Draft terms of reference
Commission on Electoral Reform

Mandate

The mandate of the Commission on Electoral Reform is to develop a report with recommendations for the Government of Yukon. In formulating this report, the commission should refer to the findings of the government's report "Electoral Reform: Results of Public Engagement" and:

Investigate and assess options to ensure our electoral system captures the intentions of voters as well as possible.

- This work should include public education and public engagement on possible options for electoral system reform. Engagement activities should encompass all communities and ensure the perspectives of Yukoners in all their diversity are represented.
- If the commission determines that Yukoners want electoral system reform, it may also recommend the strongest electoral system for territorial elections and propose a way for bringing their recommendations forward to voters in a way that supports informed choice.

Investigate and assess options to improve how political parties and elected officials work.

- This work should include options for fair and transparent elections, political fundraising and spending rules, and a more open and accountable legislature.

Investigate and assess options to improve how citizens make their voices heard.

- This work should include options to make sure people have flexible and accessible voting options, are registered to vote, have the information they need to vote, and understand how government works.

Guiding principles for the commission

The following guiding principles should guide the work and recommendations of the commission.

- Legitimacy: Yukoners are confident in the process and results of the territorial electoral system.
- Fairness: All eligible Yukoners have the opportunity to vote and to have their vote count equally.
- Inclusion: Yukoners in all their diversity feel heard, respected and represented.
- Accountability: Yukoners have access to and feel heard by their elected representatives.
- Effectiveness: Elected representatives work together effectively in the best interest of Yukoners.
- Simple and clear: The electoral system is explained in a way all Yukoners can easily understand.

Membership

The membership consists of three commissioners, one of whom will be appointed as chair by the Minister.

Appointment process

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Should a commissioner resign from the commission following their appointment but before the duties of the commission are fulfilled, a replacement will be appointed by the Minister within 30 days.

Term

The commissioners will serve from May XX, 2019 until the final report is submitted to the Minister, but in any event no later than December 31, 2019.

Deliverables

The commission will submit its final report to the Minister by late fall 2019. The report will contain recommendations as per the commission's mandate.

Meetings

- Meetings will be held as required for the commission to fulfill its mandate and goals. Meetings can take place in-person or by teleconference or videoconference.
- Any commission member can call a meeting with at least seven days' advance notice. Commission members are responsible for setting the meeting agenda. Best efforts will be made to ensure all commission members are able to attend a meeting.
- Commission members are responsible for active and full participation in discussions and decision-making.

Procedures

- Quorum for decision-making is all three commissioners. Voting by teleconference or videoconference is permitted. Abstention is not permitted.
- All decisions will be made by consensus except when consensus cannot be achieved, in which case a vote will be taken. In this context, consensus does not mean everyone is in complete agreement but rather that a solution is found that all commissioners can accept and no commissioners strongly oppose.
- Any commission member can request that a decision reached by consensus or a vote be recorded as a meeting minute. Meeting minutes will be distributed to all commission members and put forward for adoption at the next meeting.
- Commissioners will be provided with email accounts to support their work on the commission. All documents and records related to the work of the commission will be subject to requests under the *Access to Information and Protection of Privacy Act*.
- The chair will be the commission's spokesperson. Commissioners will, where possible, present a single, unified voice to the public and stakeholders through the chair.

Dispute resolution

- In the event of disagreement in relation to anything set out in this terms of reference, commission members will make best efforts to resolve the disagreement in an open and cooperative manner.
- In the event of disagreement between commissioners and secretariat staff in relation to anything set out in this terms of reference, the parties will make best efforts to resolve the disagreement in an open and cooperative manner.
- Disagreements that cannot be resolved may be referred by the chair to the Deputy Minister of the Executive Council Office for consideration and decision.

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CONFLICT OF INTEREST

- No conflict should exist or appear to exist between the private and personal interests of the commissioners and their official duties as members of the commission.
- Commissioners have a duty to disclose to the secretariat and other members of the commission any situation in which they are involved which may pose a conflict of interest and to provide information as required.
- Commissioners should not place themselves in a position where they are under obligation to any person who might benefit from special consideration or favour on their part or seek in any way to gain special treatment from them.

Budget, honoraria, and expenses

- The commission's total budget is $178,500.
- Secretariat support will be provided to the commission and is expected to cost:
    - $16,000 for part-time administrative support
    - $47,000 for full-time research support
- Commissioners will be collectively responsible for allocating the remainder of the commission's total budget within the following parameters:
    - Up to $31,000 for commissioner honoraria, or an estimated eight days of remunerated work per commissioner per month for six months. Commissioners will be paid honoraria as follows and in accordance with GAM Policy 1.8:
        - Full day (four hours or more): $200 for regular commissioners; $250 for the chair
        - Half-day (less than four hours): $100 for regular commissioners; $125 for the chair
    - Up to $34,500 for commissioner and other expenses. Each commissioner will be entitled to expenses per GAM Policy 1.8 and Management Board Travel Directive #13/84, which cover travel, meals, incidentals, childcare and accommodation. Other expenses may include costs for rentals, supplies and advertising.
    - Up to $50,000 to support the other work of the commission, including public education and engagement.
- Commissioners must submit invoices to the Executive Council Office for their services and must complete and sign expense forms. The secretariat will assist with completion of invoices and expense forms.
- The commission must request approval from the Minister of the Executive Council Office for proposed changes to the parameters or total value of this budget.

Roles and responsibilities

The chair will:

- Support the integrity of the commission's work by setting meeting agendas and encouraging fair, open, thorough, and timely discussions and deliberations at commission meetings.
- Facilitate public meetings, as needed, to allow for full and respectful discussion where every participant has an equal opportunity to be heard.
- Act as a spokesperson for the commission and speak to the public and stakeholders on behalf of the commission and its members.
- Liaise with the secretariat and represent the commission to outside parties as needed.

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The secretariat will:

- Provide administrative support to the commission, upon request. Administrative support can include: distributing meeting agendas and packages; recording meeting minutes and preparing minutes for distribution; booking travel, accommodation, rentals and other necessities related to the duties of commissioners; preparing invoices and expense forms for signature; tracking expenditures; and preparing budget updates to the commission.
- Provide research support to the commission, upon request. Research support can include: the identification and provision of data, studies, reports, and other background research related to the mandate of the commission; provision of advisory and communications support; assistance with planning and delivering public engagement and education in accordance with the Government of Yukon's "Guiding Principles for Meaningful Public Consultation and Engagement;" and assistance with preparing and writing the final report.

Dissolution of the commission

Commissioner appointments will be revoked and the commission dissolved following the submission of the final report to the Minister.

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