



Yukon Legislative Assembly

Issue 19

35th Legislature

SPECIAL COMMITTEE ON ELECTORAL REFORM

Public Proceedings: Evidence

Thursday, September 1, 2022 — 6:00 p.m.

Chair: Kate White

**SPECIAL COMMITTEE
ON ELECTORAL REFORM**

Members: Kate White, Chair
Brad Cathers, Vice-Chair
Hon. John Streicker

Clerk: Allison Lloyd, Clerk of Committees

Speakers: Duncan Smith
Lewis Miesen
Glenn Stephen Sr.
Alexander Somerville

EVIDENCE**Dawson City, Yukon****Thursday, September 1, 2022 — 6:00 p.m.**

Chair (Ms. White): I will now call to order this hearing of the Yukon Legislative Assembly's Special Committee on Electoral Reform. I would like to begin by respectfully acknowledging that we are meeting on the traditional territory of the Tr'ondëk Hwëch'in First Nation. Due to COVID-19, we are operating without all of our technical resources. We'll be using a laptop to broadcast and record the hearing. This public hearing is scheduled for 6:00 to 8:00 p.m., and it is possible that not all people who wish to speak will have an opportunity to present today. In that same breath, we will pause as is required, but we will be available until 8:00 p.m. today.

Allow me to introduce the members of the Committee. My name is Kate White, Chair of the Committee and Member of the Legislative Assembly for Takhini-Kopper King. Brad Cathers is the Vice-Chair of the Committee and the Member for Lake Laberge. Finally, the Hon. John Streicker is the Member for Mount Lorne-Southern Lakes.

This Committee was established by the Yukon Legislative Assembly on May 26, 2021. The Committee's purpose is to examine electoral reform and report to the Assembly its findings and recommendations. In our study of potential changes to the voting system, the Committee first sought to identify what options may be available. The Committee hired Dr. Keith Archer to prepare a report on electoral systems. Dr. Archer's full 76-page report and an executive summary are available on the Committee's webpage at yukonassembly.ca/SCER.

The information from Dr. Archer's report has been summarized on the website HowYukonVotes.ca. Summaries of some of the potential voting systems are included in a brochure that was sent to all Yukoners. Copies of the pamphlet are also available here today.

To deepen its understanding of the topic, the Committee heard from subject matter experts, including Dr. Archer and academics from across Canada and the world, through 14 videoconference hearings held between January and April of this year. Transcripts and recordings of those hearings are available on the Committee's webpage.

It is important to the Committee to know what Yukoners think about electoral reform. From February 15 to April 10, 2022, the Yukon Bureau of Statistics administered a public survey for the Committee. The Committee would like to thank the 6,129 Yukoners who completed that survey — that's 17.1 percent of Yukoners 16 and older. A report on the results of the survey is available on the Committee's webpage.

We have not yet decided on our recommendations to the Legislative Assembly; the Committee is collecting opinions and ideas from Yukoners on electoral reform. The time allotted for this hearing will be devoted to hearing from Yukoners. As such, we will not be answering questions or presenting information on electoral reform today.

If you would like to present your opinion to the Committee, please ensure that you have signed in at the registration table,

and please note that this hearing is being recorded and transcribed; everything you say will be on the public record and posted on the Committee's website. If you are participating by Zoom, you can send a chat message to the Clerk to be added to the list of presenters. If you need technical help with Zoom, please call 867-334-2448.

Due to today's limited technical set-up, virtual participants will not be heard by our in-person audience. Individual presentations to the Committee will be limited to five minutes and, as it stands, possibly longer, so if there is time remaining at the end of the presentations, presenters may be invited to speak for longer.

I would like to welcome everyone in the audience and ask that you please respect the rules for this hearing. Visitors are not allowed to disrupt or interfere in the proceedings, and please mute any electronic devices.

Duncan Smith, would you like to present first? If I can have you come up to — yes.

Mr. Smith: Am I on?

Unidentified Speaker: Yes.

Mr. Smith: I think this is one of the most important issues on the political table today. I don't see how we can call ourselves a democracy when the number of elected people can be so poorly reflected by the popular vote. If we get a majority party with a small number, with a disproportionate small fraction — I mean, it's all about the ratio of the popular vote versus what gets reflected in terms of elected seats.

I really resent voting strategically. I never had in the past; I have for the last three elections, since moving to the Yukon from Ontario, and isn't it a crying shame if somebody votes for the party that's not their top choice just because it's the lesser of two evils? Seems like a broken system to me, and so I would really like us to follow almost all of the developed world, excluding England and the States, by having a system that reflects the popular vote more accurately and ratio of elected members of parties. I hope that's clear.

Personally, I'm partial to mixed member proportional, having read the summary. The summary was pretty darned good, I thought. I liked how it hashed out the numbers of how recent elections would have played out, but I mean, one example is, 15 or 20 years ago, the Green Party got seven percent of the popular vote nationally — that's a pretty big slice. Like, that would have been 16 or 17 seats in Ottawa, and those are all the people who voted for the Green Party, knowing that most of the time, it was a wasted vote, and they still got seven percent. Imagine what they would have gotten if people thought their votes actually counted for something, outside of Elizabeth May's riding. I just think that if we're going to call ourselves a democracy, we should have a system that reflects the actual wishes of voters, rather than — you know, compromise has to be made, but it shouldn't be made at the ballot box. That's a little early in the whole system, isn't it?

Do you have any questions for me?

Chair: Sorry, Duncan; the technology is challenging today. So, there will be a pause between us asking the questions and then you being unmuted, just so we can record it. Mr. Streicker, do you have a question?

Unidentified Speaker: We're not hearing Minister Streicker.

Hon. Mr. Streicker: Testing. Is that up?

Unidentified Speaker: Yes, we can hear you now.

Hon. Mr. Streicker: Okay. Hi again, Duncan. Thank you very much for your comments. I'm just going to try and follow up with your — I heard you clearly that you think that we should have a form of proportionality and that your preference might be mixed member proportional — MMP — but it sounded to me like the clear point you were trying to make is it should be proportional one way or another.

If we were to go to MMP, one of the things we could do is add seats to the Legislature to deal with the lists, and another thing we could do is take some of the ridings that we have now and assign them as list ridings so you could keep the size of the Legislature.

Do you have any thoughts on the notion of the balance in the Legislature of urban and rural ridings, or do you have any thoughts sort of around the size of the Legislature? I'm not trying to lead you in any way; I'm just trying to get a sense of whether you've gone further in your thinking and whether you would be able to share that with us.

Chair: Mr. Smith?

Mr. Smith: Yes, am I on? Okay. I personally don't know a lot about how the Legislature works. I sat in on a couple of days a few years ago, three or four different days, and it did not strike me that it was too large. So, as far as my knowledge of how the Legislative Assembly works, more seats — I have no problem with that, personally. I think if you just added more seats that don't represent any particular area, that strikes me as just fine.

Urban-rural — it's tricky, because a member of the Legislative Assembly is supposed to represent both people and places, I think, and so we have a lot of areas with very few people, and it's the same how it plays out across Canada: More than half the population lives in cities, but if you take a downtown Toronto riding, with a couple hundred thousand people in it, and then you take the Yukon riding, with 40,000 people in it — but I think that's sort of the way it needs to play out, if we're going to represent both people and areas.

More seats seems just fine to me. I don't think the salaries of those elected officials is going to make a horrible dent in our territorial budget, and it's just more people to do the work of government, and more representatives to be accountable to the constituents strikes me as just fine and dandy.

Chair: Thanks, Duncan, and I appreciate you being the person whom we initially try the system with. For anyone in the room who missed the explanation, we're down a tech support and we're working with laptops to have this hearing recorded, and so it's a little bit like videophones, and there will be a pause between us answering and responding.

Mr. Cathers, do you have any questions?

Mr. Cathers: Am I on now? Okay, I don't actually have any questions, but thank you for sharing your thoughts with us, Mr. Smith.

Chair: Thanks, Mr. Cathers. Mr. Smith, I do actually have a question. You talked about looking at systems outside

of Canada, and I did appreciate that you said anywhere but the United Kingdom, because they still use the first-past-the-post. Are there any countries specifically that you think should be further investigated or any that you have a preference or that you more prefer over others?

Mr. Smith: Can you hear me? The only country with which I have direct experience is New Zealand. I was there for a national election, and it was just their second after having adopted proportional representation, and I think they did MMP, but I can't recall exactly — they did, eh? Nods all around — and everybody felt pretty good about it. I was surprised that they had managed to get over the hump, because just a few years before, Ontario had failed in a referendum, but it was most likely — everybody I talked to in the Ontario case from a few years before that, they didn't know anything about it going into the ballot box, and then when they got there, they were asked, do you want to mess with your democracy or leave it the way it is? They were like, I don't know what the heck you're talking about, and I would leave it the way it is; it's okay. But it's really a matter of people being informed, I think, because I haven't heard any compelling arguments in favour of keeping first-past-the-post. I guess it made sense when a riding was how far you rode a horse in a day, but I think we could upgrade it.

I don't have any specific examples of countries, but I'm under the impression that Canada, the US, and England are the only western democracies that haven't adopted some form of proportional representation. Do you guys know about that? Are there any others? What are we doing? Let's get on with it, eh?

Chair: I appreciate — I'm going to take that question as more of an obscure point as opposed — as necessarily answering it, but to your point, you are correct in our understanding. Just to follow up to that, you talked about the referendum failing in Ontario, but it did get passed in New Zealand. You're right; they have since tested it and they've gone back and they've asked again if they wanted to stay with mixed member proportional, and they have agreed.

Do you believe, if there was to be a recommendation to change the voting system, that it should be a referendum? Should it go out for a vote? If it does, you did mention how you thought that education was key, so do you think it should (a) go to a referendum, and if it does, what sort of education would you envision ahead of that vote?

Mr. Smith: I would love to know if there's some way it could get passed other than a referendum. I thought that was the only way, and usually, it seems that it's a "60 percent to pass" type of thing. It's a fairly high threshold because it's such a fundamental change, and I feel that it's unfortunate, because it seems to be very difficult to get people interested enough to learn about what's being discussed. So, given that, the chance of it passing is pretty low.

Now, it not passing doesn't mean it's not in the best interest of the majority of the population; it's more just due to a lack of education. I think what you guys have been doing by trying to inform people is great. The brochure was pretty snappy and informative and short enough to be readable. The summary of Dr. what's-his-name's findings was a nice balance of short but thorough, but I'm still the only person I know who has read the

stuff. Is there a way other than a referendum? Because if there is, I'm interested, because I think it should happen. The trouble is getting people informed enough to make it pass in a referendum.

Can I ask you guys that question? Are there other things on the table other than referendum for introducing a new system like that?

Chair: There are actually options, but I'll give Mr. Streicker the floor.

Hon. Mr. Streicker: You can't hear me yet? Am I going to have to click this thing every — thank you.

One of the suggestions that was put to us is around something called a "citizens' assembly". It's not necessarily instead of a referendum, but it's maybe a step that could be used to have people other than MLAs being the ones who consider systems and talk to Yukoners and educate as well.

I know we're not supposed to answer questions here, and I'm sure we could stay around afterward and have some conversation so within our hearing system, that's not what we do, right? Given that might be a way in which to inform Yukoners, I'm just wondering if you have any thoughts about that. A citizens' assembly would be a representative group of Yukoners who take into account our diversity, sort of like a jury — you could think of it that way — and brought together to get informed themselves through professionals and then to try and deliberate and check in with Yukoners.

Mr. Smith: I think that's a great idea, because then you have a small group, so as long as it's selected appropriately, it would be a proper reflection — you have a small group whose job it is to be informed and make a thoughtful decision on the matter. That sounds like a great first step and maybe entire step. Maybe a citizens' assembly can come up with a choice, if they choose to make it happen — we make it happen — and then, like New Zealand, revisit it in a couple of elections and ask people if it's working. That sounds very democratic to me.

Chair: Thank you, Mr. Smith.

Just as a point of clarification — and it has been brought forward by some of the experts we have heard from — the numbers that have been set, as far as the example, for example, of British Columbia — the referendum points were arbitrary. They were set by the Government of British Columbia at the time. Some experts have recommended it should just be the 50 plus — anything over 50.

So, our deliberations and what we are doing here as a Committee is making recommendations to the Legislative Assembly, and so we are not here — we don't have a decision yet, but it's mostly hearing from folks, but that is also a recommendation that could be made by the citizens' assembly.

Mr. Cathers?

Mr. Cathers: Thanks. I think my microphone is on now. Thank you for your thoughts on that. One thing I just wanted to note for you and for others in the room is that was one of the questions on the survey that was sent out to Yukoners, and people were — about three-quarters of Yukoners were supportive of the concept that there should have to be a referendum before any changes were made. That doesn't necessarily bind the Committee, but it is from the survey — that

there was very strong support for the concept that there should have to be a referendum before any changes were made.

Chair: Thank you for that clarification, Mr. Cathers. Mr. Smith, any follow-up?

Mr. Smith: Yes, I suppose one more thing would be that this is always an awkward thing, because generally the parties in power are the ones who have historically gained the most and stand to gain the most from maintaining the status quo, so it's a little awkward. It's primarily the Yukon Party and the Liberal Party that would be benefited most by changing nothing. I realize, in this particular moment — I think the Yukon Party got a smidge more votes in the popular vote than the Liberals last time around, so yes, you snagged one, eh? Nice one, John.

Anyways, that I see as an unfortunate thing. It's an awkward thing. Maybe it's awkward for you guys — I assume it is sometimes at least. When you have a sitting government that might be sitting on 55 percent of the seats and 33 percent of the popular vote saying, yes, let's make it 80 percent to pass that referendum, it strikes me as being not very conducive to delivering results that reflect the majority of the public opinion.

I don't know what the best way around that is, but when it is a referendum — and it depends a lot on people being well-informed; people being well-informed depends a lot on the sitting government getting people well-informed, and if that government stands to lose a lot of the benefits they have historically had from being first-past-the-post, it's a wee bit of a conflict of interest.

Chair: Thank you, Mr. Smith, and I will take that last comment as a cautionary tale and something you would like us and other folks reading the Hansard or watching the video to know. Thank you very much for your time today.

As we are sitting in a room right now with no one else on the speaker's list, what we will do is I will ask if anyone in the room wishes to speak right now, and I will give you the floor. Otherwise, we will take a 15-minute recess and see if anyone would like to sign up or if anyone signs up on Hansard. This is not a pressure to you. There is coffee and there are snacks. The Committee is here until 8:00 p.m., and we are ready to hear from folks until 8:00 p.m.

Right now, looking around the room, is there anyone who would like to present? Fantastic. Can I ask you — sure, come forward, and we'll collect your information.

This is where I feel like I should say it out loud. So, when you sit down and you're unmuted, could you please just state your name for the record?

Mr. Miesen: Thank you all for being here, and thank you to TH for letting us use your hall, and I appreciate the work you're doing to benefit our democracy. I'm new in the Yukon; I just moved here last year, and the best thing about the Yukon to me is that you have a lot more opportunities. You don't need to be a professional; you don't need a master's degree and 10 years' experience to have a shot at doing something, but the best thing about places is often the worst thing, and in some ways, the Yukon lacks accountability and professionalism, especially, I think, from leadership. People are well aware of many of the problems we face in the Yukon and in Dawson in

particular, and yet many of our leaders, I find, know about the problem, do nothing, and keep getting elected.

We face a lot of issues because of this, issues that we can all agree need some kind of approach to — some kind of direction to fix. So, I think your work is extremely important, because that's the first step: to bring about greater accountability. Rather than necessarily looking at countries like New Zealand, far away, we can be looking just across the border at Alaska, which is a similar culture to the Yukon, in many ways a similar economy, and yet they have managed to accomplish some major victories in the US, a country not really known for the quality of its democracy.

I do think that first-past-the-post needs to go, most importantly. There are a few options for how this might be done, but I think probably the most practical would be a referendum bringing in a ranked choice voting system. Of course, there are advantages and disadvantages either way. I'll talk first about why I think a referendum is the best.

I don't necessarily trust the established political parties, because again, these are the same leaders who promised to fix the many problems we face that they're aware of, and yet nothing ever happens. Pretty much any way you look at it, if you're going to change the first-past-the-post system, it disadvantages the more established parties. It opens the field for other candidates and other alternative parties to get representation.

I don't trust them to vote it in. I think a referendum goes directly to the people. The people will be able to answer, and it's irrefutable, the way politicians might try to spin it to advantage themselves. The disadvantage of that: Maybe people aren't adequately informed, so it takes a lot of effort, on your part especially, to make sure people get the information they need to make wise decisions. You also mentioned a citizens' assembly, a citizens' council, which is a good idea, but again, maybe they'll try to bury the issue somewhere in there, try to give it to a citizens' council to debate and deliberate, and then not actually act on any of the recommendations, which would seem like the apt thing to do if you're a Yukon politician and want to say the right thing but never deliver on doing the right thing.

I think referendum is the way to go, and I also think ranked choice works. It could also be a runoff election, because maybe people don't want to vote, they don't feel motivated to vote, but having multiple elections creates more news coverage, creates more engagement on the issues, and will maybe draw out a wider array of people. So, there are advantages to that too.

I'm not going to be picky. I'm just going to say that you're doing good work in helping to amend first-past-the-post and bring in a better system. That's what I think are the most practical options, going forward. Thank you for your time.

Chair: Can I ask you to state your name for the record?

Mr. Miesen: Sorry, I forgot that. My name is Lewis.

Chair: Thank you, Lewis. I'm looking to my colleagues. Mr. Streicker?

Hon. Mr. Streicker: Thank you, Lewis. So, what I heard was that — should not use first-past-the-post and ranked ballot is a good example of what to do and that you prefer

referendum. You talked a little bit about the importance of educating people around the system. Can you just go a little further if you have any thoughts about what that would look like and how that could take place, and the importance of informing the public before they get to a referendum?

Chair: Lewis?

Mr. Miesen: Yes. I would suggest — I would counsel you not to rush it. It might take years to set all the pieces up to deliver this victory for democracy. People need to be informed, and you can't do that overnight. I would say that writing articles in newspapers, taking time to disseminate the information out to all demographics and age groups — because many young people don't read newspapers, sadly, so I don't know how educated they would be, but being able to hit all the major demographics and give them enough time to make a decision. I would say minimum a year to three years to get enough information out.

If you rush it, if you try to do it too quickly, it might backfire, but if you don't take the time to do it properly or do it at all, then you're not moving forward. So, striking a balance between those, I think, is the key.

Chair: Mr. Cathers?

Mr. Cathers: Am I on now? I'm not used to this microphone system here. First of all, Lewis, thanks for sharing your thoughts with us here. You mentioned Alaska in particular as an example of where you thought the Committee should be looking. Is there anything particularly about how that's working, either at a state level or federal level, that you were thinking of in particular when you mentioned that example?

Chair: Lewis?

Mr. Miesen: Yes, a few things. Alaska is an interesting example, because it's a state that has a strong conservative tradition, but it's also able to have — it's one of the first states to legalize marijuana in the US. Every citizen of Alaska gets paid. There is guaranteed income based from resource extraction money that goes back to people. So, it's a state that doesn't necessarily conform to strict political views or agendas.

It's flexible and able to absorb the best ideas from the left and the right. Just recently, there was a special runoff election in Alaska, and the winner was the first indigenous woman, and the first woman, to represent Alaska in the United States House of Representatives, which I think wouldn't necessarily be possible without ranked choice voting.

There wouldn't necessarily be enough people to vote for someone from that specific background, and it allows citizens to choose their politicians based on the quality of their character and their experience, versus their party. I think, above all, democracies suffer when we have this deep alignment to specific political parties and values and, like I said, not able to absorb good ideas from all kinds of political perspectives.

I think Alaska is an apt example because it's similar to the Yukon in a lot of ways. It's physically and culturally and psychologically very distant from Washington — just like many Yukoners feel quite distant from Ottawa — and has its own distinct culture as a northern state. I just think that, if we're going to see what would work well in the Yukon, the closest example you could use that isn't within Canada is Alaska.

Mr. Cathers: Thanks.

Chair: Thanks, Lewis. Just in follow-up, when you talk about the education, which I think we have heard that overarching — Mr. Cathers brought up that, except for the citizens' assembly, that has been brought forward multiple times, and you said don't rush it, understanding that it could take from one to three years because of the nature of it.

We have heard the flip side, which is people saying strike now; don't wait. So, for us as a committee, trying to strike the balance of what our recommendation is, when you talk about that timeline that could be up to, for example, three years — for example, if it were to go toward a citizens' assembly and they were to suggest that the vote happen in a shorter amount of time, do you see that being a problem, or would you accept the recommendations that came forward?

Mr. Miesen: So, that's an interesting question. I mentioned that I don't necessarily — the problem with citizens' assemblies is that they might make great recommendations; the politicians might bury it there. They might not actually follow through with it, unless there's enough awareness and pressure for them to actually do this.

If a citizens' assembly were to say we should have a referendum immediately, within a year, that's not necessarily ineffective or guaranteed to have a poor result, but I think it was Sun Tzu who said, first ensure victory, then go into battle. I don't mean to use a war kind of concept here, but you need to make sure that people know what they're voting on or it might backfire. Getting the information out, it should be that, by the time this election actually happens, everyone is well-versed and almost tired of hearing the arguments about why we should be doing this. It should be, finally, let's do it.

I think if, as the previous gentleman mentioned, people aren't adequately informed, they might say, oh, do I want to make a change to our democracy? I don't know; that sounds really risky. You need to kind of over-assure them that what they're doing is the right thing. Democracies move slow; they require compromise — you have to get information out to everyone in society, and that takes time. So, if they said, do it within a year, I think it's still feasible, but I don't think it's ideal.

Chair: Thanks, Lewis, and thanks for that clarification. I actually didn't hear initially when you had said that your concern was that, if a citizens' assembly made a recommendation, that it wouldn't be followed by the politicians, so I do thank you for that clarification.

Mr. Streicker, Mr. Cathers, any additional questions?

Hon. Mr. Streicker: Lewis, one of the things — when we were looking around at the systems and we talked to some of the experts, we asked them to try to focus a bit on places like the Yukon, which have less than 100,000 people, less than 50,000 people, and just wondering if — you gave the example of Alaska — again, if you can let us know what you think about places that are a little bit smaller — in terms of not geography, of course, but population — and what that means and your thoughts around how if, for example, we went to a ranked ballot choice, whether that would have an impact and how.

Mr. Miesen: So, you're asking me to compare what might happen in the Yukon with an area that's smaller in population?

Hon. Mr. Streicker: Yes. When we started looking at the various systems, we were trying to think in terms of a place like the Yukon, which has roughly 19 MLAs, roughly 45,000 people, and we were looking for examples out there to see what they had done. Just in your presentation to us, you talked about ranked ballot as a good alternative — just wondering if you had thoughts on what that might mean for a place like the Yukon.

Mr. Miesen: So, I'm not incredibly — I wouldn't call myself an expert on areas that are smaller in population than the Yukon that have a great forward example of how democracy should be run. I do know a country in Europe, Estonia, that's quite small, and they are able to vote electronically. They're able to do pretty much anything using their citizen ID card — any government service. Paying taxes, you don't even have to fill in the form. It says, there is the information; is this correct according to your records? Yes, it is, or no, it isn't; I want to dispute it and add some information.

I don't know necessarily if that's the best example, because the Yukon isn't really a shining light in IT and this type of infrastructure. I keep going back to Alaska because, culturally, I think, we're similar. Yukoners seem to respect Alaska, and so, if we said, look, it has been done in Alaska and it worked there, it would set up the play nicely for Yukoners to have an open mind. I don't know many countries that are the same population size as the Yukon that have been a great example, so I'm a bit ignorant on that point; sorry.

Chair: Well, Lewis, I'll point out that you're not necessarily an expert in electoral reform, so you shouldn't have the answer. I appreciate your perspective and also highlighting our tech challenges, as they exist. I feel those; I feel those often. Do you have any closing comment? Were there any further questions?

Mr. Cathers?

Mr. Cathers: Thanks, and thanks, Lewis. One thing you were talking about is how Alaska does things, when you're suggesting that we should look to it, I don't know if this was part of what you had in mind, but one example is, within the Alaska system, it's not uncommon to have questions going directly to the public in a referendum. In the Yukon, that's something that just doesn't happen that way, although it could. Is that something that you think would be beneficial in relation to whatever change would be made to how you elect MLAs? Do you think it would be beneficial to see changes along the lines of how Alaska does it to provide more opportunities for people to vote directly on the big questions and how you would determine what the big questions are?

Mr. Miesen: That's a really complex question, because I think what you're proposing to do is — being able to just change the way the government works requires more than just changing the way the laws work. It requires cultural change, and I think the values of Canadians and Yukoners are not necessarily the same as Alaskans. I don't know if you could just imitate exactly — reform the government structure to fit more closely with the way they're doing things.

I do think referenda are a good idea, but in terms of leadership, I just feel that there are many crises we have in the north, but one of them is a crisis of leadership, and that's taking direct action and putting yourself responsible for solving a problem.

I see many people — there are obvious problems, but we don't address them on an individual level. I think the culture of the US, which is the country I'm originally from, is very much that you — we're individualistic, and the bad side is we're selfish, but the good side is we feel the whole world is on our shoulder, so we cannot just walk away from a problem, because growing up on Batman and Superman, you feel that you have to be the hero and save the day. Canadians don't necessarily have the same way of thinking. It's a more social approach, which is better in a lot of respects in understanding that you should be looking at solving problems on a larger scale than one person doing the right thing — but I don't think we can just imitate what the Alaskans are doing in the way they structure their government. It will take a lot more than just changing the laws.

Mr. Cathers: Thanks.

Mr. Miesen: Sorry if I didn't answer your question directly.

Mr. Cathers: [indiscernible]

Mr. Miesen: Okay.

Chair: Thank you very much, Lewis. Do you have any closing comments?

Mr. Miesen: No, just thank you all for taking the time to come here and listen to us and trying your best to make our democracy better. We need more people like you, and I appreciate you taking charge and doing as best as you can. It's a privilege and an honour just to have you listen to our comments.

Chair: Thank you, and we feel the same way about people who present.

Glenn Stephen Sr., if you would like to come up to the computer.

Mr. Stephen: My name's Glenn Stephen. I lived in the Yukon 25 years, and in general, I have a preamble question to the Committee in regard to the representative when it comes to electoral reform. Should there be a minimum number of times that a Yukon representative visits each community in their riding, no matter what electoral system takes place? That's my question.

Chair: What I'm going to do is I'm going to put in there that's your statement, and then the next question I'm going to ask you back is, do you believe that there should be a minimum number of times that a politician should visit their riding — so, their electoral district? I know that, when you came in, you mentioned that you had lived in Beaver Creek, and so, when you ask us that question, is it because you believe that there should be — that your politician should be present in their riding?

Mr. Stephen: That's correct; I like that question. Some people in my community feel short — we feel like our voice isn't being heard. We do have concerns, and we have nobody really to address them, if the representative only comes a couple

of times for different occasions. We would like it if the representative came to listen to our concerns so we could have our input. Thank you.

Chair: Thank you, Glenn, and now that you've given it to us as your recommendation, which is that you believe that politicians should be more available to the people who they represent, I'm going to look to my colleagues: Mr. Streicker, do you have a question?

Hon. Mr. Streicker: My question is if there are other things, as well, that you think would be important for politicians within our communities to do to be good representatives, to be good MLAs? Are there other things you would like to suggest as well?

Mr. Stephen: No, it's just that we need more support in the different communities so everybody feels like they're part of it. Thank you.

Chair: I'm just looking to my colleagues: Mr. Cathers?

Mr. Cathers: I don't have any questions, just thank you for sharing your thoughts with us on that point, Mr. Stephen.

Chair: Mr. Stephen, would you like to make a closing remark?

Mr. Stephen: I just wasn't sure if this fit into what you're asking, which is why I say it's a preamble — just to consider it, as you're going through all the steps you're taking, that this should be a point that should be among the Committee. I feel happy that you listened to me. Thank you very much.

Chair: Thank you, Mr. Stephen, and I'll just remind folks here and away that this what the Committee is doing: We are here collecting the information, and all the information and all of the opinions are valuable, so whether or not they align or don't align, opinions are important, so we thank folks for that.

Seeing as there is no one on the register yet, I'll look across the room. Would anyone in the room like to speak?

Do not feel pressured. We'll take 15 minutes. We have plenty of time. It's 6:50 right now, so what I'll do is call a 15-minute break until five after seven. If anyone in the room feels like speaking at that point, then we will welcome them to that, but for now, we're going to put a pause on it, and we will reconvene at 7:05.

Recess

Chair: I will now call the meeting back to order, and I'll ask Alexander Somerville to come up.

Mr. Somerville: Very good, thank you. My name is Alexander Somerville. I live in Dawson City. Thank you very much for the chance to make these comments to the Committee in this public hearing.

I suppose that we've heard already tonight that there's some dissatisfaction with the first-past-the-post system. It has been described that it can lead to this effect where there can be a member elected with a plurality but not the majority of the votes, and this can lead to distorted effects in the representative of elected members, compared to the shares of a popular vote, for example. I think it was mentioned that we have seen this exemplified in the Yukon recently during an election. I think it was Otto von Bismarck who said that politics is the art of the

possible, in that there may be opportunities to work within the model of the first-past-the-post system, more modest changes to what we already have and that is familiar to people, that can offer better results.

One idea that I have not seen in the literature and the materials presented to the Committee so far, and certainly not in the public survey, is the idea that you could retain a first-past-the-post system while just letting people put more than one X on their ballot — that they could, in fact, vote for as many of the candidates as they care to be elected, and this would be, in my mind, a very small change that would still be, in fact, a first-past-the-post system. The winner of the election would still be the person with the most votes, but that you would not find yourself in the position where you felt obligated to choose between one candidate or another and feeling rather to vote for a candidate you would rather win than a candidate that you most wanted to vote for. I think this is sometimes called the “spoiler effect” in discussing the first-past-the-post system. I think it was mentioned earlier by Mr. Smith as a “strategic vote”.

Thinking historically in the Yukon — this is something else that I don’t know that I’ve seen described in any of the materials presented or prepared for the Committee — is that historically, in the days of the Yukon Council, at least until the end of the First World War, the Yukon Council had a first-two-past-the-post system in which the candidate in the riding who received the most votes would be elected to a seat for the riding and also the candidate who received the second most votes would be elected to a seat to represent the riding. The council was made up of two members for each riding, two equal members for each riding, which would help to represent more of the voters in their riding so that fewer would feel that their votes had been wasted.

I present these comments only as ideas that I think I have had that I have not already heard tonight or seen presented elsewhere to the Committee, though I understand that you may have heard them at other public hearings.

Chair: Thank you, Mr. Somerville. Mr. Streicker?

Hon. Mr. Streicker: Thank you very much. One of the things that you’ve heard me asking tonight is about the Yukon in the context of the Yukon. Thank you for the history of the first-and-second-past-the-post. As we were getting presented with systems, we were trying to find ways to distill them down to a digestible number per people, but there were systems that we saw, for example, dual member proportional system, where they had ridings that they would take two — if you had a current system that was first-past-the-post, you would take these two ridings and put them together and have two members who come through and get some proportionality there.

We did see some systems that echoed a little bit of what you’re talking about, and our challenge, at all times, was just how much — because it felt like an endless number of systems that we could talk about with people. In your sense, I just wonder if you would share your thoughts about the context of the Yukon. And the ways that I’m trying to ask about this are Whitehorse versus community — also that the Yukon has a sizable geography but not a sizable population overall, so some of these ideas that you were talking about with multiple voting

or a first and second person, people representatives for larger ridings, just how that might — what the realities might be for the Yukon, from your perspective, or considerations for the Yukon.

Mr. Somerville: Thank you very much for that question. Perhaps to describe more particularly what I might have in mind is not that there would be changes to the ridings as part of this reform. It may be obvious that one of the nettlesome matters in discussing this is that there are so many sensitivities, so many options, like you described, and different ways of doing things, and incumbents can be exposed to criticism that any decision they make is on the basis of one that is in their favour, and so it may be for that reason that I like ideas of more modest reforms, so that an idea of combining ridings or of adding an additional level of ridings is something that I — it starts to stray into a level of reform that I find myself less comfortable entertaining and that I would start to understand that might be defeated in a referendum, for example.

In a similar vein, I might care to add that reforms to this system that would add members, such as in a mixed member proportional system, where members are added to a legislature on the basis of membership to a political party, is something that I personally dislike, as someone who is not strongly aligned to any particular political party. I can’t say that I find the party system to be a real strength of the system we have, and building on it may, in my mind, be misguided.

When I think of those challenges the Yukon faces, not only having a very large size with very few people, but also — I think you understand this, Mr. Streicker — there is also a large concentration of many of those people in a very small geography, and trying to balance that concentration with the democratic needs of the rest of the Yukon — the rest of the Yukon, TROY — is a serious challenge that may not have clear answers.

I can’t think of one, except it does bring me to think of New Hampshire, which is a very small place. It also doesn’t have very many people. New Hampshire does have a lot of members in its assembly. It has, to my imperfect knowledge, the third largest assembly after the House of Commons in London and after Congress in Washington. New Hampshire has hundreds of representatives in its assembly, and that, in the Yukon, I think that can be very exciting, and it would help cultivate a culture of political participation that, in any case, could be desirable, irrespective of other electoral reforms.

Chair: Thank you, Mr. Somerville.

Mr. Cathers?

Mr. Cathers: Thank you, and sorry, it still feels very awkward putting on headphones to talk to somebody who’s sitting right in front of you, but that’s the nature of the system that we’re working with here tonight. Yes, I would just like to thank you for your thoughts. It’s a different twist — it’s different from anything anyone has specifically suggested. As John noted, there has been some talk of multiple-member ridings, but nobody has made the specific suggestion that you have.

One thing that has come up as a topic, particularly in some of the rural communities when we’re discussing the possibility

of moving to a system that reflects a party vote more proportionally, since many have been suggesting that type of thing as well who have been presenting to the Committee, is that whole urban-rural question of how any potential reforms that might proceed, how to ensure that the voice of rural Yukon doesn't get even more overwhelmed by Whitehorse, which has — if a change that gave more ridings to Whitehorse effectively, it would potentially create less representation for rural Yukon.

I'm interested in any thoughts you have on that and just to clarify whether you're suggesting effectively a two-MLA system in the Legislative Assembly or whether you are envisioning — at one point, you said something about a different level — whether you are envisioning having a House, instead of the Legislative Assembly, a senate-type model or something like that — if you could just expand on your thoughts on that, please.

Mr. Somerville: I think I recall that there were two questions, Mr. Cathers. One concerned the tension between the urban and rural divide in the Yukon and how electoral reform would handle that, and also a specific question about the nature of a second chamber of the assembly.

On the second point, I don't suppose that I see the wisdom of having another chamber in the Assembly. Historically, Canadians, in their wisdom, have eliminated all but one senate in the country. I know, where I grew up in Nova Scotia, we did it in the 20s. I don't see the wisdom of trying to bring it back a hundred years later in the Yukon.

If that model were to be adapted, for example, to try and think of ways in which it might be useful, what if there were a second chamber that were the rural chamber and it consisted of elected members of ridings where Whitehorse is portioned off to rural segments of the Yukon so that ridings constitute a greater proportion, more or less, of rural constituents? I don't know — I don't think that math would work anyway, but maybe it's only elected by people living in rural Yukon, only people living in Y0B postal code can vote for members in the rural chamber — that's the first time that idea has crossed my mind.

Otherwise, I don't really suppose that creating a second chamber is something that has been talked much about, that I have thought much about, and the urban-rural divide is nettlesome, thorny, difficult even to discuss, and it also raises questions — I think the reason why is that it does raise questions about fairness. Trying to address it is assigning more and less power to votes of rural and urban Yukoners, and that is an easy-to-graft question of fairness, in spite of the geographic realities of having our distant living representatives. I'm afraid that is the best answer I have.

Mr. Cathers: Thank you.

Chair: Thank you for that. I am actually going to go back to something you said about modest changes. You said that modest changes are more comfortable to entertain. The reason I bring that up is there was a professor from New Brunswick, I think — one of our expert presenters talked about the complications of changing the entire electoral system and all the challenges that Canada and others have had in trying to make the switch.

One of her suggestions was to start with a ranked ballot. So, one of the things that you had suggested was people's ability to vote for as many of the candidates — and I'm assuming we're talking about that per riding? Okay, so voting for as many candidates as one chooses for in their riding, but the person with the most votes then goes forward. Essentially, it's pretty close to a ranked ballot. You could choose one, two, three, put them in order or however that is, but her suggestion or comment was that this was a way that a change could happen, and the only change would be what the ballot looked like; it wouldn't require constitutional changes; it could just be in the balloting process.

So, if like you say, that modest changes are more comfortable in making that, based on your suggestion of being able to mark as many people as possible, so it removes strategic voting that people feel — it was Dr. Joanna Everitt; thank you to the Clerk for that. Do you have thoughts on ranked ballots, as to whether or not that would be of interest or not? Would you like to respond?

Mr. Somerville: Yes. The idea of being able to vote for more than one candidate with one ballot is similar to the ranked ballot system. In my mind, it may be even simpler and even more modest change that would — I envision using the same ballot with just — not disqualifying ballots for having more than one X on them. A ballot with more than one X could be counted as two votes for different candidates. Maybe that should be specified, because you can't just mark up your ballot with as many Xs for your preferred candidate, but having — being able to cast, with your one ballot, a vote for as many candidates as you like is what I had in mind, clearly using the same ballots that we have now.

The next step up from that would maybe be the ranked ballot, which I think is sometimes called the single transferable vote, which has to do with candidates who receive the fewest votes being eliminated in successive rounds of vote tallying. Just describing it — I witnessed my first election this year. We had a by-election in Dawson City, a municipal by-election, and I went to see the ballots be counted. When I think of counting ballots, it seems to me clearer and easier to witness a ballot with two clearly marked Xs in different spots for different candidates — and you can still apply the same rationale for what determines a spoiled ballot as we do today. It seems to me that counting those ballots is easier and more straightforward, quicker than counting all the ballots, then counting the smallest pile of ballots again, then counting the next smallest pile of ballots again, until a winner is finally determined, although — describing it now, I'm not actually positive I see the advantages of the ranked ballot over the multiple vote, the multiply marked ballot system that I described.

I may be inclined to agree with Dr. Joanna Everitt that more radical reforms may be rejected and that if what we're really talking about is avoiding the spoiler effect of the first-past-the-post system, that maybe we are casting our nets too wide and looking for grand solutions to redesigning our electoral system. It may be within our power, in our lifetimes, to just eliminate the more hazardous strategic voting for the

voter in the ballot booth than entertaining ideas of new chambers for the Assembly.

It could conceivably — and maybe this is a really marginal benefit — help cultivate a culture, help Yukoners think more about voting and the ways in which they do it. It may not be the final step; it may only be a first step or a next step in an ongoing electoral reform process.

I hope that answers your question. Thank you.

Chair: Thanks, Mr. Somerville. That answers part of the question, but again, I'm not going to ask you to try to drill down to how we would count ballots with multiple Xs, because I feel that's a similar challenge of counting many times for the ranked ballots, but there are systems, and there could be systems.

One thing that we have heard and that has been discussed, not just in Canada, but internationally, is that if a young person — as soon as a person is eligible to vote, if they vote that first time, then they will be able to vote in the next election. It's just getting that first vote. I can tell you personally that, despite the position that I'm in, I didn't vote until I was 21 and that you could say it was apathy or really, in my case, it was I just didn't think that people cared what I thought.

One of the discussions has been that, if we had young people voting in their first elections before they left high school — because, as it stands right now, you could just miss a municipal or a federal or a territorial election and it could be multiple years after high school before you hit that cycle again — so one of the things we have heard, particularly by young people, is the idea of lowering that voting age to 16. Do you have any thoughts about whether or not lowering the age is something to consider or any thoughts on that matter?

Mr. Somerville: It seems to me that the matter you describe has to do with constituents failing to develop a habit of voting in elections and that another response or intervention to that, if we're talking about making statutory amendments to respond to that matter, it may be one of compulsory voting. Why should the very young cast ballots when everyone over 18 can cast ballots? If it's a problem of participation, let's not bring only a younger cohort in. There is an opportunity there to make everyone — to make everyone — cast a ballot — or spoil a ballot, right? That's a great thing you can do if you're really unhappy about compulsory voting.

It rather seems to me that lowering the voting age, as a response to a voter turnout problem, would be a motivated solution. Thank you.

Chair: Thank you for that. Any further questions from the Committee? Mr. Streicker.

Hon. Mr. Streicker: When you started presenting to us, you were talking about modest changes. One of the reasons — you framed it or what I heard you say was about more likely to develop change. I just wonder if I can ask you about — we've discussed referendums and other ways in which we would test the public about whether they wanted change or not. If you could talk your thoughts about those types of ways of testing and what the pros and cons are and sort of the challenges and opportunities in the context of modest change.

Mr. Somerville: I see the wisdom of requiring a referendum to institute electoral reform. I believe it has been

raised that the idea of a referendum prior to instituting electoral reform enjoys popular support. It may be that there are ways — there are referendums and there are referendums. It may be that a most modest change could, in fact, be implemented under the condition that, after a number of years, there would be a referendum on returning to, say, the first-past-the-post system, to the status quo ante bellum — right? — so that whatever change is introduced is tried for a trial period and then perhaps it's the trial system that's subjected to scrutiny under referendum, or it may be that the first-past-the-post system can be subject to scrutiny under the referendum.

If people like it so much, let them vote on it; let them vote to go back to it. It may be that — and it's something that I've come in recent years to describe as the “Brexit problem” or the “Brexit paradox”. It's one thing to have a consensus that something should change, that there is a state of affairs that is unsatisfactory and someone should do something and to vote that someone should do something, and everyone votes yes, and then you might not actually have a proposal that also enjoys that same pluralistic support, so that while everyone agrees that there should be some change, no one actually agrees on what that change should be, and it can be really difficult, as we've seen in the UK with Brexit — the phenomenon that gives the paradox its name.

To reiterate a point I've made at least once already, I think that the consensus may exist around the deficiencies with the first-past-the-post system in the way it pressures voters to vote strategically and, if that's really the heart of the matter, that our changes should address that. It gives us a much better basis on which to judge the results of our efforts, instead of changing all kinds of things about the electoral system and then wondering, 10 years later, what went wrong or what went right. And people would say, it was the term limits; that's what made everything much better, or no, it was the compulsory voting; that's what improved our system most — or people who are dissatisfied with the mixed member proportional system —

The prospect of that kind of confusion really turns me off, which leads me to sort of raise these small, modest, easy-to-entertain, easy-to-understand changes.

Chair: I am going to stop you with the small, modest changes. We are nearing the end of our time, and I'm just going to look around the room to see if anyone would like to step forward. So, this is the last opportunity in a short amount of time. If not, I will wrap up the hearing. I encourage anyone who has any thoughts, that they can submit them in writing.

Before I adjourn this hearing, I would like to say a few words on behalf of the Committee. First, I would like to thank everyone who presented their thoughts to the Committee. We appreciate it. I would also like to thank the Yukoners who are listening and watching this hearing, either live or in the future.

The Committee will be hearing from Yukoners at more community hearings later this month in Whitehorse, Mayo, and Carmacks. Information on those public hearings, as well as transcripts and recordings, will be available on the Committee's webpage at yukonassembly.ca/SCER. The public can learn more about potential voting systems at HowYukonVotes.ca.

We thank you for coming, and this hearing is now adjourned.

The Committee adjourned at 7:59 p.m.