



Citizens' Assembly on Electoral Reform Summary of Recommendations

Mandate

Report Recommendation: CA's mandate should be limited to the voting system, i.e. the process by which votes are translated into seats in the Legislative Assembly.

Government Decision: Adopted

Report Recommendation: CA should consider potential impact on total political system if electoral system is changed.

Government Decision: Adopted

Report Recommendation: If CA recommends a new model, that model must be consistent with the constitution of Canada and the Westminster parliamentary system.

Government Decision: Adopted

Report Recommendation: If CA recommends a new model, it must recommend only one such model and provide a detailed explanation of it in the final report.

Government Decision: Adopted

Establishment and Reporting

Report Recommendation: CA should be established by specific action of the Legislature (legislation or motion recommending OIC).

Government Decision: Adopted. Establish by OIC and introduce motion in House for approval.

Report Recommendation: CA should table its report with the Speaker.

Government Decision: CA to report to Attorney General, but also have power to publicly release its report at the same time.

Reason for Difference: The CA is, legally, a creature of the government, since it is to be established by executive order, and it must report back to the executive. Further, tabling a report with the Speaker does not automatically make it public; the onus would be placed on the Speaker's Office to do so. The added power given to the CA to publish its own report at the same time as it reports to the Attorney General should fulfill Gibson's desire for a transparent reporting process.

Report Recommendation: CA should report between October and December 2004, to permit sufficient time for debate leading up to a referendum (if needed).

Government Decision: Adopted

Report Recommendation: CA should be able to issue interim reports and budget requests to a special committee of the Legislature.

Government Decision: Adopted. re: interim reports, but budget issues to be administered through Ministry of Attorney General/Treasury Board.

Reason for Difference: Overall budget responsibility for CA resides with Ministry of Attorney General, not with Vote 1 (Legislative Assembly); therefore, not appropriate for a legislative committee to be involved with budget matters.

Selection Process

Report Recommendation: Provincial voters' list should be used to draw the sample pool of prospective CA members.

Government Decision: Adopted

Report Recommendation: Initial random draw of names should be stratified by age, gender and electoral district.

Government Decision: Adopted

Report Recommendation: Selection process should be preceded by a publicity campaign for those not on the voters' list to sign up.

Government Decision: No decision taken

Report Recommendation: Membership for those initially contacted should not be compulsory.

Government Decision: Adopted

Report Recommendation: Facilitated regional selection meetings (average four ridings per meeting) should be convened for those interested; election by peers to raise quality of CA membership.

Government Decision: Adopted with regional selection meetings, but selection to be by random draw.

Reason for Difference: Voting by peers introduces an element of electioneering into the process, and moves away from the random model.

Report Recommendation: One CA member per riding, for a total of 79 (plus the Chair); Chair with power to add up to 21 more members from among those not initially successful, if initial elections are highly unrepresentative.

Government Decision: Two CA members per riding, for a total of 158 (plus the Chair).
No "top-up" power for Chair.

Reason for Difference: Larger membership pool makes it more likely to be representative of the population, and should remove the need for a "top-up" power.

Report Recommendation: Chair with reserve power to add up to four members if necessary to meet test of representativeness.

Government Decision: No such power for Chair.

Reason for Difference: Significantly increasing the size of the CA should ensure B.C. demographics are adequately represented.

Eligibility

Report Recommendation: Following persons should be ineligible:

As per portions of Section 3(1) of the Jury Act:

- not a Canadian citizen,
- not resident in British Columbia,
- under the age of majority,
- a member or officer of the Parliament of Canada or of the Privy Council of Canada,
- a member or officer of the Legislature or of the Executive Council,
- a judge, justice or court referee,
- a person convicted within the previous 5 years, or currently under charge, for an indictable offence.

In addition:

- candidates for membership in the Legislative Assembly at the last general election, or
- immediate family members of such candidates, or of sitting MLAs.

Government Decision: Substantially adopted, with some changes.

Those charged with or convicted of an indictable offence are now eligible.

Others have been added to the list of partisan interests to be excluded:

- a member of a local government, including a school board or a park board,
- candidates in the last two federal, provincial, municipal or regional district elections,
- official representatives or agents of candidates mentioned above,
- current officers or official representatives of registered provincial political parties,
- chiefs and band councillors elected pursuant to the Indian Act and elected members of Nisga'a Lisims Government.

Reason for Difference: There are important differences between serving on a jury and being a member of the CA. Accused and convicted persons are ineligible for jury duty because of real or possible biases that could result in an unfair trial for another accused. They can, however, participate in the electoral process and vote in elections.

Offenders who are incarcerated will be unable to participate on the CA. Those under charge are considered innocent until proven guilty.

The list of those ineligible based on involvement in politics has been significantly expanded, to ensure that, as far as possible, the CA is made up of individuals without direct ties to organizations with a vested interest in the outcome.

Chairperson

Report Recommendation: Chairperson should be appointed by all-party committee of the Legislature.

Government Decision: Chairperson to be nominated by government. Appointment to be endorsed by recommendation of an all-party special committee of the Legislature following a meeting with the nominee.

Reason for Difference: Cross-party support for the Chairperson is important, as it will indicate that the selection is non-partisan and enhance the position's credibility. However, the timelines associated with a full special committee selection process are significant (two to three months). The proposed endorsement by a special committee is time-efficient and transparent.

Report Recommendation: Chairperson's role, responsibilities and remuneration:

- non-voting member of CA, with casting vote in the event of a tie,
- to chair meetings and retain overall administrative responsibility for the CA,
- empowered to make decisions on procedure,
- may select and supervise staff,
- may select up to four vice-chairs,
- to receive salary equal to that of Chief Provincial Court Judge.

Government Decision: Adopted

CA Procedures

Report Recommendations: Decisions of the CA may be made by simple majority.

Government Decision: Adopted

Report Recommendations: The CA should be able to expel a member, for cause as defined by the CA, by a two-thirds majority vote.

Government Decision: Adopted

Report Recommendation: No replacements should be made for members who withdraw or are expelled until vacancies reach 25 per cent of total membership.
Government Decision: Adopted

Report Recommendation: CA should be required to consult with British Columbia by holding public hearings.
Government Decision: Adopted

Report Recommendation: CA members' expenses should be reimbursed, and they should receive an honorarium of \$150 per meeting day.
Government Decision: Adopted

Report Recommendation: Gibson recommends a budget of \$4.5 million.
Government Decision: Current estimates are for a budget of \$5.5 million.
Reason for Difference: Doubling the size of the CA membership to 158 is the reason for the estimated increase.
