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Clark's Liberals lose seats and vote-share, but retain shaky grasp on power

Horgan's New Democrats lost pre-election advantage to finish second

One month ago, when Premier Christy Clark called on the Lieutenant Governor to request dissolution of the province's 40th Parliament, as well as the issuance of writs for B.C.'s 41st general election, her BC Liberal Party was trailing in every then-current public-opinion survey.

Ipsos-Reid, that same day, April 11, had released a province-wide poll which put John Horgan's New Democratic Party in the lead with 44.0 per cent of decided and leaning voters, followed by Clark's Liberals at 39.0 per cent.

One day earlier, Insights West published a survey with similar findings, with Horgan and the NDP on top with 40.0 per cent, slightly ahead of Clark and the BC Liberals at 38.0 per cent.

And on the day following Clark's visit to Government House, Mainstreet Research issued a poll with the NDP at 39.0 per cent and the BC Liberals at 35.0 per cent.

Horgan's lead over Clark in the three surveys was five, two and four percentage points.

The BC Green Party, led by first-term MLA and Leader Andrew Weaver, was found in the three polls to have the support of 12.0 per cent, 17.0 per cent and 19.0 per cent of decided and leaning British Columbia voters.

Over the course of the next four weeks – B.C.'s election campaigns officially are endured for 28 days – the three major party leaders toured relentlessly, meeting voters, touting their own party's policies and blasting opponents for real and alleged transgressions.

In the final week of the campaign, a handful of polls indicated that Clark and her BC Liberal team might have erased much of the NDP's lead.

Both Innovative Research and Justason Market Intelligence released surveys that put Clark's team ahead by single digits. Other polls – notably Insights West, Forum Research and Angus Reid Institute – suggested the two major parties were in an actual or statistical tie.

On Election Day, the near-final results from the 'preliminary count' – the official outcome will not be known before May 24 – showed an exceptionally close contest.

Clark and the BC Liberals finished on top with nearly 735,000 valid ballots, or 40.85 per cent of the popular vote.

Trailing close behind – just 18,000 back – were Horgan and his New Democrats.



Andrew Weaver

The man who would be king(maker) – three Green seats may be key in forming new government

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They had about 717,000 ballots, or 39.86 per cent of the vote.

Importantly, the Clark Liberals appeared to prevail in 43 electoral districts – one shy of the 44 needed for a bare majority in British Columbia's 87-seat Legislative Assembly – while Horgan's NDP captured 41.

The remaining three seats were taken by Weaver and the Greens, who received 301,000 ballots across the province. That number represented 16.74 per cent of all valid votes cast in the election.

The immediate conclusion was that Clark and the BC Liberals had won an extremely thin minority government.

Once again Christy Clark had proved herself to be a remarkable political campaigner.

Yet, unlike in 2013, when she and the BC Liberals roared back from a 20-point polling deficit to score a majority government, Clark's position today is extremely precarious.

She may be able to continue as Premier, or she may – after the final count of the election is made public on May 24 – find herself relegated to the opposition benches. It seems unlikely Clark would want or be able to continue for long in that position.

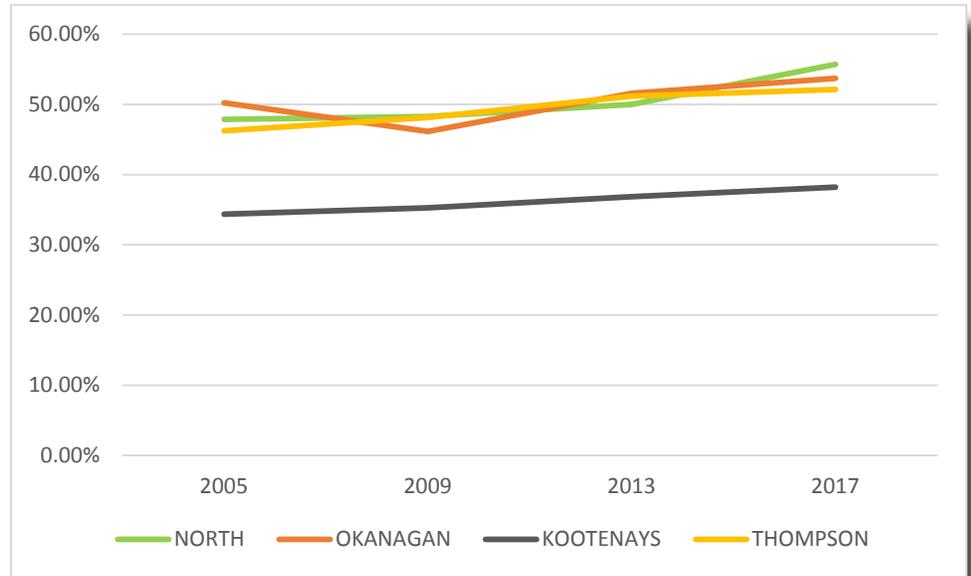
Horgan, too, proved an effective campaigner, although he went into the 2017 election campaign with a polling lead and finished second in total votes, vote-share and number of legislative seats.

An analysis of the preliminary count suggests that the New Democratic Party's total vote-count will end up slightly higher than the levels recorded in the preceding three general elections.

In those tilts the final count showed the NDP with 732,000 and 692,000 ballots – in 2005 and 2009, respectively (under then-Leader, Carole James) – and 716,000 – in 2013 (with Adrian Dix).

Horgan and the NDP may pick up another 65,000 to 70,000 'absentee' ballots when the final numbers are released,

BC Liberal Party's share of all valid votes, in selected regions, 2005 to 2017



(Source: Elections BC.)

which would push the party's total to about 785,000.

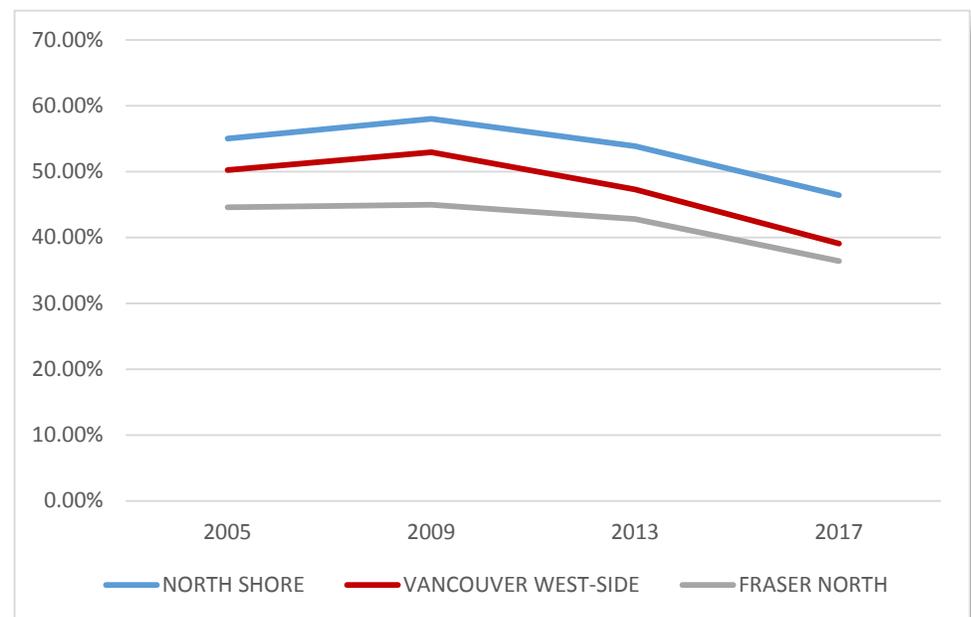
However, in terms of vote-share Horgan's New Democrats' ended the latest contest with a mark that was in the same range as when James and Dix led

the party: 41.52 per cent and 42.15 per cent (2005 and 2009) and 39.72 per cent (2013).

The feat that Horgan clearly did accomplish was to take more seats – 41 in the preliminary count – than any of his

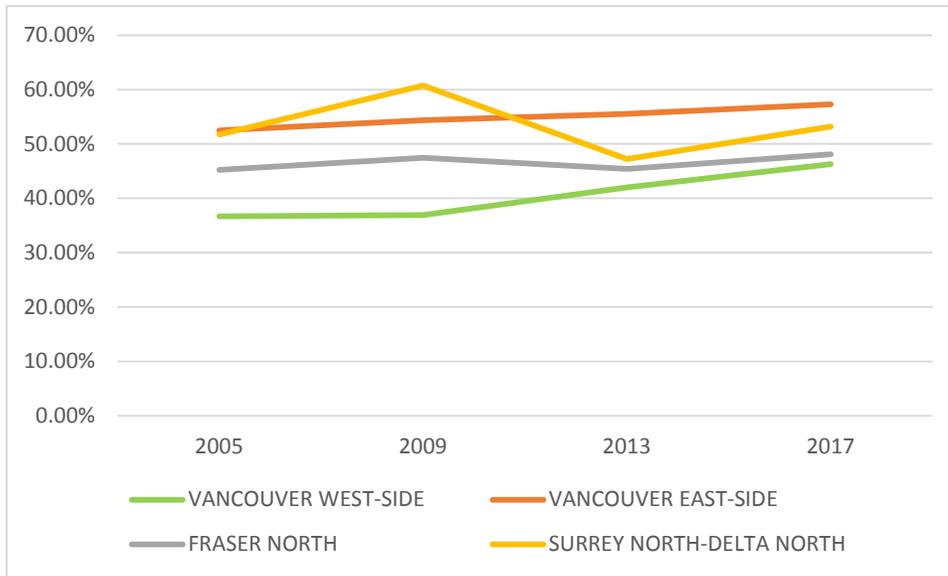
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BC Liberal Party's share of all valid votes, in selected regions, 2005 to 2017



(Source: Elections BC.)

BC NDP's share of all valid votes, in selected regions, 2005 to 2017



(Source: Elections BC.)

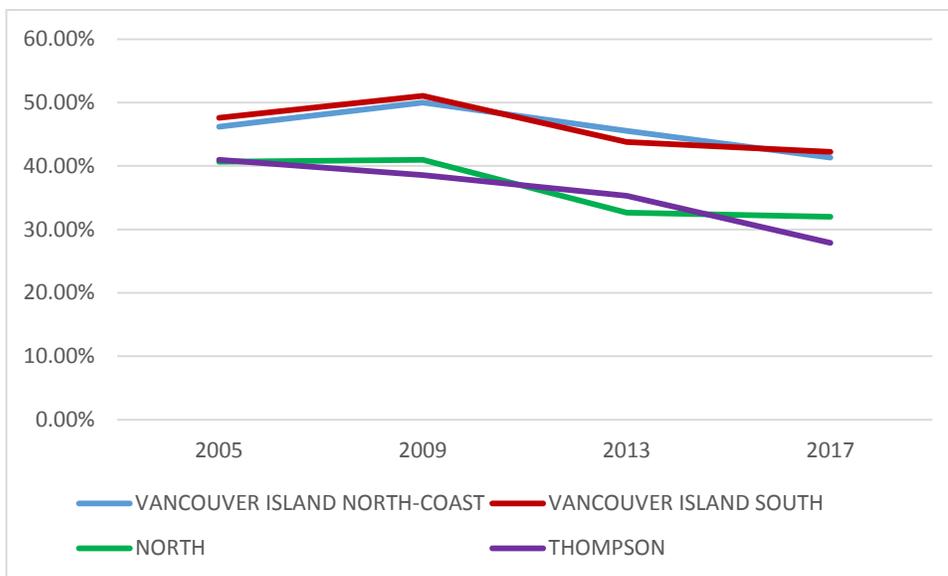
recent predecessors, and thereby put himself into a position to possibly govern the province. (James won 33 and 35 seats; Dix, 34.)

results from the 2017 general election reflect long-running changes in B.C. voting patterns, pre-dating both Clark and Horgan.

A closer examination of the May 9 preliminary count, however, suggests that

The top chart on the previous page shows four regions – all in the province's Interior-North – where the BC Liberals' share of the vote has been

BC NDP's share of all valid votes, in selected regions, 2005 to 2017



(Source: Elections BC.)

increasing over the last dozen or so years.

The Okanagan has long been a free-enterprise stronghold, but BC Liberal strength nonetheless is rising ever higher.

An historic bellwether, the Thompson region – four ridings centred around Kamloops – now looks to have shifted dramatically into the BC Liberal camp.

Similarly, the North – 10 ridings which include Prince George, the Cariboo, the Peace and the Northwest – often has divided evenly between free-enterprise parties and the NDP, but aside from the area around Prince Rupert it now appears solidly behind the BC Liberals.

Even the Kootenays, for decades favoured ground for the New Democrats, shows rising support for the BC Liberals. Indeed, Clark's party on May 9 captured two – Kootenay East and Columbia-River Revelstoke – of the region's four ridings.

News elsewhere is less positive. Incredibly, BC Liberal support on both the North Shore and the westside of Vancouver – Grit and free-enterprise bastions for much of the last century – looks to be falling off a cliff.

Less dramatic but real nonetheless is the party's collapse in Fraser North – 11 ridings stretching from Burnaby to Mission along the north side of the Fraser River.

On this page, the top chart illustrates how the New Democratic Party's strength is growing over time in both halves of the City of Vancouver.

The 2017 election results, moreover, demonstrate that the NDP regained much of ground lost in 2013 in Fraser North and the Surrey North-Delta North region.

Less impressive is the New Democrats' sinking fortunes on Vancouver Island, where the Greens slowly have been increasing their share of the popular vote at the expense of both major parties.

Gerrymandered ridings gave B.C. Liberals narrow election win

ANALYSIS

By Will McMartin

Nineteen months ago, shortly before four o'clock in the afternoon of November 16, 2015, B.C.'s Legislative Assembly gave third-reading to Bill 42, the Electoral Districts Act.

That legislation, in the words of a New Democratic Party MLA who spoke during committee-stage of debate, would 'freeze' 17 ridings located in the province's North, Interior and Kootenay regions, keeping them in place despite population numbers far, far below the provincial average.

On May 9, 2017, those gerrymandered ridings helped the governing BC Liberals – who had crafted the Bill that put the new districts into law – win a razor-thin legislative minority in the province's 41st general election.

Of the 17 electoral districts with below-average populations, the BC Liberals won 13 – or three of every four.

That rate of success contrasted sharply with the Clark Liberals' performance in 'regular-population' ridings – that is, those that conform to the province's 'electoral quotient' – as the governing party captured just 30 of 70, or about two-of-every-five.

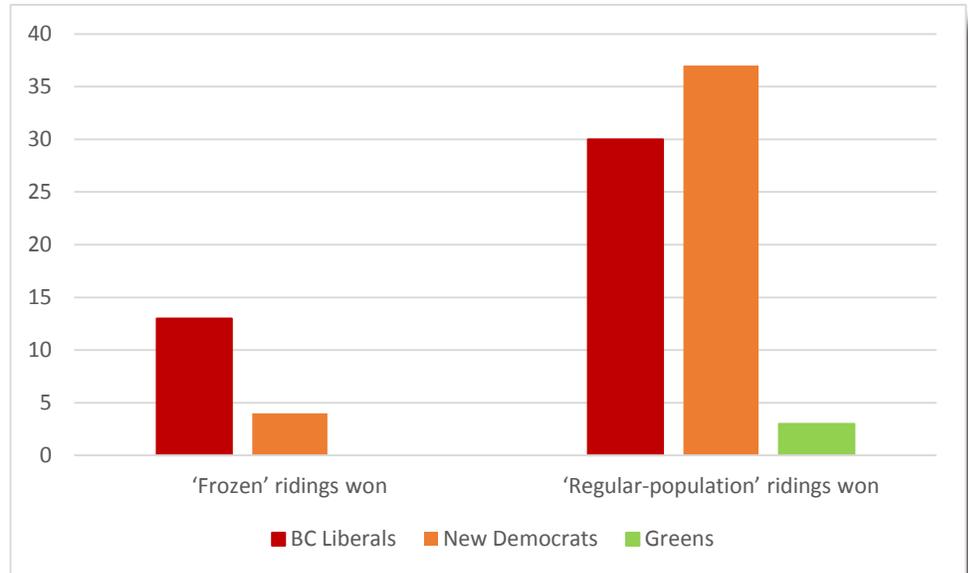
Meanwhile, John Horgan's New Democratic Party took a majority of the electoral districts with a regular population – 37 of 70 – but garnered only four of the 17 gerrymandered districts.

In this light, the 'frozen' ridings were essential to the BC Liberals' attainment of an incredibly-thin minority in the 2017 general election – 43 seats to the NDP's 41.

Consider that the average number of votes counted in each of the 17 gerrymandered districts – in the preliminary count that was completed the day after the general election – was just 14,475.

By comparison, the average number of votes counted in the regular-population

Governing BC Liberals dominated small 'frozen' ridings, but NDP prevailed elsewhere



(Source: Elections BC.)

districts was more than one-third higher at 22,190.

It is clear that in choosing 87 Members of the Legislative Assembly in B.C.'s 41st general election, the ballots of those British Columbians who reside in the 17 favoured electoral districts had much-greater weight than those of voters elsewhere in the province.

And the results clearly favoured one party, the BC Liberals, over the others, notably Horgan's New Democrats.

The story, told briefly, begins 30 years ago – in April 1987 – when the Social Credit government led by Premier Bill Vander Zalm appointed Judge Thomas Fisher of the B.C. Supreme Court to head up a commission to redraw the province's electoral map by eliminating two-member ridings.

Not long thereafter the B.C. Civil Liberties Association won a decision

in the province's Supreme Court – in a case heard by Beverley McLachlin, since 2000 the Chief Justice of the Supreme Court of Canada – when she ruled that B.C.'s existing electoral districts violated the 'equality' provision of the Canadian Charter of Rights and Freedoms.

In due course, Fisher's mandate was changed by the Socred government to allow him to examine British Columbia's entire electoral map – and not just those ridings which had more than one MLA – and recommend changes to ensure that all constituencies had a near-equal population.

Subsequently, the judge proposed expanding the Legislative Assembly from 69 to 75 seats, and each electoral district would have but a single MLA.

The boundaries of all ridings, moreover, would be drawn in such a way that the population in each district was within a range of plus or minus 25 per cent of the so-called 'electoral quotient.'

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That quotient would be derived by dividing B.C.'s total population – then about 3.2 million – by the number of electoral districts, 75, which resulted in an ideal riding population of approximately 42,700.

Within the 25 per cent deviation, each electoral district would have a population no lower than 32,000 and no greater than 54,000.

In this manner, each individual British Columbian would be assured of having 'equal' representation in the Legislative Assembly as required by the Canadian Charter.

In the summer of 1989, the Vander Zalm government brought in Bill 87, the Electoral Boundaries Commission Act, which enshrined the principle of equality and the electoral quotient in future alterations of the province's electoral map. (It also allowed rare deviations in 'special circumstances'.)

The new statute – adopted unanimously by the House – also required a regular review of B.C.'s electoral boundaries, with an independent Electoral Boundaries Commission to be appointed within one year of every second general election.

B.C.'s 35th and 36th general elections were held in 1991 and 1996, each time on an electoral map with 75 districts.

In December 1997, a three-member commission – headed by Judge Josiah Wood – was appointed to redraw the provincial map, and its report recommended the creation of four new ridings, for a new total of 79.

The province's 37th and 38th general elections – in 2001 and 2005 – were contested on the electoral map proposed by the Wood Commission.

A new Electoral Boundaries Commission was appointed in December 2005, with Judge Bruce Cohen overseeing the three-person panel.

And soon the political shenanigans got underway.

The first machinations came to light



Bill Vander Zalm

Passed legislation creating independent electoral commission



Gordon Campbell

Put thumb on the scale to preserve rural ridings

when the order-in-council appointing the Cohen Commission, signed by Premier Gordon Campbell's BC Liberal cabinet on December 13, 2005, received close scrutiny.

Two of the panel members were beyond reproach: Judge Cohen, who had been named to the province's Supreme Court in 1987, and Harry Neufeld, B.C.'s Chief Electoral Officer.

The third appointee, however, was a well-known BC Liberal partisan, an election organizer and financial donor by the name of Louise Burgart. A minor furor erupted, the Campbell government stone-walled for two months and finally Burgart was replaced.

(Burgart received a number of BC Liberal patronage appointments over the years, including to the Council of the College of Teachers, the board of the University of Northern British Columbia and the board of the Northern Health Authority.)

And then things got interesting. In August 2007, the reconfigured commission – Burgart was replaced by Stewart Ladyman, a retired school superintendent – released its preliminary report.

That paper proposed to increase the number of electoral districts by two –

for a revised total of 81 – by carving out four new ridings in the Lower Mainland and one more in the Okanagan.

To partially offset the creation of five new seats, the Cohen Commission also recommended abolishing three ridings in rural and remote B.C. – one each in the Kootenays, the North and the Cariboo-Thompson.

It was not what Campbell or his BC Liberals wanted to hear.

The abolition of three existing districts very well could jeopardize seats held by BC Liberal MLAs such as Shirley Bond, Bill Bennett and Kevin Krueger, and thereby weaken the party's strength in the Legislative Assembly.

And so the Premier wrote a letter to the commission, advising its members that his government would not allow existing ridings to be eliminated.

(Although each Electoral Boundaries Commission independently recommends a redrawn electoral map, it is up to the government to draft legislation that puts the new boundaries into effect, and ensure that the Legislative Assembly enacts the Bill.)

Campbell further declared in his letter that the BC Liberals now were prepared

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to accept a significant hike in the number of MLAs, up to as many as 87 if the commission felt it necessary.

Back to the drawing-board went the Cohen Commission, and in February 2008 it submitted to the legislature an amended preliminary report. It advocated for 83 electoral districts – an increase of two over its initial recommendation, and four in total.

Surprisingly, that wasn't sufficient for the Campbell government. On March 13, 2008, BC Liberal cabinet minister Mike de Jong introduced in the House a motion that declared the ideal number of electoral districts to be 85.

Soon thereafter, the Campbell Liberals introduced Bill 19, the Electoral Districts Act, which put into law the electoral boundaries for 85 ridings.

That re-jigged electoral map, which preserved districts held by BC Liberal MLAs – and created more new districts than was recommended (twice) by the Cohen Commission – was in effect for the 2009 and 2013 provincial-general elections.

By law, a new independent commission had to be set up a year after the latter contest.

In November 2013, the BC Liberal government – now led by Christy Clark, who in 2011 had succeeded Campbell as Premier – prepared and released a White Paper entitled 'Electoral Boundary Reform – Amending the British Columbia *Electoral Boundaries Commission Act*.'

The paper declared that the Clark Liberals wanted to change the Electoral Boundaries Act so as to 'define three regions of the province' – the North, Cariboo-Thompson and Columbia-Kootenay – where a future Electoral Boundaries Commission could 'not reduce the number of electoral districts in those regions.'

Eight ridings were (and are) located in the North, with another five in Cariboo-Thompson and four more in

Preliminary-count results in B.C.'s 17 'frozen' electoral districts

<i>Electoral District</i>	<i>BC Liberal</i>	<i>NDP</i>	<i>Green</i>	<i>Other</i>	<i>Total Valid Votes</i>
Kamloops-South Thompson*	14,409	5,479	5,214	373	25,475
Kamloops-North Thompson*	11,025	6,770	4,573	166	22,534
Kootenay West	4,321	10,499	2,791	0	17,611
Prince George-Valemount*	10,094	5,025	2,080	0	17,199
Nelson-Creston	4,891	7,159	4,770	286	17,106
Prince George-Mackenzie*	9,674	5,319	1,880	0	16,873
Kootenay East*	9,114	4,779	1,814	385	16,092
Fraser-Nicola*	6,181	5,475	2,336	573	14,565
Columbia River-Revelstoke*	6,325	4,966	1,582	951	13,824
Cariboo-Chilcotin*	8,028	3,547	2,035	0	13,610
Peace River North*	8,542	836	0	3,505	12,883
Skeena*	6,370	5,089	0	524	11,983
Cariboo North*	5,969	4,117	836	690	11,612
Nechako Lakes*	5,108	2,784	843	635	9,370
North Coast	2,879	4,998	809	0	8,686
Stikine	3,330	4,370	0	784	8,484
Peace River South*	6,180	1,991	0	0	8,171

* Ridings won on May 9, 2017 by the BC Liberal Party.

(Source: Elections BC)

Columbia-Kootenay – a total of 17.

No matter the province's population growth – or shifts in or disparities between regional populations – the number of electoral districts in those three 'frozen' or 'protected' regions could be not total less than 17 – eight, five and four respectively.

Four months after it had published the White Paper, the BC Liberal government introduced Bill 2, the Electoral Boundaries Commission Amendment Act, 2014.

Remarkably, it proposed no increase in the total number of electoral districts – then 85 – but allowed that a new commission could alter the boundaries of any riding in the province to ensure some measure of equality in population.

New Democratic Party MLAs expressed outrage and spoke against the Bill. (So, too, did Green MLA Andrew Weaver, and the sole Independent, Vicki Huntington.)

In the face of determined opposition, the BC Liberals yanked the Bill from the

floor for 10 weeks. It returned in May with an important change: the commission could increase the total number of seats by two, to 87.

The opposition was unimpressed; Bill 2 passed second-reading only with BC Liberal MLAs voting in favour. Four days later, Judge Thomas Melnick was named to head up a new boundaries commission.

In September 2015, the Melnick commission's report was completed and its recommendations soon presented to the Legislative Assembly in Bill 42, the Electoral Districts Act.

Surprisingly, the discord so manifest 18 months earlier had disappeared and all MLAs spoke glowingly of the commission's recommendations. Bill 42 sailed through the legislature without a recorded vote.

The province-wide vote on May 9 clearly demonstrated, however, that the latest redrawing of the province's electoral map significantly favoured one political party – the governing BC Liberals.

BEHIND THE SCENES



The Budget for the 2017/18 fiscal year already had been adopted – by a margin of 44 to 31 – when the Legislative Assembly adjourned on March 16, well ahead of schedule so as to allow MLAs to get an early start on campaigning for the May 9 general election.

But the province's legislators were too rushed to debate and pass the spending Estimates that authorize the government to actually expend taxpayers' monies over the course of the fiscal year.

Instead, the House approved – without a vote – Bill 11, Supply Act (No. 1), 2017, which gave the government 'interim' funding to get past the date of the general election.

Specifically, the interim-supply Bill provided six months' of operating funds – \$20.2 billion – plus an entire year's worth of capital outlays (just for the provincial government; it did not include Crowns and the 'Such' sector) of \$576.6 million.

Since Victoria's current fiscal year begins on April 1, the six months' supply will run out at the end of September.

And that means B.C.'s newly-elected Parliament, the province's 41st, must be called into session in time to provide the government with new operating monies for the second-half of the fiscal year, before the existing authority expires.

However, there is another factor to be considered with regards to the re-opening of the legislature.

The Budget Transparency and Accountability Act, enacted in 2000 by Premier

Ujjal Dosanjh's NDP government, originally stated that if budgetary Estimates were not passed prior to a general election, new Estimates had to be introduced 'as soon as reasonably practicable' after the ballots had been counted.

A year later, after his BC Liberals had defeated Dosanjh and the New Democrats, Premier **Gordon Campbell** amended the statute.

It now states, 'If ... there has been a general election in a fiscal year before passage by the Legislative Assembly of the final Supply Act for that fiscal year, the main Estimates ... must be presented to the Legislative Assembly no later than 90 days after the post-election appointment of the Executive Council.'

So, as soon as a new government, following a general election, is sworn into office the 90-day clock starts counting down. Before that deadline, the legislature has to be called into session and new Budget Estimates presented to the House.

And that requirement lends some importance to the date when British Columbians might expect to see – given that the province held a general election on May 9 – a new crop of cabinet ministers take their oaths of office.

That date will depend, of course, on who – **Christy Clark**, the incumbent Premier and Leader of the BC Liberal Party, or **John Horgan**, Leader of the New Democratic Party – can convince Lieutenant Governor **Judith Guichon** that they will be able to command a majority in the Legislature Assembly.

At present, Clark, whose party now appears to hold 43 legislative seats – one shy of a majority – has a slightly better claim, but Horgan, with 41 seats, is close behind.

The final count of election ballots will conclude on May 24, and on that date British Columbians will learn whether either of

the BC Liberals or the New Democrats have the minimum 44 seats needed for a legislative majority.

If one or the other clears that hurdle, the victorious Leader will fashion an Executive Council from members of her or his own party, and all will be sworn into office in early June.

The 90-day countdown then will begin and the new House ought to go into its first sitting in early- to mid-September with updated Estimates shortly to follow.

However, in the event that neither party returns at least 44 MLAs, horse-trading with **Andrew Weaver**, Leader of the three-person Green caucus, would begin in earnest.

Might Weaver and the Greens agree to join formally – perhaps in exchange for one or more cabinet portfolios – or even informally with either the BC Liberals or the NDP? A key component of any such a deal would be the time-frame, with the pact effective for, say, two years.

Or, is it possible that Weaver and Company might reject any proposed deal and simply handle each House matter on a case-by-case basis?

In that event, Guichon only could ask the party with the most seats to form a government. A cabinet would be sworn into office and the 90-day countdown get underway. New Estimates would be introduced to the legislature and everyone would wait on tenterhooks to see if they were passed or rejected. In the latter, a new general election would not be long in coming.

One thing alone seems certain: the Legislative Assembly will open for business in early September so newly-elected MLAs can pass the 2017/18 spending Estimates.

The composition of the new government, however – and the timing of B.C.'s next general election – remains very much up in the air.

Photo Credits:

P. 1 - Weaver - *Georgia Straight*

P. 5 - Vander Zalm - *BC Government*; Campbell - *Tyee*

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