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MMP for BC

A proposal for

Mixed Member Proportional Voting to Elect

Members of the Legislative Assembly in British Columbia

by

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A Submission to the

Citizens' Assembly of Electoral Reform

Vancouver, British Columbia

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Acknowledgements

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CONTENTS

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SUMMARY

This submission presents a comprehensive proposal for electing the members of the British Columbia Legislative Assembly by a method known as Mixed Member Proportional (MMP) voting.

Under this proposal each voter would have two votes: one vote for a constituency seat and one vote for a party. The composition of the Legislative Assembly so elected would be determined by the combination of the votes cast in each constituency and for the parties on a province-wide basis.

There would be forty constituency seats and thirty-nine party list seats. The constituency seats would be regional or local seats. These seats would provide for the election of regional or local representatives to the Legislative Assembly. The other thirty-nine seats would be assigned to candidates elected from party lists based on the outcome of the second, popular (or party), vote. Party lists would be determined by the parties contesting the election. It is anticipated that the parties would order their lists so that minorities and other interests of the voters would be accommodated, thus attracting voters to that party in the party vote.

The forty constituency seats would each be allocated to the candidate in each constituency polling the greatest number of votes in that constituency. Party list seats would be allocated so that the total number of seats held by each party in the Legislative Assembly would reflect the proportion of votes obtained by each party, above the threshold, in the party vote.

There would be a party vote threshold of enough votes to win one seat, 1/79 or 1.27 percent of all the votes for parties, for each party to qualify to receive any party list seats.

This proposal retains the direct link between constituencies and their members (representatives) in the Legislative Assembly. It adds a much greater degree of proportionality among the parties in the Legislative Assembly.

It may give rise to minority and/or coalition governments but these possibilities are regarded as positive developments as they incorporate more parties in the government and are likely to reduce the wide swings in policies between successive governments. A more consensual type of government is anticipated.

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INTRODUCTION

This submission addresses the issues of how members of the Legislative Assembly are elected in the Province of British Columbia, Canada. It does so within the framework provided to the Citizens' Assembly on Electoral Reform in British Columbia and according to the interpretations of its terms of reference made by the Assembly, as understood by the author.

One key interpretation by the Assembly is that no change in the size of the Legislative Assembly in terms of the number of seats comprising it is to be considered in any electoral reform.

This submission proposes a specific form of Mixed Member Proportional voting for seats in the Legislative Assembly of British Columbia (MMP for BC).

PRECEDENTS

The principal precedents to this proposal for electoral reform in British Columbia are the electoral systems of the Bundestag (Federal Lower House of Parliament in Germany) and the House of Representatives (unicameral) in New Zealand. The German system has been in effect since 1949 and the New Zealand system since 1993. Both are Mixed Member Proportional Systems.

<u>German Bundestag System</u>

In the German Bundestag system, there are currently 299 constituency seats and 299 party list seats. There are two ballots on each voting paper: one for a constituency seat and one for a party. Voters vote twice; once for a constituency candidate and once for a party. Each constituency seat is allocated to the candidate who attains the greatest number of votes (of all the candidates) in that constituency. This mechanism is described as First Past The Post (FPTP) and is the same mechanism presently used in British Columbia to allocate constituency seats.

The 299 party list seats are allocated so that, when the sum of the constituency seats won by the each party and the number of party list seats allocated to them is determined, this sum is approximately equal to the proportion of votes received by that party in the second (or party) vote on the ballot.

The part of the German system being adopted in this proposal is the form of MMP which uses constituency seats and party list seats in equal numbers. This combination, in a mixed system, provides a very substantial degree of proportionality in the outcomes.

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New Zealand System

The New Zealand system is similar to the German Bundestag system, and, in fact, was modelled on it. The New Zealand Royal Commission that recommended it actually favoured an equal number of constituency and party list seats, the same as the German Bundestag system (NZ 1986. Para 2.188).

However, the system that was adopted in New Zealand in 1993, with the modifications to it since then, has some differences from the German Bundestag system on account of local factors.

The **New Zealand system of MMP is relevant** to British Columbia for three reasons. First, it is being used in a **unicameral environment**. New Zealand, like British Columbia, has only one house in its Legislative Assembly. Second, it is an MMP system for a Legislative Assembly for **a state of about equal size to British Columbia**. Both New Zealand and British Columbia have populations of about four million people. Thirdly, New Zealand has had, and continues to have, a **Westminster parliamentary type of government**, as does British Columbia.

The Legislative Assembly in New Zealand has 120 seats. Currently, sixty-eight (68) of those seats are allocated as constituency seats; the remainder, 52, as party list seats. The balance between constituency seats and party list seats is thus 58% to 42% rather than exactly 50% to 50% as in the German system. The principal of allocating party list seats in New Zealand to "top-up" the number of seats earned by each party in the constituency voting is similar to the German Bundestag system.

Mixed Member Proportional voting systems are also used in Bolivia, Hungary, Italy, Mexico, Venezuela, although details vary (Reynolds and Reilly (1997), p.74).

MIXED MEMBER PROPORTIONAL VOTING FOR BRITISH COLUMBIA

This is a proposal for Mixed Member Proportional voting for seats in the Legislative Assembly of British Columbia.

Under this proposal each voter would have two votes on a single ballot paper: one vote for a constituency representative, and one vote for a party. The votes recorded would be used to allocate forty (40) constituency seats and thirty-nine (39) party list seats.

CONSTITUENCY SEATS

It is proposed that there be forty constituency seats[1]. These constituency seats would be allocated to the candidate in each constituency who wins the greatest number of votes (a plurality), the same way as in the present voting system.

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[1] The allocation cannot be exactly 50/50 as the total number of seats to be allocated is an odd number: 79.

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PARTY LIST SEATS

Under this proposal there would be thirty-nine party list seats.

Prior to an election each party would make and publish a list of candidates for its party list seats. This list would prioritise the names of party list candidates so that the name on the top of the list would be that of the candidate the party most wanted to win a party list seat. The number of names on each party list needs to be at least equal to the greatest number of party list seats the party anticipates that it might win in the election. Thus, there could be as many as thirty-nine candidates on a party list under MMP for BC.

Following the election the thirty nine party list seats would be allocated to the people on the party lists, in order of priority on each party list, so that the result is a Legislative Assembly composed of members from each party very closely approximate to the proportion of votes obtained by that party in the province wide party vote.

These party list seats are allocated to "top-up" the number of constituency seats won by each party so that, in total, the number of seats each party has in the Legislative Assembly approximates the party's share of the popular vote as expressed in the party (second) vote as closely as possible.

[Other MMP systems, including those of Italy and Japan, allocate the party list seats proportionally only among the party list seats, not across all seats. This type of MMP system might be called an "add-on" type of MMP and is not recommended for BC.]

SAMPLE BALLOT

A sample of a Mixed Member Proportional for British Columbia ballot is shown in Table 1 following.

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Table 1: SAMPLE BALLOT*

MIXED MEMBER PROPORTIONAL VOTING FOR BRITISH COLUMBIA
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Constituency: Vancouver Central**   Province of British Columbia
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Constituency Vote: Party Vote:

CANDIDATES   **PARTIES**
Vote for ONE candidate.   Vote for ONE party

Mark your ballot with an X.   Mark your ballot with an X.

[   ] Adams, Henry (NDP)   [   ] Unity Party

[   ] Bencher, Albert (Liberal)   [   ] Liberal Party

[   ] Duck, Donald (Unity)   [   ] Family First Party

[   ] Fromm, Eric (Green)   [   ] Green Party

[   ] Faithful, Bea (Family First)   [   ] New Democratic Party

[   ] Laka, John (Independent)

If you spoil your ballot return it for another.

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* Some of the names of the candidates and all of the parties used in this sample ballot are the same as those used by Loenen (2003) in his proposal to the Citizens' Assembly on Electoral Reform. This duplication is made by his permission and is intended to facilitate comparison of the two proposals.

** Since the number of constituency seats declines from the present 79 to 40 under this proposal, boundary changes would have to be made, possibly giving ris e to some new constituency (electoral district) names.

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THRESHOLDS

In electoral terms, a threshold is a number over which each party must step in order to win any seats.

Most Proportional Representation systems have one or more thresholds which must be exceeded in order for parties to gain party list seats. The arguments for these thresholds generally reflect a desire to limit the number of small, fringe, or extreme parties having low voter support, from gaining seats in the Legislative Assembly.

List Seat Threshold

Values for list seat thresholds effective in proportional and MMP systems of voting around the world vary from 0.67 (Netherlands) to 10.00 percent (Seychelles) of the party vote. Parties that poll below the threshold amount are not awarded any party list seats (Reynolds and Reilly (1997), p.88). Both Germany and New Zealand set this party list seat threshold at five percent (5%) (although the Royal Commission on the Electoral System in New Zealand recommended this threshold be four percent (4%) (New Zealand (1986). p.44.).

In this author's opinion, a list seat threshold may have some value in excluding the smallest parties from office. However, one of the purposes in having an MMP system is to encourage voters to vote *for* a party on the understanding that the MMP system is more likely to reward that positive type of voting behaviour rather than thwarting it as happens under First Past the Post (FPTP) voting. Therefore, it is suggested that the threshold be set initially at the percentage of the vote that would be required to win one seat; i.e. 1/79th of the party vote or 1.27%. This threshold is low enough to include all parties of consequence and additionally makes it clear that, unless a party gains enough party votes to gain one full seat, it does not gain any seats; i.e. it excludes rounding up to one, percentages of the party vote above 0.5 percent.

In the event that this voting threshold should subsequently come to be regarded as too low, it would not be difficult to raise it. In contrast, however, a threshold set at say five or six percent of the party vote may be more difficult to lower if, subsequently, it was determined to be too high.

No Constituency Seat Threshold

Both Germany and New Zealand have a constituency seat threshold. In Germany this threshold is three constituency seats. In New Zealand it is one constituency seat. If this threshold is exceeded, then the party doing so will be entitled to the number of top-up seats it earns in the party vote, notwithstanding that that party might otherwise have less than the party list seat vote threshold percentage of party votes (5% in each country).

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A constituency seat threshold is not recommended for MMP for BC. It provides a "back door" method for a party to gain seats in the Legislative Assembly when the number of party votes received do not warrant such an allocation of seats (Reynolds and Reilly 1997, p.88). As well, the list seat threshold proposed above is lower that in both Germany and New Zealand allowing small parties adequate opportunity to win seats.

NO QUOTAS FOR SPECIAL INTERESTS

There has been some discussion in the Assembly and elsewhere that quotas might be imposed on the voting system in an attempt to address minority considerations; e.g. the numbers of women, aboriginals, and ethnic minority candidates holding seats in the Legislative Assembly. This proposal recommends no quota for any special categories of voters. This proposal operates on the principle that if any group of like minded people can get enough people together and attract a minimum number of party votes, that group has an equal opportunity to be elected under this system.

PARTY LISTS

MMP for BC introduces a second vote, that for a party. The results of this second vote are used to allocate "party list seats" to the parties contesting the election. This means that each party must assemble a "party list" from which candidates are awarded party list seats. This introduces some other new features, which are discussed below.

Provincial or Regional Lists

A single provincial-wide party list system for allocating the "top-up" party list seats is proposed.

A single list system maximises the proportionality of the outcome attainable under MMP voting. It also encourages each party to fight for all the list seats in all regions of the province.

In Germany, where there are currently 299 "top-up" seats to be allocated, each party makes just one national list. In New Zealand, where there are about same number of people as are in British Columbia, each party makes only one national list from which 52 party list seats are allocated. In light of the German and New Zealand precedents, a single province-wide list for each party, from which to allocate the (only) thirty-nine (39) party list seats in British Columbia, would appear adequate for British Columbia, and, this will give a highly proportional outcome.

Further, regional party lists result in less proportionality in the outcome.

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Open or Closed Lists

An open party list allows voters to choose, or prioritise, some, but rarely all, of the candidates on a party's list. The proportional representation system of voting in Finland allows each voter to vote for only one candidate on the party's open list. This is very restrictive. Other systems allow only three or four candidates to be prioritised. Only in Luxembourg are voters allowed to address the whole list. In this case, the party vote takes the form of a write-in ballot.

It is noted that there appears to be a fundamental conflict between voting for a party and, in so doing, voting for one or more candidates on the party list. At the limit, this process is similar to Single Transferable Voting, which should therefore be considered instead.

A closed party list means that the parties each make and prioritise their own party list without input from the voters in the general election; i.e. it is closed to non-party input. In this case, the parties each make a list of party list candidates, prioritising the names on it by region, expertise, experience, and affiliation, and such other characteristics as they deem fit, in such manner as they think will most likely attract voters across the province to their party.

Party Lists to be Published

It is important that these lists be published before the election and at the polling places so that voters can see who they will elect from any one party if they vote for that party in the party vote on the ballot. Publication of party lists is required in New Zealand and is **recommended for MMP for BC**.

Reports from New Zealand suggest that some party list members of the Legislative Assembly have chosen to locate and open "constituency offices" in regions of the country outside the capital and outside the largest metropolitan area, Auckland (McLeay 2004). This suggests that parties operating under MMP for BC might well do the same, locating list party members' offices in areas of the province away from Victoria and away from Greater Vancouver. In fact, this would be one way for parties to attract additional party votes on The Island, in The Interior and in The North of British Columbia. This practice would give some constituencies two "representatives" in the Legislative Assembly.

A closed list system for MMP for BC is recommended.[2]

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2 Appendix A provides details of how party votes are used to allocate seats under MMP for BC.

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ELECTORAL BOUNDARIES

As the number of constituency seats is reduced under this proposal, the current electoral boundaries will have to be redrawn for an election under MMP for BC (in 2009 at the earliest).
A revision to the existing boundaries is scheduled after the next (2005) provincial election (B.C. Electoral Boundaries Commission (1999)). Thus, this action is already being contemplated.

In the actual event, the boundaries of the new electoral districts will be those produced by the British Columbia Electoral Boundaries Commission under the rules then existing for their work. These later, among other things, are expected to include Canada Census 2006 data for the population in the Province, and in each of the constituencies then being proposed, and a continuation of the twenty five percent (25%) rule. This rule, mandated by the Supreme Court of Canada, requires that the population in any one constituency not exceed the limits of plus or minus twenty five percent of the constituency average population size.

British Columbia Statistics (2003) projects a population of 4,325,595 for 2006. If this population were assigned to 40 constituencies under MMP for BC, the average constituency would have about 108,000 people in it. Thus, each MMP for BC constituency would be about double the size of the average present (1999 revision) constituency. However, the British Columbia Electoral Boundaries Commission has flexibility, where it thinks it is warranted, to set the boundaries of any given constituency so that the population of any one constituency is within the limits of plus or minus 25 percent of the average. Accordingly, some of the MMP constituencies would exceed the average and some could be well below the average.

As a first approximation, each of these forty new constituencies might comprise approximately two of the present (likely contiguous, 1999 revision) constituencies.

While it is true that each constituency under this proposal will be approximately twice the size of the existing (1999) constituencies, it is noted that, additionally, the thirty-nine party list members seated in the Legislative Assembly will each reside in a constituency in British Columbia. This means that in most of the new constituencies, on average, there will still be two MLA's resident and present.

OVERHANGS

In MMP systems of voting, it is possible for a party to win more constituency seats than its proportion of the party vote would indicate it should have total seats. For example, had the 2001 British Columbia General Election been contested under MMP for BC, it might have happened that the Liberal Party won 39 constituency seats with only 47 percent of the party vote. Forty seven percent of the 79 seats in the Legislative Assembly is only 37 seats, not the 39 the Liberal Party wins in this case. This condition of having more constituency seats than the total allocated in proportion to the party vote is known as an overhang. In

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both Germany and New Zealand, when this occurs, the party with overhanging (constituency) seats is allowed to retain them and the house is increased in size accordingly, but only until the next election. It is proposed that this same approach be adopted for MMP for BC.

VACANCIES

Under MMP for BC, as in other systems of elections, there needs to be a provision for situation where a seat in the Legislative Assembly becomes vacant. This can occur, for example, when a sitting member dies in office, or resigns. Under MMP for BC, since there are two routes by which MLA's come to have a seat, there are two ways for them to be replaced when their seats become vacant.

Constituency Seats

When a constituency seat becomes vacant, it is filled by a by-election in the constituency.

Party List Seats

When a party list seat becomes vacant, it is filled by the next person on the party's list, provided only that that person is still willing to serve. In event that the first person on the list is not willing, or able, to serve, then the next person on the list is invited; etc.

In event that a party list seat becomes vacant by virtue the member resigning from the party (in protest, for example), it needs to be clear that this person may not sit in the Legislative Assembly as an independent member thereafter. He or she obtained the seat he/she held as a candidate on a party list and without the party's endorsement, is ineligible to retain a seat in the Legislative Assembly.

POSSIBLE OUTCOMES UNDER MMP FOR BC IN THE 1996 AND 2001 ELECTIONS

While it is expected that voters will vote differently under the different rules of MMP for BC (versus FPTP), the following are the author's examples of possible outcomes of the 1996 and 2001 British Columbia General Elections using MMP for BC under certain assumptions. These outcomes may give some guidance on the outcomes, which might have occurred under MMP for BC had it been used in these two general elections for the Legislative Assembly.

Table 2 presents one possible outcome of MMP for BC in the 1996 election. In that election there were only 75 seats in the Legislative Assembly. The assumptions made in determining the outcome shown are that each party would have won proportionally the same number of constituency seats under MMP as it did under FPTP, and, that the proportion of votes obtained by each party in the actual 1996 election would have been duplicated in the party vote had the election be conducted under MMP for BC. The significance of these assumptions is discussed below, after Table 3, which relates to the 2001 election.

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Table 2: An Outcome of MMP for BC Voting in the General Election of 1996 (a):

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Party	Constituency Seats (1)	Party Vote Percent (2)	Party List Seats (3)	Totals under MMP For BC Seats (4)	percent
Liberal	17	41.8	15	32	42.7
Green	-	2.0	1	1	1.3
NDP	19	39.5	12	31	41.3
Progressive Democratic Alliance	1	5.7	3	4	5.3
Reform	1	9.3	6	7	9.3
Others (combined)	-	1.7		-	-
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Totals:	38	100.0	37	75	100.0

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a.   In 1996, there were only seventy-five seats in the British Columbia Legislative Assembly. The analysis in this table adjusts the MMP for BC proposal above to this lower number of seats in 1996.

1.   Assumes each party wins proportionately as many constituency seats in the new constituencies as it did in the old constituencies.

2.   Source: Elections British Columbia (2004B). Percentages reported rounded to one decimal place for this table.

3.   Assumes that voters would have voted for the parties in the same proportions as actually observed in the single (FPTP) votes cast in this election.

4.   Determined by a modified Sainte Lague method. See Appendix A for details.

This 1996 outcome can be compared to the actual outcome under FPTP in which the NDP obtained 39 seats, the Liberal Party 33, the Progressive Democratic Alliance Party one seat, and the Reform Party two seats. This MMP for BC result shows a minority government with the Liberal Party having the greatest number of seats, 32. This may have lead to a coalition government where the Reform Party, with seven seats, together with the Liberal party's 32 seats would have had a majority of votes (39) in the Legislative Assembly.

Table 3 presents one possible outcome of MMP for BC in the 2001 election. The assumptions in generating this outcome are the same as those used in generating the outcome for the 1996 election shown above in Table 2.

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Table 3: An Outcome of MMP for BC Voting in the General Election of 2001:

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Party	Constituency Seats (1)	Party Vote Percent (2)	Party List Seats (3)	Totals under MMP for BC	
				Seats (4)	percent
Liberal	39	57.6	7	46	58.2
Marijuana	-	3.2	3	3	3.8
Green	-	12.4	10	10	12.7
NDP	1	21.6	16	17	21.5
Unity	-	3.2	3	3	3.8
Other (combined)		2.0			-
	===	====	==	==	====
Totals:	40	100.0	39	79	100.0

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1. Assumes each party wins proportionately as many constituency seats in the new constituencies as it did in the old constituencies.
2. Source: Elections British Columbia (2004C). Percentages reported rounded to one decimal place.
3. Assumes that voters would have voted for the parties in the same proportions as actually observed in the single (FPTP) votes cast in this election.
4. Determined by a modified Sainte Lague method. See Appendix A for details.

This outcome can be compared to the actual election result determined under First Past The Post (FPTP) rules of voting under which the Liberal Party obtained seventy seven (77) seats and the NDP two (2).

This MMP for BC outcome still provides a majority government. It also reflects the beliefs and electoral wishes of those who voted for four other parties. These four other parties together would have had a sufficient number of seats together to provide an effective opposition to the government majority in the Legislative Assembly.

[As an aside, the result in Table 3, if attained, would be a truly "made in British Columbia" solution. Anytime the party of the growers and smokers of what is reputed to be the largest (albeit illegal) contributor to the British Columbia economy can get three seats, the Legislative Assembly would truly be representative of all the voters in British Columbia!]

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ACTUAL OUTCOMES UNDER MMP FOR BC

The outcomes identified above for the elections of 1996 and 2001 would not actually have been those resulting from an MMP for BC election in those years. The election in 2001 particularly was a protest election with many voting for "anyone but the NDP". One of the characteristics of MMP for BC is that it encourages affirmative voting, *voting for a candidate and for a party.* Protest voting is not necessary. As well, there will be different and larger constituencies and party lists to be considered. Further, in New Zealand the experience is that about one-third of the voters vote for a candidate of a different party from the party they vote for in the party vote (McLeay. ibid.). Since this type of strategic voting was not possible under the existing FPTP system in either of these British Columbia elections, it has not been possible to allow for this facet of MMP for BC to be reflected in the outcomes suggested above.

The more comprehensive voting alternatives under MMP for BC will change the conduct of the candidates, the voters, and the parties in an election under MMP for BC. Consequently, the results (outcomes) would actually have been different from those suggested above.

ADVANTAGES OF MMP FOR BC

In this author's view, the advantages of MMP for BC are:

Affirmative voting is enabled and encouraged. If you vote for a party and that party gets enough votes under the rules of MMP for BC, it has an equal opportunity to win one or more seats in the Legislative Assembly.

Geographic constituency links are maintained. Every voter has a constituency member representing him/her in the Legislative Assembly. Each voter may also have another list-seat MLA living in the same area.

The outcome of MMP for BC is almost fully proportional. There is an equal opportunity for all parties to be represented in the Legislative Assembly.

The powers of parties to act in extreme ways will be curbed. The most likely outcome of MMP elections is a minority government. Under these circumstances, parties must work together to obtain a majority in the Legislative Assembly for the passage of new legislation. Coalitions may form.

This proposal maintains the Westminster system of government. The Lieutenant Governor still invites a leading member of the Legislative Assembly to form a government and, if successful at doing that, that person becomes the premier and appoints the cabinet. Both the premier and all members of the cabinet must be members of the Legislative Assembly.

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Further, in a coalition government, members from more than one party may be included in the cabinet. This has the potential to lead towards more "middle of the road" policies and legislation. As well, minority governments can work with different parties on different issues to obtain necessary legislation. On some issues, such as supply (of funds from which to make government expenditures), a centre party may find support on the right. On other issues, such as environmental matters, a centre party may find support from the left or from an environmentally focussed party. Such arrangements are more flexible than those typically observed in governments elected under a FPTP system of voting.

DISADVANTAGES

There are some disadvantages to MMP for BC.

There is a decline in the number of constituency representatives in the Legislative Assembly although there is some compensation for this in that party list members will top up representation in some, possibly most, areas of the province.

There are two classes of MLA's: constituency representatives and party list appointees. It can be argued that the former can be held more accountable for their actions than the latter. This author has no experience upon which to make a judgement.

A MINIMUM TRIAL PERIOD

The New Zealand experience with MMP suggests that British Columbia will need to experience MMP for BC for a minimum period of three elected parliaments. All participants to a general election; voters, candidates, and political parties need time to learn the new system and this will not happen the first time MMP for BC is used. In New Zealand it took the time span of three general elections (about ten years) to master the new (MMP) voting system. Since our election interval in British Columbia is four years not three, this may mean that the learning period here may extend over twelve years rather than ten. Recognition of this learning period is important. Accordingly, no review of the system of MMP for BC should be scheduled until after the third general election using this system of voting.

CONCLUSIONS

MMP for BC offers a new and more effective way of electing members to the Legislative Assembly.

The balance of parties in the Assembly is likely to be enhanced. More points of view can be accommodated in the Legislative Assembly and an extreme majority government is unlikely.

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Coalition government is likely to become the norm. Government under this system is likely to be more consensual and more reflective of public interest and views and to involve fewer violent and more ideological swings in public policy. Co-operation may trump conflict.

The ballot is simple and easily understood.

The outcome is substantially proportional.

This system is consistent with the Westminster parliamentary form of government.

IMPLEMENTATION

There would be several steps to implementing this proposal.

The first would be a recommendation of the Citizens' Assembly of Electoral Reform so to do.

The second step is a program of public education so that voters are informed about MMP for BC prior to voting on it in a referendum in May 2005. Since much of the expertise required for this program is already contained in the Citizens' Assembly, it is recommended that a core group of the Citizens' Assembly be continued for this purpose, through the date of the referendum, and that funding for this core group be provided by the provincial government.

The third step is the referendum. For this, it is suggested that the question be:

> "Do you favour British Columbia adopting the system of Mixed Member Proportional Voting recommended by the Citizens' Assembly on Electoral Reform in December 2004 for provincial general elections to the Legislative Assembly?   Yes [ ]   No [ ]"

Finally, provided only that the referendum passes, the final step is implementation of this proposal would be by way of amendments to the Election Act of British Columbia. For the wording for the required amendments the Electoral Act of New Zealand 1993 as amended to date, may provide guidance.

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RECOMMENDATIONS

I recommend:

1.   That the Citizens' Assembly on Electoral Reform and, indeed, the voters of the Province of British Columbia, adopt the system of Mixed Member Proportional voting for BC described above, and, since a consequence of this recommendation will be a referendum on electoral reform on May 17, 2005 (together with the provincial General Election on that date),

2.   That a core group of the Citizens' Assembly on Electoral Reform be retained through May 2005 to explain MMP for BC to voters in British Columbia prior to the referendum, and, that the funding for the continuation of this core group be provided by the Government of British Columbia, as is the current work of the Assembly.

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BIBLIOGRAPHY AND REFERENCES

Amy, Douglas J. (2004). How Proportional Representation Elections Work Retrieved May 7, 2004 from http://www.mtholyoke.edu/acad/polit/damy/BeginnningReading/howprwor.htm

Arcus, Peter L. (1996). *How* we vote *does* make a difference. A comparison of the Mixed Member Proportional system of voting used in New Zealand and the First Past the Post system used in the 1996 British Columbia, Canada, general election. Vancouver, B.C. June 6.

Arcus, Peter L. (1995). Quebec to negotiate with Canada: The Myth of a Canada without Quebec. A commentary on the assumption that there is a Canada without Quebec with which and independent Quebec might negotiate a sovereignty agreement. Vancouver, B.C. September.

Arcus, Peter L. (1993A). Canada to Hit the Wall, Eh? A commentary on the New Zealand and Canadian experiences with dealing with public debt management 1980 through 1994. Arcus Consulting Limited. Vancouver, B.C. August.

Arcus, Peter L. (1993B). No New Zealand didn't go broke – here what really happened. Business in Vancouver. Newspaper. Weekly. Oct. 26-Nov. 1. Vancouver, B.C. p.7.

Arcus, Peter L. (1993C). Canada's situation is not the same as New Zealand's, but its no picnic. Business in Vancouver. Newspaper. Weekly. Nov. 2-8. Vancouver, B.C. p.6.

British Columbia Electoral Boundaries Commission (1999). Amendments to the December 3, 1998 Report to the Legislative Assembly of British Columbia. Vancouver, British Columbia June 3.

British Columbia Stats (2003). British Columbia Regional District Population Projections, 2006-2018. Retrieved May 11, 2004 from http://www.bcstats.gov.bc.ca/data/pop/pop/rd/rdproj2.htm

Citizens' Assembly on Electoral Reform (2004). Mandate. Vancouver, B.C.

Elections BC (2004A). Electoral District Maps. Redistribution 1999. Retrieved 22/04/04 from http://www.elections.bc.ca/map/ed1999.html

Elections BC (2004B). Summary of Results by Political Party. 36th Provincial General Election - May 28, 1996. Retrieved 25/04/04 from http://www.elections.bc.ca/elections/sov96/polpart.htm.

Elections BC (2004C). Summary of Results by Political Party. 37th Provincial General Election - May 16, 2001. Retrieved 25/04/04 from http://www.elections.bc.ca/elections/sov01/polpart.htm.

Electionworld (2004). Elections in Germany. Retrieved from
http://www.electionworld.org/election/germany.htm

Farrell, David M. (2001) Electoral Systems. A Comparative Introduction. Basingstoke, Berks., U.K.
Palgrave. pp. 241.

Gibson, Gordon, Ed. (2003) Fixing Canadian Democracy. Vancouver, British Columbia, Canada. The
Fraser Institute.

Loenen, Nick (1997). Citizenship and Democracy. A Case for Proportional Representation. Toronto,
Ont. Dundurn Press.

Loenen, Nick (2003). Preferential-Plus. A new, effective, made-in-BC voting system to elect MLAs.
Richmond. British Columbia A submission to the Citizens' Assembly on Electoral Reform. December.
Available at www.citizensassembly.bc.ca under "Submissions", Number 0035.

McLeay, Elizabeth (2004). Presentation to the Citizens' Assembly on Electoral Reform. Vancouver, B.C.
March 5.

McWhinney, Edward (2003). Chretien and Canadian Federalism. Politics and the Constitution, 1993-
2003. Vancouver, British Columbia Ronsdale Press.

New Zealand (2004A). Electoral Commission. New Zealand's electoral system. Brochure. Wellington,
New Zealand. 2004. Retrieved April 30, 2004 from
http://www.elections.org.nz/elections/esyst/govt_elect.html

New Zealand (2004B). Electoral Commission. Q & A on MMP. Brochure. Wellington, New Zealand.
2004. Retrieved April 29, 2004 from http://www.elections.org.nz/elections/pandr/QA_on_MMP.pdf.
April 29, 2004.

New Zealand (1993). Statutes. Electoral Act 1993. No. 87, 17 August.

New Zealand (1986). Towards a Better Democracy. Report of the Royal Commission on the Electoral
System. Wellington, New Zealand. Reprinted August 1997.

Reynolds, Andrew and Ben Reilly (eds.)(1997). The International IDEA Handbook of Electoral System
Design. International Institute for Democracy and Electoral Assistance. Stockholm, Sweden. 1997. 167 pp.
Reprinted 2002. 160 pp. Available at www.idea.int/esd/publications.cfm. April 29, 2004, in two parts.

Turner, Barry, Ed. (2004). The Statesman's Yearbook. The Politics Cultures and Economies of the World.
Basingstoke, Berks., U.K. Palgrave-MacMillan. p. 696.

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ABOUT THE AUTHOR

Peter L. Arcus was born in New Zealand and lived and worked there through graduation from college. He thus grew up with the Westminster type of government that used First Past the Post voting to elect the legislative assembly (House of Representatives) there. He cast his first vote in a general election for the New Zealand House of Representatives. After completing a masters degree in New Zealand he moved to the U.S.A. where he studied for a graduate degree at a major state university in the mid-west. While there, he observed closely U.S.A. forms of government, both state and federal, and was particularly impressed with the degree of citizen involvement in politics there at the time.

Upon completion of his studies in the U.S.A., Peter moved to Vancouver, British Columbia, Canada where he has been a resident and working for over 35 years. During this time he has been a student of government at both the provincial and federal levels. He has participated in British Columbia provincial elections since arriving in Canada, and in federal elections since becoming a Canadian citizen in 1979.

Peter maintains contact with electoral developments in New Zealand through family and friends there, and from periodic visits to that country. As well, he has read quite widely on the Canadian systems of government and alternatives to them. This paper is his most recent work putting forth his ideas for addressing the issues of democracy in Canada.

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APPENDICES

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APPENDIX A: ALLOCATING THE SEATS UNDER MMP FOR BC

Technically, there are several ways of converting the numbers of votes cast for each party (exceeding the threshold) into seats under MMP for BC. These include the d'Hondt and Sainte Lague methods. The d'Hondt method is said to slightly favour large parties; the Sainte Lague method to slightly favour smaller parties (New Zealand 1986, p. 73). In New Zealand, a modified Saint Lague method was recommended by the Royal Commission on Electoral System (New Zealand, ibid., pp. 44 & 64) although the New Zealand government of the day adopted the (unmodified) Sainte Lague method when MMP for New Zealand was established in 1993. As there was clearly some difference of opinion in this matter in New Zealand in 1986, the Assembly may wish to give this matter further examination. Pending that possibility, the modified Sainte Lague method recommended by the New Zealand Royal Commission on the Electoral System is detailed below. This methodology has been applied to the estimation of possible outcomes under MMP for BC shown in Tables 2 and 3 above.

Modified Sainte Lague Method

The process of the modified Sainte Lague method of seat determination works as follows.

The actual numbers of votes cast for each party, above any list seat threshold, are divided successively by the numbers in the sequence: 3, 4, 5, 7, 9, 11, ...   Seats are awarded according to the largest quotients so obtained. This process determines the total number of seats to be awarded to each party.

From the total number of seats awarded to each party, the number of constituency seats won by each party is deducted. The difference is the number of party list seats available to each party to fill from its party list of (non-constituency) candidates.

Table A.1 following shows this process for the 1996 British Columbia General Election under the assumptions of MMP for BC described above and the additional assumptions listed in the script adjacent to and footnotes of Table 2 in the script above.

In Table A.1, the numbers of votes obtained by each of the parties, above the threshold, are listed in the first line. These numbers are divided successively by the numbers 3, 4, 5, 7, 9, 11, ... etc. with the quotients of so doing appearing in the columns under each party name. These quotients are then examined and the largest is identified with the number 1 immediately to the right of that quotient. This process continues by identifying the second largest quotient with the number 2. The process continues until all of the 75 largest quotients in the table have been identified. The parties are then awarded a total number of seats equal to the total number of largest quotients associated with their party. These party totals are shown at the bottom of the table.

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The number of constituency seats won is then deducted from the total number of seats awarded to each party. The differences so obtained are the numbers of seats available to each party to fill from their party lists.

Table A.1: 1996 B.C. General Election. 75 Seats to be allocated. Modified Sainte Lague Method.

Party (1)	Liberal		Green		NDP		PDA		Reform		Total Cast
Votes (2):	661,929		31,511		624,395		90,797		146,734		1,582,704
percent:	41.8%		2.0%		39.5%		5.7%		9.3%		100.0%
Divisors											
3	220,643	1	10,504	74	208,132	2	30,266	24	48,911	14	
4	165,482	3	7,878		156,099	4	22,699	34	36,684	20	
5	132,386	5	6,302		124,879	6	18,159	42	29,347	26	
7	94,561	7	4,502		89,199	8	12,971	60	20,962	37	
9	73,548	9	3,501		69,377	10	10,089		16,304	47	
11	60,175	11	2,865		56,763	12	8,254		13,339	57	
13	50,918	13	2,424		48,030	15	6,984		11,287	68	
15	44,129	16	2,101		41,626	17	6,053		9,782		
17	38,937	18	1,854		36,729	19	5,341		8,631		
19	34,838	21	1,658		32,863	22	4,779		7,723		
21	31,520	23	1,501		29,733	25	4,324		6,987		
23	28,780	27	1,370		27,148	28	3,948		6,380		
25	26,477	29	1,260		24,976	30	3,632		5,869		
27	24,516	31	1,167		23,126	32	3,363		5,435		
29	22,825	33	1,087		21,531	35	3,131		5,060		
31	21,353	36	1,016		20,142	38	2,929		4,733		
33	20,058	39	955		18,921	40	2,751		4,446		
35	18,912	41	900		17,840	44	2,594		4,192		
37	17,890	43	852		16,876	46	2,454		3,966		
39	16,973	45	808		16,010	49	2,328		3,762		
41	16,145	48	769		15,229	51	2,215		3,579		
43	15,394	50	733		14,521	53	2,112		3,412		
45	14,710	52	700		13,875	55	2,018		3,261		
47	14,084	54	670		13,285	58	1,932		3,122		
49	13,509	56	643		12,743	61	1,853		2,995		
51	12,979	59	618		12,243	63	1,780		2,877		
53	12,489	62	595		11,781	65	1,713		2,769		
55	12,035	64	573		11,353	67	1,651		2,668		
57	11,613	66	553		10,954	70	1,593		2,574		
59	11,219	69	534		10,583	72	1,539		2,487		
61	10,851	71	517		10,236	75	1,488		2,405		
63	10,507	73	500		9,911		1,441		2,329		
Total Seats:		32		1		31		4		7	75
percent:		42.7%		1.3%		41.3%		5.3%		9.3%	100.0%
Less Const. Seats:		17		0		19		1		1	38
List Seats:		15		1		12		3		6	37

1.   Parties that obtained a number of votes above the party list seat threshold of one seat 1/75 1.33 percent of the total votes cast.
2.   Source: Elections BC (2003B). List omits parties polling less than the threshold number of votes.

Table A.2 following shows the same process for the 2001 British Columbia General Election under the assumptions of MMP for BC and the additional assumptions listed in the script and footnotes of Table 3 above.

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Table A.2: 2001 B.C. General Election. 79 Seats to be allocated. Modified Sainte Lague Method

Party (1)	Liberal		Marijuana		Green		NDP		Unity		Total Cast
Votes (2):	916,888		51,206		197,231		343,156		51,426		1,591,306
Percent:	57.6%		3.2%		12.4%		21.6%		3.2%		100.0%
Divisors											
3	305,629	1	17,069	45	65,744	11	114,385	5	17,142	44	
4	229,222	2	12,802	61	49,308	14	85,789	7	12,857	60	
5	183,378	3	10,241	78	39,446	19	68,631	10	10,285	77	
7	130,984	4	7,315		28,176	26	49,022	15	7,347		
9	101,876	6	5,690		21,915	34	38,128	20	5,714		
11	83,353	8	4,655		17,930	42	31,196	24	4,675		
13	70,530	9	3,939		15,172	50	26,397	28	3,956		
15	61,126	12	3,414		13,149	58	22,877	32	3,428		
17	53,935	13	3,012		11,602	68	20,186	37	3,025		
19	48,257	16	2,695		10,381	75	18,061	40	2,707		
21	43,661	17	2,438		9,392		16,341	47	2,449		
23	39,865	18	2,226		8,575		14,920	52	2,236		
25	36,676	21	2,048		7,889		13,726	55	2,057		
27	33,959	22	1,897		7,305		12,709	62	1,905		
29	31,617	23	1,766		6,801		11,833	66	1,773		
31	29,577	25	1,652		6,362		11,070	70	1,659		
33	27,784	27	1,552		5,977		10,399	74	1,558		
35	26,197	29	1,463		5,635		9,804		1,469		
37	24,781	30	1,384		5,331		9,274		1,390		
39	23,510	31	1,313		5,057		8,799		1,319		
41	22,363	33	1,249		4,811		8,370		1,254		
43	21,323	35	1,191		4,587		7,980		1,196		
45	20,375	36	1,138		4,383		7,626		1,143		
47	19,508	38	1,089		4,196		7,301		1,094		
49	18,712	39	1,045		4,025		7,003		1,050		
51	17,978	41	1,004		3,867		6,729		1,008		
53	17,300	43	966		3,721		6,475		970		
55	16,671	46	931		3,586		6,239		935		
57	16,086	48	898		3,460		6,020		902		
59	15,540	49	868		3,343		5,816		872		
61	15,031	51	839		3,233		5,626		843		
63	14,554	53	813		3,131		5,447		816		
65	14,106	54	788		3,034		5,279		791		
67	13,685	56	764		2,944		5,122		768		
69	13,288	57	742		2,858		4,973		745		
71	12,914	59	721		2,778		4,833		724		
73	12,560	63	701		2,702		4,701		704		
75	12,225	64	683		2,630		4,575		686		
77	11,908	65	665		2,561		4,457		668		
79	11,606	67	648		2,497		4,344		651		
81	11,320	69	632		2,435		4,236		635		
83	11,047	71	617		2,376		4,134		620		
85	10,787	72	602		2,320		4,037		605		
87	10,539	73	589		2,267		3,944		591		
89	10,302	76	575		2,216		3,856		578		
91	10,076	79	563		2,167		3,771		565		
Total Seats:	46		3		10		17		3		79
Percent:	58.2%		3.8%		12.7%		21.5%		3.8%		100.0%
Less											
Const. Seats:	39		0		0		1		0		40
List Seats	7		3		10		16		3		39

1. Parties which obtained a number of votes above the party list seat threshold of one seat 1/79 1.27 percent of the total votes cast.

2 Source: Elections BC (2003C). List omits parties polling less than the threshold number of votes.

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APPENDIX B: RECOMMENDATION OF THE NEW ZEALAND ROYAL COMMISSION ON ELECTORAL REFORM 1986 ON MMP FOR NEW ZEALAND

Prior to the publication of its report in 1986, the Royal Commission on the Electoral System in New Zealand considered alternative voting models for use in New Zealand rather like the Citizens' Assembly in British Columbia is doing currently. Its recommendation, reproduced below, provides an insight into the conclusions they reached. (Note: While the recommendation of the New Zealand Royal Commission is that reproduced below, the system adopted by the New Zealand government in 1993 varies somewhat from this recommendation. Details of the system actually adopted and in effect are contained in the New Zealand Electoral Act 1993, as amended to date.)

1. "Recommendation * 1. The Mixed Member Proportional System as set out in para 2.116 should be adopted." (NZ 1986, p.64)

"2.116. A general description of MMP is outlined in paras. 2.90 to 2.94. The MMP proposed by us differs in some respects from that used in West Germany, and especially from that proposed by the Hansard Society Commission. There are many possible variants and we set out the reason for adopting our model in paras. 2.187 to 2.206.

a.   In Chapter 4 of this report we recommend that the size of the House be increased to a minimum of 120 members. In outlining MMP for New Zealand we have assumed that this recommendation will be accepted. If this recommendation is not accepted, we do not consider MMP should be introduced in New Zealand as the number of constituency seats would be too low for the system to operate satisfactorily.

b.   Sixty members would be elected through nationwide party lists and 60 members by the plurality method in single-member constituencies. At least 15 of the 60 constituency seats would be required by law to be in the South Island. The boundaries between the 60 constituencies would be drawn according to the same criteria as at present, except that the Representation Commission would be required to take account of community of interest among members of Maori tribes in determining constituency boundaries, and there would be a single electoral quota for the whole country. There would be an allowable tolerance of plus or minus 10%. Under MMP this would not effect the fairness of the results. The work of the Representation Commission under MMP is discussed in paras. 5.53 to 5.57.

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c. List members would be elected from ordered party lists nominated by each registered political party prior to election day. Since the list vote is a choice between alternative party Governments it would be impractical to allow independent candidates to appear on the list section of the ballot. Voters would not be able to alter the order of candidates on a party's list and the ballot paper would only need to show each party's name and the first few names on each party's list. Parties could include constituency candidates on their lists. Candidates elected in a constituency would be deleted from the party's list.

d. A full discussion of Maori representation under MMP appears in Paras. 3.78 to 3.88. For reasons which we discuss there, we propose no separate Maori seats, no Maori roll and no periodic Maori option.

e. Each voter would have 2 votes at a general election. One would be for a party list. The other would be for a constituency representative (see sample ballot paper in the Addendum 2.2). Once constituency winners were known, the 60 list seats would be allocated by the modified Sainte-Lague method so as to achieve overall proportionality (see Addendum 2.1). In the unlikely event of a party winning more constituency seats than its overall entitlement, extra seats would be created in the House until the next general election.

f. In order to prevent a proliferation or minor parties in Parliament, a threshold would apply. For a party to be eligible to participate in the allocation of list seats, either its combined list vote would have to be greater than 4% of all list votes or would need to have to have won at least 1 constituency seat. Based on 1984 figures, a party would need slightly over 77,000 valid votes to be eligible for list seats. The 4% threshold would be waived for parties primarily representing Maori interests (see para 3.75). This waiver could be extended to other minority ethnic groups if thought desirable or, if a waiver is not considered appropriate, the 4% threshold could apply to equally to all parties.

g. Vacancies caused by resignation or death of a sitting constituency member would be filled by a by-election as under the present system. List members would be replaced by the next available person on the relevant party list."

(New Zealand 1986, pp. 43-44.)