



# Final Report of the Special Committee on Electoral Reform

35<sup>th</sup> Yukon Legislative Assembly

April 2023



**Special Committee on Electoral Reform**

**35<sup>th</sup> Yukon Legislative Assembly**

**Final Report**

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# Yukon Legislative Assembly

## Special Committee on Electoral Reform

35<sup>th</sup> Yukon Legislative Assembly

April 24, 2023

Hon. Jeremy Harper, MLA  
Speaker  
Yukon Legislative Assembly

Dear Mr. Speaker:

The Special Committee on Electoral Reform, appointed by Order of the Legislative Assembly on May 26, 2021, as amended by Order of the House on October 25, 2021, and November 15, 2022, has the honour to present its final report to the Legislative Assembly, and commends it to the House.

Sincerely,

Kate White  
Chair



## **Acknowledgements**

The Special Committee on Electoral Reform would like to thank the many experts, individuals and organizations who expressed their views to the committee. The committee would also like to thank Dr. Keith Archer, the Yukon Bureau of Statistics, the Hansard staff, contractors and the staff of the Legislative Assembly Office for administrative, logistical, technical, and procedural assistance.





# Contents

<b>Introduction</b> .....	<b>1</b>
<b>The Committee's Process</b> .....	<b>2</b>
Gaining an Understanding of Electoral Reform .....	2
<i>Research Report</i> .....	2
<i>Expert Witnesses</i> .....	2
Facilitating an Informed Public Dialogue .....	2
<i>Transparency</i> .....	3
<i>How Yukon Votes Campaign</i> .....	3
Public Input.....	3
<i>Survey on Electoral Reform</i> .....	3
<i>Written Submissions</i> .....	3
<i>Public Hearings in Yukon Communities</i> .....	4
<i>Survey on Citizens' Assembly</i> .....	4
<i>Lessons Learned</i> .....	4
<b>Main Themes</b> .....	<b>6</b>
Challenges of Reform .....	6
Decision by Yukoners .....	6
Local Representation.....	7
Political Parties Working Together .....	7
Public Education .....	8
Rural and Urban Interests.....	8
Voting Age .....	9
Citizens' Assembly .....	9
<b>Conclusion</b> .....	<b>11</b>
Committee Recommendations .....	11
<b>Appendices</b>	
Orders of the Legislative Assembly	
Options for Yukon's Electoral System	
Yukon Bureau of Statistics Reports	
List of Expert Witnesses	
Transcripts of Public Hearings	
<i>Hearings with Expert Witnesses</i>	
<i>Community Hearings</i>	
Written Submissions	
Descriptions of Voting Systems	
<i>Plurality Systems</i>	
<i>Majority Systems</i>	
<i>Proportional Representation</i>	
<i>Mixed Electoral Systems</i>	



# Introduction

On May 26, 2021, the Yukon Legislative Assembly adopted Motion No. 61, thereby establishing the Special Committee on Electoral Reform. The committee's reporting deadline was amended by the Legislative Assembly on October 25, 2021, with the adoption of Motion No. 167, and again on November 15, 2022, with the adoption of Motion No. 530. All three Orders of the Legislative Assembly are appended to this report.

The committee's purpose, as set out in the motion establishing the committee, is to examine electoral reform and report to the Legislative Assembly its findings and recommendations. Motion No. 61 also empowered the committee "to conduct public hearings" and "to call for persons, papers, and records".

The committee decided upon a multi-phased approach to fulfilling its mandate. Firstly, the committee endeavoured to gain an understanding of different voting systems and how they might apply to the particular demographic and geographic situation of Yukon. To this end, the committee hired a researcher to prepare a report on options for the territory and sought input from several subject matter experts.

Secondly, the committee undertook to facilitate an informed public dialogue on electoral reform. A communications campaign, including advertisements, a website and the distribution of pamphlets, was developed to educate Yukoners on different voting systems. The committee also endeavored to make its work readily accessible to the public by publishing its minutes, recordings and transcripts of hearings, and the reports and submissions received online.

The final stage of the committee's work was gathering input from the Yukon public. All Yukoners 16 years and older were invited to participate in a survey on electoral reform from February 15 to April 10, 2022. The committee also collected written submissions and held public hearings in communities across the territory to hear the opinions of citizens and stakeholders. A follow-up survey was conducted from January 12 to March 5, 2023.

Having completed this work, this report to the Legislative Assembly contains the committee's findings and recommendations and is consistent with the mandate given to the committee by the Legislative Assembly.

# The Committee's Process

## Gaining an Understanding of Electoral Reform

From its first meeting, the members of the Special Committee on Electoral Reform observed that the committee's orders of reference to examine electoral reform could encompass studying potential voting systems as well as the rules governing various elements of elections.

## Research Report

The committee hired Dr. Keith Archer to study options for the Yukon's electoral systems. Dr. Archer, a former professor of political science, was Chief Electoral Officer of British Columbia from 2011 to 2018 and also served on the Electoral Boundaries Commission of Alberta and the Electoral Boundaries Commission of British Columbia.

Dr. Archer submitted a final report to the Special Committee on Electoral Reform on October 31, 2021. The 75-page report includes a summary of the major electoral system options and their characteristics, as well as analysis of election results in the Yukon under the current first-past-the-post system.

On January 10, 2022, Dr. Archer provided an executive summary of the options for the Yukon's electoral system. Dr. Archer's report and the executive summary are appended to this report. The executive summary identifies which of the available electoral systems are most suitable for the Yukon and elaborates on how those systems could be applied in the territory. The executive summary also compares the likely impacts of three types of electoral systems: first-past-the-post, single transferable vote, and mixed member proportional.

## Expert Witnesses

In its study of potential changes to the voting system, the committee sought input from additional subject matter experts. The Special Committee on Electoral Reform conducted public hearings with expert witnesses by videoconference due to the ongoing COVID-19 pandemic. Between January 21 and April 22, 2022, the committee held 14 videoconference hearings with subject matter experts. A list of the expert witnesses and the transcripts of each hearing are appended to this report.

## Facilitating an Informed Public Dialogue

Committee members identified communications as an important committee consideration.

## **Transparency**

The committee took steps to make its work accessible to the public. Minutes of in camera committee meetings, recordings and transcripts of public hearings, and the reports and submissions received by the committee were published online. The committee also put out frequent news releases regarding its activities.

On November 24, 2022, the committee released an interim report summarizing its activities to that point.

## **How Yukon Votes Campaign**

A communications campaign, including digital, print and radio advertisements, a website, and the distribution of pamphlets to all Yukon households, was developed to inform Yukoners on the different voting systems identified in Dr. Archer's report.

The descriptions of each voting system created for the How Yukon Votes campaign are appended to this report.

## **Public Input**

It was important to committee members that public opinion be part of the committee's study of electoral reform.

## **Survey on Electoral Reform**

The Yukon Bureau of Statistics (YBS) conducted a survey on electoral reform on behalf of the Special Committee on Electoral Reform from February 15 to April 10, 2022. YBS's report to the committee is included in the appendices of this report. All Yukon residents aged 16 and over were invited to participate in the survey.

6,129 Yukoners (17.1% of eligible individuals) completed the survey.

## **Written Submissions**

The committee welcomed written submissions from the public over the course of its examination of electoral reform.

Between July 2, 2021 and September 30, 2022, the committee received 60 unique written submissions. The committee also received 2 different form letters advocating for the establishment of a citizens' assembly, submitted by 49 individuals.

The written submissions the committee received are appended to this report.

## **Public Hearings in Yukon Communities**

The committee held 8 in-person public hearings to hear from Yukoners in 7 different communities: Whitehorse, Haines Junction, Teslin, Watson Lake, Dawson City, Mayo and Carmacks. Public participation by videoconference was also possible at each of the hearings.

The committee wrote to all city councils, local advisory councils and First Nations Governments in the Yukon to advise them of the hearings and offer opportunities to share perspectives from their communities.

In total, 53 individuals presented to the committee during the community hearings. Transcripts of all the public hearings are appended to this report.

## **Survey on Citizens' Assembly**

The Yukon Bureau of Statistics (YBS) conducted a follow-up survey from January 12 to March 5, 2023. The survey focused on the potential use of a citizens' assembly to assess electoral systems and to recommend whether the Yukon's current system should be retained or another system should be adopted. YBS's report to the committee is included in the appendices of this report. All Yukon residents aged 16 and over were invited to participate in the survey.

6,354 Yukoners (17.5% of eligible individuals) completed the second survey.

## **Lessons Learned**

The input the committee received highlighted some of the challenges of studying voting systems and engaging the public on the topic of electoral reform. The committee has included a representative sample of quotes in this report which are intended to reflect the themes that came up. All submissions and the transcripts of each public hearing are appended to this report and readers are encouraged to explore the submissions.

### *Complex subject difficult to distill*

While the committee attempted to make the information it presented on voting systems accessible to the general public through the How Yukon Votes campaign, the material was still confusing to some Yukoners. Oversimplifying the topic can eliminate important factors that warrant consideration and striking the right balance can be difficult.

### *Not everything could be considered*

The committee acknowledges that it was not able to fully consider every possible combination of potential voting systems that could be employed in the Yukon. Given its limited timeframe and resources, the committee chose

to focus its study on the options identified by the committee's expert researcher.

### *Criticisms of communications*

Communication with the public was an important consideration for the committee. The committee received some feedback that its communications were not far reaching or frequent enough to keep Yukoners apprised of the committee's activities.

### *Limitations of survey*

Efforts were made to poll the opinion of the territory through the use of two surveys. Limitations of the survey and multiple-choice questions were criticized by some commenters. The Yukon Bureau of Statistics considered the volume of survey responses to be sufficient to provide analysis.

## Main Themes

Several recurring themes surfaced from the expert testimony that the committee heard and the comments submitted by Yukoners:

- the shortcomings of the current voting system;
- the importance of public education;
- the value of cross-partisan collaboration;
- the challenges of competing rural and urban interests;
- the importance of local representation;
- whether a referendum should be required;
- the difficulty of changing the status quo;
- whether a citizens' assembly should be created.

*"Elections are the heart of a representative democracy. A fundamental test of a healthy democracy is whether what voters say with their ballots is reflected in the legislature."*

## Challenges of Reform

Across Canada, the expert witnesses that spoke with the committee noted that attempts at electoral reform have not resulted in electoral changes.

*"Determining the electoral system best suited to effectively represent all Yukoners is not a simple or clear-cut task. There are many different voting systems to consider, each with a varying impact on key characteristics such as proportionality, regional representation, and the ability to vote for parties or candidates."*

## Decision by Yukoners

The committee heard several arguments for and against the need for a referendum or plebiscite prior to enacting changes to the voting system.

It is the committee's opinion that decisions on electoral reform should be made by the Yukon public.

*"I suggest that we chose the favourite option, then after running an election based on it, run another referendum in conjunction with the subsequent election a few years later. We have to see how it goes, so the first run is actually a test."*

*"I think a referendum is a double-edged sword in that it's easy to make the statement that we will do what the people of the Yukon want, as expressed through a referendum."*

The committee heard from Dr. Therese Arseneau regarding the referendum approach used in New Zealand, which included votes both prior to a change



in the electoral system and following a period of time with the new system in place.

*"The question is absolutely vital and it was decided and had been recommended to New Zealand to have a two-step referendum process and it was critical that the first — and you can see the questions on the referendum — very straightforward. The question should be simple and clear and neutral.<sup>1</sup>"*

**Recommendation No. 1 The Special Committee on Electoral Reform recommends that Yukoners be given the opportunity to vote on a proposed change to Yukon's voting system both before any such change is implemented and again after a trial period with a new voting system.**

## Local Representation

A topic of importance to many Yukoners is local representation. Some voting systems sacrifice local representation for proportionality.

*"I feel strongly that we should have direct, local representation - the candidates one votes should live/directly represent their district. We are a small territory and it's important our communities (and in Whitehorse, neighborhoods) have a voice. I'm very leery of proportional representation for this reason but open to models that keep direct local representatives."*

*"I would hate to see our system become over-burdened with MLAs and overrepresentation and lumping together of ridings and not actually getting an appropriate balance between actually having good representation and all of that in the House."*

## Political Parties Working Together

The seemingly divisive nature of partisan politics was criticized by several individuals who presented to the committee. Multiple submissions highlighted a desire for politicians to be required to work together more collaboratively.

*"Canadian political systems need to be reformed to more accurately and meaningfully represent the diversity of*

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<sup>1</sup> Yukon Legislative Assembly, Special Committee on Electoral Reform, Public Proceedings: Evidence, January 27, 2022 page 8-9

*perspectives of voters. We are also seeing too much partisanship in governance and decision-making and need to introduce a wider plurality of voices and discourse in government."*

## **Public Education**

The committee heard repeatedly that Yukoners are not well versed on electoral system options.

*"I really wish that I would learn about how to vote, what happens to my vote, and how that can affect my country and my classes, because I am not being educated on that."*

*"I don't know how educated the average person in Yukon is on the topic, and therefore, without some system to drastically increase the level of education on the topic first, I would doubt the quality of the referendum."*

## **Rural and Urban Interests**

A unique aspect of the Yukon as a political jurisdiction is the distribution of the population. As noted in Dr. Archer's report, "71.2% of the residents of the Yukon reside in Whitehorse... the Yukon is a highly urbanized territory combined with areas of expansive land with low population density."<sup>2</sup>

With such a significant proportion of Yukoners living in and around a single urban centre, it was not surprising to hear rural residents' concerns that the electoral system should represent interests outside of the capital. The committee believes that maintaining the proper balance between rural and urban representation is a crucial element of any voting system for the territory.

*"We understand that most of the population lives in Whitehorse, and there's a tendency of that's where the efficiencies are and that's where you go and that's the way our whole system is set up in Canada, but we still need that strong rural voice in a way to sway things, because to a large extent, we feel like we're overwhelmed and forgotten about many times."*

*"I was thinking of the ridings that we currently have, and I sort of like that idea that in little places like Haines Junction and Old Crow, although they don't have the populations of the big cities like Whitehorse, I think it would be good to stick with*

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<sup>2</sup> *Options for Yukon's Electoral System*, Keith Archer, Committee Researcher (October 31, 2021) page 17.

*that, rather than to have it totally by the numbers of different ridings.”*

**Recommendation No. 2 The Special Committee on Electoral Reform recommends that any decision on voting systems reflects the importance of balance for rural and urban representation.**

## **Voting Age**

The results of the survey did not show a high level of interest in lowering the voting age. However the committee did hear from several people who would like to lower the voting age.

*“I’m 17 years old, and I just want to say that I have a job, and I pay taxes, and I would like to be able to vote and to be able to be represented, if I’m a taxpayer.”*

*“The thing came up for voting at 16; I just voted for Switzerland. They had that coming up, and I voted that young people can vote, but I can remember in my life — the young people these days are much more educated than I ever was. I was never taught how to speak in school.”*

## **Citizens’ Assembly**

Many submissions to the committee recommended the creation of a Yukon citizens’ assembly on electoral reform. A citizens’ assembly (also known as a citizens’ jury, citizens’ panel, or policy jury) is an independent, non-partisan body formed of randomly selected individuals to deliberate on important issues.

As noted by Dr. R. Kenneth Carty, citizens’ assemblies are based on “the idea that ordinary, randomly selected citizens would be able to, in some sense, represent the electorate as a whole”<sup>3</sup>.

*“Randomly chosen Citizens Assemblies are inherently open and non-partisan.”*

*“What problem are we trying to solve?”*

*“I feel like each election sets me up to vote against something instead of for it. I would like to recommend a Yukon Citizens’ Assembly be created to study how Electoral Reform will help improve our voting system in the Yukon.”*

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<sup>3</sup> Yukon Legislative Assembly, Special Committee on Electoral Reform, Public Proceedings: Evidence, January 24, 2022 page 2-2

*"I prefer the current system and don't believe that a change is required."*

*"I am in favour of a citizens' assembly, in part because it is complicated and it is new — it's really new for people, and even lots of people who might say, 'Yes, I don't like first-past-the-post', but then they don't realize that maybe there's like 10 or 12 different other options and variations within each, and I think it's really important that we get a group of people, a widely representative group of people, to really study the issue"*

*"I think our elections are very democratic. Of course, we don't all get our people elected, but I know who I'm voting for. My vote is for a person who will represent me in my riding, and I don't want it to be anything else. I don't want it to evolve or morph or do anything like that."*

After hearing from witnesses, the committee decided to conduct a second survey with a focus on citizens' assemblies. The results were 63% in favour of the establishment of a citizens' assembly on electoral reform.

**Recommendation No. 3 The Special Committee on Electoral Reform supports the creation of a Yukon Citizens' Assembly on Electoral Reform.**

## Conclusion

Throughout its study of electoral reform, the committee worked diligently to reach consensus. The committee acknowledges that recommendations one and two were decided by consensus. The final one, Recommendation No. 3, was agreed to by majority.

All members of the committee would like to thank the Yukoners who shared their thoughts and perspectives on this important issue.

### Committee Recommendations

**Recommendation No. 1** The Special Committee on Electoral Reform recommends that Yukoners be given the opportunity to vote on a proposed change to Yukon's voting system both before any such change is implemented and again after a trial period with a new voting system.

**Recommendation No. 2** The Special Committee on Electoral Reform recommends that any decision on voting systems reflects the importance of balance for rural and urban representation.

**Recommendation No. 3** The Special Committee on Electoral Reform supports the creation of a Yukon Citizens' Assembly on Electoral Reform.