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NWT Electoral Boundaries Commission  
PO Box 1320  
Yellowknife, NT, X1A 2L9

Dear Commission Members,

**RE: Feedback on the *Interim Report* and electoral boundary issues**

Thank you to the Commission members for serving the Northwest Territories by being on this Commission and gathering public feedback. Electoral boundaries are key in a democracy and the independence of the Commission is key to ensuring that they are reasonable and fair. As something that happens only every eight years, each time the Commission is struck it is important to make sure your work happens.

Before specific feedback on the *Interim Report* and Terms of Reference, I wanted to highlight the limited public consultation that this Electoral Boundary Commission has been able to organize. Regrettably, the entire public consultation period that the Commission was able to take advantage of was during the worst of the Covid-19 Omicron wave eliminating the possibility of in-person public sessions. Instead, online consultations were held, however this seems to have presented challenges. For example, I attempted to contact the Commission by e-mail to present at one of the public hearings on Zoom, but never heard back. I've since heard similar stories from other residents. The Commission only heard presentations from three individuals (although 10 additional written submissions were received). In the past, Commission open houses heard from a much larger number of residents. As someone who attended some meetings of the last Boundaries Commission, there seems to be a reduction of public input into the process this time. Online consultation with only pre-scheduled presentations is not the same as general public meetings and does such an important issue a disservice. Rather than calling it quits on public input, the overall time for the final report should be extended with the Commission given the opportunity to hold public, in-person meetings in communities possibly impacted by the final recommendations. Understanding that this is unlikely, my comments on the *Interim Report* are below.

### **Interim Report**

#### **Presented Options**

On the specific matter of the Commission's recommendations, I find that the Commission's options are structured in a way so as to lead to no change. The presented options provide little insight to the details of any contemplated boundary changes in multi-riding communities, or the other subtleties of any district models. If there are no changes being contemplated, then it would be helpful if they were made explicitly clear.

#### *Option A*

Option A continues to disenfranchise and underrepresent residents of the NWT, specifically in ridings with a higher than 25% difference. The entire concept that urban ridings should be moved into a “separate but equal” class of ridings is flawed. While the report details the established doctrine for deviations from absolute voter parity in Canada (which leads us to the 25% rule), is still an extreme in and of itself, but to take that further and create a separate class of voters is unnecessary. Rather than creating the “urban class” of ridings, it would likely be just as easy to say that the 19 seats are balanced enough and that the imbalances should be ignored. I do not feel that this is an acceptable option.

While Yellowknife, Hay River and Inuvik are all considered “urban” ridings in this model, the actual representation is considerably off. In both Hay River and Inuvik, the average is less than 2,000 residents per district, but in Yellowknife the average is over 3,000 residents per district. While it’s somewhat fairer to group these ridings together for the purposes of an “urban” segment, the reality is that the representation issues in the three communities are not necessarily comparable.

I specifically have no comment regarding the redistributing of Sambaa K’e and Jean Marie River, although the members of those two communities, and the impacted ridings, should be heavily consulted and made aware of this proposal.

#### *Option B*

Option B on the other hand represents a significant shrinking of the Legislative Assembly contemplating a move from 19 to 16 seats. The logic that this reduction is based on could be extrapolated further from saying that while the 3,793 residents of Hay River could be represented by one MLA, and the 21,021 residents of Yellowknife could be represented by six, based on representation in other provinces or federally, the 21,021 residents of Yellowknife could likely also be represented by a single MLA. Heck, the entire territory is represented by a single Member of Parliament and could likely be represented by a single well-staffed MLA, certainly there are MLAs in other jurisdictions that represent a similar number of constituents. However, for obvious reasons this would be politically unacceptable.

Further, it does seem that the current 19 MLAs are stretched quite thin between various Cabinet portfolios or Standing Committee assignments and shrinking the number of MLAs would not provide more effective or better representation for residents. While potentially popular due to the general unpopularity of politicians, reduction for the sake of reductions doesn’t seem viable.

#### Discussion Points

##### *Total Number of Seats*

While the report raises a broad question of the appropriate number of seats in the Assembly. I don’t think there’s a particular right or wrong answer to this question. Comparisons to other jurisdictions are difficult because of the particular and historical situations that exist, and the impact of the seat count has many variables beyond just being a number. For instance, if an additional seat or two is added, would the Assembly expand the Executive Council to take on the new seat (or two)? This could have far greater impact than just the number of seats as it would impact the relative balance in the Assembly. It has been suggested previously that the relatively low number of MLAs since division creates a broken dynamic between Executive Council and Regular Members – meaning that an Executive Council of seven, only needs four votes from regular members to pass an agenda, whereas with a larger contingent of regular members it requires a higher amount of regular member support to achieve consensus.

All of that to say that the number of seats is not an absolute for legislative balance but an important factor. The total number of seats should still be maintained at a reasonable number so as to be fair and equitable. Earlier court actions, and the relative hesitancy for Northerners to file lawsuits regarding election parity, should not encourage further disparity between ridings.

#### *Cost per Seat*

The *Interim Report* identifies the cost of a seat in the Legislative Assembly as a reason to, or not to recommend a change. The approximated cost of \$325,000 - \$435,000, is less than 0.25% of the territorial budget. While the amount is not a significant amount on the budget, clearly it is an understandable amount by the public, and easily compared to the relative cost of a nurse or teacher or something else. If there was a direct line from the creation of a seat to the taking away from a front-line worker I would agree. Just as easily the amount could come from a redundant middle management position, or various other savings. At the same time, democracy has a cost. Reasonable and effective representation comes at a cost, there is no way to have representation without facing a cost.

#### *"Snowball Effect"*

The *Interim Report* contemplates the occurrence of a "snowball effect" if one region of the NWT has a "special" or "urgent" need for representation, that other regions may request the same. The descriptors used here paint a picture to make it seem as if any changes would be an extraordinary change to the norm. If the Legislative Assembly determines that there is an imbalance in representation and creates an additional seat in a particular region that doesn't make it extraordinarily special, or urgent. Especially as the decision would likely be rooted in recommendations that are developed based on balancing formulas, this shouldn't create an opportunity for a "snowball effect". Otherwise, any decision at all could lead to the creation of a "snowball effect" that would apply to future decisions.

### *Alternative Ideas*

#### *Number of Seats*

In my opinion, neither of the presented discussion options provide the necessary rebalancing of territorial electoral districts. In truth, while perhaps unpopular, there is potentially a need for an additional district or two to be created. The last Electoral Boundaries Commission had recommended the creation of an additional seat in the Tłı̨chǫ and Yellowknife regions. The logic that applied to this recommendation seemingly still applies today. While this Commission does not seem to be thinking along those same lines, I would urge you to consider it all the same.

Depending on the exact configuration of districts in Yellowknife, if evenly split amongst districts the average riding size would be lowered from 2,377 to 2,151 bringing several other districts closer to the average. Splitting the Monfwi seat in half (1,494 each) would leave them over-represented but likely within acceptable tolerances. On its own, this continues to create challenges in riding imbalances in the NWT's most populous city, but the presented idea seeks to address that.

#### *Multi-Member Districts*

Generally, I agree with the Commission that NWT communities with more than one district are unique compared to single or multi community districts. These differences lead to this alternative recommendation rather than focusing on the balance of ridings – turning sub-community districts into multi-member districts as an alternative to the traditional single-member districts that the NWT uses.

Multi-member districts are often considered in Canadian provinces as part of the solution for proportional representation.

Rather than increase the average The NWT's urban centres are unique from the "small" community ridings in that the ridings all represent the same community (i.e., seven representing Yellowknife, two representing Hay River and two representing Inuvik). Based on this shared representation, and the acknowledgement that there are few issues that vary from one urban riding to the next. It is my position that the riding boundaries in urban centres should be eliminated creating "multi-member" districts. This would not eliminate any seats, or electoral representation, but provide more balanced community representation.

There are few if any issues of territorial representation that differ between one street and the next in any of the major urban centres. Instead, artificial lines between neighbourhoods are created and adjusted repeatedly by Boundaries Commissions. In the case of Yellowknife's Frame Lake, Great Slave and Yellowknife Centre ridings there are streets that continue to flip between respective ridings. This makes no sense, makes little difference to residents, and just takes up Boundaries Commission time. If instead, Inuvik, Hay River or Yellowknife residents were represented by a group of their respective MLAs, a resident with an issue could approach the MLA they feel best represents them (as many do today anyway). It may also lead to more representative outcomes in elections as voters would have the opportunity to make multiple choices as to their representation since multi-member districts would be elected using a ranked ballot. Finally, aligning electoral districts with the administrative districts of the community could serve these matters on those various fronts, rather than creating artificial divides within communities that residents may or may not understand the reason for.

If Commission members have any questions about this submission, please feel free to reach me at either 867-446-3059 or [david@wasylciw.com](mailto:david@wasylciw.com).

Regards,



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