoba. The Bill received Royal Assent and most Parts came into force on May 20, 2021.
 - *The Municipal Act*
 - *The Municipal Assessment Act*
 - *The Municipal Councils and School Boards Elections Act*
 - *The Brandon Charter*
 - *The Flin Flon Charter,*
 - *The Portage la Prairie Charter*
 - *The Thompson Charter*
 - *The City of Winnipeg Charter*


The Municipal Statutes Amendment Act

Use of Municipal Resources By-Law

- ▶ 93.18.1(1) A council must pass a by-law establishing rules and procedures for the use of municipal resources during the 42-day period before a general election or a by-election.
 - ▶ 93.18.1 (3) A by-law under this section must be passed at least 180 days before the election in respect of which it is to take effect.
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The Municipal Statutes Amendment Act


Use of Municipal Resources By-Law cont'd

- ▶ Purpose – level playing field, neutrality
 - ▶ Should reflect the local context
 - ▶ Example – Campaigning Locations
 - ▶ Example – Municipal Announcements
 - ▶ Example – Truth and Reconciliation Day
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The Municipal Statutes Amendment Act

- ▶ 93.18.2 (1) A registered candidate who is a member of a council must not use their incumbent position as their title in an election communication.
- ▶ A candidate cannot use
 - "Re-elect Mayor [candidate's name]"
 - "Re-elect Councillor [candidate's name]"
- ▶ A candidate can use
 - "Re-elect [candidate's name] for Mayor"
 - "Re-elect [candidate's name] for Councillor"

The Municipal Statutes Amendment Act

- ▶ Other amendments include:
 - requiring the voters list to be updated in an election year rather than annually;
 - changing the definition for "voting place" to refer to a building rather than a place; and
 - ensuring greater security of ballot boxes for sealed envelope ballots when such boxes are not in the immediate care of a senior election official.
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Key Dates and Deadlines


▶ **Candidate Registration Starts**

- Mayors/Reeves – May 1, 2022
- Councillors – June 30, 2022

▶ **Nomination Period**

- September 14, 2022 to September 20, 2022

▶ **Campaign Period**

- Mayors/Reeves – May 1, 2022 to March 31, 2023
 - Councillors – June 30, 2022 to March 31, 2023
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Key Date and Deadlines

- ▶ **Withdrawal Deadline**


- September 21, 2022

- ▶ **Election Day – October 26, 2022**

- ▶ **Filing of Election Finance Statements**

- Deadline determined by municipalities. No later than 210 days (May 24, 2023) after the election.

Campaign Finance

- ▶ A council must have a by-law prescribing campaign expenses and contributions (subsection 93.2(1))
 - ▶ 93.2(2) Any changes to a by-law under this section must be passed at least 180 days before the election in respect of which it is to take effect.
 - ▶ Any changes to the by-law must be passed by April 29, 2022 to be in effect for the 2022 general municipal election.
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(Name of Municipality)

By-law No.

WHEREAS under section 93.2 of the Municipal Act a municipality must pass a by-law prescribing certain matters concerning campaign expenses and contributions in connection with municipal elections.

NOW THEREFORE THE COUNCIL of _____ enacts as a by-law the following:

INTERPRETATION

- 1.1 Terms in this by-law have the meanings ascribed to them in The Municipal Act.
- 1.2 References to sections in this by-law are to provisions in The Municipal Act.

REGISTRATION OF PROSPECTIVE CANDIDATES

- 2.1 An individual applying to be a registered candidate under section 93.3 must complete the registration form provided by the Senior Election Official.

CAMPAIGN EXPENSE LIMIT

- 3.1 The limit to campaign expenses that may be incurred by registered candidates shall be
 - (a) for head of council, \$ _____; and
 - (b) for councillor, \$ _____.

PORTION OF INCOME FROM FUND-RAISING EVENT

- 4.1 In this section, "fund-raising event" means events or activities held for the purpose of raising funds for the registered candidate by whom or on whose behalf the event is held.
- 4.2 A fund-raising event held by or on behalf of a registered candidate shall be held only during the campaign period.
- 4.3 The total revenue received and the total costs incurred for a fund-raising event shall be recorded and included in the registered candidate's Election Finance Statement.

4.4 The net income made at a fund-raising event shall be considered a contribution and expenses incurred in holding a fund-raising event shall be excluded from the campaign expense limitation. Net income is calculated by deducting fund-raising costs from fund-raising revenue.

4.5 Notwithstanding 4.4, a monetary contribution that is more than \$10.00 from an individual into a general collection at a fund-raising event must be considered a contribution as per section 93.6(2) of The Municipal Act, be recorded and reported in accordance with 93.12(1), and be excluded from the fund-raising event revenue.

ELECTION FINANCE STATEMENTS

5.1 The election finance statement shall be in the form set out in Schedule A to this by-law. Registered candidates must keep records of contributions received, campaign expenses incurred and loans obtained in a manner that facilitates the filing and reconciliation of the election finance statement.

5.2 Registered candidates must retain for not less than two years after the election, as per section 93.11(e), copies of receipts, bank statements, cheques and any other documents on which the election finance statement is based

5.3 The date by which the election finance statement under section 93.12(1) must be filed is not more than 210 days after Election Day, in each general election or by-election.


5.4 A request by the Chief Administrative Officer to file a further election finance statement under section 93.12(2) must be made within 30 days of the filing of the election finance statement.

5.5 The date by which a further election finance statement requested by the Chief Administrative Officer under section 93.12(2) must be filed is 30 days after the request is received

5.6 After a registered candidate files his or her election finance statement with the Chief Administrative Officer the statement shall be open to inspection by any person during regular office hours, and a copy shall be provided on payment of the municipality's current photocopy fee.

DONE AND PASSED, in Manitoba this ____ day of _____ 20__.

Campaign Finance

- ▶ Tips for Candidates – Registration, Expenses:
 - Register early – don't leave it until the last minute.
 - Expenses can only be paid out of your campaign account.
 - Keep your financial records (receipts, etc.) for at least two years after the election.
 - Do not exceed the campaign expense limit.
 - Consider how to record existing materials.
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Campaign Finance


► Tips for Candidates – Donations:

- You need a separate bank account to accept donations.
- Donations can only be from Manitoba residents.
 - Donations cannot be from organizations or anonymous individuals
- Limit on donations – applies to candidates too:
 - \$1,500 for Head of Council / at-large councillor
 - \$750 for ward councillor
- Goods or services from someone who earns a living selling those things are donations and recorded at market value

Campaign Finance

- ▶ Tips for Candidates (continued):
 - File your campaign finance statement soon after the election. Be aware of your specific deadline.
 - The public can view these statements.
 - The CAO reviews the campaign finance statement for correctness and completeness.
 - You may need to file an amended statement. Respect that the CAO is doing their job.
 - Expenses and contributions should balance.


Election Resources

- ▶ 2022 Candidates Guidebook
 - ▶ 2022 Campaign Finance Manual
 - ▶ 2022 Election Officials Manual
 - ▶ Election Officials Training
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Election Resources ~ continued~

- ▶ 2022 Candidates Guidebook
 - Registration
 - Nomination
 - Campaign Team
 - Campaign Finance Rules
 - Filing Election Finance Statements

Responsibilities of Elected Officials

- ▶ Term of Office
 - ▶ Time Commitment
 - ▶ Duties
 - ▶ Remuneration
 - ▶ Conflict of Interest
 - ▶ Code of Conduct Training
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Council Code of Conduct

- ▶ Council members are required to complete the mandatory training within six months of being elected or re-elected (this includes by-elections).
 - ▶ Elected officials that do not complete the training cannot act as a council member until the training is complete.
 - ▶ Training is available online at:
<https://manitobamunicipallearning.ca>
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Council Code of Conduct

Section 84.1 of *The Municipal Act* – Your Responsibilities

Your commitment to the standards and values in your municipal code of conduct helps you strengthen the governance of the municipality, and promotes public confidence and trust.

The governance, reputation and integrity of your municipality depends on the conduct of its council members.

A respectful environment requires the cooperation and support of each and every member in a municipality.



Council Code of Conduct

Knowledge Check (2 of 4)

You recently attended a council meeting and realized afterwards that, though not intentional, some of your actions may have been disrespectful.

Which of the following are potential consequences of your disrespectful actions? *Select all that apply.*


- ☐ Damage to collaborative working relationships
- ☐ Disruption to positive communication
- ☐ Increase in public trust in the good governance of your municipality
- ☐ Reduction in council's ability to govern

Council Code of Conduct

Identifying Your Role in Resolving a Conflict

Our next topic will help you identify your role if a conflict arises.

Conflicts include a respondent and a complainant. In some conflicts, there may also be an observer or observers.



The **respondent** is the person whose behaviour has knowingly or unknowingly affected another individual or group of individuals.

An **observer** is a person who has witnessed an inappropriate interaction between two parties.

The **complainant** is the person experiencing the inappropriate behaviour.

Council Code of Conduct

Certificate of **Completion**

This certifies

BrendanNagle

has successfully completed the mandatory
online training course

Codes of Conduct

on

July 3, 2020



Council Code of Conduct

- ▶ Informal resolution is the initial step, and must be attempted within 30 days after the alleged incident
- ▶ Tools and resources are available in Bulletin #2020–33 (accessible on MMO)

CODE OF CONDUCT COMPLAINT FORM – EXCERPTS

INCIDENT REPORT	
Who Committed the Alleged Violation?	
Full Name:	_____ Last Name _____ First Name _____
Name of Office:	_____ (Mayor/Reeve/Head of Council OR Council Member)
Witness Information <i>Include the names, position titles, and contact information, if applicable/available, for anyone who may have observed or have information regarding the alleged violation.</i>	
<div style="height: 100px;"></div>	
Details of the Alleged Violation <i>Provide as much detail as possible regarding the facts of the situation.</i>	
Description of the violation (section of municipal by-law violated, what was observed, who was involved, what was said or happened), including any background/context:	
<div style="height: 150px;"></div>	
When and where did this situation happen (dates, times, and locations)?	
Date of Violation: _____	
Additional Details:	
Identify any evidence, if applicable, such as documentation, emails and photos (please attach copies of any evidence):	
<div style="height: 100px;"></div>	

CODE OF CONDUCT COMPLAINT FORM – EXCERPTS

INFORMAL RESOLUTION REPORT	
<i>If you have experienced sexual harassment, you may choose to try an informal resolution, but you are not required to do so, or to complete this section of the form.</i>	
Describe the steps taken to resolve the conflict:	
<div style="height: 100px;"></div>	
How did the respondent react?	
<div style="height: 100px;"></div>	
Identify any evidence, if applicable, such as documentation, emails and photos (please attach copies of any evidence):	
<div style="height: 100px;"></div>	
FOR COMPLETION BY THE CAO	
Date Received:	_____
CAO's Signature:	_____
	Print Name _____ Signature _____

Council Code of Conduct

- ▶ Formal Process – Complaint Form Checklist
 - ☐ Did you use the prescribed complaint form?
 - ☐ Are all fields filled out by the complainant?
 - ☐ Did you supply any supporting documents that pertain to your complaint?
 - ☐ Did you explain the informal resolution attempted?
 - ☐ Did file the complaint within the proper time frame?

QUESTIONS