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You would think that the parade of municipal representatives to the courts for violations of campaign finance law would have spurred Municipal Affairs Minister Jim Watson to reform the Municipal Elections Act.

If that isn't enough evidence of the need for changes, he has petitions from municipalities urging reforms to the Municipal Elections Act, and he has Toronto's reform package ready to go to council for approval.

The need for reform is obvious. The City of Toronto auditor's report showed that 29 of 45 elected members of council violated the campaign finance reporting laws. And the *Star's* long-running campaign has pointed out abuses in municipal elections.

In municipalities outside Toronto the situation, if anything, is worse. In the GTA and even beyond the Greenbelt, campaign finance rules on spending and contributions are frequently violated.

The minister also has evidence that, among a few elected municipal representatives, there is a culture of neglect, evasion, non-compliance and even abuse of campaign finance laws.



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There is evidence of the pervasive influence of the development industry in electing municipal council members. In Brampton, Mississauga, Oshawa, Pickering, Richmond Hill and probably Vaughan more than 50 per cent of the money for council members' 2006 campaigns came from the development industry. And 28 of 132 winners in 10 inner-GTA municipalities gathered more than 66 per cent of their campaign cash from the development industry.

Beyond the Greenbelt, where development pressures are growing, the building industry supplied more than half of the cash for council members' campaigns in Barrie, Bradford West Gwillimbury, East Gwillimbury, Georgina and New Tecumseth, although a few ran without any developer support.

Now \$750, the maximum campaign contribution allowed, will never buy a councillor's vote. However it will get access to a councillor and, when coordinated with other contributions, it ensures that some, or even all, council members are favourable to development proposals – no matter how dysfunctional from an urban planning perspective.

The minister's reform package, if it is passed in time for the start of elections in January, is likely to be piecemeal and allow little or no time for public hearings.

It is expected that he will raise the expenditure limits. This is something that incumbents want because it raises the bar for challengers – but the legislation should encourage challenges. Incumbents already have an advantage over challengers. Moreover, 75 per cent of 674 candidates in 10 GTA municipalities had total expenditures in 2006 that did not surpass two-thirds of current limits, so there is no need to raise them.

More fundamental reforms are needed to end the embrace of the development industry. The stakes are high. Municipal councils create profits for developers by rezoning and servicing land and current residents subsidize new development because developments charges are too low. Campaign contributions from corporations and unions should be banned from municipal politics, as they are in federal politics and Quebec and Manitoba provincial politics.

It is not just that corporate money is prevalent but as long as big companies have the right to make campaign contributions, it allows the owners to give in their own name and then direct money from one or more companies as well.

Unless the minister is prepared to accept, as one councillor suggests, that corporations and the individuals who control them are more important than ordinary citizens and have a right to greater influence, then the legislation should be designed to level the playing field so that candidates can be elected on their merit, not money.

The minister should also require that municipalities have rebate programs that return some portion of a contribution to individual

contributors, like the federal and provincial rebate programs. Ajax, Markham and Toronto have rebate programs which have encouraged candidates to raise money from voters rather than corporations.

These are some other reforms that are essential to make municipal elections open and transparent.

The minister should change the law to prevent winning candidates carrying forward surpluses that give them a head start over challengers at future elections.

He should require that municipalities form compliance audit committees so that citizen complaints about campaigns go to an independent tribunal rather than council members who, all too frequently, have declined to investigate their colleagues.

He should limit the number of contributions someone can make to five. For example, the Greater Toronto Sewer and Water main Contractors' Association gave to 95 candidates (72 of them elected) in 10 municipalities in 2006.

And he needs to close the most egregious of loopholes, allowing companies to pay employees while they work on campaigns without the expense being considered a contribution from the employer.

All these reforms are badly needed to restore credibility to the municipal democratic election process.

The McGuinty government was elected on the promise of democratic reforms. There is no better place to show that commitment than by enacting meaningful changes to the Municipal Elections Act before the starting bell for campaigns rings in January of 2010. The time is short and the need to restore legitimacy is great.

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