



**Record of Proceedings
of the Citizens' Assembly on Electoral Reform
September 25-26, 2004**

In attendance: J. Blaney, Chair
 153 Assembly members
 8 staff
 11 facilitators
 10 notetakers
 30 observers
 3-4 media

On leave: G. Mackinnon
 S. Williams

Absent: M. Anderson
 C. Armstrong
 P. Barakat
 C. Fader
 C.J. Thiessen

Recording secretary: L. Perra

Saturday, September 25, 2004

Plenary AM Session

M. Jarbek, accompanied by B. Carter, led the members of the Citizens' Assembly (the "Assembly") in the singing of the national anthem.

The Chair recognized:

- Andrew Davies, Senior Departmental Assistant, Office of the Deputy Leader of the Government/Minister Responsible for Democratic Reform, Canada
- Harry Neufeld, Chief Electoral Officer, Elections BC
- Janet Erasmus, Senior Legislative Counsel, Ministry of Attorney-General

In response to a query from a member, the Chair advised that members of the Assembly were selected from an electoral district to ensure good cross representation from across the province, but once selected, the Assembly represented the interests of all citizens of the province.

1. **Presentation – “Getting to Yes” - Michael Fogel**
Michael Fogel provided a presentation on how to deal with conflict and reach consensus.
2. **Shared Values**
The Chair reaffirmed with the Assembly the Shared Values adopted by the Assembly in early January.
3. **10 Decisions**
The Assembly was asked to endorse a revised decision process which was adapted from the critical path document tabled at the Week 1 meeting.

NOTE: Assembly’s response/decisions are indented in bold type and italicized; text in italics on the same line of a question denote answer to the respective question

Decision 1

Review and confirm electoral values:

Local representation

Seats to mirror votes

Maximizing voter choice

An electronic vote was taken: Yes - 137, No - 11

Decision 2

Choose electoral options that could achieve our values.

An electronic vote was taken: Yes - 137, No - 7

Decisions 3 and 4

Build best option “A” for BC and Build best Option “B: for BC

It was agreed that Decisions 3 and 4 should be treated together.

An electronic vote was taken: Yes - 149, No - 0

Decision 5

Compare options and then choose the best electoral alternative.

An electronic vote was taken: Yes - 148, No - 0

Decision 6

Assess and confirm the merits of the current system.

Agreement reached by consensus

Decision 7

Compare best alternative system against current system and choose one.

Agreement reached by consensus

Decision 8

Decide on the basic recommendation.

Agreement reached by consensus

Decision 9

Draft report and other considerations.

Agreement reached by consensus

Decision 10

Approve Final Report

Agreement reached by consensus

4. Presentation: “Deciding Key Elements and Identifying Alternate Systems” - Ken Carty

Questions and issues raised include:

- Need to vote on the values identified;
- Revisit the original list of electoral system values and vote using buttons;
- Other systems have up to 12 values, maybe should have more;
- Values can be added or removed as the work progresses;
- Did not see the ballot as representing the value of “voter choice”;
- Being told to select top three preferences produced a certain outcome; had there been more options, i.e., top 4 or 5, results may have been different.

Plenary PM Session

The Chair called for an indication of support for the three key system features:

1. Local representation: the Assembly affirmed that the BC electoral system ought to incorporate an element of effective local representation.
2. Votes to mirror seats: the Assembly affirmed that the BC electoral system ought to translate vote shares into seat shares in a way that reflects the preferences of the electorate.
3. Maximizing voter choice: the Assembly affirmed that the ballot form used in the BC electoral system ought to provide for as much individual voter choice as possible.

Agreement reached by consensus

The Chair asked the Assembly to respond to the following two questions:

1. What is most important to you when you make your choice on some voting system?
2. What are the attributes on politics and governance that you would most like to see as a result of choosing an electoral system?

The following comments and suggestions were made by individual members:

- Effective legislature truly responsive to the people of BC

- Legislature that pays attention to us throughout term and not only around election time
- Legislature that provides real leadership, including bringing opposition along on issues
- A governing system that does not drastically change with each change in government
- Every vote counts
- Accountability
- People feeling more involved with democracy
- Coalition governments
- Independents have reasonable chance of election in every riding
- Open nomination process
- More open debate in legislature rather than backroom deals
- Legislature more accurately represents the diversity of BC
- Easy to understand
- More incentives for voter turnout, more say for the MLA
- Public service that serves the public
- More responsiveness on part of governing party
- Increased youth participation
- Less party discipline and more accountability to the electorate
- More consensual government
- More accurate representation in government
- Equal gender representation
- Better behaviour in the legislature
- More open referenda and polling of public opinion
- Restrictions on campaign finance
- Consensus decision-making based on voter wishes
- More choices for the voter
- Accountability of the premier and cabinet to the legislature
- MLAs accountable to the public
- More effective opposition
- More effective local representation
- Less power to party leaders
- Dilute decision making throughout all MLAs
- Less central control by party of nomination process
- More choice on the ballot
- Ballot that allows me to portray myself as a multi-dimensional person
- Democratic nomination process

Note: the above were contributions from individual members and therefore do not necessarily represent a consensus opinion. There was no discussion of these points.

K. Carty revisited the implications of the three electoral system features and the kinds of decisions that each system would require the Assembly to make.

Questions and observations include:

- Spending too much time on STV and MMP and not enough on List-PR
- Impact of PR on constituency size
- Legal status of different electoral models
- Handling of recall
- Rule re odd number of seats in legislature
- MLAs re swapping of seats after election
- Can party unseat an MLA?
- Where is the third system?
- Not considering submissions seems to indicate a closed mind
- If we go with a drastic change without educational support, our recommendation may be for naught
- How specific should we be in our details regarding ratio of constituency to list seats
- We should not “dumb down” the electoral model

K. Carty asked the Assembly which model they wished to consider first.

K. Carty also asked for an indication of support on behalf of advocates for tweaking SMP.

Minimal support indicated less than 6

It was noted that in any given model, there could be combinations of the other models, that is, some SMP could be included in an STV system.

An electronic vote was held on whether to start building a system with STV or not.

An electronic vote was taken: Yes - 131, No - 15

The Assembly moved into discussion groups to build an STV system for BC.

Sunday, September 26, 2004

Plenary AM Session

Presentation: “Build an STV Option for BC” - Ken Carty

K. Carty invited the Assembly to suggest the elements for the key decision points for an STV electoral system.

District Magnitude

The following points/questions on district magnitude were raised by individual members:

- Tied to the Supreme Court decision re equality of votes.
- Electoral Boundaries Commission is responsible for drawing boundaries, Assembly can suggest districting principle.

- Can member from the north provide feedback on the matter of a DM of 5 versus 2?
- If we want to enjoy benefit of proportionality, we should have a DM of 3.
- Proportionality is not that great an issue for the north.
- See STV across the province, DMs could vary but high enough to produce proportionality.
- Need an equal voice so the DM should be the same.
- General acceptance that STV could work in north but it would create a very large district or two.
- We need to address needs of the north.
- Need flexibility, DM could vary.
- What is the issue regarding odd or even number for the DM? *Not a lot of difference between 2 and 3*
- With a DM of 2, big parties usually win both seats, thus one government and one opposition seat.
- North is prepared to trade proportionality for local representation.
- Demographic reality is that north's population and share of the population is declining.
- Is there a maximum DM for the north, say 3?
- DMs below 3 shut out minority views.
- Minority views are non-existent in the north.
- DM of 2 would be similar to federal electoral districts.
- We need flexibility, DM of 2 to 3 in less populated areas and 4 to 5 in more populated areas.
- Answers depend on the questions. People who want proportionality do not know what they will give up on other elements.
- Not a lot of support for Preferential Plus, it provides for two classes of voters/citizens.
- People from the north want same treatment.
- DM of three provides more flexibility for voters and election of candidates.
- DM of 3 creates a lot more dynamics.
- Proportionality is a value in the north as evidence by the results produced by Craig Henschel on the Discussion Forum.
- "Local representation was not a big issue when I first joined, we want to avoid to class system".
- Important to not have a two-tiered system. If needed, it should be a last resort option.
- In a pure STV system there is not a DM of one, this would make it a mixed system.
- People do not really know the gains of a DM of 2:
 - Voter choice
 - Votes count
 - Still have strong voice because MLA more accountable to the people and not to the Legislature.

- Do not want to lose local representation.
- Do not think two-tier system is fair.
- Distances of 500 to 800 kilometers is too far for an MLA.
- Can we check to see if a DM of 1 is acceptable?
 - Strong indication that it is not acceptable – by a show of hands***
- What applies to the north may apply to other regions such as the Kootenays.
- A possible model for less dense areas:
 - North-Kootenays - DM of 2
 - North Island - DM of 3
 - Prince George - DM of 3 to 4
 - North Coast - DM of 2
- Can we incorporate occupational (non-residential) workers into population statistics?
- We see people here making decisions on our behalf (for the north)
- DM of 2 brings everyone into the same model
- “We know what Wilf wants, what about the other people from the north”
- We should agree on a principle: design DM as large as possible but recognize distances, however, not less than a DM of 2.
- Need to think of proportionality on a provincial basis and not worry about one or two districts with a DM of 1.
- How do we communicate with our MLAs, not likely in a face to face mode?
- If you incorporate two districts you now have two MLAs to contact.
- People do not want it worse than it is now - may need DM of 1.
- STV with DM of 2 gives better representation.
- We seem to focus on not making things worse - we should try to it better.
- We will still have the same number of constituency offices.
- Better chance of having my views represented by a DM of 2.
- DM of 1 does not help.
- DM of more than 2 gives us more benefits.
- North does not want to be treated differently.
- DM of 2 could fly - no benefit of 3 since will be taken by large parties.
- Boundaries Commission needs to be sensitive to local needs and issues.
- We (the north) need local representation for many needs that we cannot seem to communicate to you - every call is a long distance call, every trip is a long trip.
- Local representation is not only an MLA in Victoria; it includes the delivery of constituency services.
- Problem seems to be communication, possibly note in Other Considerations support for constituency services.
- Two MLAs may provide the opportunity to pass the buck to the other one.

- Believe people in the north should have the say regarding the DM.
- We need to move on.

K. Carty summarized that a minimum DM of 2 seemed acceptable with sensitivity to the needs of large rural districts

Upper Limits

- As high as possible.
- Using Droop, can come up with 6 or 7 - suggest 6.
- Could be a range of 5 to 7.
- General mix, 5s and 6s with some 4s.
- Keep the number odd.
- In the Kootenays, a large DM might force people to work together.
- Large DM is good, but need to remember the impact on the MLA.
- We could combine the Lower Mainland into a single district and have good proportionality.
- Vancouver has 10 electoral districts, why not a DM of 10.

K. Carty summarized that a DM of 4 to 7 seemed acceptable for more densely-populated areas recognizing local circumstances

Quotas

- Droop makes it easier for small party to win its first seat.
- Quotas function differently under STV than PR list.
- Let us leave the issue of quota until we decide if we want STV.

Ballot Form

- By parties - names randomized, pictures included.
- Randomize parties also.
- No indication of number of Xs against DM.
- Do models affect counting?
- Need to accommodate voters who do not study issues but who may want to vote for a party.
- Simplify choices as much as possible.
- Random organization of candidates and without party randomization.
- Concern re number of names on the ballot.
- Need to be careful re shortcuts on ballots as can affect outcome.
- Large ballots under STV do not happen in other jurisdictions.
- Randomization may affect foreigners who have language difficulties.
- Option could include a party vote.
- We are looking at STV to reduce party vote - need to randomize names and party list to reduce party influence.
- Voters need greater control, using “party” [on the ballot] may increase their influence and control.
- Favour random approach, parties can take care of the language needs of voters.

- Concern re need to simplify, people will figure out what to do if they want to vote.
- Support “party proofing” the ballot - above the line would change it too much.
- Against above the line, favour Robson Rotation.
- Spoiled ballots do not vary much between systems, not an issue to worry about.
- How many parties on a ballot - 6 or 7?
- Voters are well informed on ballot before election – do not support “dumbing down” system.
- Support random list.

Summary: grouping by party, randomization of parties, ballots also randomized

Completion Rules

- 2 more than number of seats - seat vacancy provision.
- I don’t want to vote for people I don’t know.
- Let people not vote - this is a choice - adds to simplicity value.
- Don’t want to be forced to vote for more than one person.
- Irish experience suggests that ranking all candidates is not onerous.
- If you require DM votes - large parties will likely fill the slate.
- Voter should not be forced to vote.

Summary: provide voter choice, no support for entire ballot

By-Elections

- By-election is a good tradition.
- Good meter on attitude of voters.
- By-elections but options based on time.
- By-election -12 month window, other MLAs can fill in.
- By-election is a valid meter.
- By-election with limits of 3-4 months.
- Hard to see the north without a representative for 6 months.
- Would we do SMP or AV for by-election?
- If just after election, then runner up could be selected.
- By-election, likely a large party wins.
- Recount of MLAs second preferences.
- Small parties could win by-elections.
- How many by-elections between terms? *Varies, not many*
- Recount of ballots.

Summary: By-election option

Other comments dealing with by-elections were offered by members:

- Let party decide.
- Do not see seat belonging to the party, seat belongs to the voters.
- AV - express preferences.

- Time limits would affect how I vote on question of by-elections.
- What is the voter turnout for by-elections? *Up to 50%, often less*
- Do we need to specify time when we would not need a by-election.
- Would we need to specify time when a by-election must be called.
- What is the cost of by-elections? *Varies--\$300,000 to \$350,000*
- With a minority government, fixed date may change.

Summary: AV favored, SMP has little support

Transfer votes:

- Prefer percentage of vote transferring.
- It is not a concern as we do not know how votes are counted under STV.

Summary: Want full transfer count so any recounts would be replicable

- Ballot form should include picture of candidate.
- Need to be careful re what kind of picture you put in.
- Mail ballot ahead of time to voter.
- Seat vacancy - need short time limit.

Summary: No enthusiasm for pictures on ballot

- Pictures could help identify minorities.

The Chair adjourned the meeting at 11:45 am. The Assembly was asked to complete evaluation forms.