

City of Mississauga
Corporate Report



Date: 2016/08/30

To: Chair and Members of Governance Committee

From: Gary Kent, Commissioner of Corporate Services and
 Chief Financial Officer

Originator's files:

Meeting date:
 2016/09/19

Subject

Municipal Election Campaign Contribution Rebate Program for the 2018 Election.

Recommendation

1. That the report from the Commissioner of Corporate Services and Chief Financial Officer dated August 30, 2016 be received for information.
2. That direction be provided with respect to the implementation of a Rebate Program for the 2018 Municipal Election.

Report Highlights

- Providing a rebate program requires additional tax funded financial resources for rebate payments, staffing and administration.
- A rebate program partially subsidizes election campaign financing by the municipality rather than wholly from donors.
- The cost of a rebate program varies depending on the value of the rebate provided, number of candidates that participate and the amount of eligible contributions received.

Background

Municipal Election campaign contributions are not eligible for tax credits under the provisions of the *Municipal Elections Act, 1996* ("MEA") or the *Income Tax Act*. The MEA states:

88.11 (1) A municipality may, by by-law, provide for the payment of rebates to individuals who made contributions to candidates for office on the municipal council. 2016, c. 15, s. 51.

A rebate program enables a municipality to reimburse contributions made by individuals to the campaign of a candidate running for Mayor or Councillor. The concept for providing a rebate program is to encourage greater participation in municipal politics by reducing the financial burden placed on candidates and campaign donors.

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A rebate program requires candidates to issue receipts to donors who would then apply for a rebate from the municipality. Staff would prepare rebates for donors after a candidate files his or her financial statements in compliance with the *MEA*. Registration in the rebate program by individual candidates is voluntary.

Currently there is no provision in the *MEA* that allows municipalities the legislative ability to conduct audits to determine if requests for rebates are legitimate. Rebates would be issued using the information provided by candidates and donors in accordance with the program procedures.

Comments

Staff presented three reports to Governance Committee in 2013 (**Appendix 1**) with respect to providing a rebate program for the 2014 Municipal Election. These reports reviewed several rebate programs offered by large Ontario municipalities. Subsequently the City of Markham has compiled updated statistics for rebate programs offered by municipalities during the 2014 election year (**Appendix 2**). Staff have reviewed the statistics between programs offered in 2010 and 2014 and observed that some municipalities saw an increase in campaign contributions while others did not.

All municipalities surveyed have a minimum donation threshold to qualify for a rebate. Too high of an eligibility threshold may discourage some prospective donors that have less financial resources to donate. A lower threshold or a flat rebate amount for lesser contributions may increase accessibility for donors but may also increase rebate payment costs and administration.

In 2013 Council provided direction to staff to develop a rebate program. Staff presented two options having a minimum \$50 and \$100 donation thresholds respectively to be eligible for a rebate. Donors were also required to be Mississauga residents to be eligible. Donations to schoolboard trustee campaigns were not eligible for rebates. Council instructed staff to proceed with the design of a program based on a \$100 donation threshold pursuant to *Council Resolution 0032-2013*. A draft By-law outlining a rebate program was presented by staff to Governance Committee who chose not to implement the program for the 2014 Election (*Governance Committee Resolution 0027-2013*).

Financial Impact

The City's municipal elections are financed by annual contributions to the Election Reserve collected from municipal taxes. Additional tax funding would be required as the 2018 Election budget does not account for a rebate program. The total cost for rebates is determined by three main factors: the total number of candidates registered, the total number of candidates that register for the program and the total number of contributions. It is difficult to accurately forecast the cost. In addition to the rebate payments there will be administration costs associated with the program such as staff costs, cheques processing costs and postage.

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Staff have performed an analysis using the campaign contributions from the 2014 Election in an effort to provide an estimated cost of the program. The formula is based on the \$100 minimum donation threshold.

Candidates:	98
Rebate Payout Formula:	50% of contributions between \$100 - \$750
Campaign Contributions Over \$100:	\$1,374,580.11
Estimated Total Rebates Paid at 50%:	\$688,000

The Election Office would require one additional temporary employee for 18 months to administer the program and process rebates.

<u>Expense</u>	<u>Cost</u>
Rebates	\$688,000
Staffing – Elections	\$102,000
Supplies & Postage	\$5,000
Total	\$795,000

****Staffing: Grade C position for 18 months****

The cost of the proposed rebate program has not been included in the annual transfer to the Election Reserve and an increase to the transfer will be required if the program is implemented.

Conclusion

Election Campaign Rebate Programs have been implemented in various municipalities in Ontario. A rebate program introduces additional tax funded costs on the municipality and increases the complexity of the Election administration. It is suggested that eligibility for a rebate be restricted to Mississauga residents only in efforts to control costs and to encourage interest in municipal politics amongst Mississauga residents. A by-law is required to establish a rebate program for the 2018 Election.

Alternatively, Council may engage the Federal and Provincial governments to suggest that contributions made to municipal political campaigns should be regarded and processed in the same manner as contributions made to Federal and Provincial campaigns where contributions are included in the donors' Income Tax filing. This would eliminate the financial burden on municipalities to fund rebate payments.

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Attachments

Appendix 1: Previous Corporate Reports

Appendix 2: Election Contribution Rebate Program



Gary Kent, Commissioner of Corporate Services and Chief Financial Officer

Prepared by: Pina Mancuso – Manager, Elections



**Corporate
 Report**

Clerk's Files

Originator's
 Files

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DATE: January 8, 2013

TO: Chair and Members of Governance Committee
 Meeting Date: January 14, 2013

<p>Governance Committee</p> <p>JAN 14 2013</p>

FROM: Brenda R. Breault, CMA, MBA
 Commissioner of Corporate Services and Treasurer

SUBJECT: **Municipal Election Campaign Contribution Rebate Program**

RECOMMENDATION: That the report entitled Municipal Election Campaign Contribution Rebate Program, from the Commissioner of Corporate Services and Treasurer, dated January 8, 2013 be received for information.

**REPORT
 HIGHLIGHTS:**

- In response to a request of the Governance Committee, the details regarding Election Campaign Contribution Rebate Programs implemented in other municipalities have been reviewed.
- There are a number of options for a Rebate Program and the cost of a program will vary depending on the rebate provided, the number of candidates who participate, and the amount of campaign contributions received.

BACKGROUND:

A request has been received by the Governance Committee from a member of the public, for the City to restrict the collection of Election Campaign Contributions from corporations and trade unions. In addition, the Governance Committee has requested staff to investigate the implementation of an Election Campaign Contribution Rebate Program by the City of Mississauga. The purpose of this report is to provide the Chair and Members of the Governance committee with

information regarding the operation of a municipal election campaign contribution rebate program. Unlike Federal and Provincial election campaign contributions, Municipal Election campaign contributions are not eligible for tax credits under the provisions of the *Municipal Elections Act* or the *Income Tax Act*.

In accordance with the Municipal Elections Act (MEA)

82. (1) “A municipality may, by by-law, provide for the payment of rebates to individuals, corporations or trade unions who made contributions to candidates for office on the municipal council.”

The essence of a contribution rebate program is that a municipality would rebate a contributor a percentage of a contribution made to a candidate’s campaign. The rationale for implementing a rebate program is to:

- encourage more candidate participation
- create more interest in Municipal Elections, therefore increasing turnout
- Increase contributions from individual electors rather than corporations and trade unions.

Registration in the rebate program is completely voluntary and during the nomination process the candidate is asked whether or not they would like to participate. No rebate will be issued until the candidate files their financial statement by the relevant date, and in compliance with all requirements of the *Municipal Elections Act, 1996*, as amended. Most municipalities track the registration manually and assume all administrative tasks in house.

COMMENTS:

Various municipalities across Ontario have established Election Campaign Contribution Rebate programs. Each program has different criteria regarding eligibility of a contributor (individuals vs Corporations), percentage of rebate (formula) in relation to the amount contributed and timeframe in which a contributor may apply for the rebate. See Appendix 1 - Rebate Program Benchmarking for the details regarding each program.

The following factors must be taken into consideration when considering the financial impact of the program on the municipality, as well as the administrative impact;

- number of candidates eligible
- number of contributors
- number of candidates elected who used the program
- dollar value of contributions received

Appendix 2 – Rebate Program Statistics outlines the experience of other the municipalities who have implemented a program.

Rebate Formula Options

There are a number of options for rebate formulas. The total cost of the Rebate Program would vary depending on the formula included in the By-law. In addition, the administration of the program becomes more complicated based on the rebate formula implemented.

Appendix 3 provides an overview of the rebate formulas currently used by other municipalities.

Election Campaign Contribution Rebate Program Implementation

Staff from the Elections Office discussed the merits of the Election Campaign Rebate Program with the election staff in the Town of Oakville, City of Vaughan and Town of Markham.

They indicated that having a Rebate program provided a perceived opportunity to increase participation in the electoral process and an opportunity to assist candidates in their fundraising efforts, particularly for non-incumbent candidates.

The criticism of a program is that all taxpayers subsidize individuals who contribute to any candidate's campaign. If the program does not place restriction on who is eligible for a rebate this would include contributions received from non-residents, candidates, candidate's spouse and family members, and corporations and trade unions. In addition, any Rebate program will result in additional costs to the corporation in terms of funding and administration.

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The Town of Oakville implemented a rebate program in 2003 on the bases of meeting the goals of encouraging more candidate participation, creating more interest in the Municipal Elections and increasing turnout, and increasing contributions from individual electors rather than corporations. Following the 2010 election, the City Clerk determined "*that the rebate program had not met the goals for which it was established*". As a result of the findings and the experience with the rebate program the City Clerk recommended that the program be discontinued for the 2014 Municipal Election. Nonetheless, the Town of Oakville's Council chose to continue with the program.

It is important to note that according to section 68(1) of the MEA "*a candidate's election campaign period for an office shall be determined in accordance with the following rules:*

- 1. The election campaign period begins on the day he or she files a nomination for the office under section 33.*

Regardless of whether a candidate withdraws his/her nomination, if the candidate collected contributions, the contributors may be eligible to apply for a rebate.

FINANCIAL IMPACT: Any rebate program established would result in additional tax funded costs to the municipality. It is difficult to forecast the financial impact because the cost of the program would be impacted by the details of the program and the number of candidates and contributors who participate. In addition, it is estimated that the Election Office would require one additional position to oversee the program and process the rebates.

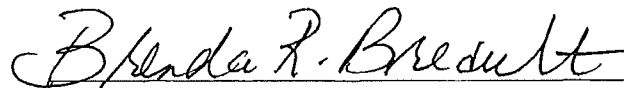
The Municipal Elections are funded from the Election Reserve. Each year \$550,000 is placed into the Reserve to fund the next election. An Election Campaign Contribution Rebate Program was not included in the proposed budget. Additional tax funding would be required to cover any contribution rebate program.

CONCLUSION:

Election Campaign Rebate Programs have been implemented in a number of municipalities across the Province. The Rebate Programs vary between these municipalities, including who is eligible to receive a rebate, and what amount of rebate is provided. The financial impact is also difficult to predict because it is dependent upon the number of candidates and the amount of campaign contributions that are collected. Regardless of the Rebate Program selected, the administration of the program is complex.

ATTACHMENTS:

Appendix 1 - Rebate Program Benchmarking
Appendix 2 – Rebate Program Statistics
Appendix #3 – Rebate Formulas



Brenda R. Breault, CMA, MBA
Commissioner of Corporate Services and Treasurer

Prepared By: Pina Mancuso, Manager of Elections

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REBATE PROGRAM BENCHMARKING

Municipality	Highlights of Program
Oakville	<ul style="list-style-type: none"> • Any eligible elector residing in the town of Oakville who is not a candidate, candidate's spouse, common-law spouse, same-sex partner, children of the candidate are eligible for a rebate. • Only contributors of money are eligible. • Corporations, trade unions, non-resident eligible electors are not eligible for rebates.
Ajax	<ul style="list-style-type: none"> • Any eligible elector, who is not a candidate, spouse or child of candidate, is eligible. • Only contributions of money are eligible for rebate. • Rebates are only available to those individuals who make a contribution between the date of the candidate's nomination filing up to and including Voting Day. • An individual who contributes to more than one candidate is eligible for a rebate in respect of each contribution but no more than the maximum allowable rebate (\$150). • Contributions from corporations and trade unions are ineligible.
Toronto	<ul style="list-style-type: none"> • Any resident in the province of Ontario is eligible to receive a rebate. • Candidates, their spouses and children are eligible but not until after the Candidate's campaign closes and the final financial statement is filed. • Only contributions of money are eligible. • Contributions from corporations and trade unions are ineligible.
Whitby	<ul style="list-style-type: none"> • Whitby's program was approved by Council in principal and is subject to the 2012 Budget approval. • Whitby's program is to be identical to Ajax.

*Formula's and criteria will vary across all municipalities that have implemented the program.

*These statistics are based on information from the City of Ottawa

Municipality	Program Highlights
Markham	<ul style="list-style-type: none"> • Any individual who is a resident of the Province of Ontario is eligible for a rebate. • The following are ineligible: <ul style="list-style-type: none"> -Contribution of goods and services. -A Candidate's contribution of inventory from a prior election. -Contributions made by corporations and trade unions.
Vaughan	<ul style="list-style-type: none"> • Any resident of the City of Vaughan is eligible for a rebate • The following are ineligible: <ul style="list-style-type: none"> -Contributions of goods and services. -A Candidate's contribution of inventory from a prior election. -Contribution made by corporations and trade unions. -Contributions made by the Candidate and Candidate's spouse, siblings, grandparents, parents, children and grandchildren.

*Formula's and criteria will vary across all municipalities that have implemented the program.
 *These statistics are based on information from the City of Ottawa

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Rebate Program Statistics

Municipality	Oakville	Ajax	Toronto	Whitby	Markham	Vaughan
Electoral Population	121,330	69,624	1,637,310	81,713	185,469	175,470
Voter Turnout	40%	25.4%	50.55%	31.05%	35.5%	40.55%
# of rebates paid	465	116	14,051	12	2,300	434
% of electors contributing (based on the # of rebates paid)	0.38%	0.16%	Unavailable	.015%	1.24%	0.25%
# of Candidates that participated	28 total (63%)	12 total (57%)	176 total (55%)	4 total (16%)	42 total (95%)	42 total (93%)
# of Candidates eligible	44	21	319	24	44	45
Amount paid in rebates	\$78,105	\$10,605	\$3,680,820 (to date)	\$775	\$375,000	\$61,717
Cost of administering Program	\$27,551	\$6000	Unavailable (Approx. 46 mths of staff time)	Unavailable	\$11,541	\$28,279
Total cost of Rebate Program	\$105,656	\$16,605	\$3,680,820	\$775	\$386,541	\$89,997

**These statistics are based on information from the Town of Richmond Hill*

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Rebate Program Formulas

Municipality	Formula
Oakville	<ul style="list-style-type: none"> • Contributions less than \$100 = INELIGIBLE • Contributions over \$100: rebate = 50% of total contribution
Ajax	<ul style="list-style-type: none"> • Contributions less than \$25 = INELIGIBLE • Contributions \$25 - \$100: rebate = 75% of the total contribution • Contributions over \$100: rebate = \$75.00 + 50% of the difference between the total contribution and \$100 • Maximum rebate regardless of contribution = \$150
Toronto	<ul style="list-style-type: none"> • Contributions less than \$25 = INELIGIBLE • \$25 - \$300: rebate = 75% of the total contribution • \$301 - \$1000: rebate = \$225.00 + 50% of the difference between the contribution and \$300 • Contributions over \$1000: rebate = the lesser of \$575 + 33.3% of the difference between the total contribution and \$1000 • Maximum rebate = \$1000
Whitby	<ul style="list-style-type: none"> • Same as formula for Ajax
Markham	<ul style="list-style-type: none"> • Contributions less than \$50 = INELIGIBLE • Contributions \$50 - \$300 = 75% of total contribution • Contributions over \$300 = 75% of \$300 + 50% of the difference between the total contribution and \$300 (maximum rebate = \$350)
Vaughan	<ul style="list-style-type: none"> • Contributions less than \$50 = INELIGIBLE • Maximum rebate regardless of contribution = \$150 • Contributions over \$50 = 75% of total contribution

*Information regarding the above formulas is from the City of Ottawa



Corporate Report

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Governance Committee

FEB 27 2013

DATE: February 21, 2013

TO: Chair and Members of Governance Committee
Meeting Date: February 27, 2013

FROM: Brenda R. Breault, CMA, MBA
Commissioner, Corporate Services and Treasurer

SUBJECT: **Municipal Election Campaign Contribution Rebate Program**

RECOMMENDATION: That the report dated February 21, 2013 from the Commissioner of Corporate Services and Treasurer, entitled Municipal Election Campaign Contribution Rebate Program be received, and that direction be provided to staff with respect to the establishment of a rebate program for the 2014 Municipal Election.

**REPORT
HIGHLIGHTS:**

- Governance Committee requested staff to report back on a Municipal Election Campaign Contribution Rebate Program for Mississauga residents.
- Two options are provided for which costs have been estimated based on the 2010 Municipal Election campaign contributions.
- Direction is requested with respect to the establishment of an Election Campaign Contribution Program for the City of Mississauga. If a rebate program is supported, a by-law will be prepared to outline the conditions under which an individual is entitled to receive a rebate and the rebate amount and the rebate amounts.

BACKGROUND:

On January 14, 2013, the Governance Committee approved Recommendation GOV-0006-2013 which stated:

That the report entitled Municipal Election Campaign Contribution Rebate Program from the Commissioner of Corporate Services and Treasurer, dated January 8, 2013 be received for information and that staff be directed to report back on a rebate program for the City that includes the following:

- a) Mississauga residents only; and*
- b) Rebate for individual contributions; and*
- c) Rebate of 50% up to a maximum of \$375 for contributions over \$100.*

Recommendation GOV-006-2013 was adopted by Council on February 6, 2013. Discussion at Council clarified that the Committee also wished to consider rebates for smaller donations. This report provides information regarding the scope, structure and costs associated with a proposed Municipal Election Campaign Contribution Rebate Program. The previous report on the Rebate Program to the Governance Committee, dated January 8, 2013, which contained details of programs implemented in other municipalities, is attached as Appendix 1.

COMMENTS:

Based on the direction provided by the Governance Committee, two options are being presented as possible frameworks for a rebate program that would provide Mississauga residents with a rebate for making a campaign contribution to candidates in the Municipal Election. Under both options, it is proposed that campaign contributors must be residents of the City of Mississauga in order to be eligible for rebate. Further, contributions from candidates, their spouses, businesses, corporations and trade unions would be ineligible for rebate.

There was considerable discussion at the previous Governance Committee meeting regarding the structure of a rebate program to support and encourage donations from Mississauga residents at the lower range of the total permissible donation amount of \$750 per candidate. The options presented provide opportunity for a rebate of 50% of the total amount contributed once the contribution reaches a

certain minimum threshold. Estimates of the cost of the options presented have been determined based on campaign contributions made during the 2010 Municipal Election.

The first option proposes a 50% rebate on total contributions of \$50 or more. The maximum rebate would be \$375 based on a \$750 contribution.

OPTION 1

Estimated cost \$115,000**

Contribution Amount	Applicable Rebate
Less than \$50	Ineligible
\$50 up to \$750	50% of total contribution

The second option is also designed to provide the same rebate for all eligible contributors but requires a higher minimum threshold contribution before the rebate applies. The maximum rebate would continue to be \$375.

OPTION 2

Estimated cost \$85,000**

Contribution Amount	Applicable Rebate
Less than \$100	Ineligible
\$100 up to \$750	50% of total contribution

**** estimated costs based on 2010 candidate financial statements**

The rebate program would require candidates to issue receipts to contributors. Contributors would be required to file a request for rebate with the City and Election staff would prepare rebates only after a Candidate's Financial Statement had been submitted in compliance with the *Municipal Elections Act, 1996*, as amended (MEA).

The rebate program would only apply to candidates for Council. The school boards would be responsible for determining if any rebate would be provided to those who made contributions to candidates for

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office on the school board. This rebate would be paid and administered by the school board.

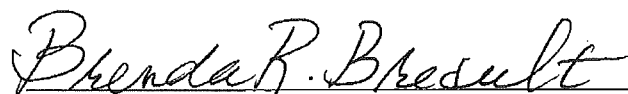
Administration of the program will require an additional staff resource for 18 months at a cost of \$90,000. Implementation of the program will also require upgrades to the existing election module and/or new software. A further assessment of the technical requirements will be undertaken is if a decision is made to proceed with a rebate program.

Should it be the desire of Council to proceed with the establishment of a rebate program, a by-law must be prepared which shall establish the conditions under which an individual is entitled to a rebate and the rebate amounts.

FINANCIAL IMPACT: Although estimates of the cost of implementing the program have been provided, it is important to note that the financial impact associated with the program is difficult to predict because it is dependent upon the amount of campaign contributions collected by candidates. Funding for a rebate program is not currently included in the 2014 Municipal Election budget. Should direction be provided to proceed with the establishment of a rebate program, the 2014 Municipal Election budget must be increased to cover the anticipated cost of the rebate and an additional staff resource be provided at a cost of \$90,000 for 18 months.. In addition, the annual funding of the Election Reserve will be required to increase to reflect the additional cost of the election program.

CONCLUSION: Municipal Election Contribution Rebate Programs have been established by other municipalities with the expectation that the program may encourage more residents to contribute to candidates and thereby somewhat ease the financial burden associated with election campaigns as well as encourage more residents to get engaged in Municipal Elections and thereby increase voter turnout. Assessing the overall success of a rebate program in achieving these goals is difficult. Direction is sought with respect to the implementation of a rebate program for the 2014 Municipal Election.

ATTACHMENTS: Appendix 1 – Report dated January 8, 2013



Brenda R. Breault, CMA, MBA
Commissioner of Corporate Services and Treasurer

Prepared By: Pina Mancuso, Manager, Elections



Corporate Report

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DATE: May 28, 2013

TO: Chair and Members of Governance Committee
Meeting Date: June 12, 2013

FROM: Brenda R. Breault, CMA, MBA
Commissioner, Corporate Services and Treasurer

SUBJECT: **Municipal Election Campaign Contribution Rebate Program
Procedure and By-law**

Governance Committee
JUN 12 2013

RECOMMENDATION:

1. That a pilot Municipal Election Campaign Contribution Rebate Program be approved for the 2014 Municipal Election, as outlined in Appendix 3 of the Corporate Report dated May 28, 2013 from the Commissioner of Corporate Services.
2. That the implementing By-law, substantially in the form outlined in Appendix 4, be enacted in accordance with Section 82 (1) of the *Municipal Elections Act 1996*.

**REPORT
HIGHLIGHTS:**

- At the Council meeting on March 6, 2013, Council passed resolution 0032-2013 directing staff to pursue the implementation of a Municipal Election Campaign Contribution Rebate Program (the Rebate Program) and report back.
- Procedures for the Rebate Program and a draft by-law are attached to this report.

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BACKGROUND:

On March 6, 2013 Council approved resolution 0032-2013 which stated:

Recommendation GOV-0016-2013 to GOV-0018-2013 inclusive contained in the Governance Committee Report 3-2013 dated February 27, 2013 be approved save and except GOV-0017-2013 regarding the Election Rebate Program which was amended to direct staff to pursue option two and report back.

This report provides information regarding the detailed procedure, scope, structure and costs associated with the Rebate Program. The previous two reports presented to the Governance Committee regarding the Rebate Program are included as Appendices 1 and 2.

COMMENTS:

At Council's direction, rebates would be issued as follows:

Contribution Amount	Applicable Rebate
Less than \$100	Ineligible
\$100 up to \$750	50% of total contribution

The scope of the Rebate Program is outlined in Appendix 3. The draft By-law is attached as Appendix 4.

Through detailing the procedures and writing the draft implementing the By-law, the Elections Office has identified the following concerns that relate to the Rebate Program:

- The cost of administering the program cannot be accurately estimated as cost will depend on the number of Candidates and contributors that participate and the amount of contributions that are made.
- The City of Mississauga does not have the legislated right to conduct audits to determine if requests for rebates are legitimate. Rebates will be issued based on the information provided by Candidates and Contributors and the program in accordance with the requirements of the Rebate Program.
- If a rebate is found to be illegitimate, the City of Mississauga has no legislated disciplinary course of action.
- Based on information provided by other municipalities who have a Rebate Program it has been identified that it may not meet the

goals of Council to encourage more residents to contribute to Candidates and thereby somewhat relieve the financial burden on Candidates, and generate more resident interest in Municipal Elections and thereby increase voter turnout.

Given the uncertainty of the outcomes which will be achieved from the implementation of a Rebate Program, it is recommended that the Program be undertaken as a pilot program for the 2014 Municipal Election, and that Election staff review and report back to Governance Committee following the conclusion of the 2014 Rebate Program.

**FINANCIAL
IMPACT:**

The anticipated costs associated with the Rebate Program are as follows:

- \$400,000 in rebate payouts are estimated based on the following estimates: approximately 175 candidates participate in the program, each candidate having 15 contributors requesting a rebate for contributions made on an average of \$300 (initiating a payout of \$150 per contributor).
- Program administration cost estimated to be \$100,000 which includes one staff person for 18 months and postage and other material costs.

The estimated number of contributions and average contribution is based on an analysis of the 2010 Municipal Election. The number of candidates is predicted to be higher as this is the first Election in quite some time where there is no incumbent for Mayor. Funding for the Rebate Program will be included in the Election Budget.

This program will be funded from the Election Reserve Fund. Since this program requires an additional \$500,000 be drawn from the Reserve Fund, the annual election reserve contribution must be increased by \$125,000 starting from 2014. As a result of this change the annual election contribution level funded through the operating budget will be increased to \$625,000 from \$500,000.

Should the amount of the rebates paid out following the 2014 Municipal Election exceed the estimate, the annual contribution to the Election Reserve will have to be increased for future years.

CONCLUSION: It is recommended that the Rebate Program be implemented as a pilot

2014 Municipal Election and payout of all rebates, staff will evaluate the effectiveness and financial impact of the pilot program and report back to Governance Committee.

- ATTACHMENTS:**
- Appendix 1: Corporate Report dated January 8, 2013 from the Commissioner of Corporate Services entitled Municipal Election Campaign Contribution Rebate Program.
 - Appendix 2: Corporate Report dated February 21, 2013 from the Commissioner of Corporate Services entitled Municipal Election Campaign Contribution Rebate Program.
 - Appendix 3: Municipal Election Campaign Contribution Rebate Program Detailed Procedures.
 - Appendix 4: Draft Municipal Election Campaign Contribution Rebate Program Implementing By-law.



Brenda R. Breault, CMA, MBA
Commissioner, Corporate Services and Treasurer

Prepared By: Pina Mancuso, Manager, Elections

Rebate Program Formulas

Municipality	Formula
Oakville	<ul style="list-style-type: none"> • Contributions less than \$100 = INELIGIBLE • Contributions over \$100: rebate = 50% of total contribution
Ajax	<ul style="list-style-type: none"> • Contributions less than \$25 = INELIGIBLE • Contributions \$25 - \$100: rebate = 75% of the total contribution • Contributions over \$100: rebate = \$75.00 + 50% of the difference between the total contribution and \$100 • Maximum rebate regardless of contribution = \$150
Toronto	<ul style="list-style-type: none"> • Contributions less than \$25 = INELIGIBLE • \$25 - \$300: rebate = 75% of the total contribution • \$301 - \$1000: rebate = \$225.00 + 50% of the difference between the contribution and \$300 • Contributions over \$1000: rebate = the lesser of \$575 + 33.3% of the difference between the total contribution and \$1000 • Maximum rebate = \$1000
Whitby	<ul style="list-style-type: none"> • Same as formula for Ajax
Markham	<ul style="list-style-type: none"> • Contributions less than \$50 = INELIGIBLE • Contributions \$50 - \$300 = 75% of total contribution • Contributions over \$300 = 75% of \$300 + 50% of the difference between the total contribution and \$300 (maximum rebate = \$350)
Vaughan	<ul style="list-style-type: none"> • Contributions less than \$50 = INELIGIBLE • Maximum rebate regardless of contribution = \$150 • Contributions over \$50 = 75% of total contribution

*Information regarding the above formulas is from the City of Ottawa

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Eligibility Criteria

Eligible	Ineligible
Must be a City of Mississauga resident.	Contributions made by non-residents and contributions made by the candidate, candidate's spouse, siblings, grandparents, parents, children or grandchildren are ineligible to receive a rebate.
Contributions must be over \$100.00 but no more than \$750.00.	Contributions under \$100.00.
Candidates nominated for Council.	Candidates nominated for Trustee.
Candidates must sign their Nomination Form (ELO1) indicating that they are enrolling in the Rebate Program.	Candidates who have opted out of the Rebate Program.
Monetary contributions given to an eligible Candidate during their campaign period.	Contributions of goods and services; contributions made by a corporation or trade union; proceeds of fundraisers.
Rebates will only be issued once the candidate files their financial statement (ELO4) by the legislated deadline as stated in the MEA under section 77.	Contributions given to a Candidate who is in default.

Responsibilities

Candidate

1. Must enroll in the program by signing their Nomination Form (ELO1) indicating they wish to participate and will adhere to the set out guidelines.
2. Candidates must initial contribution receipts (ELO8) confirming that the Candidate has communicated to the contributor whether or not they are participating in the Rebate Program.
3. All monetary contributions over \$100.00 must be recorded under Schedule 1 on the Candidate's Financial Statement (ELO4) and information must include the Contributors name, qualifying address and mailing address.
4. All monetary contributions over \$100.00 must be also documented on the electronic template provided by the Clerk's Office with the Contributors name, qualifying address and mailing address and submitted at the time of filing the Candidate's Financial Statement (ELO4).
5. At the time the Candidate files their Financial Statement (ELO4), they must include the pink copies of the Receipt for Campaign Contributions (ELO8), as well as the electronic template provided by the Clerk's Office for all contributions exceeding \$100.00.
6. A Financial Statement (ELO4) must be submitted by the legislated date to the Office of the City Clerk as stated in Section 78 (1) of the MEA in order for their contributions to be eligible for rebates.
7. Candidates who are participating in the Rebate Program are required to use the prescribed Form (ELO8, Receipt for Campaign Contributions) in order for their contributors to be eligible for rebates.

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Contributor

1. The request for rebate must be brought in person or submitted by mail to the Clerk's Office, or by email accompanied with a scanned copy of the receipt (EL08) by September 30, 2015 4:30pm.
2. Rebates will only be issued for those contributions made during the Candidate's campaign period.
3. Must provide qualifying address and mailing address to the Candidate and notify the Clerk's Office by mail, in person, or by email if any changes take place prior to receiving the rebate.

Election Office Administration

Elections Office Administration process:

1. Elections staff will prepare rebates only after a Candidate's Financial Statement (EL04) has been submitted in compliance with the Municipal Elections Act, 1996 (MEA) and only if the Clerk is satisfied that the rebate request was received during the Candidate's campaign period.
2. Election staff must confirm upon the filing of the Candidate's Nomination Form (EL04) whether or not they are participating in the program.
3. Elections staff will provide numbered receipts (batch of 25 will be provided upon filing and additional copies can be purchased for a sum); explain the importance of obtaining the required contributor information and filling out the electronic spreadsheet for all contributions over \$100.00.
4. Requests for rebate will be accepted in person at the Clerk's Office, by mail or by email accompanied with a scanned copy of the receipt (EL08).
5. Request for rebates will not be processed after September 30, 2015. All inquiries must be submitted before this deadline.

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**A BY- LAW TO ESTABLISH A MUNICIPAL ELECTION
CAMPAIGN CONTRIBUTION REBATE PROGRAM**

WHEREAS section 82 (1) of the *Municipal Elections Act, 1996*, as amended, (*MEA*), permits a municipality to enact a By-law, to provide for the payment of rebates to individuals, corporations, or trade unions who made contributions to candidates running for office on the municipal council;

AND WHEREAS section 82 (3) of the *MEA* states that the By- law or resolution shall establish the conditions under which an individual, corporation or trade union is entitled to a rebate;

AND WHEREAS section 82 (4) of the *MEA* states that the By- law or resolution may provide for the payment of different amounts to different individuals, corporations or trade unions, on any basis;

AND WHEREAS, on _____, the Council of the Corporation of the City of Mississauga (the "Council") approved the establishment of a City of Mississauga Municipal Election Campaign Contribution Rebate Program (the "Rebate Program") that would pay rebates to individuals that made contributions to candidates running for office on the Municipal Council;

AND WHEREAS procedures and requirements must be established for the administration of the Rebate Program;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

- (1) In this By- law,
 - (a) "City" means the Corporation of the City of Mississauga in the Regional Municipality of Peel;
 - (b) "The Rebate Program" means the Mississauga Municipal Election Campaign Contribution Rebate Program;
 - (c) "The Elections Office" means the section of the Office of the City Clerk that administers the Rebate Program.
 - (d) "The Clerk" means the City Clerk.
 - (e) "The Candidate" means a candidate running for office on Council.
 - (f) "The Contributor" means an individual who has contributed to a candidate's campaign in the 2014 Municipal Election and is eligible for a rebate as prescribed in this By- law.

- (2) A Rebate Program providing for the payment of rebates to individuals residing in the City, who make contributions to candidates running on Council, for the 2014 municipal election is hereby authorized.
- (3) The Council hereby establishes the qualifications and requirements for participation in the Rebate Program as described in Schedule "A" to this By- law.
- (4) The Council hereby establishes the administrative procedures as described in Scheduled "A" to this By- law as they relate to the Rebate Program.
- (5) The Council hereby establishes the responsibilities of the City, the Candidate and the Contributor insofar as they relate to the administration of, and participation in the Rebate Program.

ENACTED AND PASSED this day of 2013.

MAYOR

CLERK

SCHEDULE "A" TO BY-LAW _____

QUALIFICATIONS FOR ENROLMENT IN AND ADMINISTRATIVE PROCEDURES FOR THE MUNICIPAL ELECTION CAMPAIGN CONTRIBUTION REBATE PROGRAM

1. Enrolment in the Rebate Program

A Candidate running for municipal office in the 2014 City of Mississauga Municipal Election may, if they so choose, enrol in the Rebate Program whereby residents of the City of Mississauga that contribute to the Candidate's campaign will receive a rebate from the City of Mississauga (see Section 3, Rebate Calculation). To enrol in the Rebate Program, Candidates must sign their Nomination Form (EL01) in accordance with s.33 of the *Municipal Elections Act*, indicating that they wish to participate. (see Section 4, Candidate/ Contributor Responsibilities).

2. Eligibility

Eligibility for participation in the Rebate Program is as follows:

Eligible	Ineligible
Must be a Mississauga resident.	Contributions made by non-residents and contributions made by the Candidate, Candidate's spouse, siblings, grandparents, parents, children or grandchildren are ineligible to receive a rebate.
Contributions must be over \$100.00 but no more than \$750.00.	Contributions under \$100.00.
Candidates nominated for Council.	Candidates nominated for Trustee.
Candidates must sign their Nomination Form (EL01) indicating that they are enrolling in the Rebate Program.	Candidates who have opted out of the Rebate Program.
Monetary contributions given to an eligible Candidate during their campaign period.	Contributions of goods and services; contributions made by a corporation or trade union; proceeds of fundraisers.
Rebates will only be issued once the Candidate files their financial statement (EL04) by the legislated deadline as stated in the <i>MEA</i> under section 77.	Contributions given to a Candidate who is in default.

3. Rebate Calculation

Rebates shall be calculated as follows:

Contribution Amount	Applicable Rebate
Less than \$100	Ineligible
\$100 up to \$750	50% of total contribution

4. Candidate/ Contributor Responsibilities

The administrative procedures herein only apply to candidates who opt in to the Rebate Program. Participation in the Rebate Program is discretionary and any Candidate or Contributor participating in the program shall comply with the provisions set out in this by-law.

The responsibilities of the Candidate and Contributors for participation in the Rebate Program are as follows:

Candidates:

- (a) Must enroll in the program by signing their Nomination Form (EL01) indicating they wish to participate and will adhere to the set out guidelines.
- (b) Candidates must initial contribution receipts (EL08) confirming that the Candidate has communicated to the contributor whether or not they are participating in the Rebate Program.
- (c) All monetary contributions over \$100.00 must be recorded under Schedule 1 on the Candidate's Financial Statement (EL04) and information must include the Contributors qualifying address and mailing address.
- (d) All monetary contributions over \$100.00 must be also documented on the electronic template provided by the Clerk's Office with the qualifying address and mailing address and submitted upon filing the Candidate's Financial Statement (EL04).
- (e) At the time the Candidate files their Financial Statement (EL04), they must include the pink copies of the Receipt for Campaign Contributions (EL08), as well as the electronic template provided by the Clerk's Office for all contributions exceeding \$100.00.
- (f) A Financial Statement (EL04) must be submitted by the legislated date to the Office of the City Clerk as stated in Section 78 (1) of the MEA.
- (g) Candidates who are participating in the Rebate Program are required to use the prescribed Form (EL08, Receipt for Campaign Contributions) in order for their contributors to be eligible for a rebate.

Contributors:

- (a) The request for rebate must be brought in person or submitted by mail to the Clerk's Office, or by email accompanied with a scanned copy of the receipt (EL08) by September 30, 2015 4:30pm.
- (b) Rebates will only be issued for those contributions made during the Candidate's campaign period.
- (c) Must provide qualifying address and mailing address to the Candidate and notify the Clerk's Office by mail, in person or by email if any changes take place prior to receiving the rebate.

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5. Election Office Administrative Practices

The Election Office Administration process for the Rebate Program is as follows:

- (a) Elections staff will prepare rebates only after a Candidate's Financial Statement (EL04) has been submitted in compliance with the MEA and only if the Clerk is satisfied that the rebate request was received during the Candidate's campaign period.
- (b) Election staff must confirm upon the filing of the Candidate's Nomination Form (EL04) whether or not they are participating in the program.
- (c) Elections staff will provide numbered receipts (batch of 25 will be provided upon filing and additional copies can be purchased for a sum); explain the importance of obtaining the required contributor information and filling out the electronic spreadsheet for all contributions over \$100.00.
- (d) Rebates will be processed only in person at the Clerk's Office, by mail or by email accompanied with a scanned copy of the receipt (EL08).
- (e) Request for rebates will not be processed after September 30, 2015. All inquiries must be submitted before this deadline.

Municipal Election Candidate Contribution Rebate Programs in Ontario

The following table outlines the scope and financial impact of Municipal Election Candidate Contribution Rebate Programs across Ontario for the 2014 Municipal Election.

	Ajax	Oakville	Ottawa	Markham	Toronto	Vaughan	Whitby
Electoral population in 2014	74,891	125,722	632,385	195,805	1,813,915	190,724	87,406
Criteria for contributor to qualify for contribution rebate	Ajax voter	Oakville voter & resident	Ontario resident	Ontario resident	Ontario resident	Vaughan voter & resident	Whitby voter
Corporation or trade union eligible	No	No	No	No	No	No	No
Contributor must apply for contribution rebate directly to the municipality	Yes	Yes	Yes	No	Yes	Yes	No
Cut off date to apply for contribution rebate	12 noon Dec. 1 the year following an election	90 days after financial filing deadline	4:30 pm on the 90th day after the last financial filing deadline	Not applicable	December 31 the year following an election	December 31 the year following an election	Not applicable
Timeframe for a contribution to be made & qualify for a contribution rebate	Between candidate's nomination filing and Voting Day	Between candidate's nomination filing and final financial filing	Between candidate's nomination filing and supplementary period, if applicable	No restriction	Between candidate's nomination filing and supplementary period, if applicable	Between candidate's nomination filing and supplementary period, if applicable	Between candidate's nomination filing and Voting Day
Program excludes candidate, spouse or children of candidate	Yes	Yes	Yes	No	No	Yes	Yes
Audited statement required	No	No	Yes	Yes	Yes	Yes	No
Formula used to calculate contribution rebate	75%	50%	See below	See below	See below	75%	25%
Minimum contribution eligible for a contribution rebate	\$50	\$100	\$25.01	\$50	\$25	\$50	\$25
Maximum allowable contribution rebate	\$200	\$375	\$75	\$350	\$1000	\$150	\$150
Number of contribution rebates issued*	89	263	2,166	2,781	16,543	341	43
Total contribution rebates issued*	\$12,266	\$40,402.65	\$105,185	\$546,363	\$4,005,376	\$48,615	\$3,750
CCRP cost per elector* (Total contribution rebates issued / Electoral population)	\$0.16	\$0.32	\$0.17	\$2.79	\$2.20	\$0.26	\$0.04
Number of candidates eligible to use Program	21	46	148	51	423	31	35
Number of candidates that used Program	10 (48%)	22 (48%)	117 (79%)	44 (86%)	181 (43%)	28 (90%)	12 (34%)
Number of candidates elected who used Program	4 of 7	11 of 13	24 of 24	12 of 13	45 of 45	9 of 9	5 of 8

* These numbers are as of April 2016.

Ottawa Formula:

- Contribution between \$25.01 and \$100, rebate is 50% of the contribution
- Contribution between \$100.01 and \$200, rebate is \$50 plus 25% of the amount by which the contribution exceeds \$100

Markham Formula:

- Contribution between \$50 and \$300, rebate is contribution x 75%
- Contribution between \$301 and \$550, rebate is \$225 + 50% of contribution between \$300 and \$550

Toronto Formula:

- Total contributions between \$25 and \$300, rebate is contribution x 75%
- Total contributions over \$300 but not more than \$1,000, rebate is contribution - \$300 x 50% + \$225
- Total contributions more than \$1,000, rebate is contribution - \$1,000 x 33 1/3% + \$575