



Box 2703 (A-9) Whitehorse, Yukon Y1A 2C6  
(867) 667-8683 1-866-668-8683 Fax (867) 393-6977  
[www.electionsvukon.ca](http://www.electionsvukon.ca) [info@electionsvukon.ca](mailto:info@electionsvukon.ca)

November 26, 2024

Honorable Jeremy Harper  
Speaker of the Legislative Assembly  
and Chair of the Members Services Board

Dear Speaker Harper,

### **Management Board Cuts to Election Yukon's Budget**

This letter is to bring to your attention, as Chair of the Members' Services Board (MSB), the recent and unexpected action of the Management Board Secretariat (MB) regarding changes to the Elections Yukon's budget after the MSB had approved it. In short, MB adjusted amounts, removed the line item for leased space, and cut the budget by \$187,000 in their recommendation to the Minister for Finance. The status of MSB approved additional funding for \$391,700, which includes a new staff position, support for the realignment of new boundaries, augmentation of election year capacity, and implementation of a new plebiscite mandate, is unknown.

This is a concern for Elections Yukon. It compromises operational readiness and creates uncertainty late in this fiscal year with major impacts on planning, capacity, and risk. The updated budget approved by MSB was to specifically address structure and capacity issues as we head into a very complex election year.

In my six plus years here, the MSB has been the established authority to approve the Elections Yukon budget. Through this all-party process, I have been required to provide rationale for the funding requested and to demonstrate fiscal stewardship of public funds. For its part, MSB has reduced funding, allowed for changes to align funding with the electoral cycle, and approved increases for staff and evolved requirements. The MSB understands the growing mandate of the office and the significant demands of electoral administration.

The budgets approved by MSB had been submitted for inclusion in the government's Appropriation Bill. A line-by-line review of the budget is part of the legislative process. This allows for challenge, debate, and amendment in the Legislature. Now, an MB-level review of the MSB approved budget has been inserted between the submission of your approved budget estimates to the Minister of Finance and being introduced into the House. With it, MB has indicated authority and intent to parse through the business lines of the independent offices to adjust or remove funding which MSB had approved. The authority and rationale for this MB intervention is not clear.

My understanding has been that the MSB, as an all-party committee of the Legislative Assembly, is specifically tasked with, among other things, authority for the budget estimate submissions of the independent offices for the Legislative Assembly. This legal authority is granted under the *Yukon Act*, sections of the *Financial Administration Act (FAA)*, Motion 8, and for my office, sections 16(2) and (3) of the *Elections Act* (attached). These are the same provisions included in the *Ombudsman Act* and the *Child and Youth Advocate Act*. Control of funding may influence, or appear to influence, the ability to deliver to our mandates. Statutory provisions protect the independence of our offices by making clear our accountability to the Legislative Assembly (and MSB) to which we are accountable.

MSB approvals to support Elections Yukon for the 2025-2026 fiscal year with the funds and tools to deliver to our mandate is appreciated. The delays, change, and uncertainty created by the expanded MB presence to reexamine and reallocate MSB funding for my office complicates readiness planning and increases electoral risk. MB will conduct additional reviews and that their budget recommendations are subject to change right up to introduction of the Appropriation Bill expected in March.

Clarification of MSB and MB roles, authority, and process related to funding authority is needed to reduce uncertainty and risk. Your early attention to this matter is requested.

Sincerely,



H. Maxwell Harvey  
Chief Electoral Officer

Attachment: Extract - *Elections Act* – section 16

## Extract - Elections Act – section 16

### 16 Employees and financing of operations

(1) The Commissioner in Executive Council may, after consultation with the chief electoral officer, by regulation provide for the employment of the assistant chief electoral officer and of other officers and employees who are to assist in carrying out the duties and responsibilities of the chief electoral officer under this Act.

(1.01) A regulation under subsection (1) may, among other things

- (a) enable the chief electoral officer to be an employer;
- (b) enable the temporary or permanent assignment of a member of the public service as an officer or employee of the chief electoral officer; and
- (c) prescribe terms of employment.

(2) The chief electoral officer shall submit annually to the Members' Services Board for each financial year an estimate of the sum that will be required to be provided by the Legislative Assembly in a separate vote to defray the expenses of the office of the chief electoral officer in that financial year.

(3) The Members' Services Board shall review the estimate submitted pursuant to subsection (2) and, on completion of the review, the Speaker shall deliver the estimate to the Minister of Finance for recommendation to the Legislative Assembly.

[S.Y. 2015, c. 11, s. 13] [S.Y. 2002, c. 63, s. 16]