WARD 10 VOTING SCANDAL

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Critics say report won't stop fraud

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CALGARY HERALD

An MLA report designed to clean up the election process in the wake of Calgary's Ward 10 voting scandal calls for more discretion for municipal governments, but critics say the recommendations don't go far enough to stop voter fraud.


Andre Chabot

On Monday, the province released details of a three-month review of the legislation guiding local elections.

In the report, compiled by three MLAs, more than 30 recommendations — including special ballot procedures, required voter identification and campaign processes — were forwarded to Municipal Affairs Minister Rob Renner.

The changes still must be approved by the legislature next spring before becoming law.

In an interview Monday, Renner said the changes, if implemented, would add credibility to the tarnished system.

While many of the recommendations would be enacted at the local level, Renner said the process would be more secure.

"The teeth will be incorporated into the local bylaws," he said. "It's hopefully going to facilitate greater participation."

But Calgary Ald. Andre Chabot criticized the approach, saying it won't stop problems at the ballot box.

"They're sitting on the fence. They've left too much to local authorities," he said. "The door is just too open. It needs to be closed."

Ward 10's controversy was triggered after the city rejected 1,266 mail-in ballots in the October 2004 election.

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Proposed MLA amendments to the Local Authorities Election Act

Special ballots:
Allow elected authorities the discretion to use special ballots if they pass a resolution no later than six months prior to nomination day

Voter identification:
Provide an elected authority the discretion to make a bylaw no later than six months prior to nomination day regarding the use of voter identification, including the type and number of documents that may be required for all voters to verify identity and age

Returning officer's authority:
Allow the returning officer to set aside special ballots received that are believed to be in contravention of the act, and to report the alleged contraventions to a person or persons appointed by the minister to determine the validity of the ballots

Campaign contributions:
Allow an elected authority, in its campaign contributions and expenses bylaws, the discretion to have the audited statement of a candidate's campaign contributions and expenses reviewed by an independent third party to ensure compliance with the bylaw.

Voting instructions
Allow a local jurisdiction to provide voting instructions in languages other than English to those voters who need assistance

FROM B1

REPORT

Former Ward 10 alderman Margot Aftergood has admitted her campaign team requested the 1,266 disputed mail-in ballots and had them sent to a commercial mailbox rented by her husband, David. She's maintained they did nothing wrong, but she resigned from her seat last year.

Aftergood's husband, brother-in-law and three other members of her campaign team — including two brothers of Conservative MLA Hung Pham — have been charged under the Local Authorities Election Act.

The city asked for a full provincial inquiry into the affair, but the province responded with a more tightly-controlled inspection led by former ethics commissioner Bob Clark. His proceedings were cut short in June, but Clark still issued his own report into the matter.

His recommendations prompted Renner to call for a fresh look at the election act.

Clark's report revealed an organized but unsuccessful attempt was made to stuff ballot boxes in 2004's ill-fated civic election.

Chabot, who lost the original Ward 10 election in 2004 but won the subsequent byelection, said the MLA review could have made the election act airtight.

Instead, said Chabot, the amendments leave room for abuse.

"Maybe it ain't broken, but there's such a thing as preventative maintenance," said Chabot. "They did not set the stage and provide leadership."

The MLA committee was appointed in September to review law governing municipal elections.

Tory MLA Ron Liepert, one of the committee members, said the act did not need a major overhaul.

"Let's not turn everything upside down because of one situation," said the Calgary West MLA.

While the MLA committee supported most of Clark's recommendations, its own proposals weren't as specific.

Under the committee's proposal, a municipality has the discretion to require two pieces of voter identification by implementing a bylaw no later than six months prior to nomination day.

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