

## Legislative Assembly of Alberta

Title: **Tuesday, February 2, 1993**

8:00 p.m.

Date: 93/02/02

[Mr. Speaker in the Chair]

head: **Government Bills and Orders**

head: **Second Reading**

### Bill 55

#### Electoral Divisions Statutes Amendment Act, 1993

Moved by Mr. Martin that the motion for second reading be amended to read that Bill 55, the Electoral Divisions Statutes Amendment Act, 1993, be not now read a second time because the Assembly finds the process leading to the development of this Bill inappropriate insofar as it was drafted by members of this Assembly and not by an arm's-length body such as an independent Electoral Boundaries Commission.

Moved by Mr. Fox that the motion for second reading be further amended by adding the words "and the Assembly further regrets that total impartiality of the contents of the Bill was not ensured because of the flawed process of its development."

[Adjourned debate February 1: Mr. Day]

SOME HON. MEMBERS: Question.

MR. SPEAKER: Edmonton-Highlands, on the subamendment.

MS BARRETT: Mr. Speaker, thank you. I believe we will eventually get to the question, but I don't think that this debate has been entirely exhausted. Remind the members of the amendment and the subamendment that we're dealing with. The motion for second reading is proposed to be amended by the hon. Leader of the Official Opposition by striking all the words after "that" and substituting:

Bill 55 be not now read a second time because the Assembly finds the process leading to the development of this Bill inappropriate insofar as it was drafted by members of this Assembly and not by an arm's-length body such as an independent Electoral Boundaries Commission.

Now my colleague and friend the Member for Vegreville has put forward to this Assembly a subamendment on this amendment, which reads

and the Assembly further regrets that total impartiality of the contents of the Bill was not ensured because of the flawed process of its development.

Now, Mr. Speaker, I can't promise to be as time efficient as the hon. Member for Calgary-Fish Creek, who's earned himself quite a reputation as what they call the four-minute speech man, and I believe he likes to boast about this. I often address audiences by letting them know that I'm not a typical politician and they can assume safely that for the most part my speeches will conform to my height, and I try to deliver on that commitment. Tonight I shall be somewhere in between the two.

I think the issue of impartiality needs to be dealt with in a reasonably thorough fashion, and I only have one perspective, as do all individuals in life: that perspective that goes with the subjectivity of living. But my perspective I believe is well founded in the public view, and that is that if members of the Assembly draft the boundaries in which they or their successors shall be running, they will have drafted them in self-interest. Now, this may or may not be true. However, if the public believes it to be true, then it is important enough that we distance ourselves from that process, and I for one believe in that distancing.

It seems to me that we could make a good gesture here by supporting this kind of subamendment and at least acknowledging the difficulty that all 83 of us are going to face during the next week. Supporting this subamendment would not necessarily mean supporting the amendment and defeating the Bill, Mr. Speaker. I should point that out to you; I think that's very important. One can support the subamendment and even defeat the amendment itself, though that's not what I would encourage. I think we should send a message to the people of Alberta, who are feeling very cynical right now – and little wonder, given the economic environment in which they find themselves – looking at politicians and saying, "Yeah; you guys just want to look after yourselves."

Well, make no mistake, Mr. Speaker; I would like to look after the riding of Edmonton-Highlands. I repeat to you and members of the Assembly that when the Electoral Boundaries Commission itself recommended that the riding of Edmonton-Highlands be totally wiped out and divided between the ridings of Edmonton-Beverly, Edmonton-Norwood, and Edmonton-Centre, I said not a peep. I believed that if that was what they wanted to do, then I should say nothing. If there was no place in this province in which I could serve in public office, that's fine. If that was what the independent commission wanted, I thought that was fair, that I should say nothing. And I said nothing, because I believed in the impartiality of the process.

Now, the time may come when I'm going to have to be put in a position of asking for my community's interests to be represented, and I don't like that, Mr. Speaker. I feel uncomfortable about that. I don't think it should be up to me. I think that the independent commission would have been the best alternative. But we tried. We tried last year. We tried to convince the government members, and they said: "No, no, no. We don't have enough time." In my view, they compromised the integrity of the Assembly by caving in to an artificial time line. They didn't need to do that. It is that impartiality which the people themselves see.

You know, they couldn't care less in what riding they live. They don't care what its name is – well, for the most part. They don't care how big or how small it is. All they care about, really, is that people didn't draft the new boundaries on the basis of self-interest. I think that's a legitimate point of view. It's for that reason that I think we should uphold this particular subamendment. It's a very specific one.

Listen, Mr. Speaker, when I make a mistake on the job, I am perfectly capable of saying, "Oh, oh. I blew it. Sorry; my mistake." I do that, and I know that certain hon. members from the Conservative side even do that. It surprises me, but I know that it happens. I think that's the honourable thing to do. By supporting this subamendment, we send a message to people even from the Conservative ranks, saying, "Sorry; we didn't deliver to you what you can firmly and without question believe to be an impartial process." It doesn't even mean that you have to support the amendment.

Now, I can tell you how I will vote on the amendment, Mr. Speaker, later tonight or whenever it comes up. I'm going to support the amendment by the Leader of the Official Opposition because I think it's a good one. I think we've got enough time to send this back to the commission that was struck. All we have to do is make a couple of little changes to our electoral boundaries legislation, or what I think is called the electoral divisions legislation, a couple of small amendments giving them guidelines from which they can work on a consensus basis. They could be back in this Assembly in early April with a brand-new report drafted by people who are at arm's length from this Assembly. Now, in pointing this out, I should also add that I keep hearing

from the government members that the intention is that the House will sit in early April. If that's the case, what's the hurry? I have also heard that – well, I know of cases in the past where governments have redrawn the boundaries for an entire province, called the election within a matter of weeks, and simply told the Chief Electoral Officer: “Get it done. Find a way to get your enumeration done.” I know that that's happened in the past in other jurisdictions, and I believe it could happen here.

I ask members of this Assembly: what's the hurry? I don't see the need to hurry. The government has until March 19, 1994, before it needs to call an election, n'est-ce pas, to the Member for Medicine Hat, who laughs. Yes, he acknowledges it's true. There is more than one year before that election need be called. There is more than enough time for members of this Assembly to say a collective mea culpa. The process does not look to be impartial. That's all this subamendment calls for. That's all we have to do, send a signal out telling people that we think the process did not look impartial. That's all people want to hear. Whether or not the amendment flies is another issue, although I would encourage members, in supporting this subamendment, to also vote for the amendment.

This is probably the most important piece of legislation that's been in front of us, I would say, since what was euphemistically called the Alberta Government Telephones Reorganization Act. Did I get that right, Mr. Speaker? I can't remember the exact title, but you know what it was. I mean, it was the selling off of AGT so that they could get into the NovAtel fiasco. That's what that Bill was all about, and I called it. I remember. I saw it on notice. I went with it in question period that day. This is the most important legislation that we've dealt with since then, though, dear God, I hope it doesn't cost us hundreds of millions of dollars like the NovAtel fiasco did.

In any event, as I said, I can't always promise to conform to the speech limitations of the hon. Member for Calgary-Fish Creek, but I think I've made my points well enough in saying that we should all support this subamendment whether or not members of the Assembly – and I'm now really talking to Conservative members of the Assembly – plan to support the amendment. There is nothing wrong with going out and telling the public: “Oh, oh. I made a mistake. Please forgive me.” That's what this subamendment calls for, Mr. Speaker, and I ask members of the Assembly to join me in supporting it and voting for it when it's called.

Thank you.

**8:10**

MR. SPEAKER: Calgary-Forest Lawn.

MR. PASHAK: Thank you, Mr. Speaker. While I support my colleague from Edmonton-Highlands and what she's had to say about it – at least I support her in principle, and I certainly support the intent of this subamendment, which says that

the Assembly further regrets that total impartiality of the contents of the Bill was not ensured because of the flawed process of its development.

However, I do have some concerns about the actual wording of the subamendment, and I'd like to get them on the record. They might lead to some principles that I think are substantially important. First of all, the subamendment mentions “total impartiality of the contents of the Bill,” and it regrets that that's not possible because the process was flawed. Well, I don't know of a single situation in real life where you ever have total impartiality. You know, we can strive for impartiality, but there are limitations in our ability to be completely impartial or even to be completely objective.

The situation in trying to draft electoral boundaries legislation is similar to problems that exist in the physical world, where if we

try to measure small particles, the Heisenberg uncertainty principle begins to apply, and the more you try to measure something, the more that you distort that which it is you're trying to measure. Or, to use another example, if you're trying to measure something like sunlight, you can either look on it as a wave phenomenon, in which case wave mechanics is something you would embrace to study sunlight, or you can look at it as a particle phenomenon, maybe a photon, the packets of energy which travel, and then you use energy principles to investigate that. The point here is that you have to choose a frame of reference. There's always an inner subjectivity that comes whenever you're trying to measure anything at all, and there's certainly an element of inner subjectivity that applies when you're trying to establish electoral boundaries. Everyone that comments on it, whether they're in the opposition or on the government side, brings into that discussion a set of perceptions that are based on their history of experiences in life. There's always a subjectivity that enters into these questions and into the decisions that we might make about what is fair and impartial when it comes to actually drawing electoral boundaries.

Now, I'm not trying to argue, Mr. Speaker, by the way, that we shouldn't strive for impartiality and objectivity when we draw electoral boundaries. I'm merely trying to point out that there are considerable difficulties in trying to do this. When we look at the start of this process, I think that from the very beginning every person who sat on the Select Special Committee on Electoral Boundaries that was chosen by members of this Assembly brought into the deliberations of that committee a commitment to try to draw the best boundaries that they could draw. I have no concerns at all about the integrity of the members that sat on that committee, but I think that we did wind up with boundaries that are skewed. I think we've demonstrated that in a number of our speeches.

What is it that caused us to go offtrack in terms of coming up with the boundaries that are currently before us, the boundaries that are represented in Bill 55? Well, partly it's the process, I would suspect, that was flawed, but I think even more critically it was some of the a priori judgments that people brought to the process of constructing boundaries. Now, I think the people that sat on the boundaries commission brought with them concerns that reflect the interests of people who largely live outside of our two major cities, and I think it was appropriate for them to bring those concerns forward. I want to assure every member that although I've spent all my life in a large or relatively large urban environment, I am, I think, aware to a certain extent of the problems that exist in rural Alberta. I mean, I know that as a young person it was a great shock to visit farms that belonged to relatives of my family and discover that the only way they could get light was through kerosene lamps – you couldn't just turn a switch on – or that they had lamps that had little bags on them, and if you wanted to go to the washroom, you couldn't do it in the house. I understand that in certain parts of this province that situation still exists.

MR. SPEAKER: Is this another long process of development?

MR. PASHAK: No. I'm just trying to explain, Mr. Speaker, the kind of interests that came into the drafting of boundaries that made the process somewhat less than impartial, to say the least, but I don't think it was necessarily because the process was flawed. I'm trying to argue against that section of the subamendment. I think it's partially because of the attitudes and perspectives that people brought into this process. To understand that, you have to understand to a certain extent the nature of the rural

economy. I know from looking at the demographics that many of our towns are actually declining in population, that young people can't find work in the area and have to leave the family farm or small towns to go to the cities to find work. Even family farms themselves seem to be becoming more and more mechanized and can't support as many people as they did. As the number of farmers declines, that puts pressure on the smaller villages and towns. So I appreciate the hurt that exists in rural Alberta. But what has happened in the process here of drawing these electoral boundaries, Mr. Speaker, and what has made it not impartial is that that hurt was brought into the committee proceeding. I think it was quite legitimate that members of the committee tried to address that.

There's an obverse side to that process, Mr. Speaker. If you try to address the hurt in rural areas, there's a danger that you can create and enhance the hurt that also exists in the cities, and that has to be viewed as a major concern. In our large cities, for example, in these economic downturns there's a limitation on funds that flow to urban municipalities. In different ways that means they can't maintain their urban network of roads. It means school boards have difficulty financing their operations, so they have to decrease the services available in schools. It means we can't engage in the kind of job creation projects we'd like to. It means we can't keep our universities functioning as we would like. The University of Calgary, for example, has just indicated it's going to have to lay off people and cut programs back in order to meet projected manpower needs. Both our colleges and universities are saying that they need additional funds in order to put on programs that would allow our young people . . .

MR. SPEAKER: Excuse me, hon. member. Are we on the same aspect of this Bill?

MR. PASHAK: Well, Mr. Speaker, I'm trying to argue that the process was flawed. I don't think there's any doubt about it. I'm saying it's too easy, though, to blame it just on the process. That's part of it. It also has to do with the values and beliefs that people brought in to the decisions. [interjection]

MR. SPEAKER: Order, Smoky River.

MR. PASHAK: So I'm just trying to say that the balance could have been corrected if other needs, other values, and other beliefs were put into place. My real concern here, Mr. Speaker, is the result. Why it's flawed is pretty clear, when you look at what's being proposed in Bill 55. There's an imbalance in the kind of representation that's being proposed here.

I've said on two other occasions that the city of Calgary should have three more members than are provided for in Bill 55. Unless the city of Calgary has the representation to which it is fairly entitled, the people in the city of Calgary are going to feel they're going to be discriminated against by decisions that will be made in this Legislature. We've had some examples of that. We've had a threat posed to our human rights legislation. Now, that's important to city people. It might not be important to rural people, but urban life is such that it attracts people from a variety of backgrounds. Human rights legislation and practices become important institutions within the urban environment. It's important that urban residents have the same equality of representation that rural residents have.

Now, I'm not trying to argue here that rural residents shouldn't be effectively represented in Legislatures. They should be as effectively represented as urban people are in Legislatures. That goes without saying, and I support that principle in its entirety.

However, there are problems when it comes to effective representation. We know about the distance problems and that kind of thing, and I've suggested on a number of occasions ways we could get around that through using modern means of communication, providing more individuals to rural MLAs and that sort of thing.

But there's an even more fundamental issue that has to be addressed here. Every Albertan should have a minimal degree of equality in terms of meeting certain critical needs. Every Albertan should be entitled to and should have the same minimal level of health care. Every Albertan should be entitled to and should have the same minimal level of educational opportunity. Every Albertan should have the same minimal level of opportunity to gain meaningful employment in his or her life. That should be distributed throughout the province. Just because we have minimum equality of opportunity or minimal compatibility with educational and health services doesn't mean that everybody should have the same.

#### 8:20

It's obvious if you look at an urban environment that different economies of scale operate so that you could have universities in your major cities and community colleges in your larger towns. But you can't have a university and a modern, full-scale hospital that can offer every kind of medical service that's known to man located in every little village and small town throughout the province. That's clearly impossible. Our problem as legislators is to define what that minimum level of equality should be for all Albertans. If we could do that and ensure that all Albertans have that, then we wouldn't get into these horrendous disputes over electoral boundaries that lead to the kind of partiality that characterizes the boundaries proposed in Bill 55.

Mr. Speaker, what I would encourage all members of this Legislature to do is maybe establish some joint committees of all members of the House that would sit down and look in some fundamental way at what our responsibility is to all of the people who live in this province. What must we provide them with in terms of certain guaranteed minimum rights when it comes to education, health care, social services, job opportunities? I think we could do that. In this case, then, we could begin to eliminate what I think is shaping up as kind of a conflict between urban values and rural values in this province, and that's dreadful. I think what we require is a little more understanding both from rural members of urban interest and urban members of rural interest. I agree with that completely. This electoral boundary process could have provided us an opportunity to do just that, but I think by getting into some squabbles over unfairness, perhaps, and impartiality and things like this, we missed this opportunity.

Mr. Speaker, I just think that all members of this Assembly should really have no difficulty in supporting at least the intent of this subamendment, which is that we further regret the "total impartiality of the contents of the Bill . . ." We've agreed that it's partial, one sided, not fair, and I think we can also agree that it was not ensured because of the flawed process.

I mean, I can support that in a limited context. I think what I'm trying to suggest, though, above and beyond all of that, is that the real reason it's flawed is because we had a lot of well-intentioned MLAs who came into the process, who did their best, had hearings all over the province, listened to a number of Albertans, came back, and really had no effective way of translating what they heard from Albertans into effective legislation. For example, if you have Peter, Paul, Mary, Jane, or whoever come before a committee and express a concern about electoral boundaries, and if they all happen to come from rural areas, maybe that's five voices you've heard. Then you might have somebody like Al

Duerr who comes before the committee, and you hear his voice. You can say, "Well, we heard from six Albertans, and five out of six of them said that we must increase the amount of rural representation." That's what the committee heard when I read the report. But that doesn't take into account that when someone like Al Duerr or Mayor Jan Reimer speaks for the city of Edmonton, they're really speaking for 700,000 or more people. That has to be taken into the process, and that was not taken into account. So to that extent the process was somewhat flawed, Mr. Speaker.

There were some errors in the process, but by and large I think what's really happening here in terms of this whole debate we're having is that we bring to the debate judgments that we make out of our own subjective value perceptions, and we've found no effective means of trying to bridge that gap. I hope that by the comments I've made tonight maybe members from rural Alberta or maybe members on the other side of the House would be willing to get into that debate. I know I just spent dinner hour with my colleague from West Yellowhead, who's a very strong proponent of rural interests and thinks that I'm . . .

MR. DOYLE: I didn't think he was listening.

MR. PASHAK: I was. I was really listening. I was captivated by his remarks.

We've had that debate within our own caucus in terms of how many seats Calgary should have and how many seats Edmonton should have and how we should balance effective urban representation with rural representation. I would hope that that's going on in the Tory caucus, the government party caucus, and the Liberal Party caucus. I mean, I think that could lead to some productive discussion of what we ought to be doing to get this province back on the rails again. I don't think that anyone would disagree that we're off the rails. When you're looking at the deficit we have, the net indebtedness, it's important that we pull together, all Albertans pull together, and that we set aside almost our sectarian politics, that we set aside our antagonisms to other parts of the community, and we find some effective vehicles for collaborating so we can build a strong provincial economy, get Albertans back together again, and inject health into our postsecondary educational system.

Thank you, Mr. Speaker.

MR. MARTIN: Mr. Speaker, as the person that started off the debate for the Official Opposition and brought in the amendment, I want to say that I believe the subamendment is important and adds to my amendment, because I believe - I'm not going to be as kind as the previous speaker - that the "total impartiality of the contents of the Bill was not ensured because of the flawed process of its development." I think the whole thing is flawed, as I said before, because of politicians behind closed doors determining the boundaries.

Now, I want to stay to the subamendment. I think it's very important in a democracy, Mr. Speaker, that justice be seen to be done. I can assure you that it's not being seen to be done when MLAs are the ones determining it. Now, I know the government's argument in the past is that we ran out of time. Well, I suggest to them it's because they created the dilemma from the start. As I said the other day, if they had said to an independent commission, "Be fair to rural and urban voters, refer to the Supreme Court decision, and use the latest population census," we would have had this behind us two years ago and wouldn't be dealing with this. That's the reality.

Now, why do we say that "the total impartiality of the contents of the Bill was not ensured"? Well, let me go back to what I said

before. If anybody thinks that Calgary-Elbow is impartial - the way they came up with that in Calgary, I defy anyone. And I think I have some support on the opposite side of the House. We'll see how the votes go after. When I asked the Premier, he smiled and said that it was just a coincidence that it shot all the way over to west Calgary and now includes the Premier's seat. I mean, let's not kid ourselves about that, Mr. Speaker. That goes to sort of the heart of the subamendment: it's a flawed process.

Now, the other point I want to make is let's look at Athabasca-Wabasca. One of the arguments, a legitimate argument that we have to recognize coming from rural members, Mr. Speaker, is that they said, "Well, the huge areas that MLAs have to travel." That's an argument you heard time and time and time again. Why then would you come up with this boundary? I mean, this is a marvel. It goes down to Athabasca, past Fort McMurray, right up to the boundary to the Northwest Territories. If the argument was that we had to change the boundaries because people had to travel too big of a distance, why with one of the committee members - conveniently the part of the riding that member conveniently lost is gone. All of a sudden, this shoots up to the Northwest Territories, which makes it almost impossible to cover. Now, does one question and say that's not a flawed process? What's going on here? That's another person that was drawing up the map. The Member for Taber-Warner's riding is, I believe, 22 percent in variance, next to another one 38 percent. Is that just a coincidence?

#### 8:30

Mr. Speaker, forgive me if I have become cynical in my old age, but I don't believe in coincidences anymore. I just don't. The problem is that a process like this is wrong. There's always a temptation to feather your own nest and to protect your own people when politicians are doing it, because the name of the game over there is to cling to power. That's why they did it. Now, they knew they had to move in some directions to have another seat in Edmonton and two seats in Calgary, or it would have been thrown out by the Supreme Court. We still don't know; it might be. But they don't look at individual ridings. What they look at is urban versus rural populations.

Now, the government may think this is cute. They've got the numbers to push this through eventually. We understand that, but it is fundamentally wrong, it's fundamentally undemocratic, and they should understand this. It's this type of arrogance that will eventually, regardless of how you gerrymander the ridings, get this government in trouble. What makes this process even more flawed, though, is if you look at the commission, what they're really talking about is taking this past the turn of the century into the year 2000. So if these boundaries are flawed now with the rural to urban trends - especially, I say, like Calgary and to a lesser degree Edmonton, how fast they're growing - imagine what that's going to be like around the year 2000, an election or two later on, Mr. Speaker.

Some members opposite seem to understand, if I read them right - and I hope they have the courage of their convictions - that this process is wrong, that some of these boundaries are flawed because of this process. I'm talking of course, Mr. Speaker, about the Member for Calgary-Currie, who said that that's a boundary he's having difficulty with. If I may go back to the leadership convention, the Member for Edmonton-Glenora recognized that this was a flawed process and had made a commitment to meet with both the Liberal leader and myself to discuss this issue if that person had been elected Premier.

Now, this government wants to say that it's a new face, a new government, under new management, I think it is. Yet they're

taking perhaps the worst thing that the previous government did in an undemocratic way and they're going to continue with it. It doesn't matter what the public thinks. We're going full steam ahead with this process that is flawed and undemocratic, Mr. Speaker. I find that unbelievable. You'd think this government would want to say, "Well, yes, we're under new management, and we recognize that this wrong." Almost everybody else in Canada recognizes this is wrong; nobody else is doing this.

If I may come back, the Member for Calgary-Fish Creek talked after me, and I think he said – correct me if I'm wrong, member – that the previous committee talked about that, the fact that there were politicians on there and that it was a good process, with my colleague, the previous leader, Grant Notley. I happened to be around at that time, and I think it's fair to say now that it worked much better. What he didn't say is that the independent people and the opposition still had a majority on that committee. Because of that process, often the government members didn't get their way. It was much more objective than what we have here. It didn't come to these sorts of gerrymandered ridings that we're having right now. I still think that was better than what we have. I think an independent commission is still the best.

I go back. If the government hadn't given all these crazy rules to them and just said three things – use the latest population census, be fair to both rural and urban voters, and refer to the Supreme Court decision – this would have been done two years ago. Here we are, well into the fourth year, Mr. Speaker, and we're continuing. This is why we're having this debate. Now, I know some government members don't like it. They think: "Why don't you guys just sit down and pass it? We're the government; just pass it." Well, what we're talking about here is a matter of principle, something that's fundamentally wrong. At least a couple of other members on the other side have acknowledged it. I would hope that they have the courage of their convictions to stand up and do what's right rather than just follow party discipline on this, especially if they want to pretend that they're a new government and that they're listening to people.

My colleague from Edmonton-Highlands mentioned that even at this late date we could still change this. The Premier has said – well, I'm trying to keep track of what he says from day to day, but he was clear in the leadership convention. He said that there would not be an election, I believe, till 1994. Then a little later on it was that there will not be an election until the fall. Okay, let's take him at his word, Mr. Speaker: there's not going to be an election at least till the fall. We don't need to go back and spend a lot of money. We can use the information from, if I may use the term, the Bogle commission and the previous independent commission, give that information to an independent person, give them two months, and tell them to redraw the boundaries. If it's done by an impartial person such as a judge, then I will accept it. I think we all have to, but I will never accept it when you've had four government members behind closed doors determining the boundaries of the province. I know their argument, saying, "Well, gee, the Liberals and the New Democrats could have participated." All we would have done is legitimize a flawed process and still be outvoted on everything that they wanted anyhow. It wouldn't have done any good. I've been on these committees before. [interjection] The hon. Member for Medicine Hat says that I'm cynical. I mean, the government made me this way; they've made me cynical. That's the reality. I've seen how it works. It worked that way on the previous committee.

What I'm saying to the government is that they should acknowledge both the amendment and the subamendment and recognize that "impartiality of the contents of the Bill was not ensured." I've given you at least three examples of ridings that are clearly

unacceptable, are clearly flawed, and would not have been done if there'd been an independent commission, I would wager. For that reason alone this subamendment deserves support, and the amendment that this Bill should be hoisted till we have an arm's-length group do it. Let's take two months, I'd say to the hon. Member for Taber-Warner. Take your work, the previous work, give it to them, give it to a judge and say, "Go to it," and bring it back in April. We could put the Chief Electoral Officer to work after that. If you have an election in October, you know, what's the problem. The Premier said that there won't be an election till the fall, and surely we can trust the Premier. We can trust his word, can't we? So we've lots of time to do this right, Mr. Speaker; clearly we do.

Mr. Speaker, I just say to people that we're not only doing it for this election, but this is going to be here until the year 2000. The government again may think they can push this through, and might be right in here with the numbers; I understand that. But this is wrong, and I think a lot of people opposite know that it's wrong. I believe the government will pay a price if they continue this. They can't talk about being under new management when they continue these sorts of backroom practices that were unacceptable before. They were unacceptable when Don Getty was the Premier, and they're unacceptable when Ralph Klein is the Premier.

**8:40**

MR. SPEAKER: Edmonton-Beverly.

MR. EWASIUK: Thank you, Mr. Speaker. I, too, want to rise to speak to the amendment. Again, as the other speakers have indicated, I believe this Bill before us is both partial and flawed, and the flawed portion comes from the process that was employed to get us to the stage we are at today, debating it in second reading. I think one really has to only look at the proposed boundaries that we are asked to support in this Bill, not only in the urban centres but throughout the province. The committee obviously had difficulty in being able to address all the needs that we as members face but also, I think, the needs that many of the people who are corresponding with us or calling us or meeting with us are now expressing.

[Mr. Deputy Speaker in the Chair]

Probably the major flaw, a flaw that contributes largely to the problems here in the city of Edmonton, the problem that is being brought to our attention and the community groups that are having to deal with these boundaries at this time, is in fact that the city of Edmonton has been shortchanged in terms of the number of seats. This in itself has contributed largely to the flaw in the Bill, and of course I think it would suggest to us that there was some partiality in the determination of the boundaries and the number of seats in the city. Obviously, an additional seat or the appropriate number of seats in the urban centres like Calgary and Edmonton and perhaps others would have addressed the purpose of redistribution. Redistribution, of course, is to ensure that there is some equity in the voting process, that there's some equity between rural and urban population to provide room for growth. As the Leader of the Opposition just said, this is going to have to last us for at least 10 years. Certainly we have to look that far down the road to ensure that at the end of that 10 years there is still reflected in the Bill a redistribution process that reflects the equity that I think all of us want to secure.

Therefore, Mr. Speaker, it's becoming quite evident that the process and the product are not acceptable to many people. It appears that there are more and more people now looking at this

piece of legislation. It obviously has received the attention of the public in Alberta, certainly the news media, I think. Our debates here in the Legislature have prompted a number of people to have a look at this Bill and in fact study it and see what it really means to them. When they've looked at the Bill and they've looked at the maps, they surely come to the realization that, hey, this is not really redistribution, and it's not the kind of redistribution we feel is fair and proper. Particularly there's a suggestion that the opportunity to respond to a document that is prepared by the government – it needs to have some airing out before it is advanced before the Legislature, as this case has been. I know the government will argue that we as MLAs certainly are representatives of the people in the province and that we will be able to speak for them. I agree. That's certainly our obligation, and we intend to do that.

Nevertheless, Mr. Speaker, many of the groups – and again we come back to the community groups that I had occasion to speak to – feel that at this date it's becoming very difficult for them to be able to respond. There's a feeling that there is a panic situation, a pressure situation that has been imposed not only on this Legislature but also on the people in the province of Alberta who have realized that this Bill is not addressing the needs that they feel are necessary if this province is going to deal with equality or representation over the next 10 years.

I think this Bill also shows that it's not impartial in the rural/urban factor. Over a period of time I've really hesitated and even today I hesitate to become involved in that discussion, but I feel that it's necessary to at least make some comments on it. I know that there are differences of opinion on both sides of the House, perhaps even within caucuses, on how the rural/urban factor should be considered and what impact it has on redistribution in the province of Alberta. We have heard arguments from both sides and, I think, very valid arguments. It's unfortunate, Mr. Speaker, that the province of Alberta is geographically a large province which really does require our members in rural Alberta to travel a great deal to enable them to provide the kind of service they want to provide and, of course, the kind of service that their constituents would demand from them. I sympathize with that difficulty for them.

At the same time, Mr. Speaker, as an urban MLA my constituency, at the present time at least, is a particularly large one. It borders on 45,000 constituents, and that in itself is certainly well over the variance figures that we are talking about at the present time. As a result, many changes have been made to my constituency to address that inequity. As it is now, it's not necessarily inequity, in my opinion. However, what it does do is require me to spend a great deal of time servicing the constituency of 45,000 citizens, so the volume factor comes into play. Certainly I appreciate the distance that MLAs have to travel, and indeed I suspect that many of them have a large volume as well, but I feel the volume that I as an MLA in Edmonton-Beverly have to address is a major problem as well. When you talk about even 36,000 or 38,000 being the max that the committee is addressing, that would suggest to me to be a large number to service adequately and properly and still live up to the other responsibilities of an MLA.

I think that's where the equity factor comes into play, and the problem with this Bill. I think it is still partial. I think the contents of the Bill do not ensure the equity that all of us feel this Bill must have if it's going to endure the time of 10 years. But primarily the process – and we have to come back to the process over and over again because I believe it is here where the major problem lies. Now, admittedly we could have been part of the process and made some contributions during discussions at that

time, but, Mr. Speaker, principally we cannot agree to that. We do not agree to that. You can't agree to sit and determine your own boundaries as you cannot sit and determine your own remuneration as has been the case in this Legislature and is the case at the present time before us, that a group of MLAs could sit down and divvy up the pie. It has to appear that somehow this was done without partiality and that it's all fair. The response that I'm getting and obviously the response that, as I understand it, many members in the Legislature are getting is that in fact this Bill does not meet those requirements, does not meet the impartiality that needs to be demonstrated. It needs to be seen that in fact every effort was made to be impartial when the boundaries were drawn. Particularly, the process that was used to develop the contents of the Bill was flawed as well.

Mr. Speaker, I support the subamendment. I want to repeat again one of the comments that was made in the letter to us. I really feel that the whole matter should be tabled and the issue of the redistribution should be turned over to a commission independent of input from the MLAs. Let the people of Alberta tell us how they figure the boundaries should be done. Then I think we can at least rest assured that whatever comes out of that particular structure that's put together to find the solution to that problem for us, we can deal with it and accept that it was put before us by the people. In this case, it was not done impartially; it was not done by the people per se. Therefore, I support this subamendment, but I can't support the Bill as it is before us today.

#### 8:50

MR. DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods.

MR. GIBEAULT: Thank you, Mr. Speaker. I, too, would like to indicate my support for this amendment that is before us, moved on behalf of the New Democrat caucus by my colleague the Member for Vegreville, for a number of reasons.

Basically, just to reiterate, Mr. Speaker, we're looking at the subamendment, which

further regrets that total impartiality of the contents of the Bill was not ensured because of the flawed process of its development.

Now, surely those of us who have been in this place for some time have realized by now that there is a problem of public credibility with the political process, not only in our province but in many jurisdictions and throughout the country, and that more now than ever, perhaps, in our time we need to ensure that legislation that is passed by this Assembly is passed in a manner which has the support of the people of the province. As I said, we're facing a credibility problem for many reasons to start with, and I think we have to do everything we possibly can to ensure that legislative enactments such as Bill 55 that are now being considered are drafted and presented and are developed in such a manner that they're totally impartial and that their process is beyond question.

We cannot have a situation, as we do now, that has come to the Legislative Assembly out of a process where there was only a committee of four government MLAs, Progressive Conservative MLAs putting together this package of the boundaries on which MLAs are going to run. How impartial do you think that looks to the average person, Mr. Speaker? I would argue that if members of this Assembly checked with constituents about that process, their constituents would not recommend it. Now, the government members might say, "Well, we asked the opposition to participate." But it was clear and absolutely essential that we not participate in the process of determining our own boundaries. Surely it's obvious to members of this Assembly that that's a clear-cut case of conflict of interest. We just passed a conflict of

interest Bill in this Assembly not too long ago, which as a side comment I might point out is still not the law of the land despite the urging of my colleagues on the Official Opposition side, but it certainly is a conflict of interest when members are determining their own boundaries.

Mr. Speaker, this is a process that has gone out of favour in all other modern jurisdictions many years ago, and we are bringing discredit, I would suggest, to the Legislative Assembly here and the legislative process in general by putting forward this kind of Bill when it has come out of such a poor process. Now, we have advocated a number of alternatives to the government, and it seems they have still not got the message. We have suggested, for example, that we ought to have this done by an Electoral Boundaries Commission. Now, there was one attempt at that, of course. We realize that. It was unsuccessful, but mainly because the guiding legislation was crafted in such a way that it was impossible for them to do their job. That's the long and the short of it.

If we simply gave an Electoral Boundaries Commission the task to review these boundaries in the public interest and we could have a commission that was composed of a variety of people who have some provincial expertise or, if you like, reputation – perhaps a judge, perhaps representatives of bodies like the Alberta Urban Municipalities Association or the Alberta Association of Municipal Districts and Counties, perhaps representatives from labour and business groups in the province or perhaps community organizations. There's a wide variety of possibilities here, but the point I'm trying to make to my colleagues on the other side of the House is that clearly a committee of government MLAs having these private little meetings to carve up the province into boundaries is simply not a credible process. As the motion by the Member for Vegreville says: totally impartial, and it's a very flawed process.

Mr. Speaker, there's a variety of manifestations of this partiality, this unfairness, this flawed process. All members have seen letters of complaint that have been provided to us by the Speaker and that we've received independently from a variety of municipalities and community organizations who have indicated their opposition to these proposed boundaries for various reasons. I know a number of community organizations in Edmonton have been very concerned that natural communities have been violated, that they have been separated, or that they have been separated from areas in which they have a common community interest. The principle of community interest is supposed to be one of the main criteria that are considered in drawing new constituency boundaries for the province. That has been violated in a number of instances, and that has caused a significant amount of concern.

One other example of the dissatisfaction with this process and its product, Mr. Speaker, is the fact that there now appears to be at least one lawsuit in the works from the town of Lac La Biche, and who knows how many more there may be. You know, I really have trouble being sympathetic with the government. I'm sympathetic only to the extent that to fight this kind of a legal action is going to cost some taxpayers' money. That's most regrettable, but the government has brought this on itself. Let's be clear about that.

If they had taken the advice that we have been trying to give them for a significant period of time now, we wouldn't be looking at this at all. We'd have a situation where there would be a new electoral boundaries proposal before us that had been set independently, impartially. It would be a process that had integrity and public support. We don't have that, so here we are in a position where we've got this document that does not have public credibility, that does not have public support. If the government insists on ramming this through, it is only going to provoke a

great deal of litigation in the courts at public expense, wasting a lot of time and energy that is more usefully directed to the important, pressing economic issues of this province.

Now, Mr. Speaker, the government members would have us believe that these ridings were developed in an impartial manner, but as the Leader of the Opposition pointed out, we have the interesting case of Calgary-Elbow. We have asked questions about this particular case before, and we've been assured by the Premier that it was just a coincidence that his friends realigned the boundaries in Calgary to include the areas where he lived and that had a stronger area of Conservative support. If members of the committee believe that, then I have some land in Florida I'd like to sell them. I think it's very, very difficult to believe, to make a case with a straight face to the public that that kind of development comes out of a process with integrity, that it comes out of an impartial process. It just doesn't. It doesn't matter how you try to dance around it, the public is simply not going to believe that a riding like Calgary-Elbow was done absolutely with no considerations other than the public interest. I mean, it just doesn't wash. It just doesn't have any credibility.

I encourage the members opposite to heed the advice of the Official Opposition New Democrats and look at bringing this process back on track and saving it from ending up in a quite disastrous end. As I said, if we don't bring the process back on track, if we don't get it back into a mode that is impartial and that is not a flawed process but one that has the confidence of the public, we are going to probably end up with a great deal of litigation, and that's generally counterproductive.

Mr. Speaker, let me just also suggest to my good friends on the other side here that they should consider our advice. If they're not swayed by the fact that it's in the public interest to have an independent commission doing this, let me suggest that it might be in their political interest. Just the other night some members might have seen on television the Du Pont awards for broadcast journalism. There was one program that had been produced in Louisiana. It was called *The Boys of Louisiana*. It was a film exposing the corruption, if you like, of the political process in the state of Louisiana. I'm not suggesting that the process here is corrupt in that sense, but it's a process that doesn't have public credibility. So I'm encouraging my friends on the other side to think about this, because if this goes ahead as they're proposing it, we may end up with some creative filmmaker doing a "Boys of Alberta" program about how people just sit down in the back rooms and carve up the province to suit themselves. The more we have that sort of process that we associate with the southern states and other sort of backward jurisdictions, as is commonly felt, we're not doing our citizens any sort of favour. In fact, I would suggest we're doing them a grave disservice.

9:00

Mr. Speaker, let me just add in terms of the question of being impartial and the question of the process being flawed. This afternoon we had the Deputy Premier indicating to members of the Assembly and the public the process for staff reductions in the civil service of the province of Alberta. Now, the Deputy Premier indicated that he thought maybe a thousand employees might feel that they should consider these early retirement proposals, but I have to wonder. In fact, I had a couple of calls on this very point from constituents just before our session this evening. They said to me: "Isn't this interesting? I work for the provincial government. I've been a faithful employee of this government for many years, and now it looks like I'm going to be losing my job. Isn't it interesting that not a single MLA is going to be losing their job out of this proposal?" We're still going to have 83 MLAs. We've

got to cut maybe a thousand employees out of the civil service, who actually provide some real services to the people of the province, but it seems that we still need 83 MLAs.

I wonder if that's really what the public wants in light of the deficit that this province is facing, the financial constraints that the Treasurer pointed out at length just last week. At the same time, we're having to cut back substantial numbers of staff in the public service, not to mention the broader public service; that is, the hospital sector, the education sector, the advanced education sector, social service agencies, and so on. All of those, Mr. Speaker, are also going to be facing reductions because of this government's policies and, I would say, mismanagement. There are so many things like NovAtel and MagCan and all that, but I won't get into that in detail now. That's well known. Let me just suggest that that's another thing. If we had a proper public process, we'd be looking at that question as well.

If we look at our neighbouring province, the good province of British Columbia to our west, you know, they don't have 83 MLAs, Mr. Speaker. They do have more of a population than we do in Alberta, significantly more, yet if my memory serves me right, they have about two-thirds the number of MLAs that we do in Alberta. If we have to make some cuts, shouldn't we be making some in this area? I would suggest to those . . .

#### **Speaker's Ruling Relevance**

MR. DEPUTY SPEAKER: Order please, hon. member. The Chair would ask the hon. member to stay somewhat close to the amendment. The size of the Assembly and the comments that the hon. member has been making for the last two or three minutes are really not germane to the amendment.

#### **Debate Continued**

MR. GIBEAULT: Well, Mr. Speaker, I'll be guided by your advice here.

I was only trying to suggest that the process in bringing Bill 55 before us is flawed, and it's one that does not have public credibility. We go to the public and say, "People of Alberta, you've got to tighten your belts, and you've got to make sacrifices, and you've got to cut back, and perhaps you're going to have to pay more taxes." Then they turn around and say, "Well, how about you guys?" No, there's not a single reduction here. We didn't go down from 83 ridings to 82.

#### **Speaker's Ruling Relevance**

MR. DEPUTY SPEAKER: Order please, hon. member. The Chair just reminded you that that line of argument was not germane to the subamendment. Would you kindly pay attention to what you're doing. You're talking to the subamendment, not restraint.

MR. GIBEAULT: Yes, Mr. Speaker, I will try to make my comments in a way that fits with your guidance.

MR. DEPUTY SPEAKER: It isn't my guidance. The Chair was reminding the hon. member that you're to fit your comments to the subamendment that's before the House.

#### **Debate Continued**

MR. GIBEAULT: The amendment as we are trying to debate it now, just so that I'm clear and we're all clear, is that we're concerned about the "impartiality of the contents of the Bill" and that these were "not ensured because of the flawed process of its

development." I would suggest, Mr. Speaker, that if we wanted to have a process with greater public credibility than the one that brought us to this point now, we would have invited a number of representative organizations in this province to be involved in making submissions and perhaps even being members of the commission. There are a number of provincial bodies of labour organizations such as the Alberta Federation of Labour and the Alberta and Northwest Territories building trades council. There are also on the business side the Canadian Manufacturers' Association, the Alberta section; the Alberta Chamber of Commerce; the Alberta chamber of mines: a variety of them. I mentioned the municipal authorities. What I'm trying to suggest here is that if we had the process, an Electoral Boundaries Commission that perhaps had, as I suggested earlier, a judge and representatives from these broader public interest groups, community organizations, and so on, we would have ended up with a process that had more public credibility, that was impartial.

Frankly, Mr. Speaker, I don't see how even the government members, really, with a straight face can argue that this process has been impartial. How can they possibly make such an argument when there were only four Conservative MLAs drawing these boundaries? Now, they say they had to do it because time was pressing and the Electoral Boundaries Commission didn't come up with a report, but the Premier has indicated on a number of occasions that we're not going to be having an election until the fall. So I think if the government really is sincere in wanting to have a process that is not flawed, that has public credibility, that enjoys public support, they will simply re-establish an Electoral Boundaries Commission with this representation of provincial interests, perhaps a judge as the Chair, and a mandate to come back with boundaries that in fact meet the public interest, respect the Charter of Rights and the recent court decisions in respect of electoral boundaries, and we'll have a process that will be one that the public will be able to have confidence in and will respect. We need to have that. We don't want to have after the next election people coming and saying, "Well, you know, the government would have been different if we had had impartial electoral boundaries presented to us."

Now, let me just propose a scenario to you, Mr. Speaker. What if we have the next election and we have the government with, say, 40 members and the opposition with 39 or something in that neighbourhood? It's very, very close, by one or two members. Then can you imagine the kind of speculation that we're going to have in all kinds of community organizations and provincial bodies, in the media, the public in the pubs and the coffee shops all over the province about, "Well, we might have had a new government if in fact this process of electoral boundaries had been done properly in the first place"? I'm not for a moment one of those who thinks that this present government has a chance of being re-elected, but let's just fantasize for a moment and suggest that possibly that might happen. They get elected by a one-seat majority. Do they really want to go into the next four years, five years perhaps, as a government always looking over their back and always being subject to criticism about, "Well, they wouldn't have formed a government if in fact the process for the electoral boundaries on which that election had been fought had been fair and impartial"? I'm trying to give my friends opposite some advice here, and I'm just hopeful that they will consider my remarks in the spirit in which they are given and look at making these changes.

Now, Mr. Speaker, we have already had indications by a number of government members who have searched their hearts and have found it impossible to support the Bill as it is being presented to us. I commend those members. I know it's been an

anguishing issue for them to look at that and to vote against their own government, but some of them have indicated that they may be doing exactly that. You can see that even within the government caucus there is a lack of unanimous support for this kind of a proposal, that it really deserves another look. So I'm suggesting seriously to my good friends on the government side that if they want to avoid the embarrassment of having their own members vote against them and the embarrassment of litigation in the courts by municipalities who believe this process was a flawed one and wasn't an impartial one, and if they would like to avoid the problems of a lack of public support for the next number of years, then I plead with them to do it right this time. The Premier has said that we will not be going to the polls in September. I hope we can count on that as being the case. If it is, then we should not rush this through arbitrarily and not invoke closure and not try to just ram this thing through even though there are serious concerns by many people who have expressed them repeatedly to us.

In closing, Mr. Speaker, let me just reiterate that I am very concerned about Bill 55. I do not believe it is impartial. I do not believe it is a process that has integrity. It is a flawed process. Many of my constituents have made those representations to me. I urge the government very strongly to reconsider, to submit their proposals to a new Electoral Boundaries Commission that can review them, perhaps make adjustments, give a proper public credibility to the process, and bring them back to the Assembly later this spring.

#### 9:10

MR. DEPUTY SPEAKER: The hon. Member for Westlock-Sturgeon.

MR. TAYLOR: Thank you, Mr. Speaker. I would like to speak to the motion. It's a well-worded one. It said:

the Assembly further regrets that total impartiality of the contents of the Bill was not ensured because of the flawed process of its development.

I guess the first thing when I look at anything like this always is the "total impartiality." Actually, I suppose impartiality would have been all right by itself. Total impartiality: I guess you'd call that a double positive. It's not as bad as a double negative, but it's nevertheless an exuberance. In order to have the message come through, I guess we used a double positive here. "Impartiality," last time I looked it up, means that there's no side taken. "Partial," as we all know, means that there is a side: one side looked at, one side acted on, one side smelled, or one side whatever it is. "Impartial" means that it's all sides or, if you want to call it that way, no sides. So how can any politically appointed committee be impartial by the very definition of the word? It's like the words "pretty graveyard" or "round the square" or "square circle." The very point is that we can't reach impartiality by having a committee appointed by politicians, even Liberal politicians, maybe even dead politicians, who usually become statesmen after they're dead, but they still can't make impartial decisions.

Here, Mr. Speaker, we go on. That's probably the thing that flaws the process more than anything else, certainly, when we say: the process used in its development. Well, as you know, this House tried to control the impartial committees that were first set up by saying how many would be coterminous with municipalities, how many could be allowed to be outside the range, and how many seats we'd have in the House. In other words, we put so many strings on it that it was literally impossible, and we found that out. After two referrals to judges and independent commit-

tees, we came back with a hung jury in each case. That indicated, obviously, that the process was flawed.

That would have been enough to discourage any lesser individual than our past Premier, but he barged on ahead. There's not much difference between our new Premier and the old Premier. They might have changed the driver of the getaway car, but it's still the same gang in the backseat. [interjection] Of course, they immediately moved forward and said that the . . . Somebody is taking objection for the saying "gang in the backseat." I don't know if they're referring to the fact that I'm calling them a gang or whether it's because they're sitting in the backseat or they don't like the present getaway driver in the car. Nevertheless, the heist has been completed, and they went on to the third time around after having given an impossible task to the committees: to make a decision. The judge and jury came back twice and said it couldn't be done. As I mentioned, "a pretty graveyard" or, even more, "a Progressive Conservative": something like that, see? In other words, it was a conflict in terms right to begin with, and of course the government should have thrown in the towel at that time and said, "Well, we'll loosen up the circumscription that we have around what we'd asked them to do. If they're less circumscribed, then they will probably be able to come up with a conclusion." I notice some of the members over there grinning because they thought I came very close to a word that should have been done to them long ago.

Nevertheless, as we got on to the process, the process wouldn't work, so they handed it over to – and I've served on committees many times with the hon. Member for Taber-Warner. If there's anybody that can unscrew the inscrutable, it is the Member for Taber-Warner. So they passed it over to him and his committee, and they gave it a sort of a guild – and this is again back to the process – as if it were acceptable. They said, "We'll form a committee, and we'll invite the opposition in, but we'll make sure we've got four and they've got three." Then they wondered. You know, if the Member for Taber-Warner were a trapper and baited his traps that way, he'd starve to death. He thought he had baited a trap, saying that we'd have four members from the government and three from the opposition. Well, there would be very little sense in joining something like that, Mr. Speaker, and that's why I say the process was flawed. The opposition quickly saw through that and said: "Well, there's no sense in joining this thing. It's obviously going to be rigged and put together in such a way that the four members want it to be put together."

Of course, the committee then marched out. I think I even got a letter asking if I wanted to come to talk to them, you know. Well, Mr. Speaker, I wasn't very busy, but I was still not so unbusy, if you'll pardon the expression, that I had time to go talk to a four-person Tory committee that had their minds already made up. I might have saved a portion of my constituency, but I doubt it. In anger, like the old anger people used to have years ago, they took my constituency, tore it up in little pieces, jumped up and down, threw it up in the air, and let the wind bring it down where it may. So I'm having a little trouble finding the pieces. It's a little bit like a dandelion. Every piece of my constituency was so solidly impregnated with Liberal dogma that all they've done is spread it through three or four seats that are going to go Liberal next time around. Nevertheless, it does show that the process was flawed.

Now we go on. Let's say that the process, as flawed as it was, had a possibility. I hope I haven't made the chairman run for cover, Mr. Speaker. If I have, my regrets. If you want, I could adjourn the House until he comes back, but I think you'd want me to continue nevertheless.

If this committee then came down – and all other types of committees that have been put together through the last number of years, and even the last two that didn't work, at least made a public report, and the public could then meet the committee. The committee traveled around the province, and they could look at what the committee's report had come up with. The committee did not do that. There again the process was different from any other time in the past. The committee said, "Well, let the MLAs do it." That's adding insult to injury. Surely the people of Grande Prairie, the people of Wetaskiwin, Camrose, Bawlf, Ferintosh, Calgary-Currie all should have had a right to look at the process. The process didn't come back after the report came in. All other processes that we've used through the years have always gone back to the public to do some fine-tuning, you might call it. No fine-tuning; it came right to the Legislature.

I think this is not only the politicians making their own boundaries but thumbing their noses at the public without even circulating again out there to the public what they think are final boundaries, saying: "Look, Mr. and Mrs. Public," – or Ms and Mr., whatever they're using – "what do you think of these boundaries?" None of that at all. It got into the Legislature as if to say that there's nothing the public can contribute that's any good. I think that has to be one of the worst insults that's been visited by this government, and this government has done a lot of insulting over the last generation.

Even at this late date, Mr. Speaker, I would like to say that the process may not be beyond redemption. It's a little bit like the Christian doctrine: there's no sinner that is beyond redemption. Somehow or another a last moment confession, a last moment turnaround could – I'm just saying "could"; I'm not saying it will. But just the way the Christian doctrine teaches, there's always room in heaven for one sinner that repenteth. There's always room in the hearts of the public for a government that will repent. Repent, I say, before it's too late. Repent. Refer this back to a judge just for 60 days. Actually, that 60 days is not much at all: two months. Maybe in one month a judge could look at these boundaries and do that final adjusting that's so necessary. So I say once again: repent before it is too late. Refer it back, because there is some redemption there.

Thanks.

9:20

MR. DEPUTY SPEAKER: The hon. Member for West Yellowhead.

MR. DOYLE: Thank you, Mr. Speaker. I got kind of lost in thought on the last words of the final speaker there. I thought he was going to ask them to stand up and ask to be forgiven of their sins for doing such horrible things to the people of Alberta, but unfortunately he didn't go quite that far.

Mr. Speaker, I'd like to say that I stand in support of the amendment and the subamendment, especially the subamendment made by the Member for Vegreville:

and the Assembly further regrets that total impartiality of the contents of the Bill was not ensured because of the flawed process of its development.

Mr. Speaker, the Member for Calgary-Forest Lawn spoke earlier in regards to his first travels to rural Alberta, and there were no washroom facilities or no running water. Well, that still exists today because of some flawed process in the development of this province by this Conservative government. Many people still live that way in native centres in northern Alberta and areas where there's poor development.

Mr. Speaker, as I look at the new boundaries, it's quite surprising. I believe one of our members mentioned last night that on September 7, 1990, the Member for Calgary-Foothills, who sat on this committee, said on page 89 of electoral boundaries, and I quote:

I think it's imperative that the commission be viewed by the public as being totally objective, and that does not include having people – gerrymandering, as you said – elected from various parties participating on this commission. I don't have a problem with, say, each of the leaders of the parties putting forward a name to sit on the thing, but I think it's imperative, as Frank has clearly said, that there be people who represent rural Alberta.

Also, Mr. Speaker, one of the other flawed processes as pointed out by the Member for Athabasca-Lac La Biche on September 7, 1990:

I agree also that we should target possibly a five-member commission. I don't believe we should have any elected members from the Legislature. Because of the number of presentations we heard from both urban municipalities and the rural municipalities, I think we should target to have representatives on there for the MDs and Cs, for an example, and possibly a member from urban municipalities and possibly someone from the farm group.

Well, that's a good suggestion that he took from us, the Official Opposition, Mr. Speaker, but it's too bad that this government didn't follow through with that and have a private organization or committee set up made up of those organizations along with possibly somebody from labour groups or from chambers of commerce, from other well-known groups who know our province and work and deal throughout our province.

That very Member for Athabasca-Lac La Biche who, surprisingly, said that there would be no gerrymandering: his new boundaries, Mr. Speaker, start approximately 12 miles – these maps are in miles I believe. The centre point of the province, as most members would know, is at Colinton, Alberta, at the dominion observatory just west of Highway 2 by Colinton. The new boundaries that have been gerrymandered for the Member for Athabasca-Lac La Biche begin some 12 miles south of that, down around the Rochester area or a little bit south and go right to the Northwest Territories border. That's approximately 432 miles from one end of that particular riding to the other. The total width of the province at the Northwest Territories, of course, is 360 miles, so the depth and the width of that portion of Alberta is basically larger than one-third of the northern part of Alberta. It is, in fact, a little ways south of the centre mark of Alberta at the dominion observatory at Colinton. So it appears that for some reason this strange boundary was drawn to have this riding of Athabasca-Wabasca.

I can't see as a rural member, Mr. Speaker, how the constituents of Athabasca-Wabasca would be served better than they were served by the Member for Fort McMurray, because the air service from Fort McMurray going north, of course, goes to Fort Chip. You can get to Fort Chip in the northern part of this new riding of Athabasca-Wabasca much easier from Fort McMurray. If you were to go to Athabasca, for instance, there is only a small airstrip. You would have to go to Edmonton to catch a flight to go to one of the most northern communities in Alberta, Fort Chip. I would hope that the Member for Athabasca-Wabasca, whoever it might be, would want to serve the people at Fort Chip just as conveniently and as well as he or she would serve the members of his or her constituency in the town of Athabasca. So it seems quite unfortunate that a riding would be drawn out in such a way that even airplane service would be difficult unless you in fact chartered aircraft to get to those communities. The area of Wabasca, of course, was in the riding of Lesser Slave Lake previously, but there's a good road now from Athabasca to Calling

Lake and on to Wabasca, so those areas would fit quite well in that Athabasca-Wabasca riding. If the process hadn't been flawed in its development, we wouldn't have such a large riding going out in different directions around the northern part of the province.

When we get to the committee stage, perhaps we will be bringing some proper maps forward, but in no way should MLAs have gone around this province drawing up their own boundaries. That is just a small example, Mr. Speaker, of how easy it is to gerrymander the ridings to do away with some areas that one seems to think perhaps would not be winnable or dividing up people who have different shopping trends than others. For instance, the people from Lac La Biche quite often do their shopping in the town of Athabasca. Any private commission who made sure that there was no flawed process in this development would in fact make sure that shopping trends, banking trends, those types of trends in rural Alberta would have taken place.

I refer to my riding of West Yellowhead, Mr. Speaker. I have an office in the town of Edson on the east side of my boundary, and many people from as far out as Nojack, Shining Bank Lake, that area from the Whitecourt riding, do their shopping, their banking, pay their power bills, and send their children to school in Edson. The hospital service in Edson accommodates the people from that general area. So that in fact puts quite a strain on my Edson office. One of the things we have to consider when we're drawing up boundaries in the province are these shopping trends and how we can serve every constituent, whether urban or rural, in a better way. My office in Edson accommodates about 30 percent of . . .

9:30

#### Speaker's Ruling Relevance

MR. DEPUTY SPEAKER: Hon. member, the Chair regrets to interrupt you but would remind you that the amendment before us really doesn't encompass the comments you've presently been making. I would ask you to try to come back to the amendment. There's another stage of the Bill where the comments you have been making would be more in order.

#### Debate Continued

MR. DOYLE: Thank you, Mr. Speaker, for bringing me back. I thought I was on track because according to the subamendment, the Assembly further regrets that total impartiality of the contents of the Bill was not ensured because of the flawed process of its development.

If this flawed process had not been in there, perhaps rather than 30 percent of the people from another riding using my office . . . Like the government says, we might have to have a user fee for hospital care or something; I perhaps could collect some kind of a user fee from the member's budget for the next riding had this process not been flawed this badly. It would have helped me to serve not only my people better but the people who have their shopping trends going in that direction. It's no fault of the member from that riding or from any other riding if they happen to come to do their business at government buildings or whatever, to stop at the local MLA's office and see if they can get done what needs to be done.

I just wanted to raise that, Mr. Speaker, because had it not been a flawed process, I'm sure some private committee or commission would have definitely looked into that, taken the concerns of the public into consideration much stronger than the considerations of certain MLAs who might fear they might not be elected or have better chances of being elected. I think that should be left up to the electorate at election time.

Now, that particular riding of Athabasca-Wabasca, that was drawn up through some flawed process in the development of this particular boundary situation we're in now, is 46 percent below the average population of the province of Alberta; Lesser Slave Lake, minus 34 percent. I can understand that because of poor population base in those areas it's difficult to get closer to the 25 percent, and there has to be some allowance there. The riding of Chinook, for instance, Mr. Speaker, an area you're familiar with, the Minister of Health's, is a very large area. You can't really throw a stone between houses down in that country. So it's necessary because of the large area that the member from that area has to cover that there must be some adjustment to the amount of people in that area. There's no air service in that area, to my knowledge. Good highways, mind you, and big ranches, but a large, large area.

Had this process in its development not been flawed so badly, I'm sure a lot of these other concerns of the constituents of the people of Alberta who spoke to the commission as they went around the province – I was one of those, when the panel that was selected earlier went around, who had the opportunity to speak to that commission. I listened in on many of the people who gave presentations within my riding, outside the riding, here in Edmonton, and other places, just to get the general feeling of the people of Alberta. They said time and time again that it should not be MLAs drawing up their own boundaries. But apparently this government did not listen, and we're in the situation we are today.

Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: The hon. Member for Stony Plain.

MR. WOLOSZYN: Thank you, Mr. Speaker. I, too, must rise in support of the subamendment that goes: and the Assembly further agrees that the process is flawed. I think every member in this House who stops and reflects on what's happened here must in fact agree that the process that led to the introduction of Bill 55 at this time should be reconsidered.

We in the opposition benches have had some very, very good suggestions. The independent commission has been a position taken here from day one, and I think we have to remember that a process as important as redrawing constituency boundaries not only has to be fair but has to appear to be fair. I don't know if we could ever find out the real thoughts that were in the four colleagues who drew up this, if there was intentional gerrymandering. Was an intentional direction taken by them? I certainly wouldn't want to impute motives of the intent to gerrymander. I don't feel it would be very appropriate. However, the appearance of being fair and just and the appearance of impartiality is not there. No matter how much we profess, no matter how honest the people claim to be, no matter what level of integrity is professed by the individuals involved, the bottom line remains that four elected MLAs from one political party, the government party, were totally responsible for the whole of Bill 55 and its accompanying documentation.

I think if we're going to pass judgment on the process, we have to look at how it was arrived at. Guidelines were given to one group, impossible guidelines that made 'rurban' ridings appear on the map. 'Rurban' ridings were discounted from the moment they were claimed to be there. Everybody knew they wouldn't work and wouldn't be accepted. But, no, this Assembly in its lack of wisdom passed that criteria on to the commission that was impartial, that was made up of impartial people. With that group, this Assembly tied one arm behind their back with that one.

Then they turned around and had other convenient criteria that went along and inhibited them from doing the job this Assembly

asked them to do. The Assembly asked them to come up with something known as redistribution. There was a lot of debate on how that redistribution should be, whether it should be one hundred per cent representation by population or not. But if we're looking at what is really underlying this whole debate, the bottom line is that whether we like it or not, whether we want to accept it or not, whether it's even fair or not, courts have ruled in other jurisdictions that population, if not the main criterion, is a paramount criterion, and that population numbers must be somewhat consistent within all constituencies. For whatever reasons, the courts have not entertained the arguments, whether valid or not, that if you have more trees than people, the trees should get the vote. That was never considered, nor were the sheep nor the mountain goats nor the dogs nor whatever wanders around these places where there aren't any people.

We looked, then, at what happened next. This group of five people came up with five reports. It's not surprising. They tried diligently to be fair. They tried to be impartial, but this Legislature rammed through a set of rules that made it impossible for them to fulfill their mandate. So they did what a responsible group could do: they submitted five different versions. We said, "Ah, shucks, we can't have that." That was true too. How do you have five reports? So at a time when we had sincere people, who had their hands tied behind their backs with rules, come back with an honest effort after going through extensive public hearings, after having a handle on what many Albertans wanted, after having an understanding of what they needed, after having an appreciation of how the boundaries in this province could be redrawn, we turned around and we said to them: "All your work is not important. We're going to get some elected folk that are going to do this a lot better and a lot fairer and with absolutely no chance of anything called gerrymandering." Well, Mr. Speaker, it didn't work that way, unfortunately. Whether these four fine people from the same party intentionally gerrymandered or not is quite immaterial. The appearance is there, and that's what counts, the perception that's there.

**9:40**

If anybody feels that that perception is not there, go out and talk to the people in Lac La Biche. They're not happy. They're very unhappy, to the extent that they are considering a lawsuit. Talk to the people in the Camrose area. They're not very happy. They're writing letters to the Speaker's office. I hope that those letters are taken into consideration and amendments proposed on their behalf by the MLAs responsible, because that, too, is a responsibility of this process; that is, to represent the wishes of the people after this Bill is submitted in the amendment stage by the MLAs who are bound, or should be, to try to sort out some of the areas of concern.

Now, it's interesting. We talked about what's perceived to be fair. You'll notice that the committee is just made up of government MLAs. The other parties knew the system was not fair, knew the public would see it as not being fair, and decided, and rightly so, not to participate in that particular chunk of the process.

DR. WEST: What's the point?

MR. WOLOSHYN: The point is, hon. member, that had the government at that time acted responsibly, the committee's structure would have been changed to be fair, would have been changed maybe to include the same four MLAs and some from the other two parties and definitely would have been put under the direction of an impartial person, such as a judge. That would have been very, very significant. Had a little bit of, shall we say,

reflection on reality occurred at that time, we wouldn't be mixed up in this particular process that we are now. We would have had perhaps not a perfect commission but a commission that appeared to be certainly a lot more fair than this one appears to be, Mr. Speaker.

Now, I think we have to just stand back for a moment and reassess what's going on here. If the amendment and the subamendment are passed, what will be the effect? The effect, Mr. Speaker, will be that we will then get, hopefully, a new body put together that's accepted by all members of this House unanimously, without the whip being on, that will use a lot of the good work that has been put together so far. We have to appreciate that the work that's done, the information that's been gathered by the previous processes is not lost. We could have a commission that would build on all of this, that would look at the concerns of the people in Camrose, the people in Spruce Grove, the people in Lac La Biche, that would address the wisdom of a constituency that meanders from just north of Edmonton all the way up to the Northwest Territories boundary, that would consider the wisdom of having a constituency like Fort McMurray stuck in the middle of this great vast whatever, part of another constituency, and look at the wisdom of something called proximity. Maybe Fort McMurray would then become a constituency of a little greater size and it would be a little bit more responsive to the needs of the people up in Chipewyan. But no, that can't be considered now. It should be, but it can't be. We look at all the constituencies in northern Alberta, or the three that cover the top of the province at any rate, and they don't seem to make an awful lot of rhyme or reason as to how you arrive at those boundaries. It appears they just sort of drew them.

Now, I talk about appearances of fairness. We have four constituencies that are significantly below a norm for population, but what is more distressing about this, Mr. Speaker, is that even to arrive there, we had to change some of the criteria outlining how you get a smaller population base. Section 17 was revamped. All of a sudden, the length of a secondary highway in a constituency isn't a part of the criteria, but Indian reserves and Metis settlements are. Now, I would like to know on what basis having an Indian reserve or a Metis settlement becomes one of the three criteria for an exemption on the size of population. I currently have the honour and privilege of representing two Indian reserves. I would suggest to you that representation on an Indian reserve is probably much easier than outside because you can get into general band meetings, you can get to meet the council a lot easier, say, than in the same area elsewhere.

All of a sudden, we now throw in this exemption criterion that we must have at least an Indian reserve in there. By golly, we look at the four constituencies and Lesser Slave Lake has Indian reserves. Athabasca-Wabasca has got Indian reserves. Cardston-Chief Mountain has got Indian reserves. I don't believe Chinook has. So now we must be realistic. If we've changed the legislation to change the criteria and lowered it down to three and threw the herring of an Indian reserve in there, we really have two criteria now for determining whether or not the population can be significantly lower.

What is that other criteria? Oh, son of a gun, we should have one of the provincial boundaries as a part of that particular constituency's boundaries. We look at it. If you look at the map going north, Lesser Slave Lake goes on forever till it hits the top of the province, right up to the Northwest Territories. The only good reason I can see that the north end of Lesser Slave Lake is not served by the Peace River constituency, which would make a lot more sense and be a lot more effective and a lot more fair, is that we needed to have the north boundary of Alberta as a part of

the criteria for that particular constituency. That does not seem to me in any way, shape, or form to be an acceptable reason for extending a constituency on forever, at least on paper.

Mr. Speaker, those are the four exceptions, but how great is the exception? You could say 10 or 15 percent or 20 percent or 25 percent or 30 percent, but a 46 percent deviation from the so-called norm – 46 percent – is totally unthinkable. But it's there. I think when you stop and clean your mind of all the politics of this and look at what's happened here, it's quite obvious that again we had criteria changed and ridings drawn to fit criteria so the population requirements would be lower. That's the only way a constituency the physical size of Athabasca-Wabasca could have a population that is 46 percent lower than the norm. There were a lot of other ways that that constituency could have been drawn that would have given more effective service to the people up in Fort Chipewyan, that would have had a greater population base for the constituency itself, that perhaps would have even made Lesser Slave Lake a better constituency in the process and maybe even Peace River. But no, we want to have no people in there. The deviation from the norm is very high and exceeds the 25 percent by a long shot in the other three constituencies.

### 9:50

I would suggest to you that, yes, there has to be a balance of some description between maybe making allowances for a variety of factors in terms of how we serve our constituents. It also becomes a reality that if people don't live in an area, maybe you should make the area bigger. You shouldn't twist the boundaries like you see the Athabasca-Wabasca one, around corners and to exclude people intentionally, but the area should be made bigger. Maybe we should be looking at the reality that perhaps we shouldn't call it rural Alberta and make it rural versus urban. If people have moved to the cities, it's logical that perhaps representation should increase in the cities and decrease to some degree in areas people have left.

Now, if you want to just look at sheer physical size, the whole southern end of Alberta in the special areas has had a shortage of people for a long time; they've vacated. [interjection] They may have quality people remaining there, hon. minister, but the sum total has been leaving gradually for whatever reasons. I'm sure it's not because of representation in Chinook necessarily. However, the point I'm making is that if the Member for Chinook can represent an area roughly equivalent to Taber-Warner and Cardston-Chief Mountain combined and with very similar terrain, then what is the criteria for having Chinook physically so large and Cardston-Chief Mountain and Taber-Warner so small, relatively speaking? I don't know. That's where we talk about fairness, because it isn't fair. [interjections] If the Member for Chinook in the same terrain and with the same kinds of problems can represent a physical area as large as is drawn on this map, then why can't another MLA represent a similar sized area? Mr. Speaker, that hasn't been addressed. If we looked at that particular rearrangement, we'd see that suddenly we may not need to have four changes, maybe only three.

[Mr. Speaker in the Chair]

When I opened my comments, I said that the perception of being fair is not there. I think it's rather obvious that if the intention to be fair was there, certainly the end result has lost any appearance of being fair. If you look at the subamendment more specifically for a moment, we see that the term "flawed" is used. If you want to know what "flaw" means, for those of you who don't understand, it's a crack, a breach, an imperfection, a

blemish. More than anything, it's an invalidating defect in a document. It's an invalidating defect in the procedure, and it's an invalidating defect in the evidence presented. So, Mr. Speaker, even taking the one word, if you want to focus right on the subamendment, you can see there is no question that that subamendment should be supported wholeheartedly.

Where it's saying that the "impartiality of the contents" is flawed, I just pointed out that the whole process is a big flaw. Now, what does "impartiality" mean? It means that you're not prejudiced, that you come with an open mind, that you're not biased, that you're not unfair, that you're not being partial in any particular direction. If you look at the Bill as it's laid out with the criteria that have been given and turn around and look at the subamendment, you see that, by golly, it matches perfectly because there is an appearance of bias. There is an appearance of partiality. Certainly I would never accuse people of doing this intentionally. I'm sure it was all one big coincidental accident. There's no question in my mind that that's exactly what happened, one big coincidence. But, Mr. Speaker, this humongous coincidence has got the people of Alberta wondering why we did this. Why did this Legislature appoint four well-meaning people and subject them now to the possible accusation that they weren't totally impartial in their approach to this whole problem? I don't know.

We had so many other options, Mr. Speaker. We could have had a judge chair the commission. That would have helped. We even could have had members from all three parties on an impartial commission. That would have given it credibility. But no, we didn't do that. In some kind of, I don't know, wild haste we shoved this through this Assembly. I think we have to remember that not only the opposition has concerns about the process; other, very upstanding government members have also had concerns about it, have also wanted to revisit this issue. I would suggest very strongly (a) that the issue should be revisited. We do have a sufficient amount of data compiled by previous bodies from their meanderings around the province. We've got sufficient reaction from people in this province to know where the undesirable spots on this particular map are. We know that most of the MLAs have now paid some very special attention to what's happened on the map. I think we've got a very, very good foundation to do what is right, to put together a redistribution that will in fact properly carry us into the year 2000.

All we have to do to do that is very simple: we support the subamendment; we support the amendment. Then we become mature legislators and say, "We made a mistake; now let's rectify that mistake." Rectifying the mistake would be very easy. The hon. minister of justice could then come back with a proposal, a motion, to put together a new group who would use the old information, who would use the input of what has happened. Do you know what is likely to happen if that should occur, Mr. Speaker? We would probably get an improved product, a product we could be proud of, a product that Albertans would know was put together fairly and honestly and properly, and we could all be very proud of the fact that redistribution was done as fairly as possible with the idea that it would continue into the next century and remain fair. Best of all, we could avoid this whole debate. All we'd have to do is get on track and do the job right.

I would encourage every hon. member to let all their little inhibitions go, look at what's happened, and support these particular positions. If you support the positions that we're proposing to you, you would show that you as legislators would be what you're supposed to be, and that's totally impartial, especially when we're coming to something as important as redistribution. And you would ensure that this very, very flawed

process would be rectified. It would not cost any additional moneys, I don't feel, because there's a lot of information that's already been compiled. It wouldn't require future public hearings, Mr. Speaker, because in the ones that were held in the past two or three years, the positions submitted are very, very relevant, so that could be gone by. The various communications to all the members of this Assembly from constituents across this province could be submitted. I'd be more than pleased to turn in the ones that I have to this new committee. We wouldn't have this process to go all over. We would have the information of what Albertans want.

**10:00**

Yes, there would be people who would still be unhappy with it, but the point I'm trying to make: even if I were unhappy with the result, I could honestly say to Albertans that, yes, maybe everybody doesn't get their way, but we can't knock the process. It was done openly; it was done objectively; it was monitored by an impartial person, whoever that might be. The end result is that although we may not all like what has happened, we wouldn't end up having to have a constituency necessarily 336 miles long. I'll let you guess which one that is. Count them on the map, 336 miles long. A lot of it is uncharted territory, but it's there. We wouldn't be intentionally stretching constituencies to hit the Northwest Territories, because perhaps in the same process we would revisit the criteria for making special cases. We may end up with some sister constituencies that would make the hon. Member for Chinook feel good in terms of relative physical size. You'd have people down there representing similar areas having to work similarly hard. We would have all those things, but the most important thing that every person in this Legislature would have, Mr. Speaker, would be credibility in the eyes of the public. We would have three political parties who would agree. We would not have members who would be placed in the dilemma of having to stand up against their own colleagues because they feel that in some way, shape, or form particular lines were not done particularly fairly. All these things would be healthy not only for the members involved but for all Albertans.

In this day and age when politicians' credibility is subject to question at best, I think we should be paying attention to that other aspect also and not just let that go by the wayside. If by being more fair, by being a little bit more realistic, we can improve a product and gain credibility as politicians, I suggest to you, what's wrong with doing it? Why are we reluctant? Why don't we just do what the obvious thing is and get an independent commission to draw these boundaries? They may turn out to be remarkably close to what we have before us. I don't know that; I couldn't predict it. What I can tell you though: if that independent commission did that, all the people in this body would have to accept it, and the public would accept it, and it would not only be fair but it would also appear to be fair.

Thank you, Mr. Speaker. Those are my brief comments.

**MR. SPEAKER:** The Member for Edmonton-Strathcona.

**MR. CHIVERS:** Thank you, Mr. Speaker. I rise also to support the subamendment proposed by the Member for Vegreville, if I can find it here in a moment. It's a well-thought-out subamendment: very carefully crafted, well reasoned, and thoughtful. It reads:

and the Assembly further regrets . . .

Note the choice of language. It's not inflammatory; it's nonprovocative: regrets, not deplores.

. . . that total impartiality of the contents of the Bill was not ensured because of the flawed process of its development.

Now, I say at the outset that the subamendment was carefully crafted. It was stated in nonprovocative language. It's expressed more in sorrow than in anger, because of course I'm sure that's the way members on this side of the Assembly feel about the matter. It's not a matter of anger. It's a matter of sorrow that such a flawed process has led to the development of a Bill which is totally partial, and that, indeed, is what the contents of this Bill provides. I need only cite a few examples of the partiality or the lack of impartiality of this Bill in order to illustrate it.

We have, firstly, the Calgary-Elbow riding. I need not say much on this. It's been clearly the subject of a great deal of criticism here in the Legislature in this discussion that has been taking place, during this debate. It's also been a subject of much commentary in the media, and it is a matter of some public concern. The other ridings, of course, are Athabasca-Lac La Biche, Calgary-Foothills, and to a certain extent the Taber-Warner riding.

Now, the difficulty, Mr. Speaker, is that the contents of the Bill are indeed partial. They are not lacking in impartiality, which is what legislation of this sort should be demonstrating, and the process which has led to it is a flawed process. So it is to be expected that the product of the process will not exhibit the degree of neutrality and balance that one would expect of such important legislation. One of the difficulties, of course, with the Bill, speaking in general terms, is the fact that it systematically underrepresents the more populated areas of the province and systematically overrepresents the less populated areas of the province.

I submit, Mr. Speaker, that there were three reasons essentially that were engaged in this process at this particular point in time. One of the reasons, of course, was the Charter decisions in the Dixon case in British Columbia and the Carter case in Saskatchewan. These cases made it very clear that relative equality of voting power was something that was to be strived for in the contents of a Bill of this sort. If the Bill had been brought about by a less flawed process, I'm confident that indeed the contents of the Bill would not have exhibited this degree of systematic underrepresentation of the more populated areas and systematic overrepresentation of the less populated areas. That is a fact that is to be deplored.

Mr. Speaker, the other reason that we're engaged in this process, of course, is because of the previous legislation which required after every second election the establishment of a process to deal with representation issues. The reason for that is manifest. Obviously, as time passes and populations grow and move about in an area, then issues of representation and fairness of representation, relative equality of voting power, are going to come to the fore, and it's no surprise that since 1984 we've experienced exactly that sort of development in the province of Alberta. It is also no surprise that as time has passed there has been a growing awareness in the public within the province of Alberta of the greater and greater disparities in voting power. The consequence, of course, has been that the governing party, as it was mandated to do by the legislation, did engage a process and did properly engage the process. It was recognized and, I submit, properly recognized at the time that the existing legislation would not meet Charter muster. Consequently, the governing party recognized the necessity of revising the legislation that established the Electoral Boundaries Commission.

**10:10**

Of course, the governing party appointed a select committee to study the boundaries issue. That committee made a report to the Legislature, and that report with some amendment, particularly an amendment with respect to ensuring that consideration was given

to the requirements of the Charter, was passed by this Assembly, and of course we all know that an Electoral Boundaries Commission was appointed. Now, the difficulty, of course, was that although that commission struggled within the skewed rules it was directed to consider and to apply, that commission unfortunately does not meet the test of impartiality, and that's unfortunate.

I would wish that the Legislative Assembly in establishing that committee had followed the pattern that is established by other legislation in the provinces of Manitoba and Saskatchewan, where indeed there is an effort made to establish a nonpartisan type of electoral boundaries commission. In both of those provinces the legislation provides that the chief justice of the province along with the Chief Electoral Officer along with one other person shall constitute an electoral boundaries commission. The advantage, of course, is that to the extent it is possible, that removes the question of partiality from the process. I regret that this Legislature did not see fit to follow that pattern in terms of the establishment of the commission.

The other requirement in those jurisdictions, of course, is that any member of a commission may not be a sitting member of the House of Commons or of the Legislative Assembly of any provincial jurisdiction. Consequently, that again removes the issue from partisan politics to a certain extent. I submit that it is regrettable that this Legislative Assembly did not choose to follow that kind of a model with respect to the appointment. The difficulty, of course is that by following the partial process which was followed here, we have ended up with a flawed product. The result, of course, is something that will continue to be controversial within the public domain, and certainly it is something that is controversial within the Legislative Assembly.

Now, the question here is: is there a mechanism to deal with a very difficult and complex topic, one that requires a very careful balancing of interests and one which is certainly going to require a great deal of sensitivity in terms of the drawing of the boundaries? I submit that it is possible to deal with this matter in a very expeditious way. It's been urged on the part of some members of this Assembly that there is an urgency to this which militates in favour of us having to speedily dispense with this issue by the passage of the proposed Bill. Well, why the urgency? The urgency, I submit, Mr. Speaker, is a result of the fact that this government is approaching its last 12 months in its mandate. Of course, the closer that it approaches the end of that 12-month period, the less flexibility it has in terms of calling the election. The urgency comes about as a result of the unwillingness of the governing party to design and put into place a fair process. That is the reason the urgency comes about. There has certainly been a lot of time since the last election, nearly four years now, in which to have undertaken a fair and impartial process, one that would not have had the degree of partiality of the contents of a Bill that was brought to the House as the result of that process, would not be flawed, and would meet with the approval of the Assembly.

Mr. Speaker, it has been indicated to me that one of my colleagues needs to speak tonight, so on that note I'm going to defer. [interjection]

MR. SPEAKER: Order please. Just a small technicality: it's the Chair that recognizes.

Are there additional members wishing to speak? I've been hearing principally from one caucus, that's all. Thank you.

Edmonton-Kingsway, please.

MR. McEACHERN: Thank you, Mr. Speaker, and thank you to the Member for Edmonton-Strathcona. I wanted to get in

particularly on this subamendment. Because of the way it's worded, it leads very nicely to some points I wanted to make and a couple of ideas put forward by people on the north side of the city of Edmonton that I want to get into the record.

The subamendment says that "the Assembly further regrets that total impartiality of the contents of the Bill was not ensured because of the flawed process." It's the contents of the Bill that I want to spend just a little bit of time on. It's my belief that the process was not impartial and that the results then also reflect that lack of impartiality. I think all you have to do is think about the situation in Calgary and some of the gerrymandering that went on there within the government's own party and some of the constituencies: the Premier's and a former cabinet minister's. All you have to do is think about the whole rural area and the fact that the process assured the overrepresentation of the rural areas compared to the urban areas. That in itself is a kind of gerrymandering.

Finally, all you need to do is look at Edmonton and particularly the north half, which I'm more familiar with. It's really hard to know whether the Tory committee that did these boundaries set about seeing what a mess they could make or whether they just didn't care and just drew lines. In any case, there certainly was not much attention paid to any of the criteria other than the numbers of people in a riding. When you've got an area that is growing like the north side of Edmonton is on the fringes in the northeast and in the southwest on the north side of the river, obviously the centre ridings are going to have to be adjusted a little bit, and you're going to have to leave room for growth on the outskirts. The Tory committee did do that. However, the way they broke up neighbourhoods and communities, as I pointed out the other day, was really rather strange. For instance, I want to read into the record part of a letter from the president of the Sherbrooke community league, Mr. Keith Switzer. He wrote a letter to Premier Klein and sent a cc to myself and to the Member for Taber-Warner and to his alderman, Allan Bolstad. He indicates:

I have just received a copy of the . . . boundaries . . . I notice that the Sherbrooke Community League and Prince Charles Community League are now part of the Norwood riding.

A review of the map shows that the two leagues are now separated from the rest of the new riding by the Edmonton Municipal airport. The geographic separation and the fact that these areas have little in common as far as community involvement and joint projects are what make me write in protest of the suggested change in riding boundaries.

He goes on to explain that in the past his community league has shared many joint programs such as community based police, Neighbourhood Watch; many projects with the community leagues of Westmount, Dovercourt, Inglewood, Woodcroft, Queen Mary Park, Prince Rupert, and Prince Charles. Those are the eight community leagues when you add in Sherbrooke community league in the riding of Edmonton-Kingsway. Joint projects also include the same zones in soccer, hockey, and baseball.

It does not make sense to split us off from the areas where we normally share programs and sports teams.

He goes on to say:

I would be prepared to participate in an independent commission to make suggestions on changes to riding boundaries.

Had the four Conservative members talked to some of the community league people like this gentleman, they would have got some good advice about which communities to leave together and which ones not to leave together.

10:20

Also in terms of the contents of the Bill, one of the ridings that is created in the northwest is a new riding called Edmonton-

Mayfield, and I just want to point out what an odd sort of anomaly it is. Edmonton-Mayfield is made up of 8,360 electors from Edmonton-Kingsway. That's some 34 percent of the voters in the new riding, according to the new 1989 election enumeration. From Edmonton-Jasper Place the Edmonton-Mayfield riding gets 6,524 or 26 percent of its population. From Edmonton-Calder it gets 9,923 or 40 percent. Here we have a riding that takes a chunk out of Edmonton-Calder above the rail line, takes three community leagues out of a whole cluster of community leagues out of the middle of Edmonton-Kingsway, and takes a couple of community leagues out of Edmonton-Jasper Place and leaves a couple out. You've all had letters saying what a wrong thing that is that those community leagues should be divided up in that way. It is a most extraordinary constituency.

The contents, then, of the Bill are certainly flawed, because either the members making them up didn't care about those boundaries and about those communities of interest and natural boundaries or else they did care and purposely messed things around. I'm not quite sure which it is. In any case, what this leads to is a situation where the ridings on the north side of the river in Edmonton are just not acceptable from the point of view of how the communities are split and which ridings they're in and that sort of thing. There's no community of interest in those three areas I referred to, for example.

Last night you were also given a letter and a proposal with a series of maps by a person called John Day. Now, he was a returning officer in times gone by, and he's just naturally interested in these things. He couldn't help but take a look at the boundaries from Bill 55 and said, "Good heavens; anybody could draw these up better than this." He sat down and started to work on it. Then he heard that amendments weren't going to be allowed, so he backed off and left it for awhile. Then he heard that there might be some tinkering and boundary changes, and he couldn't resist; he had to finish his work. I encouraged him to send it in. I'm not saying that this is a finished or polished proposal that has, you know, got to be exactly this way or anything, but surely if you just look at some of the features of it, you will see the difference between the approach that this gentleman took to drawing up some sensible boundaries for a situation in the north of Edmonton that is there and has caused problems for the previous committees as well.

The fact is that there's growth, as I said, on the southwest side of the north side of the river. There is also growth in the northeast. What it amounts to is that you eventually decide that you have to have an extra riding on the west side, where a lot of the growth is taking place, because you have to allow for more growth to take place there as it is a growth area. That means the elimination, probably, of one of the centre ridings, one of the ones in the middle. You could look at eliminating Edmonton-Centre or Edmonton-Kingsway or Edmonton-Glenora. In any case, whichever one you do decide to eliminate, there is no reason to split it up in such an awkward manner as was done by this committee.

If you just look at proposal A, you will see that the numbers are also attached to the size of the ridings. They fit within the parameters, not unlike the numbers that the committee put together, but you will see that the proposal – this goes back to a point that I made earlier when we were talking about changes. Surely you should try to do your changes by moving one side or another of the riding rather than just totally destroying the riding, if that's possible. So what you look at is community leagues that have common interests and try to keep them together and see how you can make the least disruptive changes according to natural boundaries and according to community of interest. If you look at proposal A, you will find that Edmonton-Jasper Place and the

new Edmonton-Meadowlark and the riding which the Conservative committee called Edmonton-Manning but Mr. Day chose to call Edmonton-Woodbend – and his reason was fairly simple. He said that if you're going to name a riding in the city Edmonton-Manning, you probably should make it up by Manning freeway. I gather also Premier Manning had a farm in that area. Or you might have wanted to make it in the Edmonton-Gold Bar area. He actually represented that part of the city for some time. But not likely in the present Edmonton-Meadowlark area. In any case, those three ridings come out small enough to allow for growth, and they are the growth areas, according to his map.

However, it's the centre that is more interesting. He proposes to give back to Edmonton-Calder the boundaries that it had before and pretty much the boundaries of Edmonton-Glengarry as well. The difference that he made was to look at the Edmonton-Kingsway, Edmonton-Centre, and Edmonton-Glenora areas in this particular proposal. He noted that Edmonton-Glenora has often had a long association with the Oliver area, that in fact the Groat Estates area just on the east side of Groat Road has often switched back and forth from belonging to Edmonton-Glenora to belonging to Edmonton-Centre over the last couple of shifts in boundaries. Edmonton-Kingsway, the way he puts it forward, is pretty well intact but adds a bit of Queen Mary Park. Right now Queen Mary Park is half in Edmonton-Kingsway and half in Edmonton-Centre, but that would reunite these two. It would go on further to the east a little bit and take in Central McDougall community league, which would then bring Edmonton-Kingsway up to a larger number. Edmonton-Kingsway is one of the smaller ridings right now. Also, in the left southwest corner Edmonton-Kingsway picks up North Glenora, I believe.

Now, I'm not an expert on the northeast part of Edmonton, so I'm not going to go into detail about the changes that were suggested there, but they do stay within the numbers allowed by the committee in terms of the 25 percent limit and that sort of thing and allow some growth in the northeast. Certainly my colleagues would know more of the details about that region and whether or not Mr. Day has done a good job in that part, so I don't propose to comment on that part in some detail.

He did also put forward a proposal B, which was a little bit different, in which he decided to work north-south on Glenora-Kingsway and put them together in one riding and keep Edmonton-Centre. That certainly is an alternative, and it does fit the community league boundaries and the interests of various communities in being and working together. I think this proposal deserves a certain amount of consideration, a look at it, to see if this Legislature can better serve the Edmonton people of the north side of the river, because there is no doubt that Mr. Day understood certainly the central and western and northern part of Edmonton much, much better than the Tory committee that did the work on the boundaries that they proposed.

Mr. Speaker, I wanted to put that on the record, and this amendment happened to be just a really appropriate time to do that, I thought. So those are my remarks for the evening.

Thank you.

HON. MEMBERS: Question.

MR. SPEAKER: A call for the question. With respect to the subamendment as moved by the Member for Vegreville, those in favour of the subamendment, please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

[Motion on subamendment lost]

MR. SPEAKER: The matter fails.

MR. SPEAKER: Returning to the amendment.

**10:30**

[Several members rose calling for a division. The division bell was rung]

SOME HON. MEMBERS: Question.

[Eight minutes having elapsed, the Assembly divided]

MR. SPEAKER: A call for the question on the amendment?

For the motion:

Bruseker	Gagnon	McEachern
Chivers	Gibeault	McInnis
Doyle	Hawkesworth	Taylor
Ewasiuk	MacDonald	Woloshyn
Fox	Martin	

AN HON. MEMBER: No.

MR. SPEAKER: Well, hon. member, forgive me. I'm just trying to ask the will of the House.

I recognize the Minister of Environmental Protection.

**10:40**

MR. EVANS: Mr. Speaker, as Deputy Government House Leader, given the hour, I move that we adjourn debate.

Against the motion:

Betkowski	Horsman	Paszkowski
Bogle	Hyland	Payne
Bradley	Johnston	Rostad
Calahasen	Laing, B.	Schumacher
Clegg	Lund	Severtson
Drobot	McClellan	Tannas
Elliott	McFarland	Thurber
Evans	Mirosh	Trynchy
Fischer	Moore	Weiss
Fjordbotten	Nelson	West
Fowler	Oldring	Zarusky
Gogo		

MR. SPEAKER: Before putting the question, the minister is adjourning debate on the amendment. All those in favour, please say aye.

HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no. Carried.

Totals:

For - 14

Against - 34

[At 10:41 p.m. the Assembly adjourned to Wednesday at 2:30 p.m.]

